



RANCHO MURIETA COMMUNITY SERVICES DISTRICT

15160 JACKSON ROAD
RANCHO MURIETA, CALIFORNIA 95683
916-354-3700
FAX – 916-354-2082

AGENDA

*“Your Independent Local Government Agency Providing
Water, Wastewater, Drainage, Security, and Solid Waste Services”*

REGULAR BOARD MEETING

February 16, 2022

Closed Session 3:30 p.m./Open Session 5:00 p.m.
via ZOOM videoconference
Rancho Murieta, CA 95683

BOARD MEMBERS

Tim Maybee	President
Randy Jenco	Vice President
Linda Butler	Director
John Merchant	Director
Martin Pohll	Director

STAFF

Tom Hennig	General Manager
Paula O’Keefe	Director of Administration
Richard Shanahan	District General Counsel
Amelia Wilder	District Secretary
Kelly Benitez	Security Supervisor
Michael Fritschi	Director of Operations

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

February 16, 2022

REGULAR BOARD MEETING

Call to Order

Closed Session 3:30 p.m./Open Session 5:00 p.m.

This meeting will be held via ZOOM video conference only pursuant to Government Code section 54953(e). You can join the conference by (1) logging on to <https://us02web.zoom.us/j/81152791824>, entering Meeting ID no. 811 5279 1824, and using the audio on your computer, or (2) dialing into 1-669-900-9128 and entering the meeting code 811 5279 1824. Those wishing to join with audio only can simply call the telephone number above and enter the code. Participants wishing to join the call anonymously have the option of dialing *67 from their phone. **PLEASE NOTE – MOBILE DEVICE USERS MAY NEED TO INSTALL AN APP PRIOR TO USE AND MAC AND PC DESKTOP AND LAPTOP USES WILL REQUIRE YOU TO RUN A ZOOM INSTALLER APPLICATION – PLEASE FOLLOW DIRECTIONS AS PROVIDED BY ZOOM. IT IS RECOMMENDED YOU ATTEMPT TO LOGIN AT LEAST 5 MINUTES BEFORE THE START OF THE MEETING.**

AGENDA

ESTIMATED RUNNING TIME 5:00

- 1. CALL TO ORDER** - Determination of Quorum –President Maybee **(Roll Call)**
- 2. CONSIDER FINDING BY A MAJORITY VOTE UNDER GOV. CODE § 54953(e)(3) THAT A RESULT OF THE CONTINUING COVID-19 EMERGENCY: (I) THE BOARD HAS RECONSIDERED THE CIRCUMSTANCES OF THE STATE OF EMERGENCY; (II) RENEW PRIOR FINDINGS THAT MEETING IN PERSON WOULD CONTINUE TO PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (III) THE AUTHORIZATION FOR MEETINGS TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (e)(1)(C) IS RENEWED. (Motion)**
- 3. CONSIDER ADOPTION OF AGENDA (Motion)**

The Board will discuss items on this agenda, and may take action on those items, including informational items and continued items. No action or discussion will be undertaken on any item not appearing on the agenda, except that (1) directors or staff may briefly respond to statements made or questions posed during public comments on non-agenda items, (2) directors or staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities, (3) a director may request staff to report back to the Board at a subsequent meeting concerning any matter or request staff to place a matter on a future Board meeting agenda, and (4) the Board may add an item to the agenda by a two-thirds vote determining that there is a need to take immediate action and that the need for action came to the District's attention after posting the agenda.

*The running times listed on this agenda are only estimates and may be discussed earlier or later than shown. At the discretion of the Board, an item may be moved on the agenda and or taken out of order. **TIMED ITEMS** as specifically noted, such as Hearings or Formal Presentations of community-wide interest, will not be taken up earlier than listed.*

4. CLOSED SESSION

- A. *Closed session for public employee performance evaluation of the General Manager position*

5. OPEN SESSION/REPORT ACTION FROM CLOSED SESSION

6. CONSENT CALENDAR (Motion) (Roll Call Vote) (5 min.) *All items in this agenda item will be approved as one motion if they are not excluded from the motion adopting the consent calendar.*

- A. Approval of Board Meeting and Committee Meeting Minutes
 - 1. *January 19, 2022 Regular Board Meeting Minutes*
 - 2. *February 1, 2022 Improvements Committee Meeting Minutes*
 - 3. *February 1, 2022 Finance Committee Meeting Minutes*
 - 4. *February 3, 2022 Communications and Technology Committee Meeting*
 - 5. *February 10, 2022 Special Security Committee Meeting Minutes*
- B. Approval of Bills Paid Listing January, 2022

7. STAFF REPORTS (Receive and File)

- A. General Manager's Report
- B. Administration/Financial Report
- C. Security Report
- D. Utilities Report

8. REVIEW DISTRICT MEETING DATES/TIMES FOR MARCH 2022

- A. Personnel – March 1, 2022 at 7:30 a.m.
- B. Improvements – March 1, 2022 at 8:00 a.m.
- C. Finance – March 1, 2022 at 10:00 a.m.
- D. Communications – March 3, 2022 at 8:30 a.m.
- E. Security – March 3, 2022 at 10:00 a.m.
- F. Regular Board Meeting – March 16, 2022 - Open Session at 5:00 p.m.

9. CORRESPONDENCE

10. COMMENTS FROM THE PUBLIC

Members of the public may comment on any item of interest within the subject matter jurisdiction of the District and any item specifically agendaized. Members of the public wishing to address a specific agendaized item are encouraged to offer their public comment during consideration of that item. With certain exceptions, the Board may not discuss or take action on items that are not on the agenda.

If you wish to address the Board at this time or at the time of an agendaized item, as a courtesy, please state your name and address. Speakers presenting individual opinions shall have 3 minutes to speak. Speakers presenting opinions of groups or organizations shall have 5 minutes per group.

11. ADOPT COMPUTER PASSWORD POLICY P2022-01 (Discussion/Action) (Motion) (Roll Call Vote)

12. TERMINATE CONTRACTING EMERGENCY FOR EMERGENCY VALVE REPLACEMENT DECLARED DECEMBER 15, 2021 UNDER PUBLIC CONTRACT CODE SECTION 22050(A)(1) AND DISTRICT CODE SECTION 4.01, AND RATIFY AGREEMENT TO AMEND RELATED CONTRACT IN THE AMOUNT OF \$83,785 AND APPROPRIATE FUNDS (Discussion/Action) (Motion) **(Roll Call Vote)**

13. MID-YEAR BUDGET DISCUSSION (Discussion/Action) (Motion) **(Roll Call Vote)**

14. REVIEW PLANS WITH SACRAMENTO TREE FOUNDATION FOR RIVERVIEW TREE MITIGATION ON DISTRICT PROPERTY, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE TREE PLANTING CONTRACT WITH THE FOUNDATION (Discussion/Action) (Motion) **(Roll Call Vote)**

15. DIRECTOR COMMENTS/SUGGESTIONS

In accordance with Government Code 54954.2(a), directors and staff may make brief announcements or brief reports of their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

16. ADJOURNMENT (Motion)

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 24 hours prior to a special meeting, will be made available for public inspection in the District offices during normal business hours. If, however, the document is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting.

In compliance with federal and state laws concerning disabilities, if you are an individual with a disability and you need a disability-related modification or accommodation to participate in this meeting or need assistance to participate in this meeting, please contact the District Office at 916-354-3700 or awilder@rmcsd.com. Requests must be made as soon as possible.

Note: This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of this posting is February 10, 2022. Posting locations are: 1) District Office; 2) Rancho Murieta Post Office; 3) Rancho Murieta Association; 4) Murieta Village Association.



RANCHO MURIETA COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

January 19, 2022

Call to Order Closed Session 4:00 p.m./Open Session 5:00 p.m.

1. CALL TO ORDER/ROLL CALL

Vice President Jenco called the Regular Board Meeting of the Board of Directors of Rancho Murieta Community Services District to order at 4:00 p.m. via ZOOM conference per the January 6, 2022 Sacramento County Public Health Order. Director's present were Randy Jenco, John Merchant, Linda Butler, and Martin Pohll. Director Maybee was absent. Also present were Tom Hennig, General Manager; Paula O'Keefe, Director of Administration; Kelly Benitez, Security Supervisor; Richard Shanahan, District General Counsel; and Amelia Wilder, District Secretary. Travis Bohannon, Chief Plant Operator, was filling in for Michael Fritschi, Director of Operations.

2. CONSIDER FINDING BY A MAJORITY VOTE UNDER GOV. CODE § 54953(e)(3) THAT A RESULT OF THE CONTINUING COVID-19 EMERGENCY: (I) THE BOARD HAS RECONSIDERED THE CIRCUMSTANCES OF THE STATE OF EMERGENCY; (II) RENEW PRIOR FINDINGS THAT MEETING IN PERSON WOULD CONTINUE TO PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (III) THE AUTHORIZATION FOR MEETINGS TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (e)(1)(C) IS RENEWED.

Motion/Merchant to hold tonight's meeting via teleconference. Second/Pohll. Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.

3. CONSIDER ADOPTION OF AGENDA

Motion/Pohll to adopt the Agenda. Second/Merchant. Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.

4. BOARD ADJOURNED TO CLOSED SESSION AT 4:02 p.m. TO DISCUSS THE FOLLOWING ITEMS:

A. *Closed session for public employee performance evaluation of the General Manager position*

5. BOARD RECONVENED TO OPEN SESSION AT 5:00 p.m.

Director Jenco reported there were no action items to report.

6. CONSENT CALENDAR

Tom Hennig, General Manager asked that item #C. Terminate Contracting Emergency For Emergency Valve Replacement Declared Dec. 15, 2021 Under Public Contract Code Section 22050(A)(1) And District Code Section 4.01, be removed from the Consent Calendar, and discussed. **Motion/Merchant to approve Consent Calendar without Item #C. Second/Butler.** Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.

Mr. Hennig continued with the history of the need to declare an emergency to do the emergency valve replacement. The job is not complete, and the emergency needs to be continued until repairs can be completed. **Motion/Merchant to continue in effect the contracting emergency. Second/Pohll**

Resident Richard Gehrs asked for clarification that this item can be addressed, Richard Shanahan, General Council confirmed.

Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.

7. STAFF REPORTS

Under Agenda Item 7A, Mr. Hennig gave a summary of activities during the previous month, highlighting the following topics:

- Covid Response
- Emergency Valve Replacement
- PRA Requests
- Riverview Tree Mitigation
- Development Update
- Laguna Joaquin Update
- Potential Infrastructure Project Funding
- Outreach/Advocacy
- Change in Business Office Hours
- General Staffing Update
- Conference/Education Opportunities
- Employee Announcements, Promotions, Commendation, and Kudos

Director Butler asked for clarification on Reservoir hours.

Under Agenda Item 7B, Paula O'Keefe, Director of Administration, gave the Board the Administration/Finance Report. She highlighted the following topics:

- Monthly Budget to Actuals
- Procurement and Contracts
- Capital Improvement Updates
- Reserve Fund Purchases Authorized by the General Manager
- Reserve Funds Balance Sheet
- Interfund Borrowing
- Utility Billing
- Aging Report
- Security Opinion Poll Survey

Under Agenda Item 7C, Kelly Benitez, Security Supervisor, updated the Board with a summary of September's activities in the Security Department, including:

- Operations Update
- Rancho Murieta Association Activity
- Murieta Village Activity
- Rancho Murieta Commercial Owners Association Activity
- Incidents of Note
- RMA Violation Report
- Gate Entries and Gate Entries Denied Reports
- Cases by Breakdown Report

Under Agenda Item 7D, Travis Bohannon, Chief Plant Operator, gave a summary of the utility update, including:

- SB 170 Funded Projects
- Imminent Infrastructure Rehabilitation

- Water Delivery & Storage
- Water and Wastewater Treatment Facility Production
- Development
- Staffing

8. REVIEW DISTRICT MEETING DATES/TIMES FOR NOVEMBER 2021

Amelia Wilder, District Secretary, commented that Director Maybee asked that the Security Meeting be changed from February 3, 2022 to February 10, 2022. There was no opposition.

9. CORRESPONDENCE

None.

10. COMMENTS FROM THE PUBLIC

None.

11. APPROVE BID AND CONTRACT FOR THE REBUILD OF THE WASTEWATER TERTIARY WETWELL FEED PUMPS

Mr. Hennig discussed the work that needs to be done, and the three bids received. **Motion/Pohll to approve bid and contract from Kirby Pump in an amount not to exceed \$41,497.15 plus a 15% contingency for \$47,721.72 to rebuild Wastewater Tertiary Wetwell Feed Pumps, create CIP # 2022-11-02 and approve Resolution R2022-01 to appropriate funds in the amount of \$47,722. Second/Merchant. Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.**

12. APPROVE MOVING FORWARD WITH SECURITY OPINION POLL RELATING TO SECURITY SERVICES AND TAX REVENUE

Mr. Hennig informed the Board that the Security Opinion Poll is ready to be released. The Board authorized moving forward with this item.

13. DIRECTOR COMMENTS/SUGGESTIONS

Director Merchant discussed the accident on Riverview.

14. ADJOURNMENT

Motion/Butler to adjourn at 6:24 p.m. Second/Merchant. Roll Call Vote: Ayes: Jenco, Merchant, Butler, Pohll. Noes: None. Absent: Maybee. Abstain: None.

Respectfully submitted,

Amelia Wilder
District Secretary

MEMORANDUM

Date: February 8, 2022
To: Board of Directors
From: Improvements Committee Staff
Subject: February 1, 2022, Improvements Committee Meeting Minutes

1. CALL TO ORDER

Director Jenco called the meeting to order at 8:00 a.m. via ZOOM video conference pursuant to GOV. CODE, § 54953, SUBD. (E)(1)(C). Present were Director Jenco and Director Pohll. Present from District staff were Tom Hennig, General Manager; Paula O'Keefe, Director of Administration; Michael Fritschi, Director of Operations; and Amelia Wilder, District Secretary.

2. CONSIDER FINDING THAT AS A RESULT OF THE COVID-19 EMERGENCY: (I) MEETING IN PERSON WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (II) THE MEETING IS AUTHORIZED TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (E)(1)(C)

The Committee agreed to have the February meeting via teleconference.

3. PUBLIC COMMENT

John Sullivan commented that he would like to comment on recycled water during Director/Staff comments.

4. MONTHLY UPDATE

Michael Fritschi, Director of Operations, gave a summary of the Utilities Department Update with a discussion on the following topics:

- Reserve Updates
- SB 170 Funded Projects
 - Wastewater Facility Disinfection
 - Water Treatment Facility Sodium Hypochlorite Conversion
 - Granlees Intake Safety Project
- Laguna Joaquin
- System Vulnerability & Imminent Infrastructure Rehabilitation, including:
 - Water Distribution System
 - Wastewater Plant Water Pumps
 - Water Tertiary Wetwell Feed Pumps
 - Membranes – (Plant 1)
- Site Development Update

There were discussions concerning the products to potentially be applied for Midge Fly Abatement, and the costs to replace membranes.

John Sullivan discussed pumps and their capacity.

5. UPDATE ON EMERGENCY VALVE REPLACEMENT

Mr. Fritschi informed the Committee that the cost to repair the 8-inch valve at De La Cruz exceeded what had been approved by the Board at the December 15, 2021, Board Meeting. The original authorization was for \$50,000, and the total cost of the repair was \$83,784.55. The increase in cost was due to the additional labor,

equipment, and materials associated with what became a difficult excavation. The Committee recommended moving this extra expense to the Board for approval. ***This item will be on the February 16, 2022 Board Meeting Agenda.***

6. DISCUSS TEAM TO EVALUATE SODIUM HYPOCHLORITE DESIGN SERVICES RFP

Mr. Fritschi informed the Committee that we had received three bids for the Sodium Hypochlorite Design Services Request for Proposals (RFP). the Committee determined that Martin Pohll, Tom Hennig, Michael Fritschi, Travis Bohannon and Daryl Heigher, Domenichelli & Associates would comprise the team to evaluate the proposals and report to the March 1, 2022, Improvements Committee meeting.

7. DIRECTOR AND STAFF COMMENTS/SUGGESTIONS

John Sullivan asked that a Recycled Water Study be created.

Director Pohll would like a better understanding of the replacement costs that will be documented in the Reserves.

There was a discussion about Laguna Joaquin.

8. ADJOURNMENT

Director Jenco adjourned the meeting at 8:49 a.m.

DRAFT

MEMORANDUM

Date: February 8, 2022
To: Board of Directors
From: Finance Committee Staff
Subject: February 1, 2022, Finance Committee Meeting Minutes

1. CALL TO ORDER

Director Merchant called the meeting to order at 10:00 a.m. via ZOOM video conference pursuant to GOV. CODE, § 54953, SUBD. (E)(1)(C). Present were Director Merchant and Director Pohll. Present from District staff were Tom Hennig, General Manager; Paula O'Keefe, Director of Administration; Kelly Benitez, Security Supervisor; Michael Fritschi, Director of Operations; and Amelia Wilder, District Secretary.

2. CONSIDER FINDING THAT AS A RESULT OF THE COVID-19 EMERGENCY: (I) MEETING IN PERSON WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (II) THE MEETING IS AUTHORIZED TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (E)(1)(C)

The Committee agreed to have the February meeting via teleconference.

3. COMMENTS FROM THE PUBLIC

None.

4. FINANCE MONTHLY UPDATES

Paula O'Keefe, Director of Administration, gave a brief report on the Finance Department, covering the following topics:

- Current Finance Reporting
- Contract for Enterprise Resource Planning (ERP)
- Recruitment
- Reserve Study Report

5. PAYMENT INSTALLMENT UPDATES

Ms. O'Keefe discussed the current delinquent accounts and stated that the District intends to begin initiating the water lock-off process beginning in February for delinquent accounts with a December 25th, 2021, due date.

6. DISCUSS BOARD STRATEGIC PLANNING AND BUDGET WORKSHOP

Ms. O'Keefe reviewed the Budget Schedule, and Mr. Hennig discussed the upcoming Board Strategic Planning and Budget Workshop.

7. DISCUSS FRANCHISE AGREEMENT WITH CAL-WASTE

Mr. Hennig led a discussion concerning the upcoming amendments to the franchise agreement with Cal-Waste.

8. DIRECTOR AND STAFF COMMENTS/SUGGESTIONS

Mr. Hennig discussed the Security Opinion Poll, stating that we are finalizing the details.

Director Pohll asked about the updated Water Master Plan. Mr. Hennig stated that he wants to have it done by Lisa Maddaus, and merely refresh the information that was presented by her firm a few years ago.

9. ADJOURNMENT The meeting was adjourned at 10:26 a.m.

DRAFT

MEMORANDUM

Date: February 8, 2022
To: Board of Directors
From: Communication & Technology Committee Staff
Subject: February 3, 2022, Communication & Technology Committee Meeting Minutes

1. CALL TO ORDER

Director Merchant called the meeting to order at 8:30 a.m via ZOOM video conference pursuant to GOV. CODE, § 54953, SUBD. (E)(1)(C). Present were Director Butler and Director Merchant. Present from District staff were Tom Hennig, General Manager; Paula O’Keefe, Director of Administration; Michael Fritschi, Director of Operations; Kelly Benitez, Security Supervisor; and Amelia Wilder, District Secretary.

2. CONSIDER FINDING THAT AS A RESULT OF THE COVID-19 EMERGENCY: (I) MEETING IN PERSON WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (II) THE MEETING IS AUTHORIZED TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (E)(1)(C)

The Committee agreed to have the February meeting via teleconference.

3. COMMENTS FROM THE PUBLIC

None.

4. MONTHLY WEBSITE AND SOCIAL MEDIA UPDATE

Amelia Wilder, District Secretary, gave an update of the statistics related to the number of visits per page to Facebook and RMCS.com. There was a discussion about the visits to the Development page.

5. REVIEW DISTRICT COMPUTER PASSWORD POLICY

Paula O’Keefe, Director of Administration discussed the District’s need to implement a Computer Password Policy. The committee agreed. ***This item will be on the February 16, 2022 Board Meeting Agenda.***

6. DISCUSS RESERVOIR INFORMATION AND EDUCATION AD HOC COMMITTEE

Director Butler updated the Committee on the status of the Reservoir Information and Education Ad Hoc Committee.

7. UPDATE ON WEBSITE FAQ’S

There was a discussion of the website’s FAQ page.

8. DIRECTOR AND STAFF COMMENTS

None.

9. Adjournment

The meeting was adjourned at 9:03 a.m.

MEMORANDUM

Date: February 15, 2022
To: Board of Directors
From: Security Committee Staff
Subject: February 10, 2022 Special Security Committee Meeting Minutes

1. CALL TO ORDER

Director Maybee called the meeting to order at 10:00 a.m. via ZOOM video conference pursuant to GOV. CODE, § 54953, SUBD. (E)(1)(C). Present was Director Maybee. Present from District staff were, Tom Hennig, General Manager; Paula O'Keefe, Director of Administration; Michael Fritschi, Director of Operations; Kelly Benitez, Security Supervisor; and Amelia Wilder, District Secretary.

2. CONSIDER FINDING THAT AS A RESULT OF THE COVID-19 EMERGENCY: (I) MEETING IN PERSON WOULD PRESENT IMMEDIATE RISKS TO THE HEALTH OR SAFETY OF ATTENDEES; AND (II) THE MEETING IS AUTHORIZED TO BE HELD BY TELECONFERENCE PURSUANT TO GOV. CODE, § 54953, SUBD. (E)(1)(C)

The Committee agreed to have the February meeting via teleconference.

3. COMMENTS FROM THE PUBLIC

None.

4. MONTHLY UPDATES

Kelly Benitez, Security Supervisor gave the Operations Updates, touching on the following topics:

- Recruiting
- ABDi Software Update to the gates
- New Patrol Vehicle
- LiDAR Purchase and Training
- Pet Chip Reader at South Gate
- Security Supervisor move to Safety Center
- February 2, 2022 Coffee with a Cop

5. DISCUSS RECENT INCREASE IN CRIME

Kelly Benitez, Security Supervisor, discussed the recent uptick in crime, and possible crime prevention strategies.

6. ABDI CONTINENTAL SOFTWARE/HARDWARE UPGRADE SCHEDULE

Mr. Benitez updated the Committee of the efforts by PAC Integrations and ABDi to upgrade the software/hardware at the gates. We are hopeful that the upgrade will be complete soon.

7. DIRECTOR & STAFF COMMENTS

Tom Hennig, General Manager, discussed the Security Opinion Poll Survey, stating that 3,000 letters were mailed to registered voters with a code that will allow them to log on to a website and complete the survey online. True North Research, Inc. will continue with its efforts until they obtain approximately 400 responses. Once the time period to respond to the letters has passed, emails, text messages and phone calls will be made.

6. ADJOURNMENT

The meeting adjourned at 10:51 a.m.

DRAFT

MEMORANDUM

Date: February 10, 2022
To: Board of Directors
From: Paula O'Keefe, Director of Administration
Subject: Bills Paid Listing

Enclosed is the Bills Paid Listing Report for January 2022. This information is provided to the Board to assist in answering possible questions regarding expenditures over \$10,000.

The following are major expense items for January:

VENDOR	PURPOSE	Amount	FUNDING
Domino Solar LTD	Power purchases	\$28,394.34	200-\$28,394.34
Muniquip, LLC	Pump Repairs	\$67,433.84	200-\$67,433.84
			200-\$11,440.60 250-\$3,771.26 260-\$871.65
S. M. U. D.	Smud Bills	\$16,308.11	500-\$224.60
State Water Resources Control Board	Permits	\$27,109.00	250-\$27,109.00

REVIEWED BY:  District Treasurer

DATE	VENDOR	Amount	PURPOSE
1/11/2022	ABA Protection Inc.	\$8,821.00	Security Services (AP \$1,168.00, NG \$7,263.00, SG \$390.00)
1/11/2022	A Leap Ahead IT	\$6,531.31	IT Services
1/11/2022	Applications By Design, Inc.	\$1,085.00	Security host Server/Web
1/11/2022	Aramark Uniform & Career Apparel, LLC	\$242.16	Uniforms
1/11/2022	Bartkiewicz, Kronick & Shanahan	\$4,920.00	Legal Services
1/11/2022	Borges & Mahoney	\$1,016.25	Maintenances & Repairs
1/11/2022	California Public Employees' Retirement	\$400.00	Payroll- retirement
1/11/2022	Chrysler Capital	\$164.64	Patrol Vehicle Lease
1/11/2022	CIT	\$983.71	Copier lease
1/11/2022	Connexus Industries	\$4,724.32	Maintenances & Repairs
1/11/2022	Domenichelli and Associates, Inc	\$9,017.50	Engineering Services
1/11/2022	Domino Solar LTD	\$28,394.34	Power purchases
1/11/2022	Galls/Quartermaster	\$866.67	Maintenances & Repairs
1/11/2022	Lee's Automotive Repair Inc	\$248.11	Maintenances & Repairs
1/11/2022	Muniquip, LLC	\$67,433.84	Pump Repairs
1/11/2022	Pace Supply Corp	\$550.55	Maintenances & Repairs
1/11/2022	Rory's Towing and Repair	\$120.00	Maintenances & Repairs
1/11/2022	Sierra Office Supplies	\$128.22	Office Supplies
1/11/2022	S. M. U. D.	\$16,308.11	Smud Bills
1/11/2022	State Water Resources Control Board	\$27,109.00	Permits
1/11/2022	Univar Solutions USA Inc	\$4,553.13	Maintenances & Repairs
1/11/2022	Watchdogs Surveillance	\$193.10	Maintenances & Repairs

REVIEWED BY:  District Treasurer

**RANCHO MURIETA COMMUNITY SERVICES DISTRICT
INVESTMENT REPORT**

<i>CASH BALANCE AS of January 31, 2022</i>	
<i>INSTITUTION</i>	<i>BALANCE</i>

CSD FUNDS

<i>EL DORADO SAVINGS BANK</i>	
SAVINGS	\$ 1,665,236
CHECKING	\$ 773,280
PAYROLL	\$ 207,752
<i>BANNER BANK EFT PAYMENTS ACCOUNT</i>	\$ 524,611
<i>LOCAL AGENCY INVESTMENT FUND (LAIF)</i>	\$ 8,324,347
<i>CALIFORNIA ASSET MGMT PROGRAM (CAMP)</i>	\$ 640,537
TOTAL	\$ 12,135,762

CSD RESERVE OBLIGATIONS

<i>CURRENT RESERVE BALANCE</i>	
RESTRICTED	\$ 7,491,207
UNRESTRICTED	\$ 3,469,809
TOTAL	\$ 10,961,016

CSD OPERATING CAPITAL

<i>TOTAL AVAILABLE CASH*</i>	\$ 3,170,879
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MELLO ROOS BOND FUNDS

COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CFD)

<i>BANK OF AMERICA</i>	\$ 118,827
<i>WILMINGTON TRUST</i>	
BOND SPECIAL TAX FUND	\$ 223,193
BOND REDEMPTION ACCOUNT	\$ -
BOND ACQ & CONSTRUCTION	\$ 17,618
BOND RESERVE FUND	\$ 391,601
BOND SURPLUS	\$ 157,175
BOND ADMIN EXPENSE	\$ 22,404
BOND PRINCIPAL	\$ -
BOND INTEREST	\$ -
TOTAL	\$ 930,817

**Investments comply with the CSD adopted investment policy.*

PREPARED BY: Manoj Pal

REVIEWED BY:  District Treasurer

MEMORANDUM

Date: February 16, 2022
To: Board of Directors
From: Tom Hennig, General Manager
Subject: General Manager's Report

COVID-19 RESPONSE

The Sacramento County Health Officer has rescinded the two health orders requiring masks and restricting public meetings to on-line. In accordance with this change, the District offices remain open for business. All Board and Committee Meetings will continue to be conducted via Zoom going forward.

LEGISLATIVE UPDATE

Senate Bill 9, as reported in the River Valley Times, this law is being reviewed by CCPAC and we are monitoring the results and trying to determine the impact of this as part of the proposed update to the water supply assessment.

Working with the Regional Water Authority to track other legislation that may impact Rancho Murieta.

PRA REQUEST UPDATE

There were two PRA requests since the last Board meeting. The first was from Deltek Public Records, asking for information pertaining to the responses to the RFP for the Enterprise Resource System (ERP). We have satisfied this request.

The second was from Richard Gehrs, resident, with three separate PRA requests, requesting information related to all agreements between RMA and CSD relating to Security; bills or invoices from CSD to RMA relating to Security and all PRA requests received by CSD since January 1, 2020. We are assessing the level of effort needed to provide this information. Since it is very extensive, we will inform Mr. Gehrs of the estimate for responding to each request.

RIVERVIEW TREE MITIGATION

Staff met with the Sacramento Tree Foundation February 2, 2022, to discuss the plans for planting trees in front of the District Office as part of the Riverview Tree Mitigation. This item will be discussed during Agenda Item #14.

CAMERA PROGRAM UPDATE

We are working with our vendor to develop plans and costs associated with placing camera systems at the locations of the Districts critical infrastructure. This includes the yellow bridge, all the sewer lift stations, the Granlee's pumping station and other sites as needed.

PRESIDENT GM MEETING REPORT

Director Maybee and I participated in a meeting with the President's and GM's of the RMCC and RMA. These meetings are becoming more productive as we start to see results of focusing on shared resources whenever possible. Examples of this include the recent pipe installation near the north course ninth green at the Country Club and communications related to Security.

LAGUNA JOAQUIN UPDATE

We are communicating on a regular basis with RMA on this topic. Meetings are currently underway with representatives of the CSD and RMA.

POTENTIAL INFRASTRUCTURE PROJECT FUNDING

We are currently working with our vendor for upgrading the monitoring of our entire water delivery system, reviewing options for creating additional water and wastewater storage capacity, and reducing the District's impact on air quality. Other projects will be developed from previously produced studies. We met with a second water meter company last week to compare our options for meter replacement with a focus on conservation and reductions in water loss.

OUTREACH/ADVOCACY

CSD/MVA (Murieta Village) – I did not meet with the Village management since the last Board meeting.

CSD/RMA– During the past month, I have met several times with the RMA GM on issues detailed below.

- Expanding our collaboration for Security services.
- Upgrading the ABDi Security gate system. (Kelly Benitez has an update on this subject)
- Adding black bar codes as a second color option with the hope that residents without bar codes on their windows will consider the new color option.
- Laguna Joaquin issues and the potential for meeting with a biologist to review options.
- Discussed access times to reservoirs.
- Reviewed the status of surveillance cameras and how we are working together to coordinate data storage and review.
- Discussed progress related to the planned RMA Community Center. Agreed to meet monthly as this project evolves.
- We are holding a Staff Appreciation luncheon, jointly with the RMA on Tuesday, March 22nd from 11 AM to 2 PM. The District is funding our employee portion of the lunch with the proceeds from our GSRMA Safety rebate.

SACRAMENTO REGIONAL WATER AUTHORITY (RWA) – I attended two virtual meetings with the RWA. The major focus is currently the Senate Bill 606/Assembly Bill 1668 legislation framework which places additional regulations by the Department of Water Resources on Commercial, Industrial and Infrastructure water users within the Urban Water Suppliers boundaries. As the District approaches the 3,000th water connection, we will be required to adhere to a significant amount of new regulatory compliance and reporting requirements.

SLOUGHHOUSE RESOURCE CONSERVATION DISTRICT (SRCD) – I plan to attend the next meeting as the SRCD works on their new budget.

OTHER DISTRICT BUSINESS

SPECIAL TAX RATE CORRECTIONS

When Finance staff were developing the annual tax worksheet, we became aware that our vendor had failed to update the Drainage and Security Special Taxes as approved by the Board. This was unfortunately discovered after the end of the tax year. We are planning to add the unbilled amounts to the February billing statements. This amount will be reflected in the tax worksheet for 2022. The impact on most accounts will be a one-time charge of \$4.32. The total amount to be added to the February billing will be approximately \$13,000 District-wide.

REMINDER OF THE CHANGE IN THE DISTRICT OFFICE HOURS

Beginning in January, The District implemented the 9/80 schedule, which was approved by the Board in October. This results in the District office being closed to the public every Friday. We will be in the office every other Friday to allow for training, staff development and general workload. We are now open during the lunch hour, and remain open until 5:30 PM, Monday through Thursday. When the District office is closed the public will be directed to contact the South Gate to address any urgent issues. We have posted this information on the District web page as well as other District social media outlets. We are finding that employee morale is improved due to the schedule changes.

LIVE BOARD MEETING UPDATE

It looks like we will go back to live Board meetings in March. We will watch for the direction from the County Health Officer or CSDA regarding the potential for continuing Committee meetings on-line.

GENERAL STAFFING UPDATE

We continue to recruit for Gate and Patrol Officers as well as the Accounts Payable Accounting Technician.

CONFERENCE/EDUCATION OPPORTUNITIES:

SDRMA Spring Education Day	March 22, 2022	Sacramento, CA
Special District Legislative Days	May 17 & 18, 2022	Sacramento, CA
AWWA Annual Fall Conference	October 24-26, 2022	Sacramento, CA

EMPLOYEE ANNOUNCEMENTS, PROMOTIONS, COMMENDATIONS, AND KUDOS:

- Introducing Melody Villanueva as our new Accounting Technician/Utility Billing Specialist.
- Introducing Heather Pedro as our new Operator in Training.
- Spencer Doering, who has worked in Operations as a seasonal part time worker has accepted a position as a Gate Officer.

MEMORANDUM

Date: February 10, 2022
To: Board of Directors
From: Paula O'Keefe, Director of Administration
Subject: Administration / Financial Update

On February 1, 2022, the Finance Committee met and discussed the following items:

- Update on the FY 2020-21 annual audit
- Updates on recruitment

The following is the summary of the February 2021 monthly Board Financial Report. The following are highlights from various internal financial reports. Please feel free to call me before the Board meeting regarding any questions you may have relating to these reports.

Monthly Budget to Actuals

Mid-Year Budget as presented separately during the February 16, 2022, Board meeting.

Procurement and Contracts

No major updates at this time.

Capital Improvement Projects Updates

SB170 funding was appropriated in the current budget and staff have begun the process of RFPs for the projects. Administration will be working with the Department of Water Resources to report and receive reimbursement for project expenditures.

Reserve Fund Purchases authorized by the General Manager

No authorized purchases by the General Manager in the month of January.

Reserve Funds Balance Sheet

Staff are presenting the current totals as of January 31, 2022. It is important to note that the final reserve totals are dependent upon year end close and are not finalized for FY 2020-21 at this time.

An extensive analysis of the District's reserves, Capital Improvement Projects and reserve usage and the reserve policy is being finalized to determine the total amount of available reserves and the appropriate management and usage of funds.

FY 2021-22 - Draft Reserve Beginning Balances

TB run ending 01/31/2022

<i>Reserve Descriptions</i>	<i>Account #</i>	<i>FY 2021-22 Beginning Balance July 1, 2021</i>	<i>YTD Total Debit</i>	<i>YTD Total Credit</i>	<i>Year to Date Ending Balance January 31, 2022</i>
Capital Improvement Reserve Fees - Admin	100-2510	0	0	0	0
Unreserved Fund Balance	100-2800	0	0	0	0
	<i>Subtotal</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Water Capital Replacement	200-2505	1,990,869	142,585	417,018	2,265,302
Capital Improvement Reserves Fees - Admin Alloc	200-2505-99	39,990	0	0	39,990
Capital Improvement Reserves Fees - Water	200-2510	(115,491)	0	0	(115,491)
Capital Improvement Reserves Fees - Admin Alloc	200-2510-99	210,003	0	0	210,003
Water Supply Augmentation	200-2511	2,008,948	0	23,642	2,032,590
WTP Construction Fund Reserve	200-2513	(794,549)	172,824	172,196	(795,178)
Unreserved Fund Balance	200-2800	1,340,521	589,214	291,768	1,043,075
	<i>Subtotal</i>	<i>4,680,292</i>	<i>904,623</i>	<i>904,623</i>	<i>4,680,292</i>
Sewer Capital Improvement Connection	250-2500	4,342	0	0	4,342
Sewer Capital Replacement	250-2505	3,139,652	118,291	410,822	3,432,183
Capital Replacement Reserve Admin	250-2505-99	29,236	0	0	29,236
Capital Improvement Reserves Fees - Sewer	250-2510	73,246	0	0	73,246
Capital Improvement Reserves Fees - Admin Alloc	250-2510-99	159,077	0	0	159,077
Unreserved Fund Balance	250-2800	1,448,601	410,822	118,291	1,156,070
	<i>Subtotal</i>	<i>4,854,154</i>	<i>529,113</i>	<i>529,113</i>	<i>4,854,154</i>
Drainage Capital Replacement	260-2505	78,534	0	0	78,534
Capital Improvement Reserves Fees - Admin Alloc	260-2505-99	3,866	0	0	3,866
Capital Improvement Reserves Fees - Drainage	260-2510	344,134	0	0	344,134
Capital Improvement Reserves Fees - Admin Alloc	260-2510-99	35,262	0	0	35,262
Unreserved Fund Balance	260-2800	98,254	0	0	98,254
	<i>Subtotal</i>	<i>560,049</i>	<i>0</i>	<i>0</i>	<i>560,049</i>
Capital Improvement Reserves Fees - Admin Alloc	400-2505-99	6,418	0	0	6,418
Unreserved Fund Balance	400-2800	244,476	0	0	244,476
	<i>Subtotal</i>	<i>250,894</i>	<i>0</i>	<i>0</i>	<i>250,894</i>
Capital Replacement Reserve Security	500-2505	58,468	0	0	58,468
Capital Improvement Reserves Fees - Admin Alloc	500-2505-99	7,701	0	0	7,701
Capital Improvement Reserve Fees - Security	500-2510	(41,393)	0	0	(41,393)
Capital Improvement Reserves Fees - Admin Alloc	500-2510-99	135,466	0	0	135,466
Security Impact Fee Reserves	500-2513	38,488	0	0	38,488
Unreserved Fund Balance	500-2800	339,551	6,591	0	332,960
	<i>Subtotal</i>	<i>538,280</i>	<i>6,591</i>	<i>0</i>	<i>531,690</i>
Total Reserves		10,883,668	1,440,327	1,433,736	10,877,077

Interfund Borrowing

The following are the updated totals for the repayment of the interfund borrowing as of January 31, 2021.

<i>Inter-fund Borrowing</i>	<i>Fiscal Yr Beg Balance</i>		<i>YTD Repayment</i>	<i>Period End Balance</i>
	<i>7/1/2021</i>	<i>YTD Interest</i>		<i>01/31/2022</i>
WTP Construction Loan from Sewer	573,950	673	82,217	491,734
WTP Construction Loan from WSA	191,323	224	27,406	163,917
<i>Total Inter-fund Borrowing</i>	765,273	898	109,622	655,650

Utility Billing

The State of California water shut off moratorium expired on December 31, 2021. District staff are continually working with residents who have significantly large past due balances through the payment plan to assist with repayment and potentially prevent water shut offs. Over the last couple of weeks, the District has entered into new payment installment agreements to resolve outstanding payments and bring these accounts current and in good standing, however there are still 72 residents who are not current on their bills.

The District has prioritized the outstanding amounts by the number of months past due and has begun contacting them to encourage either bringing the account current or to enter into a payment installment agreement. Those residents who are unable or unwilling to bring their accounts current, will receive a 10 day notification the week of February 28th. The first round of shut-offs will take place the following week.

The District reminds all residents with past-due accounts that the District offers a payment plan to assist with bringing their accounts current. We encourage residents to work with the District to prevent additional late fee assessments.

We highly encourage all residents with past-due balances to contact the District immediately to rectify their account status.

Aging Report

The total amount due to the District for outstanding balances is \$138,907. There are 132 residents who are 60 days past due and 72 residents 90 days past due. The 90 days past due balances balance ranging from \$22 to \$45,377, for a total outstanding amount of \$112,480.54.

Security Opinion Poll Survey

Three thousand letters were sent to registered voters on Wednesday, February 2nd. As of Wednesday, February 9th, more than 260 online interviews were completed. This is considered a productive early result. True North began sending email invitations on February 9th. So far, a dozen residents have contacted True North for assistance. Each of these calls were resolved.

MEMORANDUM

Date: February 16th, 2022
To: Board of Directors
From: Kelly Benitez, Security Supervisor
Subject: Security Update Report for the Month of January

OPERATIONS UPDATES

The Department is currently working on the following projects:

- CSD continues to recruit for its remaining one gate guard and patrol position. We continue to use ABA to help with staffing shortages.
- Patrol non-covered shifts: 0 hours in 2022 since implementing 9/80.
- ABDI Software Upgrade Project: ABDI has tentative dates of end of next week to finish the final installment with ABDI in Florida.
- The Toyota pickup truck is on Patrol however, still waiting for radio PA parts.
- LDAR will be purchased for night time speeding operations. Update 6-8 weeks to receive device
 - Training will be provided by company representative. (Cost \$6000.00 with night device)
- Dog chip reader at South Gate. (Policy)
- Safety Center Repairs obtained 3 estimates.
- Attended Coffee with Cop activity, Neighborhood watch planning phase for crime in plaza and airport area.

Rancho Murieta Association activity:

We continue to work with the RMA Leadership on a regular basis. Our focus is to improve our level of service and have positive contacts with residents. The following list is the current focus of our meetings.

- General non-arch rules enforcement (see Violation Summary Report): continued to attend RMA Compliance meetings.
- Stop Sign enforcement – enforcement missions conducted each week; other violations issued during regular patrol.
- Speed enforcement –enforcement missions conducted each week during the daytime hours only; other violations issued during regular patrol (speeding citations) Should increase with new LDAR.
- Security Supervisor met with Chris, Matt and Kevin; items discussed were citation improvements, Access to ABDI to implement Golf Cart ID Numbers, Security issues gate breach, cameras.
- Compliance Meeting issues discussed, gate bar code colors and procedures.
- GM meeting items discussed role of compliance officers to aid security and Gate entry practice.

Murieta Village activity:

- Met with Mike Rayfield of RM Community Church. Disused crime prevention.

Rancho Murieta Commercial Owners Association activity:

- Attempting to get on Calendar.

INCIDENTS OF NOTE
January 1-31, 2022

January 5, 2022: Vandalism (Inside of North)

CSD Security officer responded to the Yellow Bridge and 6B Lift Station, white pen graffiti was used on property, photographs obtained and SSD notified. Possible related to Bel Air graffiti incident. CSD spoke with Parents.

January 5, 2022: Burglary Petty Theft: Plaza shopping Center (Outside of gates)

CSD Security responded to a shoplift incident at Ace Hardware, suspect stole two window breaking devices valued at 30 dollars. Suspect left the store and proceeded to the Murieta health club and stole a set of keys from the gym. The suspect had the stolen keys and located the victim's vehicle. The suspect removed the victim's credits cards from the vehicle. The suspect then charged \$900.00 at Costco in Rancho Cordova. SSD was notified and video footage of the suspect was provided to SSD.

January 9, 2022: Burglary occurred on Via Sereno Drive (Inside North)

CSD Security Responded to a burglary investigation. Suspect(s) entered the victim's garage and removed a battery from his Rav 4 truck. The victim left his garage door unsecure and believes the suspect(s) took advantage of the fact. SSD was contact and a report was filed. No camera or additional witnesses could be located. Victims loss \$250.00.

January 5, 2022: Grand Theft occurred at Cantova Drive-Anderson Field (Outside Gates).

CSD Security responded to a report of a theft of metal building sidings. Suspect(s) drove their flatbed tuck to the location and removed the siding and fled the location. The suspect(s) were captured via CSD and victims video camera equipment. SSD was notified and the suspect(s) were identified, and an arrest warrant was issued. Victims Loss \$5,000.00.

January 23, 2022: Burglary occurred at Backyard Restaurant, (Outside Gates).

CSD responded to a follow-up investigation to obtain video footage. Suspect(s) entered the location via roof and removed a safe and DVR from the location. SSD responded and completed a report. Victims Loss \$2,000.00.

January 23, 2022: Grand Theft Motor vehicle, Bel Air Grocery Store (Outside Gates)

CSD not involved however, CHP requested video footage from Southgate. Suspect(s) used their vehicle to steal a trailer with a golf cart attached to the trailer.

January 23, 2022: Vandalism at Stonehouse Park (Inside North)

CSD Security responded to a call of tire marks left on the soccer field. Suspect(s) entered the Stonehouse park and drove their vehicle on the soccer and baseball fields and fled the area. No camera coverage of the incident SSD notified.

January 25, 2022: Attempted Burglary at Go4Pizza (Outside Gates).

CSD Security responded and notified SSD for the victim. Suspect(s) broke off locks to storage unit in the rear. Suspect(s) entered the location however, nothing was removed. No video footage or witnesses to incident.

January 25, 2022: Grand Theft at the Village (Outside Gates).

CSD Security responded to assist the victim with notifying CHP of the theft. No video footage was recovered of the incident. The victim believed a universal key was used in the theft.

Victims Loss \$2000.00.

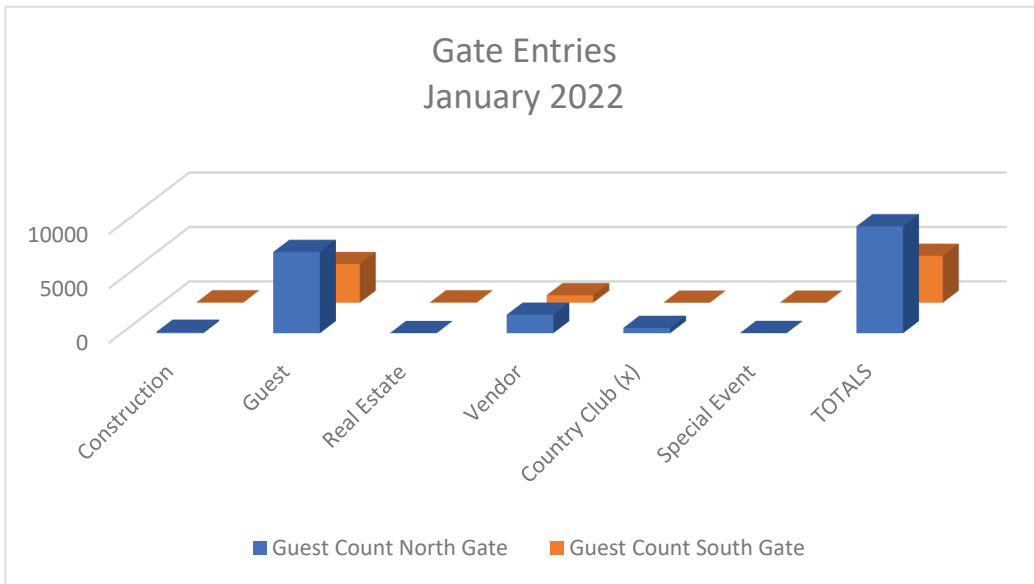
Violation Item Summary Report	August		September		October		November		December		Totals	
	CSD	RMA	CSD	RMA	CSD	RMA	CSD	RMA	CSD	RMA	CSD	RMA
Motor vehicle violations:												
Motorcycle											0	0
No drivers license											0	0
Speeding											14	31
Speeding - twice speed limit											0	0
Stop signs											0	5
Bus stop signs											0	0
Use of streets											0	0
Parking:												
Driveway parking											9	0
Guest parking											0	0
Overnight street parking											3	9
Unauthorized Vehicle (24 hr pass)											1	0
Accumulation/dumping of debris											0	0
Advertising signs											0	0
Barbeques, open fires, bonfires											0	0
Carrying passengers/overloaded car											0	0
Clothes lines											0	0
Commercial vehicle lettering											0	2
Construction overnight parking											0	0
Park hours / curfew											1	0
Decorative lights											0	0
Discharge of firearm											0	0
Dog park investigations											0	0
Dwelling exterior alterations											0	0
Failure to identify											0	0
Fences, screens & enclosures											0	0
Guest w/o resident in comm areas											0	0
Home business activities											0	0
Noxious activities											0	0
Open garage doors											0	0
Pets - off leash / teathered / noise											0	0
Property maintenance											0	10
Sign rules											0	0
Skating in common area											0	0
Sports equip/trampoline/basketball											0	5
Storage of building materials											0	0
Stored vehicles											0	1
Trash containers											0	0
Use of common areas & facilities											0	0
Vandalism											0	0
Vehicle repair or maintenance											0	0
Village/Villas violations											0	0
Working days & hours											0	0
Total Violations	0	0	0	0	0	0	0	0	0	0	28	63
Citations written by RMCS		0		0		0		0		0		28
Citations written by RMA		0		0		0		0		0		63
Total Violations		0		0		0		0		0	0	91

Gate Entries by Type

January 1-31, 2022

Pass Type	Guest Count North Gate	Guest Count South Gate	Count by Pass Type
Construction	135	34	169
Guest	7,456	3,551	11,007
Real Estate	16	31	47
Vendor	1,695	687	2,382
Country Club (x)	491	3	494
Special Event	19	0	19
TOTALS	9,812	4,306	14,118

Prior Month Totals: 11,427 5,721 17,148



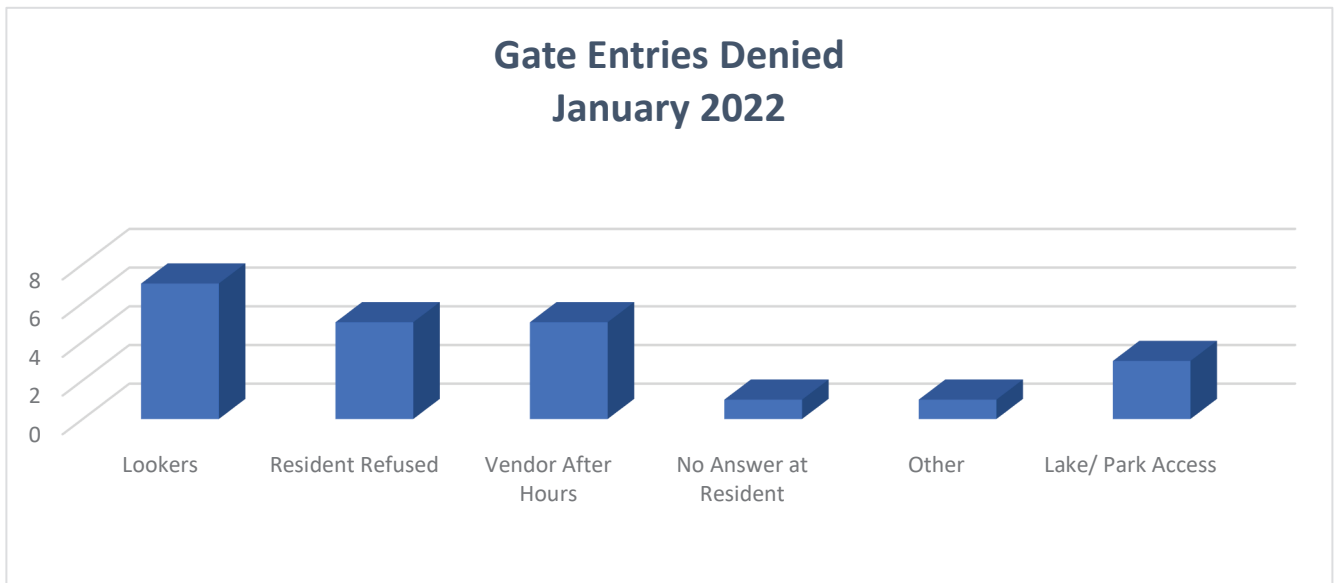
Gate Entries Denied

January 1-31 2022

	Lookers	Resident Refused	Vendor After Hours	No Answer at Resident	Other	Lake/ Park Access	TOTAL
All Gates	7	5	5	1	1	3	22

Prior Month Totals:

4 6 11 1 1 2 25





Rancho Murieta CSD Security

15160 Jackson Rd
Rancho Murieta, CA 95662

Cases - Breakdown by Type

ABANDONED DISABLED VEH	2
ALARM	13
ANIMAL COMPLAINT	7
ASSIST OTHER AGENCY	3
BURGLARY	2
CITATION	8
DISTURBANCE	8
ESCORT	4
EXTRA PATROL	73
FIRE	1
FOLLOW UP	6
GUN SHOTS	1
IRRIGATION DAMAGE	1
JUVENILE DELIQUENCY	6
MEDICAL AID	4
MISCELLANEOUS	4
OPEN DOOR	1
PARKING	5
PETTY THEFT	1
REFUSED ENTRY	21
RESIDENT COMPLAINT	9
RMA RULE VIOLATION	20
SPEEDING COMPLAINT	2
STOLEN/LOST PROPERTY	2
STOLEN/MISSING VEHICLE	3

SUSPICIOUS ACTIVITY	2
SUSPICIOUS PERSON	3
SUSPICIOUS VEHICLE	12
TRAFFIC ENFORCEMENT	8
TRASH-PICK UP	2
TRESPASSING	6
VANDALISM	8
VEHICLE ACCIDENT	5
WATER LEAK	8
WELFARE CHECK	7
Total	268



MEMORANDUM

Date: February 16, 2022
To: Board of Directors
From: Michael Fritschi, P.E. - Director of Operations
Subject: Operations Report

SB 170 Funded Projects – An update of the SB 170 funded projects are as follows:

Wastewater Facility Disinfection - The District held its first meeting with West Yost & Associates to kick off the Ultraviolet Disinfection vs Sodium Hypochlorite Lifecycle Analysis. The results from the analysis and recommendation to move forward will be brought to the Improvements Committee upon completion of the analysis.

Water Treatment Facility Sodium Hypochlorite Conversion – The District has received responses from the request for proposal (RFP) for the design services related to the upgrade of the water treatment disinfection system from chlorine gas to sodium hypochlorite. A team has been assembled to review and rate the proposals and provide scoring and selection recommendation at the Improvements Committee in March.

Granlees Intake Safety Project – No Update

Raw Water Storage & Delivery

The District has continued diverting water from the Consumes River and has pumped a cumulative total of 302 million gallons since the beginning of the pumping season.

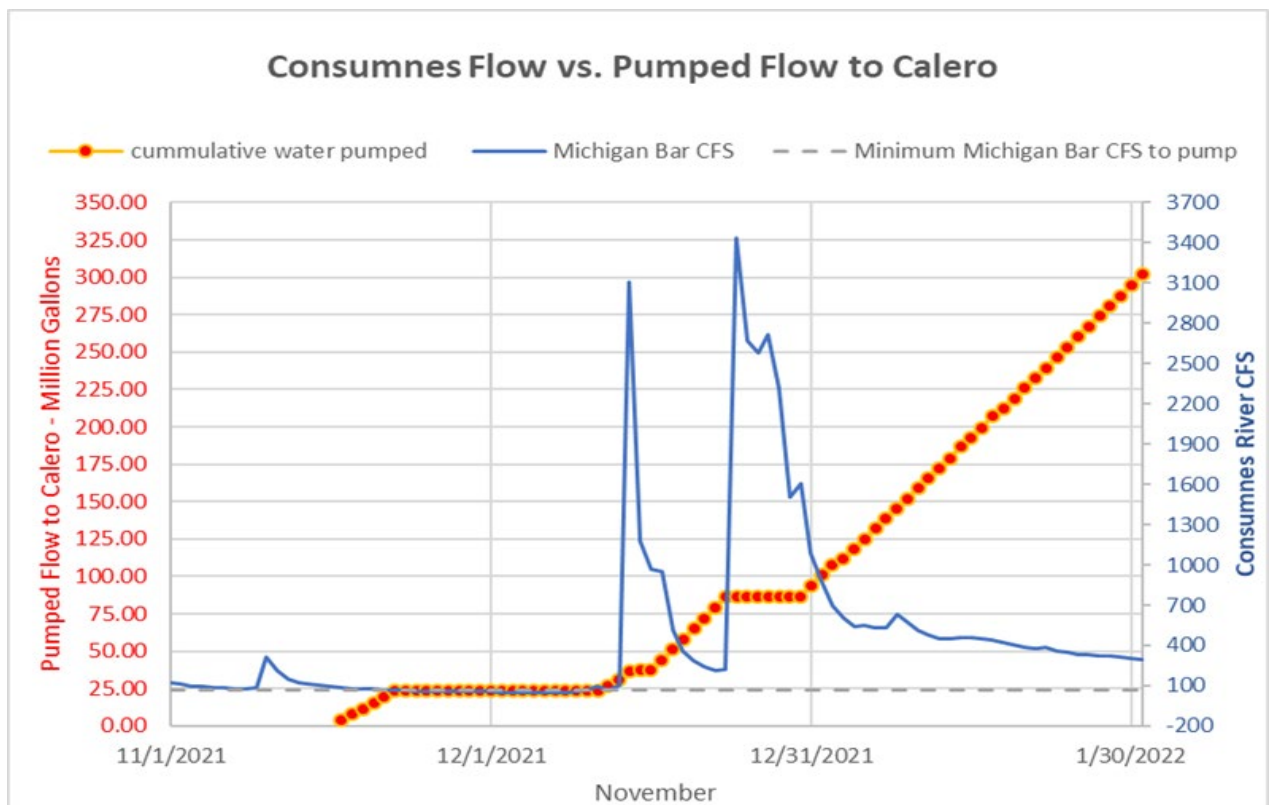


Figure 1. Michigan Bar Flow vs Cumulative Pumped flow to Calero 2021-22

As of January 31, 2022, the total water stored between Clementia, Chesbro, and Calero totaled 4,125 acre-ft, 28% more (902 acre-ft) than on January 31, 2021. January wastewater storage available for production is at 285.7 acre-ft, a 108% increase over the same level from last year. The District is required by the State to send some recycled water to the Van Vleck Sprayfield this calendar year.

Table 1. Raw Water and Wastewater Reservoir Storage comparisons 2022 to 2021

	January 2022		January 2021		difference from 2020	%diff
	mgal	acre-ft	mgal	acre-ft		
Clementia Storage	301.5	925.1	265.9	816.0	109.1	13.4%
Chesbro Storage	335.6	1029.9	313.9	963.3	66.6	6.9%
Calero Storage	707.2	2170.2	470.5	1443.9	726.3	50.3%
Total of all Raw Water Reservoirs	1344.2	4125.3	1050.3	3223.3	902.0	28.0%
Wastewater Storage Reservoir available for production	93.1	285.7	44.6	136.9	148.8	108.7%

The combined storage of Calero and Chesbro were trended over the last 3 years. The end of December level has ranged between 64%-74% full over the last 3 years. **Currently Calero is 85% full as of January 31st.**

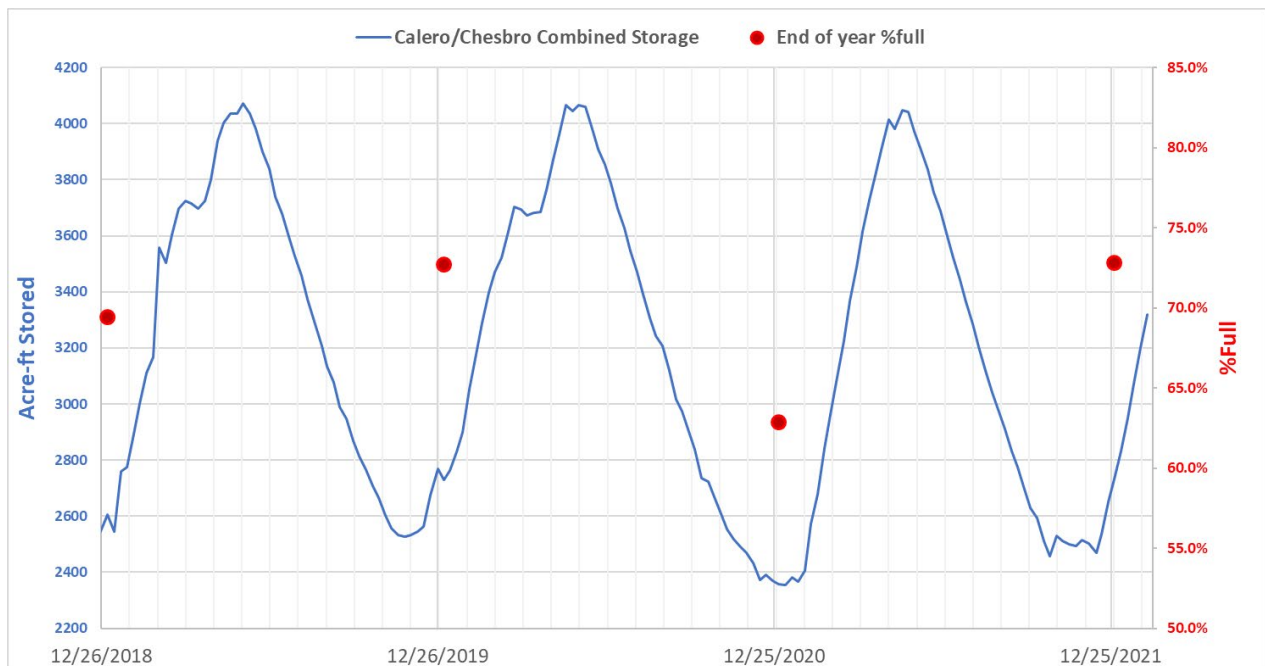


Figure 2. Storage Curve for Calero/Chesbro 2018 to Present

Water Consumption

As of January 31, 2022, potable water production totaled 23.5 million gallons, 0.6 million gallons (0.025%) lower than January 31, 2021 use.

The potable water usage is denoted as the average annual gallons per day per capita (GPDPC) and was calculated at 151 GPDPC for the year 2021. Depending on the methodology used to calculate GPDPC, the District is clearly meeting the previous “self-set” 2015 and 2020 targets of reducing below 238 GPDPC and 268 GPDPC respectively as designated in the 2010 Integrated Water Master Plan Update.

The GPDPC was previously calculated by dividing the total water consumption by the product of the total number of water connections times and the census persons per household.

The revised methodology for GPDPC utilizes only that water that is consumed by residential accounts and uses the prior (recent census) assumption of 2.8 persons per household. See Figure 3.

The revised method of GPDPC from 2018 to 2021 is displayed alongside the previous District method of calculation and shows a slightly lower per capita use as would be expected. See Figure 4.

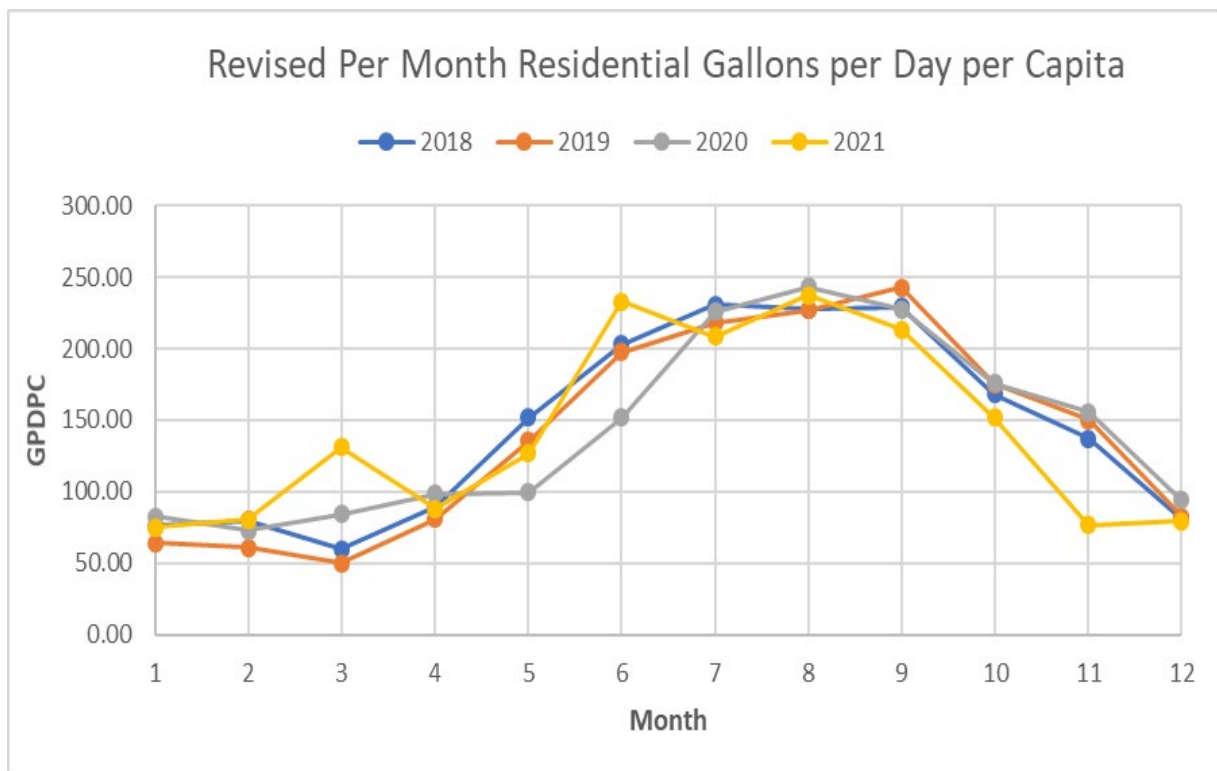


Figure 3. Monthly GPDPC from 2018 to 2021, Revised Method

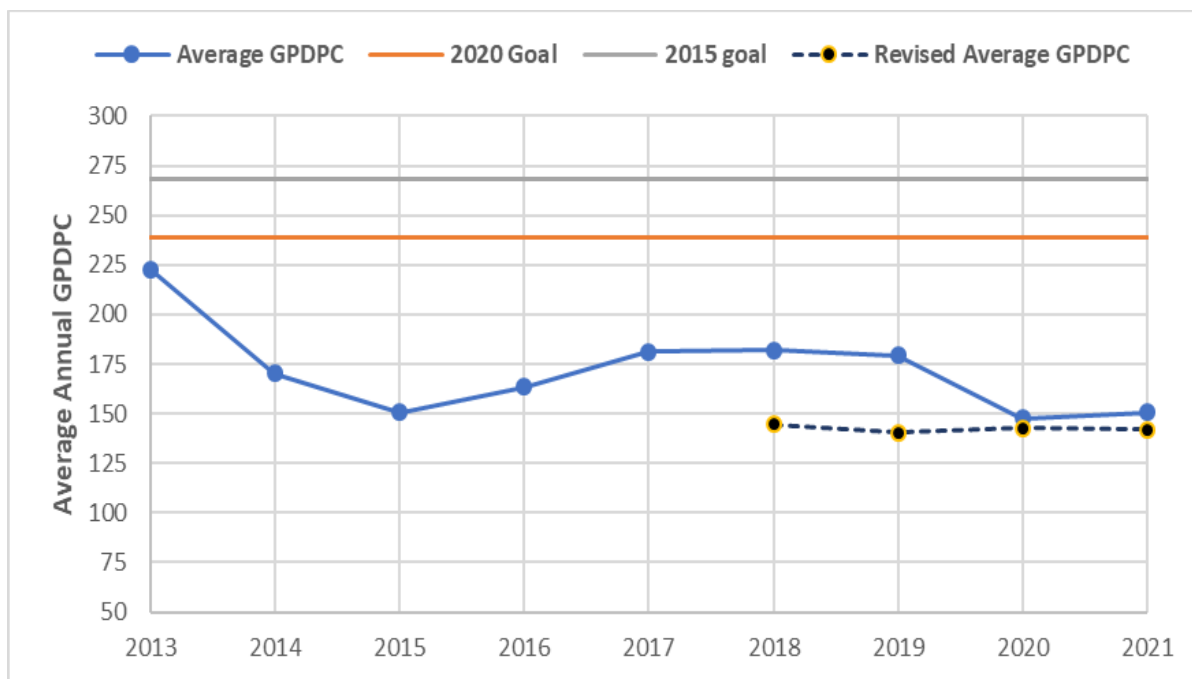


Figure 4. Eight-year trend of Gallons Per Day Per Capita compared to 2015 and 2020 goals with the Revised GPDPC from 2018 to 2021.

Reservoir Monitoring

The District has received its first report from Solitude Lake Management. Thus far all (3) reservoirs are in good condition and no further action needs to be taken at this time. The reservoirs are inspected and sampled in various areas for constituents such as phosphorus, dissolved oxygen, nitrogen, chlorophyll, pH, turbidity, conductivity, etc.

Infrastructure

Staff responded to an emergency pump failure at Main Lift North. The failed pump was removed by crane from the station and a rebuilt pump was taken from the District warehouse and installed in place. Staff are to be commended on being prepared and acting quickly and professionally in their response to this very critical sewer lift station.

Staff are working on an infrastructure plan and budget to address the various states of sewer lift station infrastructure as previously brought to the Improvements Committee in the lift station memo.

Utility Field Service

In the month of January, the Utility Crew:

- Completed 20 utility star work orders
- Completed 15 USA locates
- Responded to 10 homeowner calls for water related problems
- Repaired four water leaks
- Exercised and flushed six valves; blew off, exercised and flushed one 2-inch valve

Site Development & Storm Water Best Management Practice (Bmp)

As the MS4 holder, the District is responsible for monitoring (4) currently active site developments for erosion control and stormwater best management practice (bmp) compliance. The District has (2) part time inspectors being utilized to observe site construction and the District meets weekly to review site compliance and utility construction concerns. The following are updates on the various sites:

Retreats – Work has continued with storm, water, and sewer lines being installed along what will become Robbia Way (off of De La Cruz). Sewer mains have been tied in and water main is being prepared for tie in. We are coordinating with the developer for the replacement of the water meter that measures the County Club water consumption.

Riverview – Water and sewer line installation have been completed for Phase 1a along Reynosa Drive. Drainage infrastructure has been installed from Reynosa Drive to Bird loop. Retaining wall construction has begun and water line tie in has occurred on Reynosa Drive.

Taco Bell: Underground utility installation is complete except for the fire supply line.

Circle K/Shell: Sewer line installation has occurred, and topside civil and mechanical work has commenced.

Rancho Murieta Community Services District

March 2022

Board/Committee Meeting Schedule

March 1, 2022

Personnel	7:30 a.m.
Improvements	8:00 a.m.
Finance Meeting	10:00 a.m.

March 3, 2022

Communications/Technology	8:30 a.m.
Security	10:00 a.m.

March 16, 2022

Regular Board Meeting - Open Session @ 5:00 p.m.



Janis Eckard
15417 De La Cruz Drive
Rancho Murieta, Ca. 95683
janiseckard@ranchomurieta.org
(916) 354-2745 Home, (916) 799-2745 Cell

February 10, 2022

Board of Directors and Mr. Michael Fritschi (General Manager)
Rancho Murieta Community Services District
15160 Jackson Road, P. O. Box 1050
Rancho Murieta, Ca. 95683

Reference - Upcoming Water Study Comments and Concerns

Dear Board Members and Mr. Fritschi,

This letter is to address your plan to re-evaluate the RM CSD water study. Please review this information, add it to the Public Record and forward it to the company generating the next study.

In the past, I expressed concern over the aggressive assumptions used in the Rancho Murieta CSD 2006 and 2010 Integrated Water Master Plans and how their conclusions differed significantly from prior Rancho Murieta water studies. The former CSD Board and GM dismissed those concerns, so I presented my findings to the Sacramento County Board of Supervisors and the Department of Public Health.

See attached:

- 1) January 4, 2010 "West Yost Associates - Technical Memorandum," which summarizes the Sacramento County ordered peer review of the RMCS D water studies.
- 2) August 12, 2010 letter written by Richard E. Brandt - Former CSD Board President
- 3) October 5, 2010 letter, from the California Department of Public Health.

All three above mentioned documents support my concern that a 50% water usage reduction, during a severe drought scenario, is too aggressive and could place Rancho Murieta at risk of running out of water.

Under The Freedom of Information Act, meeting minutes were discovered that mentioned a discussion between the developers, and Ken Giberson (the water engineer, who wrote the 1990 CSD water study). The developers argued that if three study assumptions were altered, there would be sufficient water to increase the number of buildable homes. Mr. Giberson addresses that discussion, on the attached: Page Six of the April 27, 1990, Supplemental Report, Rancho Murieta Water Supply: Planning for Future Droughts by Giberson & Associates.

Even though Mr. Giberson states the developer assumptions are not safe, all three were used in the 2006 and 2010 Integrated Water Master Plans.

Developer assumption #1: Reliance on the flashboard capacity of the reservoirs.

(Flashboards or Stop Logs are temporary boards placed at the lake's spillway to increase the depth of water behind a dam.) Lake Chesbro's, Lake Calero's and Lake Clementia's Department of Water Certificates of Approval require the two feet of boards be left out of the spillways every season between October 1 and April 15, both dates inclusive. Rancho Murieta's water permit prohibits pumping between June 1 and October 31st. As a result, the flashboard capacity can only be filled between April 16th and May 31st. Just six weeks, out of the entire year, to pump nearly half our current annual water usage.

See attached email from the California Department of Public Health, that states, "Using flashboard capacity is not an acceptable practice to use when planning any community or new development."

Rancho Murieta's water permit contains minimum Cosumnes River flow requirements and prohibits pumping unless there is a continual, visible flow from the Michigan Bar pumping station - located near RM - to the McConnell pumping station, located near Highway 99. Ground water depletion is forcing the river to flow underground in at least two locations between these two stations.

It should be noted that NONE of the prior CSD water studies address the on-going changes occurring in the Cosumnes River downstream from Rancho Murieta, even though those flow changes could directly impact our ability to draw water from the river.

See attached:

Page 12 of the December 2006, "Lower Cosumnes River Watershed Assessment"
Entire study can be found online.

The Cosumnes River has been significantly impacted by ground water withdrawal over the past century. Reports of conditions at the beginning of the last century show that the Cosumnes was at that time a "gaining" river, or one that received input of water from groundwater. Development downstream from Rancho Murieta has created "cones of depression," causing the Cosumnes to become a "losing" river, or one that loses surface flow to groundwater. Because the number of days that the river is dry each year has increased over time, it takes significantly more surface flow from the upper watershed to connect the Cosumnes River to the Delta. (Per the Nature Conservancy)

Additional downstream development and river/groundwater over drafting, since the study was completed, as well as future development, increase the threat these changes pose to Rancho Murieta.

Developer assumptions #2: Elimination of park irrigation during sever droughts.

Has the cost - to the community - been quantified, using this assumption?

Developer assumption #3: Reduction in the allowance for system losses

The 1990 Giberson study specifically states that a low 10% water loss rate was used, because the system was relatively new. A reduced loss rate, as well as a reduced evaporation/seepage rate were used in the 2006 and 2010 studies. Please make sure that the new study uses rates supported by *current* data.

The use of aggressive water supply assumptions and demand related to future buildout of Rancho Murieta has the potential for exacerbating drinking water and residential use water supply emergencies in the event of system failures. Won't additional Rancho Murieta related development and the associated water demand contribute to and/or extend an ongoing drought emergency?

The Pipeline states that the CSD wants to get this study right. **During the 1976-1977 drought, Rancho Murieta's backup water plan failed.** More development without a backup raw water supply means, if the CSD doesn't get it right, Rancho Murieta could run out of water.

Thank you for your consideration regarding these concerns.

Sincerely,



Janis Eckard

cc: 1) Rancho Murieta Association
Board of Directors
7191 Murieta Parkway
Rancho Murieta, Ca. 95683

2) Chairman E. Joaquin Esquivel
State Water Resources Control Board
1001 I Street
Sacramento, Ca. 95814

Mailing Address:
P. O. Box 100
Sacramento, Ca. 95812-0100

3) Chairman Karla Nemeth
California Department of Water Resources
1416 9th Street
Sacramento, Ca. 95814

Mailing Address:
P. O. Box 942836
Sacramento, Ca. 94236-0001

4) Director Charlton H. Bonham
California Department of Fish and Wildlife
715 P Street
Sacramento, Ca. 94244-2090

Mailing Address:
P. O. Box 944209
Sacramento, Ca. 94244-2090

5) Jared Blumenfeld
Secretary of Environmental Protection
California Environmental Protection Agency
1001 I Street
Sacramento, Ca. 95814

6) Sacramento County Office of Planning and Environmental Review
827 7th Street, Room 225
Sacramento, Ca. 95814

7) Mr. Don Nottoli
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, Ca. 95814

8) Ms. Sue Frost
Sacramento County Board of Supervisors
700 H Street, Suite 2450
Sacramento, Ca. 95814



TECHNICAL MEMORANDUM

DATE: January 4, 2010 Project No.: 063-02-09-23

TO: Cindy Storelli, Principal Planner

CC: Manual Mejia, Senior Planner

FROM: Polly Boissevain, P.E., R.C.E. No. 36164
Vivian Housen, P.E., R.C.E. No. 46324

SUBJECT: Review of Rancho Murieta Planning Documents – Water Needs, Wastewater Needs and Drought Response Planning

West Yost Associates (West Yost) was retained to provide a peer review of several planning studies prepared for the Rancho Murieta Community Services District (RMCS D). These studies address water and wastewater capacity to meet future development needs, and drought management planning. The following studies were reviewed:

Water and Wastewater Capacity

- Integrated Water Master Plan (HDR, November 2006);
- Wastewater Facilities Expansion and Financing Plan (Hydroscience, 2007).

This review, conducted in Fall 2008, assessed whether these studies adequately assess the ability of existing water and wastewater facilities to serve projected development needs and provided recommendations for additional studies.

Drought Management Planning

- Drought Response Plan (RMCS D, 1991).
- Water Supply Planning for Future Droughts (Giberson & Associates, 1990)
- District Policy Statement 90-2 District Water Supply (RMCS D, 1990)

This follow-on review, conducted in Spring 2009, evaluated whether these studies reflect current drought management practices and provided recommendations for future updates.

This Technical Memorandum (TM) presents findings from both reviews and recommendations for additional studies to improve or update the documents. The TM is organized as follows:

- **Executive Summary:** Provides a summary of the existing planning documents and recommendations for additional studies or refinements to the planning documents.
- **Overview:** Presents an overview of Rancho Murieta community, and the scope of work.
- **Review of RMCS D Planning Documents:** Reviews the water and wastewater capacity studies and the drought management studies in more detail.
- **Studies Completed Since Planning Review.** Summarizes studies completed by RMCS D since this peer review was completed.

1.0 EXECUTIVE SUMMARY

Key findings presented in the planning studies are summarized in this section. This section also lists recommendations proposed by West Yost to improve or update these studies. More detailed information related to document content and findings is provided in Section 3.0 of this TM.

1.1 Summary of Existing Water and Wastewater Planning Documents

Integrated Water Master Plan (WMP)

The purpose of the WMP is to evaluate the community's water and wastewater (recycled water) systems with the goal of identifying additional supply, storage, and/or treatment facilities needed to serve projected buildout demands. The evaluation did not include an assessment of existing distribution pipelines. Assumptions used for the analyses were appropriate and conservative. The WMP used the following criteria:

- Sufficiency of Water Supply was evaluated by comparing the volume of all water entering the system, including rainfall, to the volume of all water leaving the system, including seepage and losses.
- Water Usage (Demand) was based on 750 gallons per day per equivalent dwelling unit (gpd/EDU). EDUs are traditionally used as a basis for water usage calculations. Smaller or multi-family residences are assigned a lower number of EDUs, and are thus projected to use less water than larger residences.

Based on these criteria, WMP findings and recommendations are as follows.

- Water Storage and Treatment Facilities are currently adequate to serve current water demand under normal conditions. However, treatment facilities must be expanded in the future to meet projected buildout demands.
- Drought Planning assumes an aggressive drought rationing target of 50 percent. If this program is not achieved, there may not be enough supply to serve the community during a severe drought scenario.
- Shoreline Aesthetics are an issue to the community – reservoir levels are drawn down every summer, impacting aesthetics. Aesthetics could be maintained by replenishing the reservoirs throughout the summer. This solution would require additional storage and associated water supply. Due to State's current water supply crisis, it is expected that permitting of new water supplies solely to improve shoreline aesthetics would not be approved.

The WMP also provided analyses and findings related to the community's wastewater system. West Yost considered this information primarily as a cross-reference to the following findings from the Wastewater Facilities Expansion and Financing Plan.

Wastewater Facilities Expansion and Financing Plan (WFEFP)

Currently, all wastewater is treated and stored during the winter, and then treated further to recycled water standards in the summer and used for golf course irrigation. The purpose of the

WFEFP is to summarize the community's wastewater treatment facilities, and determine whether sufficient storage, treatment, and irrigation demand is available to handle projected buildout flows. The evaluation did not assess the existing sewer collection system. Assumptions used for the analysis were appropriate and conservative. The WFEFP used the following criteria:

- Wastewater Storage and Recycled Water Availability were evaluated by comparing the volume of water entering the system, including groundwater infiltration and rainfall, to the volume of water leaving the system, including evaporation and seepage.
- Wastewater Flow from Property Owners was calculated based on 210 gallons per day per dwelling unit (gpd/DU). DUs are counted by connection, regardless of property size or density. DUs are traditionally used by RMCS D and throughout industry for wastewater flow calculations (this is different from the water calculation, which is based on EDUs, as described above).
- Recycled Water Usage (Demand) was based on historical golf course irrigation needs. When wastewater supply exceeds community golf course irrigation demands, agreements are in place with adjacent landowners to provide any excess recycled water for irrigation of private pasture lands.

Based on these criteria, WFEFP findings and recommendations are as follows:

- Wastewater Treatment and Disinfection Facilities are currently adequate to handle incoming flows. Treatment capacity is also adequate to handle buildout flows. However, chlorine disinfection facilities must be expanded to address disinfection needs at buildout. In lieu of chlorine disinfection, the WFEFP discussed the option of ultraviolet (UV) disinfection to handle future flows.
- Recycled Water Demand for golf course irrigation is currently greater in a normal irrigation year than available recycled water supply. However, if water is carried over in storage from prior wet years, available recycled water supply may exceed golf course irrigation needs. To address this issue, RMCS D has entered into contracts with adjacent landowners for irrigation of pasture land when recycled water supply exceeds golf course irrigation demands.
- Wastewater Storage facilities are currently large enough to handle current flows. However, additional storage is required in the future to address buildout flows. In lieu of building additional storage, RMCS D is also considering alternatives to storage, including purchasing/leasing additional land for irrigation or implementing seasonal (wet weather) discharge to the Cosumnes River. *It should be noted that regulatory requirements for discharge of water to the Cosumnes River have changed since the WFEFP was completed; these changes are currently being evaluated by RMCS D.*

1.2 Summary of Existing Drought Management Planning Documents

Drought Response Plan

This document, prepared in early 1991, develops drought actions in response to the 1990-91 drought. The report reviews available supply, supply augmentation, priority of demands, water

conservation programs, revenues, and presents a drought management plan, public information program and procedures for compliance, monitoring and enforcement.

While the 1991 document contains content consistent with current drought management practices, many elements of the document are specific to 1991 hydrologic conditions. Also, the document lays out the general framework for a drought management program, but generally lacks sufficient detail to identify the specific steps that would be needed to implement the drought program. Therefore, an updated plan recommended as discussed further in Section 1.3.

Water Supply Planning for Future Droughts

This document compares the community's water supply with projected demand at buildout, evaluates the adequacy of supply, assesses supply alternatives, and identifies elements that should be included in a drought contingency plan. The report projects development buildout demands, using historical consumption data, and evaluates monthly operation of on-site reservoirs under different drought scenarios to assess the adequacy of the water supply, and levels of conservation that would be required to meet demand.

The report documents supply reliability assumptions used to assess supply adequacy. These assumptions provide the basis for the RMCS D's water supply policy statement 90-2, and for subsequent water supply planning studies, such as the Integrated Water Master Plan (HDR, 2006). Therefore, West Yost's review of this document focused on these assumptions.

Supply planning uses two successive dry years based on 1977 hydrology (a 200-year drought event) and 1924 hydrology (a 25-year drought event). These are the two worst hydrologic years of record for the 81-period of record available for the Consumnes River. Supply planning also assumes that temporary demand reductions of up to 50 percent would be implemented during this drought sequence.

The use of two successive dry years based on the worst observed conditions is reasonably conservative. In contrast, the target of 50 percent temporary demand reductions is aggressive and a plan for achieving these reductions has not been developed. To complete the analysis, West Yost recommends development of a drought implementation plan, as summarized in Section 1.3.

An operational model was developed in this study that uses hydrologic inputs and the above planning assumptions to estimate supply shortfalls. The model was re-created and used for the 2006 Integrated Water Master Plan.

District Policy Statement 90-2 District Water Supply

This document adopts a water supply policy based on the recommendations in the 1990 Drought Planning Study. In general, the drought-related policies are reasonable, and sufficiently broad to encompass a wide range of actions.

1.3 Recommendations for Additional Studies and Refinements

West Yost recommends that RMCS D consider the following additional reviews or considerations to enhance, update or supplement the existing planning documents.

Integrated Water Master Plan

- If rainfall and runoff data have not been transferred, HDR should provide this data to RMCS staff for their records.
- Review and update the proposed expansion schedule, and complete an interim capacity analysis, as discussed below.
- Consider establishing the number of EDUs that can be served by existing storage, treatment, and disposal capacity.
- Complete a detailed review and assessment of water supply analysis assumptions with regard to drought planning parameters. For example, how long after the drought begins will drought conditions be identified and rationing implemented; will rationing be phased in up to a maximum program of 50 percent reduction; etc.
- Consider additional discussions with State regulators regarding permitting requirements and concerns related to building additional storage facilities and augmenting water diversions or supply in order to improve summer shoreline aesthetics.
- Compare the two independent water balance models that were developed for the WMP and WFEFP to confirm consistency in assumptions.

Wastewater Facilities Expansion and Financing Plan

- Review the WMP to obtain supplemental information on wastewater treatment facilities and processes. Compare the two independent water balance models that were developed for the WMP and WFEFP to confirm consistency in assumptions.
- Confirm that long-term contracts for land application have been finalized, or identify alternative disposal options, in order to handle existing recycled water flows.
- Seasonal discharge to the Cosumnes River will likely require additional treatment to meet RWQCB nitrate and ammonia effluent limits. The scope and cost of related treatment facilities must be considered and incorporated into the WFEFP. Based on discussions with Hydroscience, these considerations are currently under review.

Drought Contingency Planning

- Review/refine the supply planning operational model and evaluate alternative drought scenarios to better understand supply shortfall sensitivity:
 - Temporary demand reductions: Develop phased implementation schedule and thresholds, more consistent with actual program implementation.
 - Daily diversions: Refine daily diversion estimates to incorporate water rights restrictions on total diversion and storage volumes, and to evaluate different dry years.
- Quantify economic impacts to the community to achieve 50 percent conservation goals and incorporate costs into economic analysis of water supply alternatives for the

Rancho Murieta community, to reflect the true cost of the water supply alternative to the end user.

- Depending on outcome of technical and economic evaluations, consider modifying policy of requiring up to 50 percent conservation (temporary demand reductions) during severe drought. Integrate new recommendation into Policy Statement 90-2.
- Prepare an updated Drought Contingency Plan using current DWR drought planning guidelines. The following should be part of the drought plan:
 - An implementation plan to identify specific measures required to achieve 50 percent (or other target, if adjusted) temporary demand reductions
 - A methodology using hydrologic, demand and operational data to establish reservoir storage 'triggers' that identify temporary demand reductions required to respond to drought conditions. This methodology could be used as a regular drought planning tool.
- RMCS D will soon meet population criteria that would require the District to prepare an Urban Water Management Plan (UWMP). Consider preparing a complete UWMP to maintain eligibility for DWR grant, loan and drought assistance once RMCS D reaches 3,000 service connections.

2.0 OVERVIEW

2.1 Rancho Murieta Overview

Rancho Murieta encompasses approximately 3,500 acres located 25 miles east of Sacramento. This private golf course community was initially developed in the early 1970s; water and wastewater services are provided by RMCS D. A map of the development is shown in Figure 1.

Water is obtained seasonally from the Consumnes River and stored in three local reservoirs: Calero, Chesbro, and Clementia. The reservoirs have a combined total storage volume of 4,700 acre-feet (af), and combined usable storage volume of 4,300 af. Rancho Murieta has both riparian and appropriative water rights and diverts water from the Consumnes River at Granlees Dam. Rancho Murieta's appropriative water rights allow diversion from the Consumnes River from November 1st through May 31st when there is sufficient flow in the river.

Water is used to serve residential and commercial developments within the Rancho Murieta community. Although Consumnes River water is used for some irrigation, and for potable uses after treatment, large demands, such as the community golf courses, are served primarily using recycled water from the RMCS D wastewater treatment plant. In 2004/05 fiscal year, annual potable water use was 1,780 af. The water system had a total of 2,873 connections.

Currently, secondary treated wastewater is stored during wet weather and then all flow is treated further during dry weather to State of California Title 22 Recycled Water Criteria to allow reuse for irrigation of the community's golf courses. Excess water, when available, is also used for spray irrigation of private pasture land.

Additional information about the development, including additional maps showing community facilities, are provided in two planning documents: Integrated Water Master Plan (HDR, 2006) and Wastewater Facilities Expansion and financing Plan (Hydroscience, 2007).

2.2 Scope of Work

West Yost's scope of work consisted of the following tasks:

- Review Background Documents. West Yost met with Sacramento County staff and with the RMCS D General Manager to obtain relevant documents, review CSD issues and concerns, identify potential development areas and review relevant background reports, including environmental documents, planning ordinances, Regional Board orders and land use projections.
- Conduct Peer Review of Water and Wastewater Planning Documents. West Yost reviewed water and wastewater planning documents to assess the adequacy of planning assumptions used in those studies, met with Sacramento County staff to review findings and receive comments.
- Review Drought Management Planning Documents. West Yost reviewed drought planning documents and provided recommendations for supplemental technical evaluations and possible policy changes to be considered by RMCS D.

- Evaluate Shoreline Aesthetics. West Yost evaluated the potential to increase Rancho Murieta raw water storage capacity and supply to alleviate existing issues related to shoreline aesthetics at the community's existing raw water storage reservoirs.
- Present Findings to Sacramento County and RMCS D. In early 2010, West Yost will participate in meetings with RMCS D staff and the Board of Supervisors to present findings from the reviews and obtain input from community stakeholders.

3.0 REVIEW OF RMCS D PLANNING DOCUMENTS

3.1 Integrated Water Master Plan

The Integrated Water Master Plan (WMP) was completed by HDR in November 2006. The WMP provides evaluations and recommendations for both the water and wastewater systems. Regarding wastewater evaluations, the work completed by HDR is consistent with and overlaps similar analyses completed by Hydrosience for the WFEFP. The WFEFP, which addresses wastewater needs only, provides more detailed recommendations for treatment and disposal of recycled water. Therefore, the information in the WMP was used primarily as a cross-reference to the WFEFP.

The WMP utilized a water balance model that includes assumptions and data related to water flow into, and out of water storage and treatment facilities. Specific water model inputs included information on seasonal water diversions from the Cosumnes Reservoir (supply) added to predicted rainfall and runoff, and water usage (demands) combined with system losses (from pipe leaks, hydrant tests, etc.), percolation, and evaporation. The WMP wastewater model considered average dry weather flow, inflow and infiltration, direct rainfall on storage facilities, evaporation, and irrigation demand.

The WMP referenced a number of supporting historical documents; review of these documents was not completed by West Yost as part of this analysis.

Water System Assumptions

In general, assumptions and methodologies described in the WMP to evaluate water supply, storage, and demands, as well as resulting recommendations, are appropriate. The WMP includes sufficient comparisons to actual data to verify water system model outputs. Water demands were calculated using a conservative estimate of 750 gallons per day per equivalent dwelling unit (gpd/EDU); this estimate is conservative when compared to the highest recent five-year average use of 693 gpd/EDU. EDUs are traditionally used as a basis for water usage calculations. Smaller or multi-family residences are assigned a lower number of EDUs, and are thus projected to use less water than larger residences.

The nine percent assumption used for system losses (distribution piping leaks, fire flow testing, etc.) was derived after reviewing water production and sales data. The estimate of 20 percent of current raw water demand for reservoir losses and evaporation is less conservative than the 25 percent estimate used in prior studies. However, the 20 percent estimate is supported by a statistical analysis of treated water produced compared to raw water supply.

In the WMP drought analysis, actual evaporation and monthly seepage rates are applied in lieu of a percentage. Discussions with HDR confirmed that calculated rates used for the drought analysis are consistent with the 20 percent assumption discussed above.

Rainfall and runoff data used in development of the water balance model are not presented in the WMP and were not reviewed by West Yost. This information, if not already submitted to RMCS D as part of the WMP, should be provided to RMCS D staff for inclusion in their historical records.

Water Supply as Compared to Demands

The WMP analysis is based on 2,282 existing EDUs and projected buildout of 4,230 EDUs. Updated EDU information was not specifically defined in the draft memo titled, "Current Assessment of Residential Property in Rancho Murieta" provided by County staff on July 18, 2008. However, based on updated DU information presented in that memo, the WMP estimates appear to be conservative.

The WMP lists estimated current and buildout demands, after considering system losses, as 2,107 and 3,905 acre-feet, respectively. Available water rights of 6,368 acre-feet per year are sufficient to meet buildout demands during non-drought periods. Existing available storage provided by Calero and Chesbro reservoirs of 3,766 acre-feet, allowing for rainfall and reservoir losses, is also sufficient to meet buildout demands. Note that required reservoir storage volume is less than annual buildout demand because at certain times of the year, additional supply is diverted from the Cosumnes River.

During a severe drought event, defined as a 200-year drought event followed by a 25-year drought event, and assuming 50 percent conservation, all reservoirs including Clementia must be fully drawn down to dead storage, which marks the water level below which stored water is not usable. In addition, RMCS D requires 435 acre-feet of new storage to meet water demands during the severe drought event. This additional storage requirement allows for a one-month contingency of water supply, which is appropriate. The report does not describe assumptions used to characterize how water conservation measures would be implemented (e.g., how much time will pass before a drought is recognized, and how conservation requirements would be phased in). These assumptions are critical to the determination of storage requirements and should be reviewed carefully to confirm that sufficient storage is projected to address the severe drought scenario.

Water Treatment Facilities

The WMP recommends increasing capacity in two phases. The first phase will increase capacity from 3.5 to approximately 4.2 million gallons per day (mgd), and the second phase will increase capacity to approximately 7.0 mgd. Because development plans have changed since completion of the WMP in 2006, it is recommended that the County and RMCS D revisit proposed treatment plant upgrade phasing as needed to meet actual development projections. Also, it would be beneficial if the County and RMCS D could understand the number of additional EDUs that can be accommodated by the community without triggering the need to expand existing storage or treatment facilities.

Water Storage Reservoir Aesthetics

In addition to storage and treatment capacity, the WMP briefly discussed shoreline aesthetics at the three storage reservoirs. Calero Reservoir is drawn down by approximately 15 feet under normal conditions, Chesbro Reservoir remains full, and Clementia Reservoir lowers by just over five feet due to evaporation and percolation. The WMP introduced several options for providing additional supply to meet water buildout demands, but did not discuss options to replenish Calero and Clementia reservoirs during normal operations. It is assumed that reservoir shoreline aesthetics will not be critical during a drought event.

Two of the scenarios discussed in the WMP as potential options for additional water supply, additional surface storage and groundwater (conjunctive) supply, could also be considered as options to replenish the reservoirs to maintain shoreline aesthetics. However, the WMP advises that receiving approval for additional facilities solely for the purpose of maintaining aesthetics would likely not be approved due to the limitation of available water supply within the State. This topic is of elevated interest to the community; therefore, follow-up discussions with the State may be warranted to fully explore water supply limitations.

WMP Evaluation of Wastewater Facilities

The wastewater system description included in the WMP is an excellent supplement to the information provided in the WFEFP, which is discussed later in this TM. The WMP wastewater model estimates annual flow using a 365-day 100-year return period storm event (100-year event) as required by the Regional Water Quality Control Board.

Projected total annual flows under existing and buildout conditions for the 100-year event are less conservative than the same values provided in the WFEFP. A comparison of the WMP and WFEFP water balance models is recommended to review and contrast the findings and recommendations presented in each report.

The WMP does not address improvements to the RMCS D chlorine contact disinfection facilities needed to meet buildout disinfection requirements. Also, the WMP does not discuss the potential decrease in storage needs that would result from implementation of covered storage. Therefore, it is recommended that the County reference discussions and recommendations provided in the WFEFP to understand buildout wastewater treatment, storage, and distribution needs. WMP information should be used as resource for cross-referencing certain details related to the wastewater treatment process.

3.2 Wastewater Facilities Expansion and Financing Plan

The WFEFP was completed by Hydrosience in July 2007. The purpose of this document is to summarize the community's wastewater treatment facilities, and determine whether adequate capacity is available to serve projected buildout demands. In order to conduct the analysis, Hydrosience developed a water balance model that included calculated average dry weather flow, projected inflow and infiltration, and accounted for direct rainfall on storage facilities, evaporation, and historical irrigation demand.

West Yost completed a review of the general assumptions and methodologies used to develop and evaluate model results, and reviewed conclusions and recommendations presented in the

WFEFP. For the purpose of this review, it was (assumed) that model outputs were (verified) using actual flow data. West Yost also supplemented information provided in the WFEFP with additional descriptions included in the WMP, as discussed above. It is recommended that the two water balance models that were developed for the WMP and WFEFP be compared for consistency in assumptions and results.

The WFEFP referenced a number of supporting historical documents; review of these documents was not completed by West Yost as part of this analysis.

Wastewater System Assumptions

In general, the assumptions and methodologies described in the WFEFP to evaluate wastewater capacity and demands, and resulting recommendations, seem appropriate. Dry weather flows were calculated conservatively based on an estimated use per dwelling unit (DU) of 210 gallons per day per DU (gpd/DU); this estimate is greater than measured usage of approximately 195 gpd/DU. DUs are counted by connection, regardless of property size or density. DUs are traditionally used by RMCSD and industry to calculate wastewater flows (this is different from the water calculation, which is based on EDUs, as described above).

Wet weather flows used realistic assumptions for infiltration and inflow (I/I), and also assessed facilities under a 365-day 100-year return period storm event (100-year event) as required by the Regional Water Quality Control Board.

Buildout Wastewater Flows

The WFEFP was based on approximately 2,500 existing connections and projected buildout of 4,800 connections¹. The buildout number of connections, and therefore report findings, are conservative.

Estimated current and buildout average dry weather flows were calculated, based on the number of connections or DUs, as 0.51 and 0.99 mgd, respectively. A calculated peaking factor (wet weather flow compared to dry weather flow) of 1.16 that considered the 100-year wet weather event was included to account for groundwater infiltration expected during wet weather.

Wastewater Treatment Capacity

Secondary treatment facilities, comprised of aerated wastewater treatment ponds, have a capacity of 1.55 mgd. Tertiary treatment facilities, comprised of coagulation, dissolved air flotation, and sand filtration, have a capacity of 3.0 mgd. Disinfection facilities are currently sized to handle 2.3 mgd. The RMCSD treatment process produces water that meets California Title 22 Recycled Water Criteria.

The WFEFP determined that existing secondary and tertiary treatment capacity is sufficient to treat current and buildout flows. However, the study recommends augmenting disinfection capacity from 2.3 to 3.0 mgd to match available tertiary treatment capacity. The WFEFP briefly discusses use of UV disinfection in lieu of expanded chlorine disinfection. UV disinfection is

¹ Compare to approximately 4,315 estimated buildout connections provided by County Staff on July 18, 2008

energy-intensive, and associated equipment may require a high level of maintenance. It is recommended that any future UV disinfection cost calculations incorporate a lifecycle cost analysis.

Wastewater Storage and Recycled Water Demand

The WFEFP calculated current total annual wastewater flow during the 100-year event of 601 acre-feet per year. By comparison, RMCS D maintains approximately 720 acre-feet of available treated wastewater storage. Also, historical annual demand for recycled water irrigation during normal irrigation years has been approximately 620 acre-feet per year². Therefore, existing storage capacity is sufficient to handle current wastewater flows, and recycled water demands are sufficient during normal irrigation years to utilize all treated flows.

The WFEFP observes that irrigation demand is expected to decrease in the future as the community replaces existing golf course Rye grasses with Bermuda grasses. Also, sufficiency of storage presumes less than 170 acre-feet of treated wastewater remains in storage from prior wet weather seasons. In recent years, this amount of carryover has been exceeded and excess recycled water has been diverted for irrigation of adjacent pasture land.

Projected total annual wastewater flow at buildout for the 100-year event is 1,169 acre-feet. At buildout, the WFEFP recommends the addition of 330 acre-feet of treated wastewater storage. Incremental storage volume can be reduced to 165 acre-feet if existing and future storage facilities are covered to prevent rainfall from entering the facilities.

Because buildout wastewater flows will exceed recycled water demand, the WFEFP discusses various options for disposal of 519 acre-feet of excess treated water, including spray field irrigation, landscape irrigation, seasonal discharge to the Cosumnes River, and connection to Sacramento Regional County Sanitation District. Following completion of the WFEFP, regulatory requirements for direct discharge have become more stringent; the RWQCB has tightened effluent limitations for ammonia and nitrate. It is likely that RMCS D will require additional treatment prior to any permitted discharge to the Cosumnes River. These added facilities will likely increase estimated costs beyond those presented in the WFEFP. We understand through discussions with Hydrosience that ammonia and nitrate limits are currently under discussion between RMCS D and the Regional Water Quality Control Board.

3.3 RMCS D 1991 Drought Response Plan

This document, dated February 8, 1991, develops drought actions in response to the 1990-91 drought. The report reviews available supply, supply augmentation, priority of demands, water conservation programs, revenues, and presents a drought management plan, public information program and procedures for compliance, monitoring and enforcement.

This report was prepared at the end of what is the defining multi-year drought (1987 through 1991) for many water utilities around the state. At the time this report was prepared, the 1991

² During the 100-year wet weather event, golf course irrigation demand is projected to decrease to 484 acre-feet per year

water year to date was worse than 1977 conditions. Subsequent significant rainfall in March 1991, one month after completion of this document, ended the drought. Many of the elements in the document are specific to 1991 hydrologic conditions.

Report elements are drawn from DWR guidelines available at the time the plan was prepared. DWR, through its Office of Water Use Efficiency, provides technical and financial assistance to water utilities on water conservation and drought management issues. West Yost compared report content with current DWR guidelines, as published in the Urban Drought Guidebook, 2008 Updated Edition (DWR, 2008).

The DWR guidelines were developed to assist urban water suppliers in preparing Drought Contingency Plans, which are an element of Urban Water Management Plans (UWMPs). UWMPs provide information on a water supplier's supply reliability and are required for water suppliers to be eligible for DWR administered State grants, loans and drought assistance. DWR updates UWMP guidelines on an ongoing basis. UWMPs are required for all agencies that serve at least 3,000 connections or provide over 3,000 acre-feet per year (af/yr). The 2006 Integrated Water Master Plan reports that there were 2,873 existing connections at that time. Therefore, it appears the Rancho Murieta either now meets or may soon meet criteria for preparation of a plan. Plans are prepared on a 5-year cycle, due in years divisible by 5. The next cycle of UWMPs will be due December 31, 2010. If an agency reaches the minimum number of connections or water use within a plan cycle, it has one year to prepare and file a plan.

While the 1991 document contains content consistent with current drought management practices, many elements of the document are specific to 1991 hydrologic conditions. Also, the document lays out the general framework for a drought management program, but generally lacks sufficient detail to identify the specific implementation steps that would be needed for drought programs.

An updated Drought Contingency Plan should be prepared using current DWR drought planning guidelines. RMCS D may want to consider preparing a complete UWMP, even if RMCS D does not yet meet criteria that would make the plan a requirement. The plan would be useful to RMCS D for long-term water supply planning. It would be relatively easy to compile necessary information from other recent documents, such as the Integrated Water Master Plan. The document could also be submitted to DWR, so that once RMCS D reaches 3,000 connections RMCS D would be positioned for immediate compliance with UWMP preparation requirements and remain eligible for DWR grant, loan and drought assistance. RMCS D is currently eligible for DWR grant, loan, and drought assistance, but would become ineligible once 3,000 connections are reached, until an UWMP is filed and accepted by DWR. The DWR acceptance process can sometimes be lengthy.

Specific plan elements are reviewed below.

Available Supply

The available supply analysis projects reservoir storage volumes on January 1st 1992 and January 1st 1993, assuming no diversions to storage due to continued drought conditions. The analysis also assumes demands would continue to increase, based on historical trends. A 20 percent conservation cutback (temporary demand reduction) is recommended, based on 1991 conditions.

Note that a more conservative conservation cutback of 50 percent was adopted as the basis for supply planning, following recommendations from the 1990 Giberson study that is described further in Section 3.4.

While this analysis is specific to the 1991 drought, the methodology of projecting reservoir levels based on current conditions and assumed minimal future runoff conditions is appropriate.

An updated plan should identify several drought stages (i.e. Stage 1 through 4), with each stage indicating the specific trigger that initiates the drought stage, the severity of drought conditions, target demand reduction goals for that stage, and measures that could be implemented to achieve demand reductions. Stages would range from voluntary measures to more stringent requirements and enforcement procedures including rationing. Review of case studies to quantify savings associated with particular measures would also help determine if goals are achievable.

Supply Augmentation

The plan notes that available supply options are limited due to the remoteness of the community and the time line required to implement new supply options. Developing on-site wells is identified as the only possible solution for added supply. Temporary measures, such as installation of a floating pump and pipeline to tap into dead storage reserves could also be considered.

Water Conservation Program

The plan outlines a water conservation (temporary demand reduction) program with a 20 percent conservation goal. The plan includes 21 specific measures to achieve a 20 percent demand reduction goal. Conservation measures target reduction of water waste, with measures such as implementing alternate day irrigation scheduling, and prohibition of many water-using practices, such as pavement and car washing.

The measures that are identified are reasonable. Since the plan is specific to 1991 conditions, it identifies the single conservation goal and specific measures to be implemented to attain that goal.

Revenue Program

The plan estimates total costs for the District program, including lost revenues, and conservation program expenses. Conservation program expenses are estimated at \$25,000, with no detail on how the estimate was developed. The plan identifies a one-time drought surcharge to cover drought-related costs, implemented in a multi-tiered rate structure, based on use.

Conservation program expenses should be evaluated further, using quantitative information from case studies and RMCS D specific programs. Also, increased labor costs due to program implementation should be considered. Multiple methods to pass costs along to end users could be compared.

Drought Management Plan

The plan recommends establishing a Drought Management Team to manage drought response. The plan identifies the need for a public information campaign to educate the public about the drought and the drought response plan. The plan includes elements such as ongoing distribution of supply and conservation information, potential notification avenues, such as printed media, TV, signs and banners, distribution of water conservation kits and implementing leak detection and water audits.

The plan identifies the initial demand reduction program as voluntary, indicating that if necessary, the program could be made mandatory, with specific enforcement authority through Section 10 of the District Water Code. For initial implementation, the plan calls for compliance through peer group pressure and observation by District staff in the course of their regular duties.

Program effectiveness would be evaluated by monitoring daily or weekly water production and comparing it with projected demand.

Similar elements should be incorporated into the plan update. More detail should be provided for each of the plan elements. In particular, the roles and responsibilities of the Drought Management Team need to be delineated, and specific procedures and protocols established. This program could be incorporated into the Drought Management Plan, or prepared as a separate internal planning document, provided that it has not already been developed. It is important to have this framework already in place when a drought occurs.

3.4 Rancho Murieta Water Supply: Planning for Future Droughts

This document, completed by Giberson & Associates in February 1990, compares the community's water supply with projected demand at buildout, evaluates the adequacy of supply, assesses supply alternatives, and identifies elements that should be included in a drought contingency plan. The report projects development buildout demands, using historical consumption data, and evaluates monthly operation of on-site reservoirs under different drought scenarios to assess the adequacy of the water supply, and levels of conservation that would be required to meet demand.

Key drought-related elements in this report are:

- A review of temporary demand reductions experienced by other California water utilities during the 1976-77 drought. This review provides the basis for establishing temporary demand reductions of up to 50 percent as part of the supply planning framework.
- A statistical analysis of Consumnes River annual flows, to establish drought frequency and severity, and correlation with daily water supply diversions to Rancho Murieta to determine supply availability for different drought years. The statistical analysis is the basis for establishing use of a 200-year drought event, followed by a 25-year drought event for water supply planning. The 200-year event is based on 1977 hydrology, and the 25-year event is based on 1924 hydrology. These two years are the worst annual flow years of the 81-years of record.

PRIOR TO
SIGNIFICANT
DOWNSTREAM
DEVELOPMENT

- Use of a monthly reservoir operational model, developed in the study, to evaluate drought water supply adequacy. The model uses a 200-year drought event followed by a 25-year drought event, along with projected demands at buildout and 50 percent conservation, to evaluate supply adequacy.

These assumptions provide the basis for the RMCS D's water supply policy statement 90-2, and for subsequent water supply planning studies, such as the Integrated Water Master Plan (HDR, 2006). Therefore, the review of this document focused on the three elements identified above, as well as the drought contingency plan.

Dry-Year Supply Reliability

The report has a recommended water supply reliability standard of providing annual water demands: a) during a 25-year drought without conservation; b) during a 100-year drought with a maximum conservation rate of 25 percent; and c) during a 200-year drought with a maximum conservation rate of 50 percent.

Conservation (Temporary Drought Demand Reduction) Rates

Selection of the 25 percent and 50 percent conservation thresholds was based on a review of 7 large urban and 9 smaller local purveyors' drought reductions to balance demand with supply during the 1976-1977 drought, and a review of DWR conclusions about drought impacts. Of the agencies reviewed, the average cutbacks for the two groups ranged from 30 to 35 percent, with four agencies' cutbacks ranging from 50 to 60 percent. The report notes that demand reductions of up to 25 percent can generally be implemented with voluntary measures, but reductions above this level cause hardship, with severe hardship at 50 percent.

West Yost reviewed drought planning documents for Marin Municipal Water District (MMWD), El Dorado Irrigation District (EID) and Placer County Water Agency (PCWA), all agencies cited in the Giberson study as having demand cutbacks of 50 to 60 percent in the 1976-77 drought. Of the three agencies, MMWD plans for 10 percent demand reduction in 10 percent of all years, and 25 percent reduction in 2 percent of all years. PCWA plans for up to 25 percent demand cutback for a single or multiple dry-year event. EID has a three-tier drought action plan with a 15 percent supply reduction calling for 15 percent demand cutback, 30 percent supply reduction calling for 30 percent cutback and 50 percent supply reduction calling for 50 percent cutback.

It is not clear whether a 50 percent demand reduction during a severe drought would be achievable for RMCS D, or what specific measures would be required and the cost to the end user. The 2006 Integrated Water Master Plan indicates that outdoor irrigation for commercial and residential uses is about 50 percent of total water use. Rancho Murieta has a significant number of estate-style homes. The MMWD study found that water users with larger estate-style homes are most resistant to reducing water use, though the focus of that study was long-term conservation, rather than temporary drought reductions.

RMCS D should develop an implementation plan to identify specific measures required to achieve 50 percent demand reductions during severe drought. The economic impacts to the community to achieve 50 percent reductions should also be evaluated and incorporated into cost analysis of water supply alternatives for the Rancho Murieta community. These costs should be

estimated for any water supply alternative that incorporates significant temporary demand reductions to reflect the true cost of the water supply alternative to the end user.

Drought Frequency and Duration

Drought frequencies are based on a statistical analysis of annual yields in the 81-year historical record for the Consumnes River stream flow records at Michigan Bar. The 25-year drought is defined based on annual runoff in 1924, and the 200-year drought is defined based on annual runoff in 1977. Drought frequencies were calculated by fitting a statistical distribution to the annual data.

The statistical methods for determining drought frequency appear reasonable. As discussed below, a monthly operational model developed to assess supply adequacy evaluates two dry years in succession, which is appropriate, given the community's sole reliance on surface water supply.

Operational Model

As part of the study, a monthly reservoir operational model was developed and used to estimate supplemental supply needed to meet water needs during droughts.

The model is a mass balance model that uses inflows (Consumnes River water diversions, direct rainfall, and runoff), and outflows (seepage, evaporation, and demand) to track monthly storage volumes and levels in the Rancho Murieta community's three on-site storage reservoirs. For supply planning, the model uses monthly hydrology for a 200-year drought event (1977 hydrology) followed by a 25-year drought event (1924 hydrology). The model evaluates a 2-year period, starting and ending in June. The model imposes normal year demand from June through February of the first year, 50 percent demand (essentially eliminating all outdoor use) from March through February of the following year, and normal year demand in March through June of the second year.

As part of the Integrated Water Master Plan (HDR, 2006), this model was re-created to evaluate supply shortfall. The model was verified using historical demand and supply data to confirm model assumptions for estimated inflows and outflows (evaporation, seepage, direct rainfall and runoff). Three demand scenarios were developed to evaluate supply needs to meet future demand. The high demand scenario in the HDR study has a projected treated water demand of 4,870 af/yr, compared with a demand of 4,830 af/yr from the 1990 study. The projected shortfall in the HDR study is 1,830 af, compared with a shortfall of 1,870 af in the earlier study. Computed shortfalls are similar, which is expected, since the later analysis used many of the same assumptions as the earlier study. Both shortfalls are net deficits. If supplemental supply were used to augment the existing surface water supply, additional water would be needed to compensate for additional evaporative losses.

The model is a reasonable planning tool that uses conservative assumptions for hydrology to evaluate supply needs. The 50 percent conservation target and timing of demand reductions are hypothetical. Sensitivity analyses should be used to assess different thresholds and more realistic demand reduction schedules to determine how supply shortfall is impacted.

West Yost provided a focused review of assumptions pertaining to the basis for supply planning (drought period and conservation reductions used), and hydrologic methods to estimate diversions to storage, which were used without adjustment in the 2006 study. Other estimated parameters, such as evaporation, seepage and direct rainfall and runoff were not reviewed since the model verification in the 2006 demonstrated that these estimates are reasonable.

Use of Two Year Drought Sequence

The model uses hydrology from 1977 and 1924, the two worst years on record to assess diversions to on-site reservoirs, assuming that these dry years occur sequentially. DWR drought planning documents recommend evaluating supplies for single dry years and multiple dry years (3 years or more) based on sequential dry years from available stream gage records.

Review of Consumnes River historical records indicates that use of two driest years in succession is conservative and that evaluation of longer drought sequences does not appear warranted, based on the historical record. The average annual flow for 1977 and 1924 is 27,000 af. In comparison, the lowest two-year flow sequences are 1976-77 (average annual flow of 35,000 af) and 1987-1988 (63,000 af). The lowest three-year flow sequence is 1987-1989 (average annual flow of 96,000 af).

Water Demand Patterns and Conservation Reductions

The model uses a demand pattern assuming normal year demand from June through February of the first year, 50 percent demand from March through February of the following year, and normal year demand in March through June of the second year.

More realistic conservation implementation schedules should be evaluated to determine the impact on required supply. This should be done for different dry years, in addition to 1977 and 1924.

Diversions to Storage

Diversions to storage were calculated using daily flow records to calculate potential diversions to storage under the terms of the water rights permit. The analysis did not consider water rights restrictions pertaining to maximum annual diversions, and maximum storage volumes. Thus, as noted in the report, diversions computed in the study represent an upper threshold, and may not be attainable. *

The overall methodology used is reasonable. West Yost recommends recreating daily diversion estimates and evaluating how annual restrictions would affect diversion amounts. This analysis should be completed for different dry years in addition to 1977 and 1924.

Drought Contingency Planning

The report recommends adoption of a drought contingency plan and outlines the elements that a plan should contain. The report uses DWR guidelines to identify the elements of the drought plan. Elements identified in this section were incorporated into the 1991 Drought Response Plan, discussed in Section 3.3.

RMCS D should prepare an updated Drought Contingency Plan, using the most recent available DWR guidelines.

3.5 Supplemental Report, Rancho Murieta Water Supply: Planning for Future Droughts

This document, completed by Giberson & Associates in April 1990, updates the supply analysis for Rancho Murieta using developer-supplied assumptions with a total level of development of 5,340 EDU's (compared with the County-approved 5,968 EDUs assumed in the original report). The analysis also reviews the impact of installation of flashboards on storage reservoirs, and elimination of park irrigation on projected water supply deficits. The methodology is the same as that used in the original study.

3.6 Rancho Murieta Community Services District Policy Statement 90-2 District Water Supply

This document, dated July 18, 1990, adopts a water supply policy based on the recommendations in the Giberson & Associates February 1990 report. The document includes 13 policy statements, six of which relate directly or indirectly to drought management:

- Policy 3: The District will give first priority to domestic water needs within the community in the event of a water shortage;
- Policy 4: In the event of a water shortage, the District will give lowest priority water uses such as to: a) Customers that waste water; b) maintenance of the level of water in the community's lakes for aesthetic purposes; c) irrigation of landscaped areas; d) irrigation of agricultural lands, golf courses, etc.
- Policy 5: The District will enforce water conservation measures during a water shortage to reduce customer demands as follows: 1924: 0 percent conservation; 1977: 50 percent conservation
- Policy 7: The District will encourage water conservation programs, including the use of efficient landscape irrigation practices.
- Policy 8: The District will develop a Drought Contingency Plan to be instituted by the District during a water shortage.
- Policy 9: In order to preserve the District's water supply, the District may implement other reasonable and prudent measures as deemed necessary by the District Board from time to time.

As a policy document, the document provides general policy direction, and not the specific mechanisms of how policies would be achieved. In general, the drought-related policies are reasonable, and sufficiently broad to encompass a wide range of actions.

RMCS D should consider developing a modified policy for water conservation (i.e. temporary demand reductions) during shortages. The policy should be informed by the cost of implementing significant reductions compared with other supply alternatives, as well as the ability to achieve 50 percent conservation reductions.

4.0 RECENT RMCSO PLANNING STUDIES

As part of RMCSO's ongoing water related planning, the District has completed the following studies since initiation of this peer review:

- **Tiered Pricing Implementation Study (HDR, 2009).** This study was initiated based on recommendations in the WMP to implement demand management pricing. The study evaluates the use of potential inverted block water rate structures that could be used to promote water use efficiency. Inverted block rate structures establish tiers or blocks for water usage and incorporate increasing prices as a customer progresses into higher tiers of water use.
- **Recycled Water Feasibility Study (HDR, 2009).** This study was initiated based on recommendations in the WMP to increase residential water recycling. The study identifies \$15.1 million in improvements to implement recycling for future residential customers.
- **IWMP and 20X2020 Update.** The District recently contracted with Brown and Caldwell to complete an update of the IWMP. The update will be expanded to address climate change, 20X20 demand reduction, residential and commercial recycled water irrigation, and reduced density development.

Figure 1 – Rancho Murieta Development Map



Master Plan

JUNE 1983 MAP

Legend

RESIDENTIAL/EXISTING DENSITIES

- ESTATE LOTS 3 PER ACRE MAXIMUM
- CIRCLE LOTS 3 PER ACRE MAXIMUM
- COTTAGE LOTS 6 PER ACRE MAXIMUM
- TOWNHOUSES 10 PER ACRE MAXIMUM
- APARTMENTS 25 PER ACRE MAXIMUM

RESIDENTIAL/PROPOSED DENSITIES

- 3 PER ACRE MAXIMUM
- 6 PER ACRE MAXIMUM
- 10 PER ACRE MAXIMUM
- 25 PER ACRE MAXIMUM

- PARKS
- OPEN SPACE
- COMMERCIAL
- SCHOOL SITES
- MOBILE HOME PARK
- GOLF COURSE

- EXISTING STREETS
- PROPOSED STREETS
- RESERVOIRS
- RESOURCE PROTECTION LINE
- RANCHO MURIETA BOUNDARY
- UNIT BOUNDARIES

PR 777E

SOURCE: RAYMOND GILL AND ASSOCIATES

SCALE 1" = 400'

SCALE IN FEET

Richard E. Brandt
6330 Agua Vista
Rancho Murieta, CA. 95683

August 12, 2010

Board of Directors
Rancho Murieta Community Services District
Ed Crouse, General Manager
15160 Jackson Highway
Rancho Murieta, CA. 95683

Re: Water Policy

Dear Board Members and Ed,

At the July 21, 2010 meeting of the Rancho Murieta Community Services District (CSD) Board, I expressed my view that I think it would be a mistake for the CSD to adopt a 50% drought conservation standard for the Integrated Water Management Plan (IWMP) currently under review. As I explained, I agree that the CSD needs to plan, as required by state law, for how Rancho Murieta would achieve a 50% conservation rate if forced by circumstances to do so. But I believe it is a mistake to use the 50% conservation rate to determine the size of the water supply needed for Rancho Murieta, as the last IWMP appeared to do. Using the 50% for that purpose is the equivalent of planning to subject Rancho Murieta residents to the economic damage that the 50% rate will inevitably cause in the event of a repeat of the 1977 drought. I realized at the meeting that the issue involved too much history and detail to express my view in a short oral presentation. For that reason, I am sending this letter to explain why I oppose the 50% drought conservation rate.

The 50% conservation rate was first established by CSD Policy 90-2. The policy was adopted by the CSD to make sure that before Rancho Murieta was built-out a solution was found for the inadequacy of the water supply that was disclosed by the 1977 drought. The 1977 drought made clear that the water stored in Rancho Murieta's lakes was not adequate to serve the built-out community if such a drought occurred again and that the planned emergency water supply, the release of water held by the El Dorado Irrigation District (EID) in Sly Park Reservoir to the Cosumnes River, would not work. During the drought, EID did not have the needed water in the Sly Park reservoir, and, if it had, the released water would not have reached Rancho Murieta.

In the context of this problem, Policy 90-2 had three purposes. The first was to establish a limit on the amount of development the CSD could agree to serve before declaring that the remaining water in the Rancho Murieta lakes was required to be kept as

the drought or emergency water supply for existing residents. The second was to determine the amount of additional water that was needed for Rancho Murieta at build-out. The third was to establish the policy that new development, beginning in 1990, would be required to bear the costs and risks of obtaining the supplemental water supply needed to serve the development that had been authorized by the Sacramento County Planned Development Ordinance (PD Ordinance) for Rancho Murieta to the extent it exceeded the limit proposed by the CSD. The report, Rancho Murieta Water Supply: Planning for Future Droughts, by Ken Giberson (the Giberson Report) was prepared at the request of the CSD to answer the two questions noted and to support the imposition of development fees.

CSD Policy 90-2 enraged the developer landowners of Rancho Murieta. The landowners asserted that the additional water was not needed; Rancho Murieta would not build-out to the density allowed by the PD Ordinance because the land designated for residential development was not large enough to hold the development allowed by the ordinance (5,189 dwelling units plus 779 commercial/industrial dwelling unit equivalents (EDU's)). They also claimed that the drought/emergency water supply problem, if there was one, was a problem of the entire Rancho Murieta community problem, not just a problem of future development, and that shifting a community cost to developers violated Government Code 66000, et.seq., the laws that govern imposition of development fees. The landowners argued that placing a limit on development until the water supply was increased contradicted the representations made by the CSD in bond documents provided to purchasers of the \$19 million of Improvement District No. 1 bonds issued by the CSD three years earlier and impaired the value of the bonds. Rancho Murieta Properties, Inc. (RMPI), the owner of the undeveloped land other than Murieta South, asserted that the development limit decreased the value of its property by at least \$46 million. The landowners further asserted that water supply augmentation fees and the development limit proposed by the CSD violated their rights and entitlements under the PD Ordinance and their rights under the Acquisition and Services Agreement (A&S Agreement), the water and sewer infrastructure financing agreement entered between the CSD and RMPI in 1986.

The CSD had responses to these arguments of the landowners. The CSD had acquired the Rancho Murieta water rights as a result of the A & S Agreement and asserted that as owner it had the right to say how the water would be used so long as the use was consistent with the water rights. This gave the CSD the right to say that a reasonable amount of the water in the lakes would be reserved as the emergency supply for existing residents and not made available for future development unless and until an adequate, supplemental emergency water supply was obtained at the expense of the landowners.

While it was true then (as it is today) that the residential EDU's allowed by the PD Ordinance probably would not fit on the land then designated for residential development that did not mean that the landowners would not use all of the 5,968 EDU's authorized by the ordinance. Events since 1990 show how this can happen. Land use designations can be changed. Murieta Gardens is an example of a development that will add residential development in an area that was previously all commercial under the PD

Ordinance. Proposals have been made in the past to build residential development on land in the southwest area of Rancho Murieta that is designated agricultural. Prior to the current Sacramento County General Plan review owners of land adjacent to Rancho Murieta purposed that their land be included within Rancho Murieta. The residential EDU's that appear not to fit on Rancho Murieta land designated for residential development could be used for these or other purposes. The only way to guarantee that authorized EDU's will not become actual demands on the water supply is an amendment of the PD Ordinance to reduce the density of development. This RMPI refused to do in 1990, and landowners have not done so since.

In 1990, the CSD asserted that although the PD Ordinance authorized 5,968 EDU's, the ordinance did not require the CSD to provide water for that much development at the expense of existing residents. The A&S Agreement provided that the landowners were financially responsible for providing the facilities and resources needed to serve their developments. This information was clear in the bond documents that the landowners claimed were misleading. The CSD determination, as owner of the water rights, that a reasonable amount of the water stored in the lakes should be reserved as the drought/emergency water supply for existing residents meant that an increase in the water supply was required to accommodate the water needs of future development beyond the proposed CSD limit. RMPI's claim that the CSD water service limit decreased the value of its property by \$46 million was based on the false premise that RMPI's land was entitled to all of the water needed for its full development at no cost to RMPI.

These issues were debated in late 1989 and throughout 1990. The CSD board was fully aware of these issues when it adopted Policy 90-2, which established the limit on the development that the CSD would serve without augmentation of the water supply. The legal debate is what drove the adoption of the 50% drought conservation rate in Policy 90-2. When all the arguments and counter arguments were made, the landowners' argument that posed the greatest risk to the proposed policy of the CSD was the assertion that the CSD was shifting a cost for the future water supply that should be a burden on the entire community solely on to future development. For this reason, it was critically important to demonstrate that the proposed policy did not unfairly benefit existing residents at the expense of future development.

The determination of the water supply needed for Rancho Murieta in a repeat of the 1977 drought was determined by four numbers: 1) the number of water EDU's of development, 2) the gallons per day used by an EDU, 3) the water available to the CSD in the event of a 1976 drought, and 4) the drought conservation rate. The first three of these numbers were not disputable by the landowners. The landowners were entitled to 5,968 EDU's and refused to reduce the number. The gallons per day per EDU was a number determined by the recorded actual water use by Rancho Murieta residents. The water available in the event of a 1977 was definitively recorded by the measured flows of the Cosumnes in 1976-1977. The only number that could possibly be challenged by the landowners was the conservation rate. A 50% conservation rate was approximately the most severe conservation rate voluntarily imposed by any water district in California in the 1977 drought. That is the reason why the CSD board adopted the 50% drought conservation rate. With a 50% drought conservation rate, landowners could not plausibly

contend that the CSD was favoring residents and shifting what should be costs of the entire community to future development.

The 50% drought conservation rate was substantially higher than any rate that had been previously proposed for Rancho Murieta. The 1980 Metcalf & Eddy report on the Rancho Murieta water supply that was prepared for EID examined water conservation in detail and concluded that Rancho Murieta could achieve a conservation rate of 22%. Subsequent studies, analyses, and recommendations, including those of Ken Giberson, recommended conservation rates of 20-25%. The Giberson Report (Executive Summary, p.3), itself, had the following to say on conservation:

“Studies have indicated that customers are responsive to requests for voluntary conservation in the magnitude of 20% - 25% during a drought. Studies have also found that customer hardship is not usually incurred until conservation rates exceed 25% and that customer hardship increases dramatically above 35% conservation rates.”

“Conservation rates in the range of 50% - 60% were recorded in the 1977 drought in several severely impacted water agencies. While significant customer hardship and economic losses occurred, customers seemed to adapt and survive the crisis.”

Despite the acknowledged damage that would be caused to residents by the 50% drought conservation rate, Giberson recommended, and the CSD board accepted, the 50% rate. The CSD board knew that 50 % was not the rate that would prudently protect the residents from damage in the event of another 1977 drought. The 50% conservation rate meant, in essence, that in the event of such a drought the indoor domestic water use would continue but no water, or almost no water, would be allowed for lawns and landscaping. But it was the rate that would give the CSD the best chance of establishing that the CSD was not shifting costs from residents to landowner/ developers and allow the CSD to maintain its positions that: 1) that Rancho Murieta had a water shortage because landowners had development entitlements that exceeded the available water supply, 2) that the CSD, as owner of the water rights, could reserve water in the lakes as an emergency/drought water supply for existing residents, 3) that the water supply shortage was a problem that the owners of undeveloped land were required to solve at their expense and their risk, and 4) that the CSD was entitled by law and under the terms of the A&S Agreement to impose water supply augmentation fees on new development to pay the costs of solving the water shortage problem, and 5) that the water supply shortfall allowed the CSD to set a limit on the amount of development it would serve even though the limit was substantially below the development allowed by Sacramento County's PD ordinance.

The strategy worked. RMPI sued the CSD (unsuccessfully) on the grounds that the environmental review of Policy 90-2 was inadequate. But no landowner filed a lawsuit to challenge the right of the CSD to impose water supply augmentation fees on future development (but not existing residents), the right of the CSD to limit the number of EDU's that the CSD would serve, or the other CSD positions describe in the previous paragraph. The one thing the CSD gave up to obtain all of this was the acceptance of the

unreasonable 50% drought conservation rate. In effect, the 50% conservation rate was a manipulated number, a number that was proposed and accepted to gain a legal advantage on other issues even though it was not the most reasonable conservation rate from the standpoint of prudent water management. The CSD board did this because the 50% drought conservation rate of Policy 90-2 was the number used in calculating the needed water supply that was most within the power of the CSD to later change because Policy 90-2 is a CSD policy, not a legal obligation of the CSD to other parties.

Policy 90-2 itself provides an important mechanism for lowering the 50% drought conservation rate. The water saved by conservation programs, such as the 20/20 compliance program, can go to one of two purposes: it can increase the water available to new development (increase the allowed EDU's) or it can be saved to increase Rancho Murieta drought/emergency water supply (in effect, lowering the required drought conservation rate). Policy 90-2 states "... the beneficial results of water conservations will not be converted into water "will serve" entitlements for new development except as required by contractual and legal obligations." In contrast, the current IWMP appears to make the saved water available to new development. It is the quoted language of Policy 90-2 that best explains why the CSD board today has the opportunity to adopt the more reasonable 20-25% drought conservation rate that the CSD was constrained from adopting in 1990. In 1990, the CSD had contractual and legal obligations and constraints that prevented it from adopting a more reasonable drought conservation rate.

The February 1990 Giberson Report concluded that even with the 50% drought conservation rate, the Rancho Murieta water supply would be completely exhausted in a 1977 drought event by 3,951 EDU's of development, far short of 5,968 EDU's of development allowed by the PD ordinance. The CSD accepted these figures by its July 1990 adoption of Policy 90-2. Negotiations between the CSD and the landowners and developers continued throughout the summer of 1990 and concluded with the parties entering into the Second Amendment to the A&S Agreement (Second Amendment). The Rancho Murieta South landowners executed the Second Amendment in late 1990. RMPI and the developer of the Fairways executed the Second Amendment in early 1991.

The Second Amendment acknowledged and further defined the rights and obligations of the A&S Agreement. The landowners conceded the various rights asserted by the CSD in Policy 90-2 but negotiated the numbers used to determine the needed addition to the water supply. The CSD agreed to apply the 50% conservation rates to parks (*i.e.*, no water available for park irrigation in the event of a 1977 drought) and to add the increase of water storage at Calero by the use of flash boards at the lake outlet to slightly increase the level of lake. The developers agreed to reduce the water use of their EDU's. In effect, water EDU's were separated from the County planning development EDU's. The net effect of these changes was to increase the total development allowed before the CSD would refuse to issue "will serve" letters to 4,975 EDU's. The cost of providing the additional water to reach this number would be borne, of course, by the landowners/developers.

The Second Amendment, by its terms was entered into, "to clarify and define certain rights and obligations that are set forth in (the A&S Agreement)." It is an

agreement that interprets the A&S Agreement, not an agreement that independently stands on its own. Thus, the agreement that counts in determining the the contractual and legal obligations of the CSD to landowners today is the A&S Agreement. I believe that the CSD is no longer bound the A&S Agreement for three reasons. The Pension Trust Fund for Operating Engineers Local No. 3 (PTF), the party that owned and sold Rancho Murieta and subjected the undeveloped land to a deed of trust before the CSD entered into any of the financing agreements, has always taken the position that it is not bound by the A&S Agreement or by the Second Amendment. While I believe that PTF subordinated its deed of trust to the A&S Agreement, I am not aware of any facts that show PTF subordinated its deed of trust interest to Second Amendment. This means that PTF (and its limited liability companies that now own the undeveloped land at Rancho Murieta) cannot require the CSD to abide by the 50% drought conservation rate of the Second Amendment because that rights and obligations of the agreement have been wiped out in the PTF foreclosures actions against RMPI and others. Moreover, the 50% conservation rate in the Second Amendment was not a limitation on the rights to of the CSD to set and enforce a drought conservation policy. It was merely a limit on the on what the owners of undeveloped land could be required to pay to increase the water supply over and above what the Rancho Murieta community as a whole might be required to pay.

But the most fundamental reason why the CSD no longer needs to worry about the legal and contractual obligations to landowners when establishing the drought conservation rate is more simple. The A&S Agreement has expired. Paragraph 7.15 of the Agreement states:

“The term of this Agreement shall commence upon the effective date of the Adopting Resolution approving this Agreement and shall extend for a period of twenty (20) years thereafter, unless the term is terminated, modified or extended by mutual consent to the parties hereto. Following the expiration of said term, this Agreement shall be deemed terminated and of no further force and effect.”

The A & S Agreement was approved in September 1986; the first amendment to the Agreement was approved in October 1986. The Agreement expired, and the Second Amendment expired with it, in September or October 2006. Neither the CSD nor the land owners now have any rights or obligations under the Agreement or the Second Amendment. The bond holders of Improvement District No. 1, who were supposedly misled to believe that the land securing the repayment of their bonds had an adequate water supply, have been paid off in full. The promises of the landowners to reduce their development have terminated as has the promise of the CSD to set a 50% drought conservation rate. The CSD no longer has a contractual commitment to serve 4,975 EDU's. The maximum EDU number is now the 3,951 EDU's of Policy 90-2 or any other reasonable number adopted by the CSD board.

The 50% drought conservation rate is not primarily about water conservation. It is about the adequacy of the Rancho Murieta water supply for planned future development and Rancho Murieta's lack of an emergency water supply. Drought is the commonly

discussed reason Rancho Murieta needs an emergency supply, but it is not the only reason. I explained some of these in my letter of last May. The Calero drain could malfunction as it did in the mid-1980's and require that Calero be drawn down to dead storage. There could be a flood on the Cosumnes, such as the flood of the 1990's that destroyed the 10th and 11th holes on the south golf course and almost breached the levy protection Murieta South. Such a flood could destroy Granlees Dam or the Rancho Murieta pump station. There are many other scenarios, which when coupled with future low and unreliable flows of the Cosumnes are more likely to lead to a severe water shortage in a built-out Rancho Murieta than the likely rare recurrence of a 1977 drought alone.

I am aware that the legal constraints on water use and the engineering estimates of consumption and conservation at Rancho Murieta are constantly changing. But focusing on the bigger picture, Rancho Murieta's water supply problem seems simple to me. The problem is that Rancho Murieta has no ground water. Rancho Murieta's water supply will never be completely secure until the CSD has access to a well somewhere. In the event of a drought, other water providers cut water usage and pump ground water to muddle through from year to year with conservation rates of up to 50%. Rancho Murieta cannot do that. Without access to groundwater, the Rancho Murieta drought conservation rate in the first year of a 1977 drought or a similar emergency event is 50%. But the emergency lasts longer, in the second year of such an event the necessary conservation rate is 100%. In other words, there would be no water. That is what I think should be CSD board's most important water concern and is the reason why I think the drought conservation rate for Rancho Murieta should be lower than the average community, not higher. I hope that the CSD board will not be led to ignore or overlook this problem by the past use of the 50% drought conservation rate or by landowner/developer representations that the EDU's allowed by the PD Ordinance will not be used.

Very Truly Yours,

Richard E. Brandt



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

October 5, 2010

PWS No. 3410005

Mr. Ed Crouse, P.E.
Rancho Murieta Community Services District
P.O. Box 1050
Rancho Murieta, CA 95683

**REVIEW OF RANCHO MURIETA CSD'S DRAFT 2010 INTEGRATED WATER
MASTER PLAN UPDATE**

Dear Mr. Crouse:

We recently became aware of the Rancho Murieta Community Services District (RMCS D) Public Review Draft of the 2010 Integrated Water Master Plan Update (IWMPU). We apologize for the tardiness of these comments. We have very quickly reviewed the IWMPU. We have some major reservations about the assumptions used in the report and the long term adequacy of the RMCS D drinking water source capacity.

The IWMPU concludes that Calero and Chesboro reservoirs are capable of meeting the community's water supply needs under severe drought conditions; with the caveat "*provided the water use in the community is reduced 50 percent AND [emphasis added] and the 2020 compliance targets are achieved*". SB7 requires 20% reduction in water use by 2020 in urban areas. It is not reasonable to assume that the community will be able to achieve both a 20% and then an additional 50% reduction.

The above calculation is further compromised by the fact that the treated water production projection starts using 1710 ac-ft per year for 2010. This is an additional 8%; less than the average production for the last 5 years. NOTE: Title 22 regulations require that for other calculations, such as the Maximum Day Demand and Peak Hour Demand, the highest usage is used as a baseline rather than the average or latest number.

In reviewing the usage information on page 3-3 which explains the decision to use 1710 ac-ft per year as a baseline, the Report states: "*This [higher 5 year average demand] can be partially explained by higher demands due to dry year conditions in 2007, 2008 and 2009 that increased irrigation demands*". The fact that demand increased during low rainfall years does not support the presumption that 20% plus 50% reductions will be achievable.

The IWMPU also appears to include all three reservoirs as permitted sources of drinking water. This is incorrect. Clementia is not presently authorized to be used as a source of public drinking

Mr. Ed Crouse, P.E.

October 5, 2010

Page 2

water. If RMCS D wishes to have it considered as such, then body contact recreation would most likely have to be prohibited.

On page ES-6, the 4th bullet concludes that under the medium build-out scenario: *"If the community demand is only reduced to 25% drought curtailment under this scenario [in addition to the 20% SB7 reduction], all three reservoirs reach dead storage and 690 ac-ft per year of shortfall is estimated that would need to be added to supplemental supply options."* We believe that the 25% reduction, in addition to the 20% reduction, is a much more plausible scenario. That said, RMCS D appears to have a significant capacity shortfall even using the non-permitted Clementia reservoir (957 acre-ft of usable storage).

We concur and support your findings that the existing water treatment facilities need to be expanded. We recommend that the upgrades be timed so that additional capacity is on-line prior to a significant number of new service connections being added.

If you have any questions or we may be of assistance, please feel free to me at (916) 327-8302 or Michael Tolin by at (916) 552-9995 or by email at Michael.Tolin@cdph.ca.gov.

Sincerely,



Kim Wilhelm, P.E.

Chief, Northern California Drinking Water Section
Field Operations Branch

cc: Joyce Horizumi
via email
HorizumiJ@saccounty.net

Trish Stevens
via email
StevensT@saccounty.net

It is interesting to note that the projected total number of EDU that can be safely supported by the District's existing water supply system is significantly larger using the Developer Assumptions than the Report Assumptions (4,730 EDU vs. 3,951 EDU). This may seem a bit unusual since the only way to increase the number of EDU that can be safely supported is by increasing the capacity of the system.

Several of the Developer Assumptions have the effect of increasing the capacity of the system. The significant assumptions are as follows:

1. Reliance on the flashboard capacity of the reservoirs - added storage capacity to serve additional EDU.
2. Elimination of park irrigation during severe droughts - this frees up some capacity to serve additional EDU.
3. Reduction in the allowance for system losses - this frees up some capacity to serve additional EDU.

In addition, the minimum volume of water left in storage in the 4,730 EDU water budget calculation was approximately 80 AF less than the volume left in storage in the 3,951 AF water budget calculation. This had the minor effect of increasing the number of EDU that can be safely supported by the existing system.

Marion, one significant question remains unanswered at this time...

What binding restriction exists to assure that the level of development within the Rancho Murieta Planned Development will not exceed the 5,340 EDU ceiling sometime in the future?

While none exists at this time, perhaps such a restriction will be forth coming from the development community prior to the District's final action on the proposed District Water Policy. In the absence of such a restriction, it is only prudent and proper that the District's water supply system be designed to meet the maximum level development authorized by the County of Sacramento approved P.D. Ordinance for Rancho Murieta (approximately 5,968 EDU).

Janis Eckard

From: "Tolin, Michael (CDPH-DDWEM)" <Michael.Tolin@cdph.ca.gov>
To: <janiseckard@ranchomurieta.org>
Sent: Friday, July 16, 2010 3:43 PM
Subject: FW: Question

Hello Janis,
Thanks for having the confidence in me, but, I had to pass this one along. Your answer is below. I hope this helps.
MTT

Michael Tolin
(916) 552-9995

From: Malloy, Veronica (CDPH-DDWEM)
Sent: Friday, July 16, 2010 3:40 PM
To: Tolin, Michael (CDPH-DDWEM)
Subject: RE: Question

Using flashboard capacity is not an acceptable practice to use when planning any community or new development.

From: Tolin, Michael (CDPH-DDWEM)
Sent: Friday, July 16, 2010 1:13 PM
To: Malloy, Veronica (CDPH-DDWEM)
Subject: FW: Question

Hi V,
Are you able to answer this person's question?
Thanks,
MTT

Michael Tolin
(916) 552-9995

From: Janis Eckard [mailto:janiseckard@ranchomurieta.org]
Sent: Thursday, July 15, 2010 5:29 PM
To: Tolin, Michael (CDPH-DDWEM)
Subject: Question

Dear Mr. Tolin,

Your name was referred to me, as the man with the answers. Smile.

Can you tell me if using reservoir flash board capacity is normal for community planning purposes?

Sincerely,

Janis Eckard

7/16/2010

3.1.2 Historical Flow Patterns

Cosumnes River flows are primarily the result of winter storms, with limited seasonal snow melt. Only about 16% of the watershed lies above the typical snow-level elevation of 5,000 feet. Consequently, only a small portion of the upper reaches of the watershed receive significant snowfall, and the flow regime of the river is influenced primarily by rainfall.

Historically, below Highway 16 (river mile [RM] 33), the Cosumnes was hydraulically connected to the regional groundwater aquifer, making this segment of the river a “gaining river.” The lack of precipitation during the summer reduced flows in the valley segment to near zero. However, the input of groundwater to the river channel historically kept the channel and associated wetland areas wet throughout the summer for the entire length of the river. Over the past 60 years, groundwater pumping has reduced groundwater levels in the valley segment, leading to a decline of groundwater input to the river and eventually making the river a “losing river.” The groundwater table underlying the Cosumnes has fallen as much as 60 feet in some areas and has become disconnected from the river channel in this valley segment. Mount et al. (2001) estimated that the seepage loss from the Cosumnes River on the valley floor is on the order of 1–2 cubic feet per second (cfs) per river mile

Declining groundwater levels have caused the Cosumnes River to become completely dewatered from Highway 16 downstream to the tidally influenced reach of the river, below Twin Cities Road, during the summer and fall in all but the wettest years. A comparison of historical data from the USGS gauges at Michigan Bar (RM 36) and McConnell (RM 11) from 1941 to 1982 suggest that flow volumes in the valley segment of the Cosumnes have steadily decreased, despite no appreciable change in precipitation. Mount et al. (2001) showed that the number of days per year with average daily flows below 10 cfs at McConnell (downstream) has increased more than at Michigan Bar (upstream) from 1941 to 1982, indicating that flows losses between these two gauges has increased. Mount linked these losses to declining groundwater levels, which decreased and ultimately eliminated baseflow contribution from the regional groundwater aquifer to the Cosumnes River channel.

The historical average daily flow of the Cosumnes River at Michigan Bar is shown in Figure 3-3 for water years 1960–2004. The Michigan Bar gauge is located at river mile 33, where the river transitions from a bedrock-confined channel of the foothills to a broader channel on the low gradient alluvial floodplain. The average monthly flow pattern of the Cosumnes River is shown in Figure 3-4 and Table 3-1 provides the average monthly flow by water year type for the 1960–2004 period of record. The information presented in these figures and table shows that flows in August through October are typically below 30 cfs. When flows fall below 30 cfs at Michigan Bar, the Cosumnes River is generally dry below Highway 16 because of groundwater seepage and evaporation.

MEMORANDUM

Date: February 9, 2022
To: Board of Directors
From: Paula O'Keefe, Director of Administration
Subject: Adoption of District Policy P2022-01, Computer Password Policy

RECOMMENDED ACTION

Adoption of District Policy P2022-01 - Computer Password Policy.

BACKGROUND

The purpose of this policy is to protect the security of District information and records by instituting a computer password policy, which will set up guidelines for strong, safe passwords.

The policy was sent to Bartkiewicz, Kronick & Shanahan Law firm, who provided recommendations for Board review and approval. The policy was also reviewed and edited by our Cyber Security vendor, WeCyber. Staff brought the policy to the Communications and Technology Committee on February 3, 2022, and the Committee members recommended bringing the computer password policy for Board approval.

SUMMARY

This is a new policy that has been needed for some time to protect valuable information and records held by the District. The District needs to memorialize these in policy and provide District staff with the updated policies for review and implementation. Implementation of this policy will begin April 1, 2022, to allow time for staff training and coordination with A Leap Ahead IT.

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Information Technology	Policy # 2022-01
Title:	District Password Policy	

PURPOSE

The purpose of this policy is to establish a standard for the creation of strong computer and Internet related passwords, the protection of those passwords and the frequency of change.

BASIC POLICY AND OBJECTIVES

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in a compromise of Rancho Murieta Community Services District's entire network. As such, all Rancho Murieta Community Services District employees (including contractors and vendors with access to Rancho Murieta Community Services District systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

1.0 General Scope of Policy

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any Rancho Murieta Community Services District facility, has access to the Rancho Murieta Community Services District network and/or LEIN/NCIC network, or stores any non-public Rancho Murieta Community Services District LEIN-based Criminal Justice Information (CJI).

2.0 Guidelines for Password Construction

The following are password construction requirements to be used when creating a new password:

- Be a minimum length of eight (8) characters on all systems;
- Contain a mixture of capital and lowercase letters, numbers and special characters (if allowed)
- Not be a dictionary word or proper name;
- Not be the same as the User ID;
- Expire within a maximum of 90 calendar days;
- Not be identical to the previous twenty (20) passwords;
- Not be transmitted in the clear or plaintext outside the secure location;
- Not be displayed when entered;
- Ensure passwords are only reset for authorized user.

3.0 Password Deletion

All passwords that are no longer needed must be deleted or disabled immediately. This includes, but is not limited to, the following:

- When a user retires, quits, is reassigned, released, dismissed, etc.

- Default passwords shall be changed immediately on all equipment.
- Contractor accounts, when no longer needed to perform their duties.

4.0 Password Protection Standards

Do not share Rancho Murieta Community Services District passwords with anyone, including administrative assistants or secretaries. All passwords are to be treated as sensitive, confidential Rancho Murieta Community Services District information.

- Don't reveal a password over the phone to anyone, including your boss;
- Don't reveal a password in an email message;
- Don't talk about a password in front of others;
- Don't hint at the format of a password (e.g., "my family name");
- Don't reveal a password on questionnaires or security forms;
- Don't share a password with family members;
- Don't reveal a password to a co-worker while on vacation;
- Don't use the "Remember Password" feature of applications;
- Don't write passwords down and store them anywhere in your office;
- Don't store passwords in a file on ANY computer system unencrypted.

If an account or password is suspected to have been compromised, report the incident to the Director of Administration and change all passwords.

Password cracking or guessing may be performed on a periodic or random basis by the MSP/FBI or Rancho Murieta CSD. If a password is guessed or cracked during one of these scans, the user will be required to change it.

5.0 Application Development Standards

Application developers must ensure their programs contain the following security precautions:

- Should support authentication of individual users, not groups;
- Should not store passwords in clear text or in any easily reversible form;
- Should provide some sort of role management, such that one user can take over the function of another without having to know the other's password.

6.0 Remote Access Users

Remote access to the Rancho Murieta Community Services District networks is to be controlled by using either a Virtual Private Network and/or remote desktop (in which a password and user id are required) or a form of advanced authentication (two-factor or multi-factor authentication).

7.0 Penalties

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Approved by Rancho Murieta Community Services District Board of Directors	Adopted
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MEMORANDUM

Date: February 9, 2022
To: Board of Directors
From: Michael Fritschi, P.E. - Director of Operations
Subject: 8-inch De La Cruz Valve Replacement Project Status

Emergency Summary:

The valve project was completed the week of January 17th, and the leak was verified and identified to be at the valve bonnet location. The bonnet had separated due to rust around the cover bolts allowing expansion and the resulting leakage. It was also found that the nearby concrete storm drain had a damaged area that became a receptor for the water leaking from the valve. It was also evident that significant fine soil material had been evacuated through the storm drain and that the soil was very saturated which made excavation very difficult and caused some sloughing of material under the street.

The final cost was reviewed from the project and due to unforeseen excavation circumstances, the job nearly doubled in price from the Board approved (at the December 15, 2021, Board Meeting) \$46,200 to the \$83,785 invoice. Most of the price increase was due to the additional labor, equipment, and materials, associated with what had become a difficult excavation.

Discussion:

The increase between the initial estimate and the final invoice was discussed with the Contractor. The ground was unstable and saturated (as was witnessed by staff) causing the excavation to be slowed significantly to prevent damaging the road and to proceed safely. While side sloughing was minimized, this difficult (and deep) excavation effectively doubled the required labor efforts (largest economic impact) and increased additional materials such as asphalt and slurry backfill for the sloughed sections. See M-3 Construction Memo (attached).

While the District would not deviate from the repair if the initial estimate exceedance was provided earlier from the contractor, it will be important moving forward to remind our vendors/contractors to provide a warning when purchase order amounts are in danger of being exceeded. The District will endeavor to communicate better with vendors and contractors to ensure that this expectation is maintained.

Deep underground work is often unpredictable as soil conditions are unseen until excavation. It appears as through the surrounding road was in more jeopardy than originally anticipated. It is staff's opinion that the repair was timely and that the District was correct declaring the emergency and initiating the project sooner than later. Based on observed conditions, had the District waited too long to complete the project, there is a real possibility that a sink hole could

have developed and caused damage to the road. The potential damage most likely would have closed the road and could have been several times costlier to replace than the valve replacement.

Additional related tasks to consider:

- The District needs to evaluate and repair the nearby storm drain. This will be evaluated by CCTV and repaired from inside the storm drain using a variety of available internal repair methods that would best suit the repair.
- The District will look at updating the GIS data base with real-time data to get a document the varying depths and location vulnerable infrastructure by including additional infrastructure attributes in the data base.

Next Steps:

At this time, we are declaring an end to this emergency. This item was recommended for presentation to the Board at the February 1, 2022, Improvements Committee Meeting. Staff are requesting the Board approve additional funds from Water Unrestricted Reserves in the amount of \$37,585 to amend the FY 2021-22 budget and increase the total appropriation for FY 2021-22 Water Capital Improvement projects to \$363,785.

RESOLUTION R2022-02

A RESOLUTION AUTHORIZING THE DISTRICT TO FULFILL THE CONTRACT WITH M-3 CONSTRUCTION, APPROVE CIP#22-11-01, APPROPRIATE FUNDS IN THE AMOUNT OF \$83,785 AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE DISTRICT

WHEREAS, The District maintains the water pipes which deliver water to Rancho Murieta; and

WHEREAS, The District identified a water leak from a valve 15 feet under the ground November 25, 2021 on De La Cruz; and

WHEREAS, The District determined that this leak needed immediate repair, solicited bids, and an Emergency Valve Replacement was authorized by the Board of Directors on December 15, 2021, in the amount of \$46,200, with M-3 Construction, Inc.; and

WHEREAS, The District was informed by M-3 Construction that the project required more extensive excavation to properly repair the valve then detailed in the initial estimate, resulting in a total cost of \$83,785; and

NOW, THEREFORE, THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

1. Authorize the General Manager to sign and execute the agreement, and amendments thereto, with M-3 Construction, Inc. in the amount not to exceed \$83,785 (CIP# 22-11-01), attached as Exhibit 1.
2. Authorize a transfer of funds in the amount of \$83,785 from Water Capital Improvement Projects the total cost of the project and appropriate funds.
3. The General Manager is authorized to all necessary and appropriate actions to carry out the purpose and intent of this resolution.

PASSED AND ADOPTED this 16th day of February, 2022 by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

Timothy E. Maybee, President of the Board
Rancho Murieta Community Services District

[SEAL]

Attest:

Amelia Wilder, District Secretary

**Rancho Murieta Community Services District
Services Agreement**

This Agreement is entered into as of the date last signed and dated below by and between Rancho Murieta Community Services District, a local government agency (“District”), and M-3 Construction, a Corporation (“Contractor”), who agree as follows:

1 Scope of Work

Contractor shall perform the work and render the services described in the attached Exhibit A (the “Work”). Contractor shall provide all labor, services, equipment, tools, material and supplies required or necessary to properly, competently and completely perform the Work. Contractor shall determine the method, details and means of doing the Work.

2 Payment

2.1 District shall pay to Contractor a fee based on:

Contractor’s time and expenses necessarily and actually expended or incurred on the Work in accordance with Contractor’s fee schedule on the attached Exhibit A.

The fee arrangement described on the attached Exhibit A.

There shall be no compensation for extra or additional work or services by Contractor unless approved in advance in writing by District. Contractor’s fee includes all of Contractor’s costs and expenses related to the Work.

2.2 At the end of each month, Contractor shall submit to District an invoice for the Work performed during the preceding month. The invoice shall include a brief description of the Work performed, the dates of Work, number of hours worked and by whom (if payment is based on time), payment due, and an itemization of any reimbursable expenditures. If the Work is satisfactorily completed and the invoice is accurately computed, District shall pay the invoice within 30 days of its receipt.

3 Term

3.1 This Agreement shall take effect on the above date and continue in effect until completion of the Work, unless sooner terminated as provided below. Time is of the essence in this Agreement. If Exhibit A includes a Work schedule or deadline, then Contractor must complete the Work in accordance with the specified schedule or deadline, which may be extended by District for good cause shown by Contractor. If Exhibit A does not include a Work schedule or deadline, then Contractor must perform the Work diligently and as expeditiously as possible, consistent with the professional skill and care appropriate for the orderly progress of the Work.

3.2 This Agreement may be terminated at any time by District upon 10 days advance written notice to Contractor. In the event of such termination, Contractor shall be fairly compensated for all work performed to the date of termination as calculated by District based on the above fee and payment provisions. Compensation under this section shall not

include any termination-related expenses, cancellation or demobilization charges, or lost profit associated with the expected completion of the Work or other such similar payments relating to Contractor's claimed benefit of the bargain.

4 Professional Ability of Contractor

4.1 Contractor represents that it is specially trained and experienced, and possesses the skill, ability, knowledge and certification, to competently perform the Work provided by this Agreement. District has relied upon Contractor's training, experience, skill, ability, knowledge and certification as a material inducement to enter into this Agreement. All Work performed by Contractor shall be in accordance with applicable legal requirements and meet the standard of care and quality ordinarily to be expected of competent professionals in Contractor's field.

4.2 Intentionally Omitted

5 Conflict of Interest

Contractor (including principals, associates and professional employees) represents and acknowledges that (a) it does not now have and shall not acquire any direct or indirect investment, interest in real property or source of income that would be affected in any manner or degree by the performance of Contractor's services under this agreement, and (b) no person having any such interest shall perform any portion of the Work. The parties agree that Contractor is not a designated employee within the meaning of the Political Reform Act and District's conflict of interest code because Contractor will perform the Work independent of the control and direction of the District or of any District official, other than normal contract monitoring, and Contractor possesses no authority with respect to any District decision beyond the rendition of information, advice, recommendation or counsel.

6 Contractor Records

6.1 Contractor shall keep and maintain all ledgers, books of account, invoices, vouchers, canceled checks, and other records and documents evidencing or relating to the Work and invoice preparation and support for a minimum period of three years (or for any longer period required by law) from the date of final payment to Contractor under this Agreement. District may inspect and audit such books and records, including source documents, to verify all charges, payments and reimbursable costs under this Agreement.

6.2 In accordance with California Government Code section 8546.7, the parties acknowledge that this Agreement, and performance and payments under it, are subject to examination and audit by the California State Auditor for three years following final payment under the Agreement.

7 Ownership of Documents

All works of authorship and every report, study, spreadsheet, worksheet, plan, design, blueprint, specification, drawing, map, photograph, computer model, computer disk, magnetic tape, CAD data file, computer software and any other document or thing prepared, developed or created by Contractor under this Agreement and provided to District ("Work Product") shall be the property of District, and District shall have the rights to use, modify,

reuse, reproduce, publish, display, broadcast and distribute the Work Product and to prepare derivative and additional documents or works based on the Work Product without further compensation to Contractor or any other party. Contractor may retain a copy of any Work Product and use, reproduce, publish, display, broadcast and distribute any Work Product and prepare derivative and additional documents or works based on any Work Product; provided, however, that Contractor shall not provide any Work Product to any third party without District's prior written approval, unless compelled to do so by legal process. If any Work Product is copyrightable, Contractor may copyright the same, except that, as to any Work Product that is copyrighted by Contractor, District reserves a royalty-free, nonexclusive and irrevocable license to use, reuse, reproduce, publish, display, broadcast and distribute the Work Product and to prepare derivative and additional documents or works based on the Work Product. If District reuses or modifies any Work Product for a use or purpose other than that intended by the scope of work under this Agreement, then District shall hold Contractor harmless against all claims, damages, losses and expenses arising from such reuse or modification. For any Work Product provided to District in paper format, upon request by District at any time (including, but not limited to, at expiration or termination of this Agreement), Contractor agrees to provide the Work Product to District in a readable, transferable and usable electronic format generally acknowledged as being an industry-standard format for information exchange between computers (e.g., Word file, Excel spreadsheet file, AutoCAD file).

8 Confidentiality of Information

8.1 Contractor shall keep in strict confidence all confidential, privileged, trade secret, and proprietary information, data and other materials in any format generated, used or obtained by the District or created by Contractor in connection with the performance of the Work under this Agreement (the "Confidential Material"). Contractor shall not use any Confidential Material for any purpose other than the performance of the Work under this Agreement, unless otherwise authorized in writing by District. Contractor also shall not disclose any Confidential Material to any person or entity not connected with the performance of the Work under this Agreement, unless otherwise authorized in advance in writing by District. If there is a question if Confidential Material is protected from disclosure or is a public record or in the public domain, the party considering disclosure of such materials shall consult with the other party concerning the proposed disclosure.

8.2 Contractor, and its officers, employees, agents, and subcontractors, shall at all times take all steps that are necessary to protect and preserve all Confidential Material. At no time shall Contractor, or its officers, employees, agents, or subcontractors in any manner, either directly or indirectly, use for personal benefit or divulge, disclose, or communicate in any manner, any Confidential Material to any person or entity unless specifically authorized in writing by the District or by order of a court or regulatory entity with jurisdiction over the matter. Contractor, and its officers, employees, agents, and subcontractors shall protect the Confidential Material and treat it as strictly confidential in accordance with applicable law, District policies and directives, and best industry security practices and standards.

8.3 If any person or entity, other than District or Contractor, requests or demands, by subpoena, discovery request, California Public Records Act request or otherwise, Confidential Material or its contents, the party to whom the request is made will immediately notify the other party, so that the parties may collectively consider appropriate steps to

protect the disclosure of those materials. The parties agree to take all steps reasonably necessary to preserve the confidential and privileged nature of the Confidential Material and its content. In the event that the parties cannot agree whether to oppose or comply with a disclosure demand, the opposing party may oppose the demand at its sole cost and expense, in which event the party favoring disclosure will refrain from disclosing the demanded Confidential Material until such time as a final agreement regarding disclosure is reached or, if an agreement is not reached, a judicial determination is made concerning the demand.

8.4 Unless otherwise directed in writing by the District, upon contract completion or termination, Contractor must destroy all Confidential Materials (written, printed and/or electronic) and shall provide a written statement to the District that such materials have been destroyed.

9 Compliance with Laws

9.1 General. Contractor shall perform the Work in compliance with all applicable federal, state and local laws and regulations. Contractor shall possess, maintain and comply with all federal, state and local permits, licenses and certificates that may be required for it to perform the Work. Contractor shall comply with all federal, state and local air pollution control laws and regulations applicable to the Contractor and its Work (as required by California Code of Regulations title 13, section 2022.1). Contractor shall be responsible for the safety of its workers and Contractor shall comply with applicable federal and state worker safety-related laws and regulations.

9.2 California Labor Code Compliance for Pre- and Post-Construction Related Work and Maintenance.

9.2.1 This section 9.2 applies if the Work includes either of the following:

9.2.1.1 Labor performed during the design, site assessment, feasibility study and pre-construction phases of construction, including, but not limited to, inspection and land surveying work, and labor performed during the post-construction phases of construction, including, but not limited to, cleanup work at the jobsite. (See California Labor Code section 1720(a).) If the Work includes some labor as described in the preceding sentence and other labor that is not, then this section 9.2 applies only to workers performing the pre-construction and post-construction work.

9.2.1.2 “Maintenance” work, which means (i) routine, recurring and usual work for the preservation, protection and keeping of any District facility, plant, building, structure, utility system or other property (“District Facility”) in a safe and continually usable condition, (ii) carpentry, electrical, plumbing, glazing, touchup painting, and other craft work designed to preserve any District Facility in a safe, efficient and continuously usable condition, including repairs, cleaning and other operations on District machinery and equipment, and (iii) landscape maintenance. “Maintenance” excludes (i) janitorial or custodial services of a routine, recurring or usual nature, and (ii) security, guard or other protection-related services. (See California Labor Code section 1771 and 8 California Code of Regulations section 16000.) If the Work includes some “maintenance” work and other work that is not “maintenance,” then this section 9.2 applies only to workers performing the “maintenance” work.

9.2.2 Contractor shall comply with the California Labor Code provisions concerning payment of prevailing wage rates, penalties, employment of apprentices, hours of work and overtime, keeping and retention of payroll records, and other requirements applicable to public works as may be required by the Labor Code and applicable state regulations. (See California Labor Code division 2, part 7, chapter 1 (sections 1720-1861), which is incorporated in this Agreement by this reference.) The state-approved prevailing rates of per diem wages are available at <http://www.dir.ca.gov/oprl/DPreWageDetermination.htm>. Contractor also shall comply with Labor Code sections 1775 and 1813, including provisions that require Contractor to (a) forfeit as a penalty to District up to \$200 for each calendar day or portion thereof for each worker (whether employed by Contractor or any subcontractor) paid less than the applicable prevailing wage rates for any labor done under this Agreement in violation of the Labor Code, (b) pay to each worker the difference between the prevailing wage rate and the amount paid to each worker for each calendar day or portion thereof for which the worker was paid less than the prevailing wage, and (c) forfeit as a penalty to District the sum of \$25 for each worker (whether employed by Contractor or any subcontractor) for each calendar day during which the worker is required or permitted to work more than 8 hours in any one day and 40 hours in any one calendar week in violation of Labor Code sections 1810 through 1815.

9.2.3 If the Work includes labor during pre- or post-construction phases as defined in section 9.2.1.1 above and the amount of the fee payable to Contractor under section 2 of this Agreement exceeds \$25,000, Contractor must be registered and qualified to perform public work with the Department of Industrial Relations pursuant section 1725.5 of the Labor Code.

Contractor's Public Works Contractor Registration Number: 1000061036

9.2.4 If the Work includes maintenance as defined in section 9.2.1.2 above and the amount of the fee payable to Contractor under section 2 of this Agreement exceeds \$15,000, Contractor must be registered and qualified to perform public work with the Department of Industrial Relations pursuant section 1725.5 of the Labor Code.

Contractor's Public Works Contractor Registration Number: 1000061036

d. Intentionally Omitted

Indemnification.

9.3 Contractor shall indemnify, defend, protect, and hold harmless District, and its officers, employees and agents ("Indemnitees") from and against any claims, liability, losses, damages and expenses (including attorney, expert witness and Contractor fees, and litigation costs) (collectively a "Claim") that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of Contractor or its employees, agents or subcontractors. The duty to indemnify, including the duty and the cost to defend, is limited as provided in this section. However, this indemnity provision will not apply to any Claim arising from the sole negligence or willful misconduct of District or its employees or agents. Contractor's obligations under this indemnification provision shall survive the termination of, or completion of Work under, this Agreement.

9.4 This section 10.2 applies if the Contractor is a “design professional” as that term is defined in Civil Code section 2782.8. If a court or arbitrator determines that the incident or occurrence that gave rise to the Claim was partially caused by the fault of an Indemnitee, then in no event shall Contractor’s total costs incurred pursuant to its duty to defend Indemnitees exceed Contractor’s proportionate percentage of fault as determined by a final judgment of a court or final decision of arbitrator.

10 Insurance

Types & Limits. Contractor at its sole cost and expense shall procure and maintain for the duration of this Agreement the following types and limits of insurance: ***[The general liability and automobile coverage limits may be adjusted depending on the Work’s overall risks, cost and complexity.]***

<i>Type</i>	<i>Limits</i>	<i>Scope</i>
Commercial general liability	\$2,000,000 per occurrence & \$4,000,000 aggregate	at least as broad as Insurance Services Office (ISO) Commercial General Liability Coverage (Occurrence Form CG 00 01) including products and completed operations, property damage, bodily injury, personal and advertising injury
Automobile liability	\$1,000,000 per accident	at least as broad as ISO Business Auto Coverage (Form CA 00 01)
Workers’ compensation	Statutory limits	
Employers’ liability	\$1,000,000 per accident	
Professional liability*	\$1,000,000 per claim	

*Required only if Contractor is a licensed engineer, land surveyor, geologist, architect, doctor, attorney or accountant.

10.1 Other Requirements. The general and automobile liability policy(ies) shall be endorsed to name District, its officers, employees, volunteers and agents as additional insureds regarding liability arising out of the Work. Contractor’s general and automobile coverage shall be primary and apply separately to each insurer against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability. District’s insurance or self-insurance, if any, shall be excess and shall not contribute with Contractor’s insurance. Each insurance policy shall be endorsed to state that coverage shall not be canceled, except after 30 days (10 days for non-payment of premium) prior written notice to District. Insurance is to be placed with insurers authorized to do business in California with a current A.M. Best’s rating of A:VII or better unless otherwise acceptable to District. Workers’ compensation insurance issued by the State Compensation Insurance Fund is acceptable. Except for professional liability insurance, Contractor agrees to waive

subrogation that any insurer may acquire from Contractor by virtue of the payment of any loss relating to the Work. Contractor agrees to obtain any endorsement that may be necessary to implement this subrogation waiver. The workers' compensation policy must be endorsed to contain a subrogation waiver in favor of District for the Work performed by Contractor.

10.2 **Proof of Insurance.** Upon request, Contractor shall provide to District the following proof of insurance: (a) certificate(s) of insurance evidencing this insurance; and (b) endorsement(s) on ISO Form CG 2010 (or insurer's equivalent), signed by a person authorized to bind coverage on behalf of the insurer(s), and certifying the additional insured coverage.

11 General Provisions

11.1 **Entire Agreement; Amendment.** The parties intend this writing to be the sole, final, complete, exclusive and integrated expression and statement of the terms of their contract concerning the Work. This Agreement supersedes all prior oral or written negotiations, representations, contracts or other documents that may be related to the Work, except those other documents (if any) that are expressly referenced in this Agreement. This Agreement may be amended only by a subsequent written contract approved and signed by both parties.

11.2 **Independent Contractor.** Contractor's relationship to District is that of an independent contractor. All persons hired by Contractor and performing the Work shall be Contractor's employees or agents. Contractor and its officers, employees and agents are not District employees, and they are not entitled to District employment salary, wages or benefits. Contractor shall pay, and District shall not be responsible in any way for, the salary, wages, workers' compensation, unemployment insurance, disability insurance, tax withholding, and benefits to and on behalf of Contractor's employees. Contractor shall, to the fullest extent permitted by law, indemnify District, and its officers, employees, volunteers and agents from and against any and all liability, penalties, expenses and costs resulting from any adverse determination by the federal Internal Revenue Service, California Franchise Tax Board, other federal or state agency, or court concerning Contractor's independent contractor status or employment-related liability.

11.3 **Subcontractors.** No subcontract shall be awarded nor any subcontractor engaged by Contractor without District's prior written approval. Contractor shall be responsible for requiring and confirming that each approved subcontractor meets the minimum insurance requirements specified in section 11 of this Agreement. Any approved subcontractor shall obtain the required insurance coverages and provide proof of same to District in the manner provided in section 11 of this Agreement.

11.4 **Assignment.** This Agreement and all rights and obligations under it are personal to the parties. The Agreement may not be transferred, assigned, delegated or subcontracted in whole or in part, whether by assignment, subcontract, merger, operation of law or otherwise, by either party without the prior written consent of the other party. Any transfer, assignment, delegation, or subcontract in violation of this provision is null and void and grounds for the other party to terminate the Agreement.

11.5 **No Waiver of Rights.** Any waiver at any time by either party of its rights as to a breach or default of this Agreement shall not be deemed to be a waiver as to any other

breach or default. No payment by District to Contractor shall be considered or construed to be an approval or acceptance of any Work or a waiver of any breach or default.

11.6 **Severability.** If any part of this Agreement is held to be void, invalid, illegal or unenforceable, then the remaining parts will continue in full force and effect and be fully binding, provided that each party still receives the benefits of this Agreement.

11.7 **Governing Law and Venue.** This Agreement will be governed by and construed in accordance with the laws of the State of California. The county and federal district court where District's office is located shall be venue for any state and federal court litigation concerning the enforcement or construction of this Agreement.

11.8 **Notice.** Any notice, demand, invoice or other communication required or permitted to be given under this Agreement must be in writing and delivered either (a) in person, (b) by prepaid, first class U.S. mail, (c) by a nationally-recognized commercial overnight courier service that guarantees next day delivery and provides a receipt, or (d) by email with confirmed receipt. Such notices, etc. shall be addressed as follows:

District:

Rancho Murieta Community Services District
Attn: Tom Hennig
Rancho Murieta Community Services District, 15160 Jackson Road, Rancho Murieta,
CA 95683
E-mail: thennig@rmcsd.com

Contractor:

M-3 Construction, Inc.
Attn: Ray MacClanahan
1501 Long Gate Road, Plymouth, CA 95669
E-mail: raym@m3construction.net

Notice given as above will be deemed given (a) when delivered in person, (b) three days after deposited in prepaid, first class U.S. mail, (c) on the date of delivery as shown on the overnight courier service receipt, or (d) upon the sender's receipt of an email from the other party confirming the delivery of the notice, etc. Any party may change its contact information by notifying the other party of the change in the manner provided above.

11.9 **Signatures and Authority.** Each party warrants that the person signing this Agreement is authorized to act on behalf of the party for whom that person signs. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute the same instrument. Counterparts may be delivered by facsimile, electronic mail (including PDF or any electronic signature complying with California's Uniform Electronic Transactions Act (Cal. Civ. Code, §1633.1, et seq.) or any other applicable law) or other transmission method. The parties agree that any electronic signatures appearing on the Agreement are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

Rancho Murieta Community Services District:

Dated: 12/16/21

By: 
Tom Hennig/General Manager

M-3 Construction, Inc.:

Dated: 1/2/21/21

By: 
Ray MacClanahan

EXHIBIT A

From: [Tom Hennig](#)
To: [Amelia Wilder](#)
Subject: FW: Failed 8" potable water valve
Date: Tuesday, December 14, 2021 4:35:44 PM
Attachments: [RMCS D Valve Replacement M-3 T&M Rate Sheet.pdf](#)

Please attach this to the quote from M-3

Tom Hennig

General Manager
Rancho Murieta CSD
ph.(916)354-3700
fx. (916)354-2082

Visit us at www.RMCS D.com

 **Before printing, please think Green.**

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From: Michael Fritschi <mfritschi@rmcsd.com>
Sent: Tuesday, December 14, 2021 4:21 PM
To: Tom Hennig <thennig@rmcsd.com>
Subject: FW: Failed 8" potable water valve

Tom,

The email below is the closest thing we have to a transmittal letter. The original rate sheet is attached.

From: Ron Greenfield
Sent: Tuesday, December 14, 2021 4:18 PM
To: Michael Fritschi <mfritschi@rmcsd.com>
Subject: FW: Failed 8" potable water valve

Ron Greenfield
Rancho Murieta Community Services District

Sent via the Samsung Galaxy A71 5G, an AT&T 5G smartphone

----- Original message -----

From: Ray MacClanahan <raym@m3construction.net>
Date: 12/8/21 10:46 AM (GMT-08:00)
To: Ron Greenfield <rgreenfield@rmcsd.com>

Cc: Shawn Sullivan <shawns@m3construction.net>

Subject: RE: Failed 8" potable water valve

Hi Ron,

Pursuant to your request, attached please find our T&M rate sheet inclusive of our estimate of resources required to accomplish the anticipated scope of work. The anticipated project duration is 5 working days.

This estimate does not contemplate weather related complications, surveying, staking, testing, inspection, permits, fees, traffic control, camera work, or any work associated with the storm drain issue. Its first two categories, 1) LABOR and 2) OWNED EQUIPMENT, would be billed per the rates and markup shown; its third and fourth categories, 3) MATERIAL, RENTAL & OTHER DIRECT COST and 4) SUBCONTRACT (should there be any), would be billed at actual invoice cost plus markup shown.

Please feel free to contact me at any time should you require further assistance or clarification.

Thank you,

Ray MacClanahan

M-3 Construction, Inc.

1501 Long Gate Road, Plymouth CA 95669

CLN 323961/PWC 1000061036

M: (916) 416-0104

O: (209) 245-5254

From: Ron Greenfield <rgreenfield@rmcsd.com>

Sent: Friday, December 3, 2021 11:51 AM

To: Michael Fritschi <mfritschi@rmcsd.com>; Tom Hennig <thennig@rmcsd.com>

Subject: Failed 8" potable water valve

Rancho Murieta Community Services District is requesting a bid to dig and replace an 8" water valve and possibly repair the storm line in the same area.

The work would need to be bid on a time and material bases because of the unknown problem or problems.

We have what appears to be a failed 8" gate valve that is tied to a 14" water main.

Work is approximately 15 feet deep located in the intersection of De La Cruz and De La Pena Cir.

After the valve was exercised a leak started and ran into a storm line when the valve was turned off the leak stopped.

I have attached a copy of the area as built plans.

All work has to be quoted with prevailing wage.

If a field meet is needed please contact me to set up a time.

Quotes need to be received by 12:00 pm on December 8, 2021

Ron Greenfield
Utilities Supervisor
Rancho Murieta CSD
P.O. Box 1050
15160 Jackson Road
Rancho Murieta, CA 95683
Telephone: 916-354-3700
Cell 916 870-6613
Fax: 916-354-2082

Visit us at www.RMCSD.com

 **Before printing, please think Green.**

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M-3 CONSTRUCTION, INC
Time and Materials Spreadsheet

Description: FAILED 8" POTABLE WATER VALVE

LABOR

Date	Employee	Class	Rate	Hours	Burdened Hourly Cost	Extension
	Laborer	G3 LAB	ST	80.0	73.46	5,876.86
		G3 LAB	1 1/2X		93.04	0.00
	Operator	G3 OPER	ST	80.0	102.55	8,203.99
		G3 OPER	1 1/2X		132.48	0.00

	14,080.85
15% OH&P	2,112.13
Labor Total	16,192.97

OWNED EQUIPMENT

Date	Description	Qty	Unit	Unit Cost	Extension
	Foreman Truck F-250		Day	256.00	0.00
	Crew Tool Truck F-350	5.00	Day	336.00	1,680.00
	5KW Generator	5.00	Day	53.00	265.00
	Vibra Plate Compactor	2.00	Day	79.00	158.00
	Wacker Compactor	6.00	Day	100.00	600.00
	Bobcat 773G Skid Steer		Day	352.00	0.00
	Atlas Copco XAS 185 Compressor Bkr Pkg	2.00	Day	350.00	700.00
	Dynapac CC1200 48" Double Drum Roller	2.00	Day	388.00	776.00
	John Deere 310SK Backhoe	5.00	Day	388.00	1,940.00
	Caterpillar 308E2 CR Excavator		Day	544.00	0.00
	Kenworth T270 Flatbed Dump	1.00	Day	438.00	438.00
	Kenworth T370 12 CY Dump	5.00	Day	572.00	2,860.00
	Rolls Rite 52KP31HDA 22t Equipment Trailer	1.00	Day	124.00	124.00

	9,541.00
15% OH&P	1,431.15
Equipment Total	10,972.15

MATERIAL, RENTAL & OTHER DIRECT COST

Date	Description	Qty	Unit	Unit Cost	Extension
	28,000 lb Excavator	5	Day	680.00	3,400.00
	8x8x4 Sqr Manhole Box	3	Week	450.00	1,350.00
	1.5 in. 8x15 Trench Plate	2	Week	400.00	800.00
	Vac Trailer	1	Week	2,300.00	2,300.00
	Dewatering	1	LS	750.00	750.00
	Misc. Material Allowance	1	LS	2,000.00	2,000.00
	Sand	12	Ton	25.00	300.00
	C2AB	84	Ton	19.00	1,596.00
	HMA	5	Ton	70.00	350.00

	12,846.00
15% OH&P	1,926.90
Material Total	14,772.90

SUBCONTRACT

Date	Description	Qty	Unit	Unit Cost	Extension

	0.00
15% OH&P	0.00
Subcontract Total	0.00

Labor	16,192.97
Equipment	10,972.15
Material	14,772.90
Subcontract	0.00
Total	\$41,938.02



M-3 CONSTRUCTION

1501 LONG GATE ROAD
PLYMOUTH, CA 95669
(209) 245-5254 FAX (209) 245-5532

Invoice No.

2707

INVOICE

Customer

Rancho Murieta Community Services District
15160 Jackson Road
Rancho Murieta CA 95683
Attention: Michael Fritschi

Date 1/25/2022
PO No. _____
DIR No. 399292
Prog Pmt No. 1

Qty	Description	Unit Price	TOTAL
100%	Emergency 8" Valve Replacement	\$83,784.55	\$83,784.55

SubTotal	\$83,784.55
Less 0% Retention	
Less Previous Billings	
TOTAL INVOICE AMOUNT	\$83,784.55

M-3 CONSTRUCTION, INC
 Extra Work Spreadsheet
 Emergency 8" Valve Replacement

Description:

LABOR						
Date	Employees	Class	Rate	Hours	Burdened Hourly Cost	Extension
1/3/2022	Sullivan	G3 OPER	ST	5.0	102.55	512.75
1/3/2022	Hampton	G3 LAB	ST	5.0	73.46	367.30
1/7/2022	Sullivan	G3 OPER	ST	6.0	102.55	615.30
1/7/2022	Hampton	G3 LAB	ST	6.0	73.46	440.76
1/10/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/10/2022	Hampton, Watanabe, Bliss	G3 LAB	ST	24.0	73.46	1,763.06
1/11/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/11/2022	Hampton, Watanabe, Bliss	G3 LAB	ST	24.0	73.46	1,763.06
1/12/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/12/2022	Sullivan	G3 OPER	1 1/2X	2.5	132.48	331.19
1/12/2022	Hampton, Watanabe, Bliss	G3 LAB	ST	24.0	73.46	1,763.06
1/12/2022	Hampton, Watanabe, Bliss	G3 LAB	1 1/2X	7.5	93.04	697.79
1/13/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/13/2022	Hampton, Watanabe, Bliss	G3 LAB	ST	24.0	73.46	1,763.06
1/14/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/14/2022	Sullivan	G3 OPER	1 1/2X	1.5	132.48	198.71
1/14/2022	Hampton, Watanabe, Bliss	G3 LAB	ST	24.0	73.46	1,763.06
1/14/2022	Hampton, Watanabe, Bliss	G3 LAB	1 1/2X	4.5	93.04	418.68
1/18/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/18/2022	Sullivan	G3 OPER	1 1/2X	3.0	132.48	397.43
1/18/2022	Hampton, Watanabe	G3 LAB	ST	16.0	73.46	1,175.37
1/18/2022	Hampton, Watanabe	G3 LAB	1 1/2X	6.0	93.04	558.23
1/19/2022	Sullivan	G3 OPER	ST	8.0	102.55	820.40
1/19/2022	Hampton	G3 LAB	ST	8.0	73.46	587.69
1/20/2022	Sullivan, Somers	G3 OPER	ST	12.0	102.55	1,230.60
1/20/2022	Hampton, Watanabe, Somers	G3 LAB	ST	20.0	73.46	1,469.21
1/21/2022	Sullivan, Somers	G3 OPER	ST	13.0	102.55	1,333.15
1/21/2022	Ortiz	G4 OPER	ST	1.0	100.84	100.84
1/21/2022	Hampton, Watanabe, Somers, Ortiz, Valazquez, Martinez	G3 LAB	ST	42.0	73.46	3,085.35
1/24/2022	Sullivan	G3 OPER	ST	6.0	102.55	615.30
1/24/2022	Hampton	G3 LAB	ST	6.0	73.46	440.76

29,134.49
 15% OH&P 4,370.17
Labor Total 33,504.67

OWNED EQUIPMENT					
Date	Description	Qty	Unit	Unit Cost	Extension
	Foreman Truck F-250	12.00	Day	256.00	3,072.00
	Crew Tool Truck F-350	9.00	Day	336.00	3,024.00
	Pump, Electric, 2" Submersible	15.00	Day	58.00	870.00
	Quick Cut Saw	1.00	Day	60.00	60.00
	5KW Generator	7.00	Day	53.00	371.00
	Miller Multimatic 200 Welder	7.00	Day	100.00	700.00
	Vibra Plate Compactor	1.00	Day	79.00	79.00
	Wacker Compactor	1.00	Day	100.00	100.00
	Atlas Copco XAS 185 Compressor Bkr Pkg	2.00	Day	350.00	700.00
	Dynapac CC1200 48" Double Drum Roller	2.00	Day	388.00	776.00
	John Deere 310SK Backhoe	3.00	Day	388.00	1,164.00
	Caterpillar 308E2 CR Excavator	8.00	Day	544.00	4,352.00
	Kenworth T270 Flatbed Dump	3.00	Day	438.00	1,314.00
	Kenworth T370 12 CY Dump	9.00	Day	572.00	5,148.00
	Rolls Rite 52KP31HDA 22t Equipment Trailer	5.00	Day	124.00	620.00

22,350.00
 15% OH&P 3,352.50
Equipment Total 25,702.50

MATERIAL, RENTAL & OTHER DIRECT COST					
Date	Description	Qty	Unit	Unit Cost	Extension
1/7/2022	Rocket Restrooms - Inv #20082	1	LS	175.00	175.00
1/10/2022	United Rentals - Inv #201961360-001	1	LS	1,771.41	1,771.41
1/10/2022	Trench Plate Rentals - Inv #000176645	1	LS	3,250.40	3,250.40
1/11/2022	Trench Plate Rentals - Inv #000177397	1	LS	633.28	633.28
1/13/2022	Ferguson Waterworks - Inv #1686201	1	LS	2,176.79	2,176.79
1/18/2022	Folsom Ready Mix - Inv #1043410	1	LS	9,932.06	9,932.06
1/19/2022	Folsom Ready Mix - Inv #1043459	1	LS	1,241.51	1,241.51
1/19/2022	United Rentals - Inv #202336978-001	1	LS	60.89	60.89
1/19/2022	Diamond blade - 35% wear	35%	LS	475.00	166.25
1/21/2022	Teichert - Inv #10469310	1	LS	1,964.05	1,964.05

21,371.64
 15% OH&P 3,205.75
Material Total 24,577.39

SUBCONTRACT					
Date	Description	Qty	Unit	Unit Cost	Extension

0.00
 15% OH&P 0.00
Subcontract Total 0.00

Labor	33,504.67
Equipment	25,702.50
Material	24,577.39
Subcontract	0.00
Total	\$83,784.55

CONDITIONAL WAIVER AND RELEASE ON FINAL PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

Name of Claimant: M-3 Construction Inc

Name of Customer: Rancho Murieta Community Services District

Job Location: Intersection of De La Cruz and De La Pena in Rancho Murieta, CA

Owner: Rancho Murieta Community Services District

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

Maker of Check: Rancho Murieta Community Services District

Amount of Check: \$ 83,784.55

Check Payable to: M-3 Construction Inc

Exceptions

This document does not affect any of the following:
Disputed claims for extras in the amount of: \$ 0.00

Signature

Claimant's Signature:

Claimant's Title: President

Date of Signature: 01/25/2022

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RE: Contract with RMCS and M3 Construction

Reply Reply All Forward

Tue 1/25/2022 6:24 PM

RM Ray MacClanahan <raym@m3construction.net>
 To: Michael Fritschi
 Cc: Ron Greenfield
 You replied to this message on 1/26/2022 8:12 AM.

Michael,

Here are some points to consider in your evaluation of cost variances on this project:

Please bear in mind that the District requested T&M rates only on this project due to its unknown subsurface conditions. We did include no contingency (best case) time durations on our T&M rate sheet, however those were provided strictly as a courtesy and without contractual significance.

As is known, we encountered saturated unstable soils with water standing several feet above the bottom of our excavation. As a result, the walls of our excavation experienced caving and we had to dewater throughout the work. It is worth noting that had this situation gone unabated, over time it may well have contributed to a major subsidence event in the area, possibly with damage to substructures, due to an undermining of buried utilities through hydraulic erosion.

It is always difficult to convey to anyone without direct knowledge, the severity of impact that saturated unstable soils in a deep excavation have on cost. Beyond obvious direct costs such as dewatering and volumetric increases, there are substantial production penalties in dealing with and working within the more restrictive worker protection measures required. Penalties are compounded by abbreviated production cycles owing to the significant portion at both ends of each shift that must be dedicated to the handling of site safety components and during which no work can proceed; And as the excavation grows, so too must these onerous measures.

We performed this work as safely, diligently and effectively as was possible, yet the combined effect of these factors was a more than doubling of its cost. One week became two... 160 labor hours became 347.

I hope this helps.

Thank you,

Ray MacClanahan
M-3 CONSTRUCTION, INC.
 1501 Long Gate Road, Plymouth CA 95669
 CLN 323961/PWAC 1000061036
 M: (916) 416-0104
 O: (209) 245-5254

13. Mid Year Budget Discussion - Pending

MEMORANDUM

Date: February 15, 2022
To: Board of Directors
From: Tom Hennig, General Manager
Subject: Sacramento Tree Foundation Contract

Recommendation

To authorize the General Manager to sign the agreement with the Sacramento Tree Foundation for the planting of native trees at the District Administration Office grounds.

Background

For new developments within Sacramento County, developers are required to replace trees that are removed to allow for homes to be built. When the Riverview development began their current grading project, the developer Reynen & Bardis chose to pay the County for the removal of trees within the subdivision. This payment resulted in more than \$500,000 of funding for the Sacramento Tree Foundation to plant seedling trees to mitigate the removal of over 1,700 inches of tree circumference that was removed late 2021.

Last October, Director Merchant and GM Tom Hennig met with the Tree Foundation staff to develop a plan for planting seedling trees on most of the ground surrounding the District office. The plan is to replace reduce the amount of water used to maintain the turf around the District office using drip irrigation for the tree. The drip irrigation will be required for three to four years. After this, the trees will survive without additional water. This plan will save approximately nine acre feet/three million gallons of recycled water annually. Once the trees are planted, the Tree Foundation will maintain the trees for three years. After this, the District will be required to maintain the trees for the remainder of their useful life.

Proposed Actions

Included as part of the memo is the tree planting proposal as designed by the Tree Foundation. As part of this project, we are leaving a section of turf to allow for maintenance of District infrastructure which contains wiring and communications lines. This will also allow for any future expansion of the District office.

If approved by the Board, District staff will work with the Tree Foundation to develop plans for the planting of nearly 160 new trees. Included in this step will be a call for community involvement. We will work with the RMA and other organizations to market the opportunity to play a part in planting the trees.

The Tree Foundation will provide everything needed, at no cost to the District to do the following:

- Replace the current sprinklers with a drip irrigation system for the trees.
- Coordinate the delivery of bark to be placed on the turf that remains after the trees are planted.
- Maintain the trees and replace as need for the first three to four years.
- If necessary, install protection around each tree to prevent animals from harming the seedling trees.
- Training to District staff for maintaining the trees after the initial three to four years.

Summary

This agreement has been reviewed and by the District's attorney. With the Board's approval, the General Manager to sign contract with the Sacramento Tree Foundation.

Sacramento Tree Foundation
NATURE
(Native Trees in Urban and Rural Environments)
PROGRAM



Rancho Murieta Community Services District Headquarters Planting

Background

The Sacramento Tree Foundation offers comprehensive native tree planting and stewardship services. While replacing trees lost to development, the NATURE program provides involvement and learning opportunities to community members. From its inception in 1999, the NATURE Program has planted and cared for over 28,000 native trees to meet tree mitigation requirements in numerous locations within the Sacramento region.

Groves of native trees provide economic and health benefits to communities and create valuable wildlife habitat. The NATURE Program strives to establish native trees effectively with an annual tree survival rate of 85-95%. Annual re-plantings are conducted during the three-year establishment period for any trees lost to predation or plant failure. The program also conducts educational outreach to the community, using planting events as a forum to instill the importance of trees in the urban landscape. Volunteers will be organized and utilized for the planting phase of this project as well as appropriate ongoing stewardship activities. Monitoring and maintenance will be the responsibility of the Sacramento Tree Foundation for three years, after which the Rancho Murieta CSD will assume responsibility for the trees.

Planting Plan

The Sacramento Tree Foundation is proposing to plant up to 200 native trees on CSD property adjacent to the Headquarters building and as part of a turf reduction re-landscaping project. Native tree species that are appropriate for this location include Valley Oak (*Quercus lobata*), Interior Live Oak (*Q. wislizeni*), Blue Oak (*Quercus douglasii*), Black Walnut (*Juglans californica* var. *Hindsii*), Boxelder (*Acer negundo*) and California Buckeye (*Aesculus californica*). All planting locations will be approved by a representative of the Rancho Murieta CSD to ensure that possible future problems concerning maintenance and tree care can be planned for and avoided.

Trees will be planted at 15-25' spacing depending on species and proximity to existing vegetation to allow for easy maintenance and allow trees to grow unencumbered to full maturity. For reference, see the map below.



Planting Scheme –Planting areas will be surveyed for underground utilities prior to marking final tree planting locations. The trees will be spaced 15'-28' feet apart dependent on species. Planting will not occur within 18 feet of a building foundation, 15 feet of the dripline of any existing healthy tree, or within eight feet of a paved parking area or other permanent infrastructure. Trees will be planted in offset rows which will maximize shade for the area and, over time, resemble a natural open-space setting with trees growing at various rates and individuals gaining dominance over time.

Volunteers and Community Engagement— Tree planting will occur with the assistance of volunteers who will be recruited, trained and supervised by the Tree Foundation and who will work under our organizational insurance. The Tree Foundation will partner with the Rancho Murieta Association and CSD to recruit volunteers from local organizations and neighborhoods. In the case of restrictions due to the COVID-19 pandemic, trees may be planted by Tree Foundation staff in order to meet contract deadlines related to project funding.

Planting Stock - The planting will be primarily composed of seedling and sapling sized trees which will establish well in a natural setting. These trees will grow 4-12 feet in height the first few years and become established at the site. Trees will come in deepot or similar sized containers which are 12 inches tall to allow for more naturalized growth of deeply rooted native trees. The trees are grown from locally collected seed in our nursery and by elementary school classrooms participating in our Seed to Seedling program. Each tree we provide has been carefully grown to ensure rapid establishment and long-term success. If trees must be purchased, all stock will be sourced from local nurseries growing high-quality native plants.

Water Source – Irrigation sources will be identified by the Rancho Murieta CSD prior to planting. Using these sources, the Sacramento Tree Foundation will modify existing infrastructure and/or install a temporary above ground drip irrigation system to irrigate the trees. The temporary system will be used during the three-year maintenance and establishment period and can be removed or adopted by the CSD at the end of the maintenance term. The system will be placed on an appropriate automatic watering schedule determined by the Sacramento Tree Foundation. All above ground irrigation systems will be inspected regularly.

Maintenance – Sacramento Tree Foundation staff will be responsible for maintaining the trees for the three-year maintenance and monitoring period, including regular watering, mulch application, installation of tree protection materials, and pruning as defined in the maintenance standards section of this document. Tree Foundation staff will also complete any replants needed each year. At the end of the three-year maintenance period the trees will be established and require minimal ongoing maintenance in this natural setting. Further pruning to ensure appropriate growth form may be required after the three-year period.

Planting standards

Site Preparation

Weeds that will affect the establishment and survival of the trees will be removed from the planting area. Where significant weeds exist, the planting site may be mowed or sprayed in advance of planting. Irrigation infrastructure will be installed before planting takes place. Mulch will be delivered to the site prior to planting.

Seedling Planting

Each seedling will be carefully planted and checked for quality by trained personnel. Trees will be planted with a tree protection tube and stake. The tree will be mulched after planting. Seedlings will be watered in at the time of planting.

Maintenance standards

Irrigation

Trees will be irrigated on a schedule and rate ideal for local soil and weather conditions. Each tree is given 8-16 gallons a week for the first year of establishment, dependent on soil and planting materials variables. Irrigation schedules will be closely monitored and adjustments made if necessary. Over the three-year maintenance period, the trees will be gradually weaned off of supplemental water to allow them to adapt to their long-term conditions.

Mulch

Three to six inches of organic mulch will be maintained in a four-foot diameter circle around the tree, four inches away from the trunk. Mulch helps the soil retain moisture, prevents weeds, and adds nutrients to the soil as it breaks down.

Weed Control and Mowing

The four-foot diameter area around the tree is to be kept clear of weeds, grass, and other plants that would compete with tree establishment. Weeds will be pulled or hoed or

controlled using approved herbicides under all required permitting and licensing. Tree Foundation staff may also remove weeds along the irrigation lines to provide access to the trees and prevent damage to the lines. Further vegetation management may occur for fire abatement and access purposes.

Protection from Predation

Tree tubes are placed around seedling sized trees to prevent rodent damage. Larger trees will be wrapped with white plastic trunk wrap on the lower six inches of trunk if there are indications that rodent damage is likely. Caging may be installed to protect trees from deer. NATURE maintenance staff monitors conditions regularly to assess rodent conditions.

Pruning

NATURE trees are pruned to encourage natural growth and longevity. Minimal pruning is needed to achieve structural and tree health goals including the following:

- Dual leaders are reduced or removed to develop a strong main trunk
- Suckers are removed
- Crossing and rubbing branches are removed
- Dead or damaged limbs are removed
- Lower branches are retained to shade the trunk

Staking

NATURE trees are generally not staked because they have adequate taper and branching to support strong trunk development. If trees are found to be leaning drastically, they will be double staked and tied with flexible ties. Stakes may also be used to minimize damage due to vandalism or machinery use.

Monitoring

GPS coordinates are taken for each tree along with other growth information and compiled in the Sacramento Tree Foundation GIS system. The trees are monitored for health and growth rate during the three-year establishment period and a report is produced annually. Replacement trees are planted each year during the planting season from November to March.

NATURE: Native Trees in Urban and Rural Environments Letter of Agreement

Sacramento County has a rich heritage of native trees, woodlands and groves. Native oak, sycamore, and black walnut trees have been prominent features of the natural and cultural history of our county. The Sacramento Tree Foundation NATURE Program works to retain this heritage by replanting trees that have been lost to development in areas appropriate for reforestation.

Purpose

This Letter of Agreement establishes a relationship between the Sacramento Tree Foundation (STF), and the Rancho Murieta Community Services District (CSD) for the planting of native trees on CSD owned and managed properties at Rancho Murieta, California.

Agreement responsibilities

This agreement puts forth the following responsibilities for each party.

The Sacramento Tree Foundation shall

- Plant up to 1,000 native trees at various CSD owned and managed parcels within Rancho Murieta. The Tree Foundation will work with all interested parties to develop planting locations and specific planting plans for each site. After a location has been approved by CSD, STF will mark each individual planting spot and survey the site for utility conflicts. Native species may include Valley Oak (*Quercus lobata*), Interior Live Oak (*Q. wislizeni*), Blue Oak (*Quercus douglasii*), Black Walnut (*Juglans californica* var. *hindsii*), Boxelder (*Acer negundo*) and California Buckeye (*Aesculus californica*) depending on site conditions.
- Plant all trees with STF staff and/or volunteers. STF will be responsible for securing signed waivers from each volunteer prior to the start of work. STF greatly encourages the involvement of community members and CSD staff on planting and tree care days.
- Maintain all trees for three years from the planting date. 100% survival of the trees is usually required to meet our contract compliance at the three-year mark. To achieve this, replanting will occur after the first and second years as needed and/or more trees will be planted than are needed to meet contract goals.
- Take measures to promote the survivability of the trees. Site preparation activities may include any of the following: site preparation including mowing, auguring, application of herbicides and installation of a temporary drip irrigation system. Stewardship activities will occur within a four-foot diameter area around each plant and along irrigation infrastructure and may include any of the following activities: mulching, mowing, installation and

maintenance of browse protection cages, tree stakes and trunk protectors, installation and operation of irrigation equipment, weed abatement by hand, with herbicides or with equipment, and regular monitoring.

- Design and implement all irrigation infrastructure in cooperation with CSD. This infrastructure will be maintained and operated for three years by the Sacramento Tree Foundation. At the end of the three-year tree establishment period, ownership and responsibility for this infrastructure will revert to CSD. Irrigation can be removed at this time if so desired.
- Monitor tree condition and survivability and produce monitoring reports. Copies of the reports can be provided to CSD upon request.
- Hold all licenses required by law and procure and maintain commercial general liability insurance with at a limit of least \$2 million per occurrence for the duration of this Agreement.

The Rancho Murieta Community Services District shall:

- Verify locations for up to 1,000 native trees.
- Authorize STF to plant and steward the mitigation trees agreed to by this letter. Stewardship activities include open site access to STF staff, contractors, and volunteers and may include any or all of the following: site preparation and maintenance by auguring, mulching, herbicide application, mowing and hand removal of weeds, installation of browse protection cages, tree stakes and trunk guards, installation and operation of irrigation equipment, and regular monitoring.
- Maintain continuous water flow to all irrigation connections used to irrigate the project for a minimum of three years from the planting date. CSD will alert STF to any change in water status and availability and will assist with irrigation water delivery if necessary.
- As the property owner, secure any and all necessary approvals for the tree planting project prior to allowing work to start. Any permits or regulatory documentation pertaining to the project will be provided to STF.
- Alert STF staff to any known constraints and opportunities for design, installation, and maintenance, planned or proposed uses of the site, or special site circumstances.
- After the three-year establishment period, accept responsibility for long term care and protection of the trees as required by the Sacramento County General Plan policy and Tree Protection Ordinance.

This agreement will remain in place until three years from the final project planting date. It can be modified at any time in writing by concurrence of all parties to the Agreement and is negotiable at the option of any of the parties.

_____ Date: _____
Sacramento Tree Foundation

_____ Date: _____
Rancho Murieta CSD