



**LAS VIRGENES MUNICIPAL WATER DISTRICT**  
4232 Las Virgenes Road, Calabasas CA 91302

**AGENDA**  
**REGULAR MEETING**

Members of the public wishing to address the Board of Directors are advised that a statement of Public Comment Protocols is available from the Clerk of the Board. Prior to speaking, each speaker is asked to review these protocols and **MUST** complete a speakers' card and hand it to the Clerk of the Board. Speakers will be recognized in the order cards are received.

The Public Comments agenda item is presented to allow the public to address the Board on matters not on the agenda. The public may present comments on any agenda item at the time the item is called upon for discussion.

Materials prepared by the District in connection with subject matter on the agenda are available for public inspection at 4232 Las Virgenes Road, Calabasas, CA 91302. Materials prepared by the District and distributed to the Board during this meeting are available for public inspection at the meeting or as soon thereafter as possible. Materials presented to the Board by the public will be maintained as part of the records of these proceedings and are available upon written request to the Clerk of the Board.

5:00 PM

September 9, 2014

**PLEDGE OF ALLEGIANCE**

**1. CALL TO ORDER AND ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. PUBLIC COMMENTS**

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

**4. CONSENT CALENDAR**

**A List of Demands: September 9, 2014 (Pg. 4) Approve**

**B Minutes: Regular Meeting of August 26, 2014 (Pg. 32) Approve**

**C Directors' Per Diem: August 2014 (Pg. 39) Ratify**

**5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

**A Legislative and Regulatory Updates**

**6. TREASURER**

**7. BOARD OF DIRECTORS**

**A General Manager Employment Agreement: Consideration of Amendment (Pg. 45)**

Approve an amendment to the existing Employment Agreement for the General Manager to provide that upon termination of employment without cause, the District shall continue to pay the salary and medical/dental premiums of the General Manager for a period of nine months; and authorize the Board President to execute an amendment to the Employment Agreement for the same in a form approved by District Legal Counsel.

**8. FINANCE AND ADMINISTRATION**

**A Janitorial Services: Award (Pg. 47)**

Accept the bid from and authorize the General Manager to execute a one-year contract with Commercial Cleaning Systems in the amount of \$61,568.52, with four one-year renewal options.

**9. RESOURCE CONSERVATION AND PUBLIC OUTREACH**

**A Resolution in Support of the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Pg. 63)**

Pass, approve and adopt Resolution No. 2461, expressing support for The Water Quality, Supply and Infrastructure Improvement Act of 2014.

**RESOLUTION NO. 2461: A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT IN SUPPORT OF THE WATER QUALITY, SUPPLY AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014.**

(Reference is hereby made to Resolution No. 2461 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part hereof.)

**B Mow-No-Mow Turf Removal Program: Synthetic Turf Eligibility (Pg. 67)**

Approve the eligibility of synthetic turf for incentives through the District's Mow-No-Mow Turf Removal Program.

**C Proposed Policy Addressing Miscellaneous Water Uses and Practices (Pg. 69)**

Approve the proposed policy addressing miscellaneous water uses and practices and authorize the General Manager to implement the policy during the current drought.

**D Request for Leak Adjustment by June Slayton (Pg. 72)**

Consider three potential options to resolve the leak adjustment request by June Slayton, select the preferred approach and direct staff accordingly.

## 10. LEGAL SERVICES

### A Update of Las Virgenes Municipal Water District Code: Review Session No. 3 (Pg. 85)

Review the proposed updates to Title 3, Potable Water Service, of the Las Virgenes Municipal Water District Code and provide feedback to staff and the District's Legal Counsel.

## 11. INFORMATION ITEMS

### A State and Federal Drinking Water Standards for Radioactivity Monitoring (Pg. 222)

## 12. NON-ACTION ITEMS

### A Organization Reports (Pg. 225)

(1) MWD Representative Report/Agenda(s)

(2) Other

### B Director's Reports on Outside Meetings

### C General Manager Reports

(1) General Business

(2) Follow-Up Items

### D Director's Comments

## 13. FUTURE AGENDA ITEMS

## 14. PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

## 15. CLOSED SESSION

### A Conference with District Counsel – Public Employment Performance Evaluation (Government Code Section 54957); Title: General Manager

### B Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)):

1. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.
2. Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson

## 16. OPEN SESSION AND ADJOURNMENT

LAS VIRGENES MUNICIPAL WATER DISTRICT

To: LEONARD POLAN, TREASURER

Payments for Board Meeting of: September 9, 2014

Upon certification by the Treasurer the checks and wire transfers were correct and supporting documents available, it is recommended the following demands on the various funds be approved and payments authorized.

Wells Fargo Bank A/C No. 4806-994448

Checks Nos. 66775 through 66895 were issued in the total amount of \$ 1,615,711.12

Payments through wire transfers as follows:

8/29/2014 Metropolitan Water Dist. Payment for water deliveries in the month of June 2014 2,279,109.43

Total wires \$ 2,279,109.43

Total payments \$ 3,894,820.55

(Reference is hereby to these demands on file in the District's Check Register and by this reference the same is incorporated herein and made a part hereof.)

ITEM 4A

**CHECK LISTING FOR BOARD MEETING  
09/09/14**

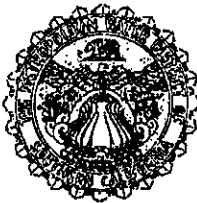
Company Name	Company No.	Check No. 66775 thru 66810 08/26/14	Check No. 66811 thru 66856 09/02/14	Check No. 66857 thru 66895 09/09/14	Amount	Amount	Amount	Total
Potable Water Operations	101	16,840.93	34,784.46	28,141.26			79,766.65	
Recycled Water Operations	102						0.00	
Sanitation Operations	130	113.23	1,167.44	1,750.00			3,030.67	
Potable Water Construction	201						0.00	
Water Conservation Construction	203						0.00	
Sani- Construction	230						0.00	
Potable Water Replacement	301	3,268.76		932,500.30			935,769.06	
Reclaimed Water Replace	302						0.00	
Sanitation Replacement	330						0.00	
Internal Service	701	13,880.77	38,323.62	25,376.29			77,580.68	
JPA Operations	751	64,916.37	47,242.66	85,084.49			197,243.52	
JPA Construction	752			15,332.89			15,332.89	
JPA Replacement	754		307,026.89				307,026.89	
<b>Total Printed</b>		<b>99,020.06</b>	<b>428,545.07</b>	<b>1,088,185.23</b>			<b>1,615,750.36</b>	

**Voided Checks/ payment stopped:**

Ck#66632	101	(39.24)					(39.24)
<b>Total Voids</b>		<b>(39.24)</b>	<b>0.00</b>	<b>0.00</b>			<b>(39.24)</b>

ITEM 4A

<b>Net Total</b>		<b>98,980.82</b>	<b>428,545.07</b>	<b>1,088,185.23</b>			<b>1,615,711.12</b>
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**MWD**  
**METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA**  
 700 North Alameda Street  
 Los Angeles, CA, 90012-2944

**INVOICE**

**Billed To:**  
 Las Virgenes Municipal Water District



**Service Address**  
 4232 Las Virgenes Road  
 Calabasas, CA 91302

June 2014 Page No. 1 of 1

Mailed: 07/10/2014 Due Date: 08/29/2014

Invoice Number: 8063 Revision: 0

**NOTICE**

The MWD Administrative Code Section 4507 and 4508 require that payment must be made in "Good Funds" by the due date or the payment will be considered delinquent and an additional charge shall be assessed.

DELIVERIES	Volume (AF)
Total Water Treated Delivered	1,678.0

SALES	Type	Volume (AF)	Rate (\$ /AF)	Total (\$)
Full Service	Tier 1 Supply Rate	2,410.1	\$148.00	\$356,694.80
	System Access Rate	2,410.1	\$243.00	\$585,654.30
	Water Stewardship Rate	2,410.1	\$41.00	\$98,814.10
	System Power Rate	2,410.1	\$161.00	\$388,026.10
	Treatment Surcharge	2,410.1	\$297.00	\$715,799.70
<b>SUBTOTAL</b>				<b>\$2,144,989.00</b>

OTHER CHARGES AND CREDITS	Rate (\$ /AF)	
Conservation Debit/Credit		(\$38,169.00)
Readiness To Serve Charge( Payment Schedule: M)		\$140,827.76
Capacity Charge( Payment Schedule: M)		\$31,461.67
<b>SUBTOTAL</b>		<b>\$134,120.43</b>

ADDITIONAL INFORMATION	Volume (AF)	Tier1 %	Peak Day	Flow (CFS)
Purchase Order Commitment (Jan 2003 to Dec 2014)	164,524.0			
Purchase Order Firm Delivery To Date (Jan 2003 to Dec 2014)	261,499.8			
Tier 1 Annual Limit (For Current Calendar Year)	20,699.0			
Tier 1 YTD Deliveries (For Current Calendar Year)	11,917.2	57.6		
Tier 1 Current Month Deliveries	2,410.1			
Capacity Charge			8/27/2010	43.9

**INVOICE TOTAL**

Volume AF	Amount Now Due
<b>2,410.1</b>	<b>\$2,279,109.43</b>

Note: Amount Due is based on highlighted fields

PAID

Paid 8/29/14

Approved for Payment  
*David W. Pedersen* 07/23/14  
 David W. Pedersen, P.E.

Approved for Payment  
*David R. Lippman*  
 David R. Lippman

ITEM 4A

Batch Number - 232835

Bank Account - 001146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Item	Co	Key	Amount	Invoice Number
66775	08/26/14	15483	ADVANCED VIBRATION ANALYSIS	ANALYZE VIBRATION DATA	PV	134336	001	00701		1,513.00	2596
				Payment Amount						1,513.00	
66776	08/26/14	17077	AECOM USA, INC.	9/28-7/25 DEERLK DESGN	PV	134399	001	00701		192.00	37451643
				Payment Amount						192.00	
66777	08/26/14	3077	AIRGAS USA, LLC	7/14 CYLINDER RENT	PV	134344	001	00701		491.01	9920359336
				7/14 CYLINDER RENT	PV	134345	001	00701		225.42	9920359336
				LTHR&DISP	PV	134395	001	00701		905.55	9030329977
				GLVS&HRD HATS							
				2 CS DIAL SOAP	PV	134396	001	00701		83.77	9030415400
				Payment Amount						1,705.75	
66778	08/26/14	2869	AT&T	SRV	PV	134428	001	00751		63.41	4860/081414
				8/14-9/13/14							
				SRV	PV	134429	001	00701		63.41	4639/081414
				8/14-9/13/14							
				Payment Amount						126.82	
66779	08/26/14	18866	AT&T	SRV	PV	134341	001	00701		689.26	1657/080514
				8/5-9/4/14							
				Payment Amount						689.26	
66780	08/26/14	7965	B&B PALLET CO.	55 YDS WOOD CHIPS	PV	134370	001	00701		638.00	112023
				55 YDS WOOD CHIPS	PV	134371	001	00701		638.00	112024
				55 YDS WOOD CHIPS	PV	134372	001	00701		638.00	112151
				55 YDS WOOD CHIPS	PV	134373	001	00701		638.00	112152
				55 YDS WOOD CHIPS	PV	134374	001	00701		638.00	112153
				55 YDS WOOD CHIPS	PV	134375	001	00701		638.00	112154
				55 YDS WOOD CHIPS	PV	134376	001	00701		638.00	112155

ITEM 4A

Batch Number - 232835  
Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key ltm	Key Co	Amount	Invoice Number
CHIPS										
66781	08/26/14	2425	BANK OF AMERICA	Payment Amount	PV	134378	001	00701	866.80	3071/080714
				VISA					4,466.00	
				CHG-F&A-JUL'14						
				VISA CHG-OPS	PV	134379	001	00701	105.91	2738/080714
				ADMIN-JUL'14						
				VISA CHG-OPS	PV	134379	002	00701	81.94	2738/080714
				ADMIN-JUL'14						
				VISA CHG-OPS	PV	134379	003	00701	84.24	2738/080714
				ADMIN-JUL'14						
				VISA CHG-OPS	PV	134379	004	00701	259.33	2738/080714
				ADMIN-JUL'14						
				VISA	PV	134380	001	00701	1,707.28	8185/080714
				CHG-F&A#2-JUL'14						
				VISA	PV	134381	001	00701	487.32	1349/080714
				CHG-BETANCUR-JUL'14						
				VISA CHG-R	PV	134382	001	00701	95.69	2775/080714
				CNSV						
				N1-JUL'14						
				VISA	PV	134383	001	00101	305.81	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134383	002	00101	115.71	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134383	003	00101	119.12	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134383	004	00101	166.31	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134383	005	00101	542.61	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134383	006	00101	113.23	1302/080714
				CHG-MAINT-JUL'14						
				VISA	PV	134384	001	00751	29.64	8418/080714



Batch Number - 232835

Bank Account - 00148807 Cash-General

Payment Number	Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Itrm Co	Amount	Invoice Number
				CHG-OPS-JUL'1					
4					PV	134384	002 00751	22.91	8418/080714
				VISA CHG-OPS-JUL'1					
4					PV	134384	003 00751	39.24	8418/080714
				VISA CHG-OPS-JUL'1					
4					PV	134385	001 00701	883.20	8243/080714
				VISA CHG-LIPPMAN-J UL'14					
				VISA CHG-ENG-JUL'1	PV	134386	001 00701	60.00	6262/080714
4					PV	134387	001 00751	181.42	6228/080714
				VISA CHG-TAPIA-JUL '14					
				VISA CHG-TAPIA-JUL '14	PV	134387	002 00751	79.84	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134387	003 00751	58.60	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134387	004 00751	200.00	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134387	005 00751	207.50	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134387	006 00751	200.00	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134387	007 00751	109.79	6228/080714
				VISA CHG-TAPIA-JUL '14	PV	134388	001 00101	92.49	3713/080714
				VISA CHG-WTR DIST					
				N1-JUL'14 VISA CHG-WTR DIST	PV	134388	002 00101	351.82	3713/080714
				N1-JUL'14					

Payment Number	Date	Address Number	Name	Payment Stub Message	Document Ty Number	Key Item Co	Amount	Invoice Number
				VISA CHG-WTR	PV 134388	003 00701	104.91	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	004 00101	12.83	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	005 00101	220.30	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	006 00101	117.27	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	007 00101	280.00	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	008 00101	280.00	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	009 00101	117.27	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134388	010 00101	104.91	3713/080714
				DIST				
				N1-JUL'14				
				VISA CHG-WTR	PV 134389	001 00701	80.00	8102/080714
				DIST				
				N2-JUL'14				
				VISA CHG-WTR	PV 134389	002 00701	280.00	8102/080714
				DIST				
				N2-JUL'14				
				VISA CHG-WTR	PV 134389	003 00701	280.00	8102/080714
				DIST				
				N2-JUL'14				
				VISA CHG-WTR	PV 134389	004 00701	113.99	8102/080714
				DIST				
				N2-JUL'14				
				VISA CHG-WTR	PV 134389	005 00701	59.44	8102/080714
				DIST				
				N2-JUL'14				
				VISA CHG-WTR	PV 134389	006 00701	117.27	8102/080714
				DIST				

Batch Number - 232835

Bank Account - 00146807 Cash-General

Payment Number	Date	Address Number	Name	Payment Stub Message	Ty	Number	Item	Co	Key	Amount	Invoice Number
				N2-JUL'14							
			VISA CHG-WTR		PV	134389	007	00701		117.27	8102/080714
			DIST								
			N2-JUL'14								
			VISA		PV	134390	001	00701		43.03	2808/080714
			CHG-PEDERSEN-								
			JUL'14								
			VISA		PV	134391	001	00701		201.06	7431/080714
			CHG-WSTLK-JUL								
			'14								
			VISA		PV	134437	001	00701		465.48	0212/080714
			CHG-PATTERSON								
			-JUL'14								
			VISA CHG-R		PV	134438	001	00701		140.09	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	002	00701		52.00	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	003	00701		50.41	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	004	00701		725.00	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	005	00701		27.52	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	006	00701		212.17	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	007	00701		49.00	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	008	00701		250.41	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	009	00701		255.79	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	010	00701		21.78	1270/080714
			CNSV-JUL'14								
			VISA CHG-R		PV	134438	011	00701		52.00	1270/080714
			CNSV-JUL'14								
			VISA		PV	134439	001	00701		223.29	0663/080714
			CHG-PETERSON-								
			JUL'14								
			VISA		PV	134440	001	00701		500.00	7961/080714
			CHG-POLAN-JUL								
			'14								

Batch Number - 232835

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key Ltm Co	Key Co	Amount	Invoice Number
				VISA	PV	134441	001 00701		500.00	1020/080714
				CHG-STEINHARD T-JUL'14						
				Payment Amount				13,644.24		
66782	08/26/14	18739	CALIFORNIA HAZARDOUS SERVICES, INC.	FUEL SYS INSP-AUG'14	PV	134351	001 00701		105.00	55768
				Payment Amount				105.00		
66783	08/26/14	18992	CDWA-GOVERNMENT T	3 CISCO 8PT POE SWITCH	PV	134363	001 00701		490.50	NN80151
				3 CISCO 8PT POE SWITCH	PV	134363	002 00701		10.53	NN80151
				CISCO WIRELESS PNT	PV	134364	001 00701		250.70	NN99078
				CISCO WIRELESS PNT	PV	134364	002 00701		4.05	NN99078
			All Payee	19010 CDW GOVERNMENT 75 REMITTANCE DR., SUITE 1515 CHICAGO IL 60675-1515						
				Payment Amount				755.78		
66784	08/26/14	18860	CHEMTREAT, INC.	8/14 WATER TREATMENT	PV	134349	001 00701		562.71	1788257
				Payment Amount				562.71		
66785	08/26/14	19270	COMMUNICATON S RELAY, LLC	SITE RNTL-COM RLY 9/14	PV	134430	001 00701		900.00	55063
				Payment Amount				900.00		
66786	08/26/14	2565	CONEJO AWARDS	NAME BADGE-J.LOZA	PV	134352	001 00701		13.44	83718
				Payment Amount				13.44		
66787	08/26/14	4566	CONSOLIDATED ELECTRICAL DISTRIBUTORS	DIE HEAD FOR PIPE THDR	PV	134348	001 00301		688.76	9009-700315
				1-1/2 FLX CONNS	PV	134365	001 00701		91.85	9009-700777
				Payment Amount				780.61		
66788	08/26/14	8104	ABRAHAM DVIR	TURF RMVL REBATE	PV	134355	001 00101		1,238.00	150288
				Payment Amount				1,238.00		
66789	08/26/14	19278	FARRELL,	TURF RMVL	PV	134356	001 00101		2,646.00	450825

ITEM 4A

08/26/14 8:26:26  
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Las Virgenes Municipal Water  
A/P Auto Payment Register

R04576

Batch Number - 232835

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Amount	Invoice Number
			DANIEL	REBATE					
				Payment Amount				2,646.00	
66790	08/26/14	6803	FUGRO CONSULTANTS, INC.	6/20-7/24 5 MG TNK CNSLTNG	PV	134400	001 00701	2,580.00	04.62140042-2
				Payment Amount				2,580.00	
66791	08/26/14	2736	IRON MOUNTAIN RECORDS MANAGEMENT	8/14 RECORDS STORAGE	PV	134350	001 00701	717.71	KPZ2958
				Payment Amount				717.71	
66792	08/26/14	3083	JCI JONES CHEMICALS, INC	5,012 GAL HYPOCHLORITE	PV	134367	001 00701	2,916.83	627782
				Payment Amount				2,916.83	
				4,937 GAL HYPOCHLORITE	PV	134368	001 00701	2,873.19	628083
				3,944 GAL SODIUM BISULFITE	PV	134369	001 00701	5,768.24	627676
				Payment Amount				11,548.26	
66793	08/26/14	6777	CAL-COAST MACHINERY	LITHIUM GREASE&15W40 OIL	PV	134392	001 00751	86.53	189014
				Payment Amount				86.53	
				Payment Amount				86.53	
66794	08/26/14	2611	LA DWP	RECTIFIER 7/15-8/14/14	PV	134342	001 00101	36.42	503650/061414
				Payment Amount				36.42	
				Payment Amount				40.97	
66795	08/26/14	3483	DAVID LIPPMAN	REIMB CELL EXP 6/4-7/3/14	PV	134393	001 00701	69.84	017698/081314
				Payment Amount				69.84	7898/070714
				Payment Amount				317.15	
66796	08/26/14	2814	MCMMASTER-CARR SUPPLY CO	BALL VLVS, PIPE	PV	134330	001 00701	69.84	96909705

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Batch Number - 232835

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key	Key	Amount	Invoice Number
Number	Date	Number					Item	Co		
				FTTNGS&NPPLS						
				FREIGHT	PV	134330	004	00701	6.29	96909705
		3197	MC MASTER-CARR P. O. BOX 7680 CHICAGO IL 60680-7680							
				Payment Amount					323.44	
66797	08/26/14	2839	MOTION INDUSTRIES, INC.	PISTON SEAL KITS	PV	134337	001	00701	288.56	CA22-581088
				STRAINERS	PV	134338	001	00701	244.41	CA22-581282
		10317	MOTION INDUSTRIES INC. FILE 749376 LOS ANGELES CA 90074							
				Payment Amount					512.97	
66798	08/26/14	18940	MP PRINTING & MAILING	POSTG-WTR RESTRCTN STD RATE	PV	134394	001	00701	5,618.71	55626
				Payment Amount					5,618.71	
66799	08/26/14	2842	NAPA AUTO PARTS	WEST COAST MIRRORS	PV	134357	001	00701	75.19	721925
				OXY SENSORS	PV	134358	001	00701	35.96	719465
				OXY SENSORS	PV	134359	001	00101	135.78	719465
				SPARK PLS&OXY SENSORS	PV	134360	001	00101	248.39	719471
				Payment Amount					291.05	720599
66800	08/26/14	16754	NATURAL SURROUNDINGS	SPARK PLUGS	PV	134434	001	00701	235.00	6049
				Payment Amount					786.37	
66801	08/26/14	2302	OFFICE DEPOT	AUG-14-FLORAL MAINT	PV	134442	001	00701	239.90	723269067001
				Payment Amount					235.00	
				HQ OFFICE SUPPLIES	PV	134443	001	00701	23.76	7232695655001
				SURGE PROTECTOR						
				Payment Amount					263.66	
66802	08/26/14	16212	RADWELL INTERNATIONAL, INC.	WEED 6C29 M8&INTRFACE EXCHG	PV	134431	001	00701	760.00	INV1986600
				WEED 6A01 PWR SPLY RPR	PV	134432	001	00701	496.00	INV1986823

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Batch Number - 232835  
Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Doc. Ty	Document Number	Key Item	Key Co	Amount	Invoice Number
66803	08/26/14	16120	SOIL CONTROL LAB	WEED 6E07 PWR SPLY RFR	PV	134433	001	00701	576.20	INV1987432
				Payment Amount					1,834.20	
66804	08/26/14	19083	SOLARCITY CORPORATION	FINISHED COMPOST PKG	PV	134829	001	00751	300.00	4070366
				Payment Amount					300.00	
				RW P/S 6/1-6/30/14	PV	134346	001	00751	15,860.68	9133440/07121
				RW P/S 7/1-7/31/14	PV	134947	001	00751	24,943.20	9133440/08121
				Payment Amount					40,803.88	
66805	08/26/14	8212	STANSBERRY'S WELDING	WELDG-AMMONIA LINES@TAPIA	PV	134354	001	00751	595.00	2025
				Payment Amount					595.00	
66806	08/26/14	4585	THE COPY DEPARTMENT	RES 2 PLAN&SPECS COPIES	PV	134398	001	00701	438.73	1489823
				Payment Amount					438.73	
66807	08/26/14	2780	VALLEY NEWS GROUP	2 SAVING WATR ADS 8/14/14	PV	134353	001	00101	310.00	8-14
				Payment Amount					438.73	
66808	08/26/14	17065	VANTAGE AIR, INC.	ICE MACHN SVC@TAPIA	PV	134339	001	00751	251.00	46646
				Payment Amount					310.00	
				RPR&CLN ICE MCHN@TAPIA	PV	134340	001	00751	534.77	46641
				Payment Amount					785.77	
66809	08/26/14	7789	WAXIE SANITARY SUPPLY	CARTRIDGE&MNG O LIQ ENZYME	PV	134366	001	00701	100.20	74755723
				Payment Amount					100.20	
66810	08/26/14	3047	WESCO DISTRIBUTION, INC.	ALUM CONDIT&CPLGS, STRUT STRPS FREIGHT 1-1/4" HUBS&CONDT SEALS FREIGHT 3/4" CONDUITS&COVE RINGS	PV	134331	001	00701	572.85	344702
				Payment Amount					100.20	
				Payment Amount					572.85	
				Payment Amount					7.30	344702
				Payment Amount					185.41	344703
				Payment Amount					13.85	344703
				Payment Amount					309.43	344704

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Batch Number - 232835  
Bank Account - 00146807 Cash-General

Payment . . . Number	Date	Address Number	Name	Payment Stub Message	Document . . . Ty Number	Key Item Co	Amount	Invoice Number
				MOTOR CI	PV 134334	001 00701	604.95	343521

Alt Payee 6443 WESCO DISTRIBUTION, INC  
PO BOX 31001-0465  
PASADENA CA 91110-0465

Payment Amount 1,693.79  
Total Amount of Payments Written 99,020.06

Total Number of Payments Written 36



Batch Number - 233096

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	TY	Document Number	Key	Amount	Invoice Number
66811	09/02/14	19070	ADDISON FOREST PRODUCTS, LLC	40 YDS@ \$9 WOOD SHVGS	PV	134499	001 00701	360.00	1009
66812	09/02/14	3077	AIRGAS USA, LLC	40 YDS@ \$11 WOOD SHVGS Payment Amount WELDING ROD STOCK@RLV SHOP	PV	134495	001 00751	440.00 800.00 195.64	1009 9030470141
66813	09/02/14	2669	AT&T	Payment Amount SVC 8/20-8/19/14 SVC 8/22-9/21/14	PV	134506	001 00101	195.64 64.44 326.62	2150/082014 0119/082214
66814	09/02/14	9631	AT&T LONG DISTANCE	Payment Amount LONG DIST SRV 7/1-8/1/14 LONG DIST SRV 7/1-8/1/14 LONG DIST SRV 7/1-8/1/14 LONG DIST SRV 7/1-8/1/14 LONG DIST SRV 7/1-8/1/14	PV	134377	001 00701	391.06 230.81 .75 .08 17.03 .05	806368136/080 414 806368136/080 414 806368136/080 414 806368136/080 414
66815	09/02/14	16253	AT&T MOBILITY	Payment Amount SRV 7/4-8/3/14 SRV 7/4-8/3/14 SRV 7/4-8/3/14 SRV	PV	134511	001 00701	281.85 95.49 17.38 1,185.34 118.27	992789332X081 12014 992789332X081 12014 992789332X081 12014

Batch Number - 233096

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Ltm	Key Co	Amount	Invoice Number
				7/4-8/3/14						12014
				SRV	PV	134511	005	00701	46.81	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	006	00701	59.13	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	007	00701	17.38	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	008	00701	12.17	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	009	00701	5.21	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	010	00701	187.24	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	011	00701	135.10	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	012	00701	29.43	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	013	00701	226.58	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	014	00701	17.38	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	015	00701	17.38	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	016	00701	46.81	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	017	00701	58.86	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	018	00701	66.92	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	019	00701	17.38	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	020	00701	29.43	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	021	00701	58.64	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	022	00701	152.48	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134511	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						12014
				SRV	PV	134509	001	00701	516.00	992789332X081
				7/4-8/3/14						1

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	TY	Document Number	Key Lm Co	Amount	Invoice Number
66817	09/02/14	7965	B&B PALLET CO.	55 YDS WOOD CHIPS	PV	134406	001 00701	638.00	112156
				55 YDS WOOD CHIPS	PV	134407	001 00701	638.00	112157
				55 YDS WOOD CHIPS	PV	134408	001 00701	638.00	112158
				55 YDS WOOD CHIPS	PV	134409	001 00701	638.00	112159
				Payment Amount			2,552.00		
66818	09/02/14	18071	BLUE DIAMOND MATERIALS	3.95 TN PVG MTL&EMUL BKTS	PV	134402	001 00701	406.52	327943 RI
				Payment Amount			406.52		
66819	09/02/14	17243	BLUERIDGE SOFTWARE, INC.	7/14-7/15 MAINT SUPPRT	PV	134494	001 00701	629.82	8176
				Payment Amount			629.82		
66820	09/02/14	18739	CALIFORNIA HAZARDOUS SERVICES, INC.	DISPENSR SVC-HEALY PMP/MTR	PV	134493	001 00701	725.13	55791
				Payment Amount			725.13		
66821	09/02/14	2536	CITY OF LOS ANGELES	ASSFC-EL CANON 4/13-3/14	PV	134467	001 00130	454.81	74 WP150000054
				Payment Amount			454.81		
66822	09/02/14	2554	COASTLINE EQUIPMENT	VEH#847 CRN TRK EMG RPR	PV	134496	001 00701	1,093.75	197891
				Payment Amount			1,093.75		
66823	09/02/14	4586	CONSOLIDATED ELECTRICAL DISTRIBUTORS	COND BDY,CVR, HUB&CLMP	PV	134497	001 00701	118.41	9009-701174
				Payment Amount			118.41		
66824	09/02/14	2601	DELL COMPUTER CORP	GRND BSH, GSKT,CNDUIT	PV	134515	001 00701	259.05	9009-701089
				Payment Amount			377.46		
				27" MONITOR-A.S.			643.19		XJJS3DP11
				TAX			53.48		XJJS3DP11
				5 OPTIPLEX			4,030.96		XJJS5TNP47
				3020-INVENTORY			1,551.47		XJJS5PCCR2
				OPTIPLEX 7010-A.S.					

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key Item	Key Co	Amount	Invoice Number
66825	09/02/14	7420	DICALITE MINERALS CORP.		PV	134549	001	00701	8,153.20	432739
				Payment Amount					6,279.10	
				44 BG						
				DICALITE-MLK						
66826	09/02/14	7257	DIRECTV, INC.		PV	134492	001	00751	659.88	23822694748
				Payment Amount					8,477.20	
				8/14-8/15						
				ANNL FEE&LCL						
				CHNLS						
66827	09/02/14	8612	DURHAM SCHOOL SERVICES		PV	134465	001	00701	341.11	8108552
				Payment Amount					659.88	
				SVC-EE APPRCN						
				LNCH 7/2/14						
66828	09/02/14	6770	G.I. INDUSTRIES		PV	134507	001	00701	697.82	2695749-0283-0
				Payment Amount					341.11	
				7/29-8/15/14						
				SHOP DISP						
				7/29-8/15/14						
				RLV DISP						
66829	09/02/14	17199	GOVERNMENT STAFFING SERVICES, INC.		PV	134514	001	00701	4,050.00	124863
				Payment Amount					912.82	
				W/E 8/24						
				UMALI&FOSTER						
66830	09/02/14	2679	GTAAUTO BODY		PV	134450	001	00701	1,500.00	30464
				Payment Amount					4,050.00	
				VEH#853 ROOF						
				RPR						
66831	09/02/14	3083	JCI JONES CHEMICALS, INC.		PV	134403	001	00701	2,888.90	628460
				Payment Amount					1,500.00	
				4,964 GAL						
				HYPOCHLORITE						
				4,958 GAL						

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Payment Number	Payment Date	Address Number	Name	Payment Slub Message	TY	Document Number	Key Item	Key Co	Amount	Invoice Number
HYPOCHLORITE										
				4,018 GAL	PV	134405	001	00701	5,866.28	628824
				SODIUM						
				BISULFITE						
				JCI JONES CHEMICALS, INC						
				P.O. BOX 636877						
				CINCINNATI OH 45263-6877						
				Payment Amount					11,640.59	
66832	09/02/14	17447	KONECRANES INC.	QTRLY CRANE, HOIST&JIB	PV	134501	001	00701	1,013.00	SFS00927786
				INSPECTN						
				QTRLY CRANE, HOIST&JIB	PV	134501	003	00701	1,013.00	SFS00927796
				INSPECTN						
				Payment Amount					2,026.00	
66853	09/02/14	2611	LA DWP	TWIN LKS P/S	PV	134504	001	00101	8,852.23	875698/081614
				7/14-8/12/14						
				RECTIFIER	PV	134505	001	00101	40.97	557180/082214
				7/24-8/21/14						
				RECTIFIER	PV	134546	001	00101	36.42	851260/082514
				7/24-8/22/14						
				Payment Amount					8,939.62	
66854	09/02/14	2789	LIEBERT CASSIDY WHITMORE	SRV-SEIU	PV	134463	001	00701	877.50	1390637
				NEGTTN 2014						
				SRV-GEN P/E	PV	134464	001	00701	1,820.00	1390636
				7/31/14						
				Payment Amount					2,697.50	
66855	09/02/14	3483	DAVID LIPPMAN	REIMB CELL EXP	PV	134530	001	00701	69.84	7898/080714
				7/1-8/3/14						
				Payment Amount					69.84	
66856	09/02/14	2798	LOS ANGELES COUNTY ASSESSOR	PARCEL DATA&LOCAL ROLE	PV	134512	001	00701	367.33	090214
				Payment Amount					367.33	
66837	09/02/14	2590	LOS ANGELES DAILY NEWS	MOW NO MOWAD	PV	134503	001	00101	500.00	0010549099
				7/24-31						
				Payment Amount					500.00	
66838	09/02/14	16940	MP PRINTING &	CURRENT FLOW	PV	134418	001	00701	1,977.98	55544

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Amount	Invoice Number
...	...	...	...	...	...	...	...	...	...
MAILING									
55586				ISSUE#4					
				MAILING MNDTRY	PV	134510	001 00701	3,874.86	55586
				WTR RSTRCTNS					
				Payment Amount			5,852.84		
52683	09/02/14	17328	ODYSSEY POWER	500KW GENRTR	PV	134458	001 00701	3,899.52	52683
				RNTL 8/14					
				500KW GENRTR	PV	134459	001 00101	1,414.48	52683
				RNTL 8/14					
				GENRTR	PV	134460	001 00751	2,013.99	52988
				SVC@TAPIA					
				3/27/14					
				Payment Amount			7,327.99		
66840	09/02/14	18874	PACIFIC HYDROTECH CORPORATION	PMT#16-3RD DIGESTER	PV	134531	001 00701	307,026.89	10487/#16
				5% RETENTION-PMT #16	PD	134532	001 00754	15,351.34	10487/RTN#16
				Payment Amount			291,675.55		
66841	09/02/14	8584	PERCO	SCREW CONVEYOR	PV	134427	001 00701	10,528.00	15479
				FREIGHT	PV	134427	002 00701	313.39	15479
				Payment Amount			10,841.39		
66842	09/02/14	18505	RAFTELIS FINANCIAL CONSULTANTS, INC.	JUL14 FIN ANLYS&RATE STUDY	PV	134401	001 00701	5,782.82	LVCA1407-01
				Payment Amount			5,782.82		
66843	09/02/14	10543	JEFF REINHARDT	REIMB EXP-CASA CONF 8/20-22	PV	134529	001 00701	961.36	082214
				Payment Amount			961.36		
66844	09/02/14	6766	SAWYER PETROLEUM	2009 GAL RED DYE	PV	134518	001 00701	7,161.26	V60926
				Payment Amount			7,161.26		
66845	09/02/14	8645	SOUTHERN CALIFORNIA TROPHY COMPANY	DIESL@TAPIA ANNIV GIFT-R.ROBINS	PV	134420	001 00701	290.83	080134-14
				Payment Amount			290.83		

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Batch Number - 233096

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Tr	Document Number	Key	Amount	Invoice Number
66846	09/02/14	4440	SOUTHWEST CHLORINATION, INC.	WTR TNK CHLRNTN 7/8~29	PV	134462	001 00101	1,212.30	7473
66847	09/02/14	18086	BARRY STEINHARDT	Payment Amount REIMB EXP-ACWA RG	PV	134502	001 00701	656.44	081414
				SMMT 8/13~14 REIMB EXP-CASA CONF	PV	134513	001 00701	895.01	082214
				8/20~22 Payment Amount				1,212.30	
66848	09/02/14	14479	STEPHENS VIDEO PRODUCTIONS	8/12& 8/26 RCRD BD MTG	PV	134548	001 00701	1,080.00	8-28-14
				Payment Amount				1,551.45	
66849	09/02/14	16034	TASC	FSA 4TH QTR ADMIN FEES	PV	134466	001 00701	679.77	IN357363
				Payment Amount				679.77	
66850	09/02/14	18095	TOTAL BARRICADE SERVICE, INC.	TRFC CTL@MLHND&DE CLTN 8/7/14	PV	134456	001 00701	710.00	25485
				Payment Amount				710.00	
66851	09/02/14	16947	VENCQ POWER SWEEPING, INC	CONST SWEEPING@RANC HO	PV	134461	001 00751	605.00	0002337-IN
				Payment Amount				605.00	
66852	09/02/14	18604	VENTURA PEST CONTROL	AUG14 PEST CNTRL AUG14 PEST CNTRL AUG14 PEST CNTRL	PV	134457	001 00701	110.00	426804
				Payment Amount				605.00	
				Payment Amount				110.00	
				Payment Amount				380.00	
				Payment Amount				195.00	
66853	09/02/14	2436	VINCE BARNES AUTOMOTIVE	VEH#121-RADIA TOR CORE VEH#801-AC SYS,OIL/FLTR CHNG VEH#690-RPL RADIATOR VEH#659-BRK	PV	134452	001 00701	1,552.28	020494
				Payment Amount				685.00	
				Payment Amount				1,552.28	
				Payment Amount				773.92	
				Payment Amount				556.28	
				Payment Amount				1,474.53	

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Batch Number - 233096  
Bank Account - 00746807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Slub Message	Document Ty	Document Number	Key Itm	Key Co	Amount	Invoice Number
66854	09/02/14	18814	WECK LABORATORIES, INC.	LAB SRV@TAPIA EFFLUENT	PV	134410	001	00701	1,355.00	W4H0466-LV
				LAB SRV@TAPIA INFLUENT	PV	134411	001	00701	640.00	W4H0467-LV
				LAB SRV@TAPIA EFFLUENT	PV	134412	001	00701	818.00	W4H0468-LV
				LAB SRV@L/S	PV	134414	001	00701	14.00	W4H0754-LV
				LAB SRV@WSTLK	PV	134415	001	00701	159.00	W4H0755-LV
				LAB SRV@MC-DIAZIN ON	PV	134416	001	00701	650.00	W4H0756-LV
				LAB SRV@TAPIA EFFLUENT	PV	134417	001	00701	200.00	W4H1004-LV
				LAB SRV@MALIBU CREEK	PV	134419	001	00701	4,060.00	W4H0469-LV
				Payment Amount					7,896.00	
66855	09/02/14	3047	WESCO DISTRIBUTION, INC.	3 CUSTOM BACK PANELS	PV	134421	001	00701	178.60	346059
				1/2" CORD GRIP CONNECTR	PV	134422	001	00701	140.92	346058
				REDUCD VLTG MOTR STRTR	PV	134423	001	00701	3,730.47	346564
				1-1/4" CONDUIT BODY	PV	134424	001	00701	187.79	346563
				1-1/4" RIGID ALUM	PV	134425	001	00701	76.91	345050
				EATON 700VA UPS@L/S#1	PV	134426	001	00701	667.63	346979
				EATON 700VA UPS@L/S#1	*PV	134426	002	00701	45.00	346979
				Payment Amount					5,027.32	

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Alt Payee 6443 WESCO DISTRIBUTION, INC  
PO BOX 31001-0465  
PASADENA CA 91110-0465



09/02/14 9:05:56  
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Las Virgenes Municipal Water  
A/P Auto Payment Register

R04576

Batch Number - 233096

Bank Account - 00146807 Cash-General

Payment Number	Date	Address Number	Name	Payment Stub Message	TY	Document Number	Key Lim Co	Amount	Invoice Number
66856	09/02/14	18922	1ST ENTERPRISE BANK	RTN#16/RLV 3RD DIGESTR	PV	134533	001 00754	15,351.34	10487/RTN#16

Payment Amount 15,351.34

Total Amount of Payments Written 428,545.07

Total Number of Payments Written 46

ITEM 4A

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	TY	Document Number	Key Item	Key Co	Amount	Invoice Number
66857	09/09/14	18985	ePOWER NETWORK, INC.	EATON UPS	PV	134491	001	00701	21,810.33	22990
				EQP:BTTRY&BYP						
				SS PNL						
				EATON UPS	PV	134491	005	00701	695.98	22990
				EQP:BTTRY&BYP						
				SS PNL						
				EATON UPS	PV	134491	006	00701	951.50	22990
				EQP:BTTRY&BYP						
				SS PNL						
				Payment Amount				22,055.85		
66858	09/09/14	5235	AGOURA BUSINESS CENTER NORTH LLC	RFND BAL - CLOSED A/C	PV	134445	001	00101	1,144.42	9998082
				Payment Amount				1,144.42		
66859	09/09/14	3077	AIRGAS USA, LLC	4-5 GAL COOLERS	PV	134527	001	00701	159.05	9030654237
			Alt Payee	AIRGAS USA, LLC						
				P. O. BOX 7423						
				PASADENA CA 91109-7423						
				Payment Amount				159.05		
66860	09/09/14	8163	HERBERT AND HARRIET APPEL	TURF RMVL REBATE	PV	134469	001	00101	1,200.00	250468
				Payment Amount				1,200.00		
66861	09/09/14	18955	ARGO CHEMICAL INC.	31,000 LB AMMONIA	PV	134490	001	00701	5,051.61	1408135
				Payment Amount				5,051.61		
66862	09/09/14	5625	ASSOC. OF WATER AGENCIES OF VENTURA CO	SPONSORSHIP-REA GAN LIBR 9/18	PV	134534	001	00701	500.00	05-7947
				Payment Amount				500.00		
66863	09/09/14	7770	AUTOMATIONDIR ECT.COM	RELAYS&OUTLET S-TAPIA	PV	134487	001	00701	317.00	5553698
				Payment Amount				317.00		
66864	09/09/14	7965	B&B PALLET CO.	55 YDS WOOD CHIPS	PV	134524	001	00701	638.00	112160
				Payment Amount				638.00		
				55 YDS WOOD CHIPS	PV	134525	001	00701	638.00	112161
				Payment Amount				638.00		
				55 YDS WOOD CHIPS	PV	134526	001	00701	638.00	112162

Batch Number - 233108

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Sub Message	Document Ty	Document Number	Key Item	Key Co	Amount	Invoice Number
CHIPS										
66855	09/09/14	2533	CITY OF AGOURA HILLS	Payment Amount	PV	134444	001	00701	1,914.00	201408180270
				2014					322.00	
				ENCROACHMNT						
				PRMITS						
				2014					5,976.00	201408180270
				ENCROACHMNT						
				PRMITS						
66856	09/09/14	19284	COASTLINE ENGINEERING & DEVELOPMENT	Payment Amount	PV	134595	001	00101	6,298.00	9998127
				RFND BAL -					1,405.21	
				CLOSED A/C						
66867	09/09/14	4586	CONSOLIDATED ELECTRICAL DISTRIBUTORS	Payment Amount	PV	134488	001	00701	1,465.21	9009-700949
				WTCHKPR LGHTG					5,900.99	
				CNTRLR					88.62	1186190-06594
66868	09/09/14	19272	INGRID COPSEY	Payment Amount	PV	134447	001	00101	5,900.99	8
				RFND BAL -					88.62	
				CLOSED A/C						
66869	09/09/14	12559	DATASTREAM BUSINESS SOLUTIONS, INC.	Payment Amount	PV	134543	001	00701	88.62	14324
				7/14					12,433.85	
				CONSULT&SUPPRT						
				SVC						
66870	09/09/14	5700	EXCEL PAVING CO.	Payment Amount	PV	134446	001	00101	12,433.85	9998112
				RFND BAL -					426.36	
				CLOSED A/C						
66871	09/09/14	2701	GRAINGER, INC.	Payment Amount	PV	134489	001	00701	426.36	9511617426
				NIH3					733.78	
				DETECTOR&WIND						
				SOCK						
Alt Payee 5453 GRAINGER, INC. DEPT 805178142 PALATINE IL 60038-0001										
66872	09/09/14	19279	BEVERLY HOROWITZ	Payment Amount	PV	134470	001	00101	733.78	480462
				TURF RMVL					5,610.00	
				REBATE						
66873	09/09/14	3083	JCI JONES CHEMICALS,	Payment Amount	PV	134519	001	00701	5,610.00	629703
				4,205 GAL					6,139.30	
				SODIUM						

ITEM A

Batch Number - 233108

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty Number	Key lim Co	Amount	Invoice Number
			INC					
			JCI JONES CHEMICALS, INC					
			P.O. BOX 636877					
			CINCINNATI OH 45263-6877					
				Payment Amount		17,732.73		
66874	09/09/14	3350	JOHN CRANE INC.	MECH	PV 134551	001 00701	1,015.31	2980847
				SEAL-RANCHVW				
				P/S				
				FREIGHT	PV 134551	002 00701	11.19	2980847
				Payment Amount				
				TURF RMVL	PV 134471	001 00101	3,220.00	3020815
				REBATE				
				Payment Amount				
				BIOSOLIDS	PV 134475	001 00751	2,336.00	AR0158645/14- 15
				COMPSTG POTW				
				FY14-15				
				Payment Amount				
				TURF RMVL	PV 134472	001 00101	1,400.00	560118
				REBATE				
				Payment Amount				
				GRS	PV 134528	001 00701	642.41	98125439
				GUNS,BITTRYS,C				
				PLNGS				
				FREIGHT	PV 134528	005 00701	9.80	98125439
				Payment Amount				
				RFND BAL -				
				CLOSED A/C				
				Payment Amount				
				TURF RMVL	PV 134473	001 00101	1,950.00	602965

ITEM 4A

Batch Number - 233108

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key Item	Key Co	Amount	Invoice Number
REBATE										
66881	09/09/14	19026	MNS ENGINEERS, INC.	Payment Amount JUL'14-PRMRV CLRFR RHB	PV	134484	001	00701	1,960.00 3,491.25	64620
66882	09/09/14	2846	NATIONAL PLANT SERVICES INC	Payment Amount PUMP STN CLEANG 8/7/14	PV	134483	001	00701	8,411.75 1,750.00	11667
66883	09/09/14	2302	OFFICE DEPOT	Payment Amount HQ OFFICE SUPPLIES	PV	134480	001	00701	1,750.00 117.31	705593275001
66884	09/09/14	13586	ORACLE AMERICA, INC.	Payment Amount JDE MAINT 5/23-8/22/14	PV	134550	001	00701	137.45 16,659.51	42468771
66885	09/09/14	18946	PACIFIC ADVANCED CIVIL ENGINEERING, INC.	Payment Amount RES#2 IMPR P/E 7/31/14	PV	134486	001	00701	6,921.14 6,921.14	95850
66886	09/09/14	18874	PACIFIC HYDROTECH CORPORATION	Payment Amount PMT#5-5 MG TNK P/E 8/1/14	PV	134448	001	00701	6,921.14 968,491.00	10476/#5
66887	09/09/14	6683	JAY PETERMAN	RETENTION-PMT #5 Payment Amount TURF RMVL REBATE	PD	134449	001	00301	48,424.55- 920,066.45 1,556.00	10476/RTN#5 2140278
66888	09/09/14	17174	ROTH STAFFING COMPANIES, LP	Payment Amount TEMP SRV W/E 8/10/14 ST TEMP SRV W/E 8/10/14 ST TEMP SRV W/E	PV	134478	001	00701	146.80 146.80 440.40	13025195 13025195 13025195

Batch Number - 233108  
Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Amount	Invoice Number
Number	Date	Number				Number	Item Co		
66889	09/09/14	19283	BAHRAM RUSHENAS	8/10/14 ST TEMP SRV W/E	PV	134478	004 00701	137.65	13025195
66890	09/09/14	18973	SOUTHERN COUNTIES OIL	8/10/14 ST TEMP SRV W/E	PV	134479	001 00701	587.20	13027942
66891	09/09/14	8845	SOUTHERN CALIFORNIA TROPHY COMPANY	8/17/14 ST Payment Amount TURF RMVL REBATE	PV	134474	001 00101	2,030.00	150268
66892	09/09/14	2780	VALLEY NEWS GROUP	Payment Amount 70 LBS ULTRA GIL 220	PV	134542	001 00701	207.75	0148608-IN
66893	09/09/14	3109	W. LITTEEN	Payment Amount 15 YR ANNIV GIFT-H.M.	PV	134476	001 00701	140.14	080167-14
66894	09/09/14	3047	WESCO DISTRIBUTION, INC.	Payment Amount AD-EVEN/ODD IRRIG 8/21	PV	134477	001 00101	260.00	8-21
66895	09/09/14	3048	WEST COAST AIR CONDITIONING	Payment Amount SRV 8/10-8/16/14@ RANCHO	PV	134537	001 00701	4,533.95	0320323
				Payment Amount SRV 8/17-8/23/14@ RANCHO	PV	134538	001 00701	4,199.00	0320324
				Payment Amount MV SWITCHGEAR MAINT	PV	134482	001 00701	19,890.00	348917
				66KV SF6 BREAKR RECHG	PV	134541	001 00701	3,000.00	349725
				Payment Amount AC FM@BLDG#7&B	PV	134539	001 00701	395.00	559665
				Payment Amount RPR CONDNSR	PV	134544	001 00701	2,151.22	558993

ITEM 4A

Las Virgenes Municipal Water  
A/P Auto Payment Register

R04576  
Batch Number - 233108  
Bank Account - 00146807 Cash-General

Payment . . . Number	Date	Address Number	Name	Payment Stub Message	Ty	Document . . . Number	Key itm	Co	Amount	Invoice Number
HEADR										
			LEAK@TAPIA							
			RPR A/C#3	PV	134545	001	00701		299.39	559443
			LEAK@RLV							
Payment Amount									2,845.61	
Total Amount of Payments Written									1,088,185.23	
Total Number of Payments Written									39	



**LAS VIRGENES MUNICIPAL WATER DISTRICT  
4232 Las Virgenes Road, Calabasas CA 91302**

**MINUTES  
REGULAR MEETING**

5:00 PM

August 26, 2014

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Board President, Charles Caspary.

**1. CALL TO ORDER AND ROLL CALL**

**A Call to order and roll call**

The meeting was called to order at 5:02 p.m. by Board President Caspary in the District offices. Daryl Betancur, Clerk of the Board conducted the roll call.

Present: Director(s): Renger, Steinhardt, Peterson and Board President Caspary.

Absent: Director(s): Polan

Staff Present: David Pedersen, General Manager

Daryl Betancur, Clerk of the Board

David Lippman, Director of Facilities and Operations

Carlos Reyes, Director of Resource Conservation and Public Outreach

Don Patterson, Director of Finance and Administration

Wayne Lemieux, District Counsel

**2. APPROVAL OF AGENDA**

**A Approval of agenda**

General Manager Pedersen indicated that there were no proposed changes to the agenda.

Director Renger moved to approve the agenda. Motion seconded by Director Peterson. Motion carried unanimously.

**3. PUBLIC COMMENTS**

Sean Packer, resident of Agoura Hills, spoke about synthetic grass and requested that Las Virgenes

ITEM 4B



Municipal Water District allow its customers to use synthetic grass as an option under the turf removal program.

There were several comments and questions from the Board. Director Peterson clarified that the grant money for this program comes from Metropolitan Water District without any conditions.

Director Renger asked about the pros and cons of using artificial grass vs. zeroscape.

Director Steinhardt asked a question relative to the disposal of artificial turf and the difficulty of disposing of it ecologically.

Mr. Packer answered these and other related questions from the Board.

#### 4. CONSENT CALENDAR

A Minutes of Regular Meeting of August 12, 2012: Approve

B Monthly Investment Report as of July 31, 2014: Receive and File

C List of Demands: August 26, 2014. Receive and File

Director Peterson moved to approve the consent calendar items 4A-C. Motion seconded by Director Renger. Motion carried unanimously.

#### 5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

##### A Legislative and Regulatory Updates

General Manager Pedersen reported on the key legislative item having to do with the water bond; he stated that the Governor had approved AB1471 (Rendon); that the new water bond will replace what was previously approved for the November ballot; that this water bond will appear on the ballot as California Proposition 1, entitled "The Water Quality Supply and Infrastructure Act of 2014"; and it authorizes \$7.1 billion in General Obligation Bonds, which are broken down into different categories.

##### B Water Supply Conditions and Drought Response

General Manager Pedersen asked Carlos Reyes, Director of Resource Conservation and Public Outreach to present the staff report.

Mr. Reyes stated that to date and in light of the recently adopted Ordinance and Resolution outlining water conservation measures including restrictions and fines, the District has taken the following actions: issued press releases and placed updates on the District's website, sent bulk mail to all customers, mailed 25,300 letters including letters to multi-family dwellings, sent 8,300 email blasts; that there will be 22,700 calls scheduled for August 27 as part of a robocall engagement; part of the outreach will include presentations to the City Councils in the Cities of Agoura Hills, Calabasas, Westlake Village and Hidden Hills; and that staff is also updating the fact-checker.

Mr. Reyes answered questions from the Board on this subject.

#### 6. TREASURER

No report as Treasurer was absent.

#### 7. BOARD OF DIRECTORS

A SCADA Communications Upgrade Phase 1: Call for Bids

ITEM 4B

**Authorize a call for bids in accordance with the project specifications and proposed bid schedule for the SCADA Communications Phase 1 Upgrade Project and authorize the General Manager to approve a change of scope to MSO Technologies, Inc., in the amount of \$40,760.00 for additional design services.**

General Manager Pedersen presented a brief summary on this item and indicated that the item contains a scope change.

There were several comments and questions from the Board including; the definition of back-haul ring, redundancy of the system, frequencies used, and how much work is there to be done.

David Lippman, Director of Facilities and Operations, articulated what the change in scope was and answered Board questions.

Director Peterson moved to approve the recommendations. Motion seconded by Director Renger. Motion carried by the following vote:

AYES:	Director(s):	Renger, Peterson and Board President Caspary
NOES:	Director(s):	Steinhardt
ABSTAIN:	Director(s):	None

#### **B Maintenance Agreement Renewal for Sewage Metering Stations**

**Authorize the General Manager to issue a purchase order to ADS Environmental Services for maintenance and reporting services for sewer metering stations in the amount of \$32,311.00.**

General Manager Pedersen and Director of Facilities and Operations Lippman presented the staff report and indicated that the JPA and the District have a total of four (4) sewage metering stations, three of which are JPA and measure sewage flows that originate from Ventura County and Triunfo Sanitation District (TSD).

Director Renger moved to approve the recommendation. Motion seconded by Director Peterson. Motion carried unanimously.

#### **C Tract No. 44352 Calabasas Ridge Recycled Water Main Extension Project**

**Find that the proposed recycled water system extension is statutorily exempt from the California Environmental Quality Act (CEQA) and authorize the General Manager to prepare and file a Notice of Exemption; approve a budget and appropriation in the amount of \$60,100 for the project; and authorize a call for bids upon completion of the design work for the Tract No.44352 Calabasas Ridge Recycled Water Main Extension Project.**

General Manager Pedersen presented the staff report and explained the merits and benefits of the proposed recycled water system extension.

Mr. Nelson Farran, President and Treasurer of the Calabasas Ridge Home Owners Association addressed the Board relative to this item and urged the Board's approval of the proposed recycled water system extension.

Director Peterson moved to approve the recommendation. Motion seconded by Director Renger. Motion carried unanimously.

#### **D Thousand Oaks Boulevard and Liberty Canyon Road Pavement**

**Authorize a call for bids for the Thousand Oaks Boulevard and Liberty Canyon Road Pavement**

ITEM 4B

## Restoration Project.

General Manager Pedersen presented the staff report and explained what the work will entail and why it is needed.

Director Renger moved to approve the recommendation. Motion seconded by Director Steinhardt. Motion carried unanimously.

## 8. FINANCE AND ADMINISTRATION

### A Supply and Delivery of Diatomaceous Earth: Request for Bids

Authorize a request for bids for the purchase and delivery of diatomaceous earth.

Director Steinhardt moved to approve as recommended by staff. Motion seconded by Director Renger. Motion carried unanimously.

### B Supply and Delivery of Aluminum Sulfate: Request for Bids

Authorize a request for bids for the supply and delivery of Aluminum Sulfate.

Director Peterson moved to approve as recommended by staff. Motion seconded by Director Renger. Motion carried unanimously.

### C Supply and Delivery of Positive Displacement and Jet-Style Water Meters: Request for Bids

Authorize a request for bids for positive displacement and jet-style water meters.

Director Renger posed a question relative to the accuracy of the jet-style meters. General Manager Pedersen explained the accuracy and compatibility of the meters.

Director Renger moved to approve as recommended by staff. Motion seconded by Director Steinhardt. Motion carried unanimously.

### D ACWA/JPIA Commitment to Excellence Program

Approve participation in the ACWA/JPIA Commitment to Excellence Program and authorize the Board President, Board Members and General Manager to sign the Commitment to Excellence form.

Director Steinhardt moved to approve as recommended by staff. Motion seconded by Director Peterson. Motion carried unanimously.

### E Claim by Ian Yip

Director Renger moved to deny the claim. Motion seconded by Director Peterson. Motion carried unanimously.

## 9. LEGAL SERVICES

### A Update of Las Virgenes Municipal Water District Code: Review Session No. 3

Review the proposed updates to Title 3, Potable Water Service of the Las Virgenes Municipal

**Water District Code and provide feedback to staff and the District's legal counsel.**

Upon a recommendation by Director Steinhardt to defer the item until all Board members are present, the entire Board concurred and so it was ordered to bring the item back at the next meeting.

## **10. NON-ACTION ITEMS**

### **A Organization Reports**

#### (1) MWD

Director Peterson reported on the MWD Board meeting of the past month; spoke about MWD's assessed value; commented that MWD is the process of reviewing salaries for their Officers and that they had voted to name the plaza Cl. John C. "Jack" Foley Plaza.

#### (2) Other – None

### **B Director's Reports on Outside Meetings**

Director Steinhardt reported on the ACWA Region 8, 9, and 10 meeting to discuss the October 26 and 27 conference and that the details are coming together; spoke about events including an event on Sunday regarding local conservation practices and the tour of the San Vicente Dam.

Director Steinhardt also reported on the meeting in Lake Tahoe and made reference that he learned that is important to have staff well equipped with fire resistant equipment. Also spoke on the issue of growing marijuana on Water Agency property, whereby the area can be contaminated with pesticides and other pollutants.

### **C General Manager Reports**

#### (1) General Business

General Manager Pedersen reported on a couple of items including: the passing of Ed Little who served on the West Basin Municipal Water District for many years; commented on several dates including the JPA meeting date change; the AWA event on September 19 at the Reagan Library and the meetings with the local city councils.

#### (2) Follow-Up Items

He briefed the Board on the issue of whether or not the District is required to release the names of individuals who submit a report of water wasting, indicating that District Counsel had provided an opinion on that matter, which was provided in the Board folders.

### **D Director's Comments**

Director Renger commented on having attended LA County Supervisors hearing related to the Local Coastal Plan, which was passed on a 3-1 decision; spoke about the banning of new large vineyards, which was a controversial item at this meeting.

## **11. FUTURE AGENDA ITEMS**

None

## **12. PUBLIC COMMENTS**

ITEM 4B

None

**13. CLOSED SESSION**

The Board recessed to Closed Session at 6:27 p.m., and reconvened at 6:28p.m.

**A Conference with District Counsel- Anticipated Litigation. Pursuant to Government Code Section 54956.9 (d) (2):**

Tort of Benjamin Magendavid

**B Conference with District Counsel- Existing Litigation. Pursuant to Government Code Section 54956.9 (a):**

1. San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.
2. Las Virgenes- Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson.

**14. OPEN SESSION AND ADJOURNMENT**

District Counsel Lemieux reported that the Board had met in closed session regarding the matter of a Tort Claim submitted by Benjamin Magendavid and upon a motion by Director Renger, seconded by Board President, the Board voted to deny the claim.

On the matter regarding Las Virgenes- Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson, no action was taken.

Seeing no further business to come before the Board, the meeting was duly adjourned at 6:29 p.m.

ITEM 4B


\_\_\_\_\_  
CHARLES CASPARY, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:

\_\_\_\_\_  
BARRY STEINHARDT, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)

To: Payroll

From: Daryl A. Betancur, Clerk of the Board 

Subject: Per Diem Request for August, 2014

Date: September 9, Meeting

Attached are the director statements of attendance for meetings, conferences and miscellaneous functions, which are summarized in the table below. If you have any questions please contact Daryl Betancur.

At the meeting of 02/26/2008 the Board voted 5-0 to amend the daily per diem to:

- \$200.00 effective February 27, 2008
- January 26, 2010 during the annual review of compensation, the Board opted for the per diem to remain at \$200 and requested a per diem survey be completed along with the next employee compensation study.

Name	Meeting Attendance	Rate	Total
Charles Caspary	4	200.00	800.00
Glen Peterson* LVMWD - 6 MWD - 6	12	200.00	2,400.00
Leonard Polan	8	200.00	1,600.00
Lee Renger	4	200.00	800.00
Barry Steinhardt	10	200.00	2,000.00

*BJW.P.  
09/03/14*

Thank you.

Article 4, 2-2.401(a) "not exceeding a total of ten (10) days in any calendar month"

\*Article 4, 2-2.401(b) MWD director "not exceeding a total of (10) days in any calendar month."





**LAS VIRGENES MUNICIPAL WATER DISTRICT - PER DIEM REPORT**



To: Daryl A Betancur, Clerk of the Board  
 Month of: AUGUST 2014

Director's Name: GLEN PEDERSEN  
 Division: 2

The following are Las Virgenes Municipal Water District Board of Directors Meetings, Committee Meetings/Conferences I have attended:

Date(s)	# of Days Claimed			Reimbursible Expenses <sup>2</sup> (Y/N)	Check One		Event Title
	Event	Travel 1	Total		MWD	LVMWD	
2	1		1			✓	TOUR OF FACILITIES (SEWER)
4	1		1			✓	JPA
5	1		1			✓	STATE LEG MEETING
8	1		1			✓	STATE LEG, SACRAMENTO
12	1		1		✓		CANYON REEF MAN LOWENTHAL BRIEFING
13	1		1		✓		COLORADO RIVER BOARD GROUP
14+15	2		2		✓		URBAN WATER CONFERENCE SUNDAY
18	1		1		✓		Committee Meeting
19	1		1		✓		BOARD
26	1		1			✓	BOARD
29	1		1			✓	SPECIAL BOARD MEETING ✓
TOTAL			18		6	6	

NOTES: 1. Travel the day before and/or after an authorized meeting or seminar outside of LA, Ventura and Orange Counties may be paid in accordance with Board Policy. 2. Attach completed Statement of Account and Claim for Personally Incurred Expenses form.

RMP  
09/03/14

Date Submitted:  
 Director Signature:

August 28, 2014  
Glen Pedersen

**RECEIVED**  
 AUG 29 2014









September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Board President

**Subject: General Manager Employment Agreement: Consideration of Amendment (Pg. 45)**

**SUMMARY:**

On June 24, 2014, the Board reviewed the accomplishments and performance of the General Manager, David W. Pedersen, in closed session. Also present was District Legal Counsel, Wayne Lemieux. In summary, the Board was pleased with the General Manager's performance and outstanding work ethic, noting that he has provided the District with strong leadership and progress towards goals as adopted by the Board. The Board President, Charles Caspary, was asked by the Board to meet with General Manager Pedersen to discuss potential contract enhancements, not including compensation, that would be of value to him.

**RECOMMENDATION(S):**

Approve an amendment to the existing Employment Agreement for the General Manager to provide that upon termination of employment without cause, the District shall continue to pay the salary and medical/dental premiums of the General Manager for a period of nine months; and authorize the Board President to execute an amendment to the Employment Agreement for the same in a form approved by District Legal Counsel.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

There is no financial impact associated with this action unless the District terminates the Employment Agreement without cause.

**DISCUSSION:**

President Caspary met with General Manager Pedersen to discuss the sentiments of the Board. Also, at the request of the Board, President Caspary presented a potential contract enhancement of allowing the General Manager's personal use of the District-provided vehicle. General Manager Pedersen expressed a concern that such an arrangement would be contrary to District policy and could be problematic in the event of an accident. Although the Board can authorize exceptions to District policy, exceptions are generally not a good idea unless absolutely necessary.

General Manager Pedersen expressed a concern with the potential for termination of his employment without cause, considering the personal and financial impact of such an action. As a result, President Caspary suggested that he would recommend the Board consider increasing the General Manager's severance pay, currently set at two months.

ITEM 7A

President Caspary asked for additional information on comparable agency general manager severance packages. The comps were reviewed and showed that other agencies provide their general managers with a range of severance packages, from zero to 12 months salary with some including benefits. Government Code Section 53260, et seq. allows for a maximum of 18 months salary plus continuation of health benefits.

Considering the comps and as a reasonable protection to the General Manager, President Caspary recommends that the General Manager's Employment Agreement be amended to reflect that upon termination of employment without cause, the District shall continue to pay the salary and medical/dental premiums of the General Manager for a period of nine months. This change in the contract would not result in an additional cost to the District. The contract change would not be applicable in the event that the General Manager is terminated for cause.

Prepared By: Charles Caspary, Board President



September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Finance & Administration

**Subject: Janitorial Services: Award (Pg. 47)**

**SUMMARY:**

On July 8, 2014, the Board approved a Request for Bids for janitorial services for the District's office facilities at its Headquarters, Rancho Las Virgenes Composting Facility, Tapia Water Reclamation Facility and Westlake Filtration Plant. Eight bids were received and publicly opened on August 7, 2014. Commercial Cleaning Systems (CCS) was identified as the lowest responsible and responsive bidder. As a result, staff recommends the award of a one-year contract to CCS in the amount of \$61,568.52, with four one-year renewal options.

**RECOMMENDATION(S):**

Accept the bid from and authorize the General Manager to execute a one-year contract with Commercial Cleaning Systems in the amount of \$61,568.52, with four one-year renewal options.

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

Sufficient funds are available in the adopted Fiscal Year 2014-15 Budget for janitorial services and will be proposed in future year budgets.

**DISCUSSION:**

Bid packets were sent to 22 different companies that provide janitorial services. Representatives of seven firms attended the site walk; eight firms submitted bids. One firm represented at the site walk declined to submit a bid, citing that the project was too large for its current workforce.

At the public bid opening, CCS was identified as the apparent low bidder with an annual price of \$21,568.35. However, upon further review of the bid, staff noted that the bid was incorrectly tabulated. The extended annual totals (monthly unit price x 12) were slightly off and not added correctly to obtain the total bid amount. The bid tabulation was corrected based on the Instructions to Bidders, which calls for unit pricing to prevail in the case of a discrepancy with extended totals, increasing CCS's total bid amount from \$21,568.35 to \$61,568.52.

Following correction of CCS bid tabulation, Professional Building Maintenance (PBM) was identified as the new apparent low bidder with a total bid amount of \$56,208.00. However, during the reference check process, PBM was determined to be a non-responsible bidder based on the Instructions to Bidders, which states that final eligibility as a responsible bidder will be determined solely by District during the

reference check.

PBM was unable to provide a current contact person for an existing contract listed as a reference, and only one of the references listed on its bid responded to the District's request for information. Given the lack of suitable references, staff recommends that PBM be deemed a non-responsible bidder and that the contract be awarded to the next lowest bidder, CCS. Favorable references were quickly obtained for CCS.

Bid Summary:

<b>Bidder</b>	<b>Bid Amount</b>
Advanced Building Maintenance (ABM)	\$137,736.00
Lee's Maintenance Services	\$103,461.42
Able Building Maintenance	\$102,086.69
Santa Fe Building Maintenance	\$ 98,337.88
Executive Suite Services	\$ 97,860.00
DMS Facility Services	\$ 73,229.67
<b>Commercial Cleaning Systems (CCS)</b>	<b>\$ 61,568.52</b>
Professional Building Maintenance (PBM)	\$ 56,208.00

Attached are copies of the originally-submitted and corrected bids submitted by CCS.

**GOALS:**

Ensure Effective Utilization of the Public's Assets and Money

Prepared By: Gretchen Bullock, Buyer

**ATTACHMENTS:**

Originally-Submitted and Corrected CCS Bids



Las Virgenes Municipal Water District  
Bid Form-Schedule  
Janitorial Services

The undersigned states and declares as follows: that the Bidder has carefully read, examined, and understands the Bid Documents; Bid Notice; Instruction to Bidders; Bid Specifications including exhibits; Bid Form-Schedule; and that the Bidder will comply with the bid terms and conditions. The undersigned agrees to supply and deliver materials/services in strict conformity with the specifications and instructions enclosed with the Invitation for Bids for the prices set forth below in this bid schedule.

It is understood that this bid shall remain open and shall not be withdrawn for a period of ninety (90) days from the date prescribed for the opening of the bid.

It is further agreed that the materials/services to be furnished under this bid shall be delivered at such time and in such quantities as called for by the Las Virgenes Municipal Water District. The District may extend the term of this contract by written notice to the supplier at the end of the contract period.

CONTRACT TERM as follows: Initial contract term shall be good from date of award until July 1, 2015. Four (4) additional one (1) year renewals may be negotiated at the District's option.

Materials/Services to be furnished under this bid shall begin upon completion of a fully executed contract between Bidder and District or the date set forth in said contract, whichever is later.

All Bidders are required to submit with their bid:

1. Bid-Form Schedule
2. Supplemental Bidder Information Form
3. Bidder Statement of Experience
4. Bidder Statement of Equipment
5. Bidder Statement of Supplies

The bidder's authorized officer identified below hereby declares that the representations in this bid are true and correct and of my own personal knowledge, and that these representations are made under penalty of perjury under the laws of the State of California, and that I am duly authorized to bind this bidder to this bid.

>>>Go to next page<<<

Janitorial Services

Bid Item No.	Frequency	Description	Monthly Fee	Extended Annual Price
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**Location 1—Headquarters**

4232 Las Virgenes Road  
Calabasas, CA 91302

1.	1 day per week	1a. Headquarters Building # 2	\$ 66.24	\$ 794.83
2.	5 days per week	1b. Headquarters Building # 7	\$ 856.00	\$ 10,271.99
3.	5 days per week	1c. Headquarters Building # 8	\$ 2,290.22	\$ 27,482.59

**Location 2—Rancho Las Virgenes Composting Facility**

3700 Las Virgenes Road  
Calabasas, CA 91302

4.	5 days per week	2a. Rancho Las Virgenes Control Building	\$ 668.67	\$ 8,024.03
5.	1 day per month	2b. Rancho Las Virgenes Farm Building	\$ 23.60	\$ 283.20
6.	1 day per week	2c. Rancho Las Virgenes Cure Building	\$ 49.68	\$ 596.21
7.	1 day per week	2d. Rancho Las Virgenes Reactor Building	\$ 62.11	\$ 745.26
8.	1 day per week	2e. Rancho Las Virgenes Dewatering Office	\$ 23.15	\$ 277.80

**Location 3—Tapia Water Reclamation Facility**

731 Malibu Canyon Road  
Calabasas, CA 91302

9.	5 days per week	3a. Tapia Water Reclamation Facility	\$ 667.98	\$ 8,015.77
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**Location 4—Westlake Filter Plant**

32601 Torchwood Place  
Westlake Village, CA 91361

10.	3 days per week	4a. Westlake Control Building	\$ 319.23	\$ 3,830.76
11.	3 days per week	4b. Westlake Observation Building	\$ 103.83	\$ 1,245.90
		Refer to Request for Bid documents for detailed description of services.		

**Total Bid Amount**      \$ 21,568.35

**ORIGINAL**  
wet signature

State Hourly Rate for Emergency Services \$ (Do not include in extended total) 26.50
---

Written Total Bid Amount:

Notes or Exceptions:

None.

Addendum Acknowledgement: N/A

Addendum #1  Signed: \_\_\_\_\_

Addendum #2  Signed: \_\_\_\_\_

Addendum #3  Signed: \_\_\_\_\_

**Bidder:**

Commercial Cleaning Systems August 6, 2014

Corporate Name of Bidder Date

By: Dana A. Holladay Title: Senior Vice President  
Authorized Signature

Dana A. Holladay dholladay@commercialcleaningsystems.net  
Print Name E-mail

1375 Sunflower Avenue, #200 949-261-1234 ext. 251  
Phone

Costa Mesa, CA 92626 949-261-8604  
Address Fax

Las Virgenes Municipal Water District  
Bidder Statement of Equipment  
Janitorial Services

Bidder is required to list below the equipment the bidder will have available to perform the work under this contract.

The District reserves the right to reject any bid when, in its opinion; the bidder has not demonstrated they will be properly equipped to perform the work in an efficient, effective manner through the duration of the contract period. In instances where a proposed item of equipment is not presently available, the bidder shall provide documentation, acceptable to the District Representative, that the bidder will have the equipment available prior to the commencement of the work.

EQUIPMENT DESCRIPTION	QUANTITY OWNED	PRESENT CONDITION	QUANTITY AND EXPLANATION IF NOT OWNED
Proteam Supercoach HEPA Backpack Vacuum	11	New	CCS will determine specific
Rubermaid 6173 restroom cart	11	New	requirements in order to meet the
Tilt Truck Rubermaid 1304	11	New	specifications of the contract and
Rubbermaid 2640, 2643 2642 Brute caddy bag	11	New	will purchase new equipment or
Rubbermaid 7580, IM-84 Bucket/wringer handle combo	11	New	transfer gently used equipment that
Advance burnishers and high speed floor machine	1	Good	still has a useful life in order to
Noble autoscrubber	1	Good	service this contract.


**Bidder:**

Commercial Cleaning System

August 6, 2014

Corporate Name of Bidder

Date

By:

*Dana A. Holladay*  
Authorized Signature

Title: Dana A. Holladay

Las Virgenes Municipal Water District  
Bidder Statement of Experience  
Janitorial Services

Bidder is required to provide a minimum of three (3) references where services of a similar size and nature were performed within the past three (3) years. If requested by the District, the Bidder shall furnish a notarized financial statement, financial data, or other information and references sufficiently comprehensive to permit an appraisal of Bidder's current financial condition.

Company Name: County of Orange Contact Name: Jerry Eldergidge

Address: 88 Fair Drive Phone Number: 714-708-1587

Costa Mesa, CA 92626 Email: jeldridge@ocfair.com

Dollar Value of Contract: \$ Approx. \$1M Contract Dates: Serviced since 2009  
Contract Description: Fair and events center, year round janitorial

Company Name: City of Murrieta Contact Name: Dave Hendry

Address: 1 Town Square, Murrieta, CA 92562 Phone Number: 951-232-1987

Email: dhendry@murrieta.org

Dollar Value of Contract: \$ Approx. \$500,000 Contract Dates: 2013-2016

Contract Description: city wide Janitorial Services



Las Virgenes Municipal Water District  
Bidder Statement of Supplies  
Janitorial Services

Bidder shall set forth the name and address of the place of business of each Supplier who will supply materials or equipment to the Bidder for this Contract.

NAME OF SUPPLIER	ADDRESS OF PLACE OF BUSINESS	MATERIALS OR EQUIPMENT TO BE SUPPLIED BY SUPPLIER
Waxie Sanitary Supply	Santa Ana, CA	Chemicals, Equipment




**Bidder:**

Commercial Cleaning Systems

August 6, 2014

Corporate Name of Bidder

Date

By: *Dana A. Holladay*  
Authorized Signature

Title: Senior Vice President

Las Virgenes Municipal Water District  
Supplemental Bidder Information  
Janitorial Services

1. Have you, your firm, or any officer or partner thereof, ever failed to complete a janitorial services contract?  
If yes, give details, including dates: (use another sheet of paper, if necessary)  
No.
  
2. Has your firm ever been assessed damages or penalties for failing to perform janitorial services in a satisfactory manner or for failing to complete a contract within the scope of work specified in the Request for Bid?  
If yes, give details: (use another sheet of paper, if necessary)  
No.
  
3. Does your firm have any ongoing investigations by an agency regarding violations of the State Labor Code, California Business and Professional Code, or other laws?  
If yes, give details: (use another sheet of paper, if necessary)  
No.
  
4. Does your firm have any outstanding judgments, demands or liens resulting from violations of the State Labor Code, California Business and Professional Code, or other laws?  
If yes, give details: (use another sheet of paper, if necessary)  
No.

**ORIGINAL**  
Wet Signature

5. Has your firm been cited for violations of OSHA Standards and Requirements within the past five (5) years?

If yes, give details: (use another sheet of paper, if necessary)

No.

---

**Bidder:**

Commercial Cleaning Systems

August 6, 2014

---

Corporate Name of Bidder

Date

By:

*Dana A. Holladay*  
Authorized Signature

Title:

Senior Vice President

Rec. AUG 20 2014 AS  
Corrected bid totals  
\*Using Unit Price  
from original  
submission

Las Virgenes Municipal Water District  
Bid Form-Schedule  
Janitorial Services

The undersigned states and declares as follows: that the Bidder has carefully read, examined, and understands the Bid Documents; Bid Notice; Instruction to Bidders; Bid Specifications including exhibits; Bid Form-Schedule; and that the Bidder will comply with the bid terms and conditions. The undersigned agrees to supply and deliver materials/services in strict conformity with the specifications and instructions enclosed with the Invitation for Bids for the prices set forth below in this bid schedule.

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It is further agreed that the materials/services to be furnished under this bid shall be delivered at such time and in such quantities as called for by the Las Virgenes Municipal Water District. The District may extend the term of this contract by written notice to the supplier at the end of the contract period.

CONTRACT TERM as follows: Initial contract term shall be good from date of award until July 1, 2015. Four (4) additional one (1) year renewals may be negotiated at the District's option.

Materials/Services to be furnished under this bid shall begin upon completion of a fully executed contract between Bidder and District or the date set forth in said contract, whichever is later.

All Bidders are required to submit with their bid:

1. Bid-Form Schedule
2. Supplemental Bidder Information Form
3. Bidder Statement of Experience
4. Bidder Statement of Equipment
5. Bidder Statement of Supplies

The bidder's authorized officer identified below hereby declares that the representations in this bid are true and correct and of my own personal knowledge, and that these representations are made under penalty of perjury under the laws of the State of California, and that I am duly authorized to bind this bidder to this bid.

>>>Go to next page<<<

\*Refer to Instructions to Bidders 5. Discrepancies  
"Unit price will prevail"

### Janitorial Services

Bid Item No.	Frequency	Description	Monthly Fee	Extended Annual Price
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#### Location 1—Headquarters

4232 Las Virgenes Road  
Calabasas, CA 91302

1.	1 day per week	1a. Headquarters Building # 2	\$ 66.24	\$ <del>794.88</del> <i>QA 8/20/14</i> 794.88
2.	5 days per week	1b. Headquarters Building # 7	\$ 856.00	\$ <del>10,272.00</del> <i>QA 8/20/14</i> 10,272.00
3.	5 days per week	1c. Headquarters Building # 8	\$ 2,290.22	\$ <del>27,482.64</del> <i>QA 8/20/14</i> 27,482.64

#### Location 2—Rancho Las Virgenes Composting Facility

3700 Las Virgenes Road  
Calabasas, CA 91302

4.	5 days per week	2a. Rancho Las Virgenes Control Building	\$ 668.67	\$ <del>8,024.04</del> <i>QA 8/20/14</i> 8,024.04
5.	1 day per month	2b. Rancho Las Virgenes Farm Building	\$ 23.60	\$ <del>283.20</del> <i>QA 8/20/14</i> 283.20
6.	1 day per week	2c. Rancho Las Virgenes Cure Building	\$ 49.68	\$ <del>596.16</del> <i>QA 8/20/14</i> 596.16
7.	1 day per week	2d. Rancho Las Virgenes Reactor Building	\$ 62.11	\$ <del>745.32</del> <i>QA 8/20/14</i> 745.32
8.	1 day per week	2e. Rancho Las Virgenes Dewatering Office	\$ 23.15	\$ <del>277.80</del> <i>QA 8/20/14</i> 277.80

#### Location 3—Tapia Water Reclamation Facility

731 Malibu Canyon Road  
Calabasas, CA 91302

9.	5 days per week	3a. Tapia Water Reclamation Facility	\$ 667.98	\$ <del>8,015.76</del> <i>QA 8/20/14</i> 8,015.76
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#### Location 4—Westlake Filter Plant

32601 Torchwood Place  
Westlake Village, CA 91361

10.	3 days per week	4a. Westlake Control Building	\$ 319.23	\$ 3,830.76 <i>QA</i>
11.	3 days per week	4b. Westlake Observation Building	\$ 103.83	\$ <del>1,245.96</del> <i>QA 8/20/14</i> 1,245.96
		Refer to Request for Bid documents for detailed description of services.		

**Total Bid Amount** \$ ~~21,568.35~~ *QA 8/20/14*  
61,568.35 *QA*

State Hourly Rate for Emergency Services (Do not include in extended total)	\$ 26.50
--	----------

Written Total Bid Amount:

\_\_\_\_\_

Notes or Exceptions:

None.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Addendum Acknowledgement: N/A

Addendum #1  Signed: \_\_\_\_\_

Addendum #2  Signed: \_\_\_\_\_

Addendum #3  Signed: \_\_\_\_\_

Bidder:

Commercial Cleaning Systems	August 6, 2014
-----------------------------	----------------

Corporate Name of Bidder	Date
--------------------------	------

8/20/14

By: <u>Dana A. Holladay</u> Authorized Signature	Title: Senior Vice President
---	------------------------------

Dana A. Holladay	dholladay@commercialcleaningsystems.net
------------------	---

Print Name	E-mail
------------	--------

1375 Sunflower Avenue, #200	949-261-1234 ext. 251
-----------------------------	-----------------------

Phone	
-------	--

Costa Mesa, CA 92626	949-261-8604
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Address	Fax
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September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Resource Conservation & Public Outreach

**Subject: Resolution in Support of the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Pg. 63)**

**SUMMARY:**

The Association of California Water Agencies (ACWA) has requested that water agencies across the state consider an expression of support for the November ballot measure known as Proposition One, the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Water Bond). The Water Bond was approved by the Legislature and Governor to a replace a larger \$11.14 billion bond measure developed as part of the state's comprehensive water "package" of 2009, previously slated for the November ballot.

**RECOMMENDATION(S):**

Pass, approve and adopt Resolution No. 2461, expressing support for The Water Quality, Supply and Infrastructure Improvement Act of 2014.

**RESOLUTION NO. 2461: A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT IN SUPPORT OF THE WATER QUALITY, SUPPLY AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014.**

(Reference is hereby made to Resolution No. 2461 on file in the District's Resolution Book and by this reference the same is incorporated herein and made a part hereof.)

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

There is no direct financial impact associated with adopting the Resolution. However, passage of the bond by the electorate could provide the District and JPA with funding opportunities for both potable and recycled water projects.

**DISCUSSION:**

The Board may choose to express its position for or against legislation and ballot measures based on the impacts such measures are expected to have on the District. Staff may also convey the position(s) taken by the Board. However, District resources may not be used to actively promote or defeat a ballot measure. District staff is limited to educating the public on the issue itself, without conveying a "pro" or "con" position or recommendation.

**GOALS:**

ITEM 9A

Provide Safe and Quality Water with Reliable Services

Prepared By: Jeff Reinhardt - Public Affairs & Communications Manager

**ATTACHMENTS:**

Proposed Resolution No. 2461



**RESOLUTION NO. 2461**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LAS VIRGENES MUNICIPAL WATER DISTRICT IN SUPPORT OF  
THE WATER QUALITY, SUPPLY AND INFRASTRUCTURE IMPROVEMENT  
ACT OF 2014**

WHEREAS, California's water system faces a growing list of challenges associated with aging infrastructure, climate change, population growth and other factors; and

WHEREAS, water managers and top leaders including Governor Brown agree that California needs a comprehensive, statewide water plan to create a more resilient water system and meet the coequal goals of improved water supply reliability and ecosystem health; and

WHEREAS, the Legislature has approved and Governor Brown has signed the Water Quality, Supply and Infrastructure Improvement Act of 2014, which will appear as Proposition 1 on the November 4 ballot and provide much-needed funding to advance a statewide comprehensive water plan to secure our water future; and

WHEREAS, Las Virgenes Municipal Water District is entirely dependent upon imported resources for its potable water supply and expansion of its recycled water distribution system will maximize the use of a precious local resource; and

WHEREAS, if approved by voters, the measure would provide \$7.545 billion in bond funding for new surface and groundwater storage projects, regional water reliability, sustainable groundwater management and cleanup, water recycling, water conservation, watershed protection and safe drinking water, particularly for disadvantaged communities, and other programs the Association of California Water Agencies and its members have long advocated as a part of a comprehensive statewide plan; and

WHEREAS, the Association of California Water Agencies' Board of Directors voted unanimously to formally support Proposition 1 at a special meeting on August 19, 2014.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of Las Virgenes Municipal Water District expresses its formal support for Proposition 1, the Water Quality, Supply and Infrastructure Improvement Act of 2014 on the November ballot.

**PASSED, APPROVED, AND ADOPTED** on September 9, 2014.

\_\_\_\_\_  
Charles Caspary  
President

ATTEST:

\_\_\_\_\_  
Barry Steinhardt  
Secretary

ITEM 9A

APPROVED AS TO FORM:

---

Wayne K. Lemieux  
District Counsel

(SEAL)



September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Resource Conservation & Public Outreach

**Subject: Mow-No-Mow Turf Removal Program: Synthetic Turf Eligibility (Pg. 67)**

**SUMMARY:**

Currently, customers who choose to replace their irrigated lawns with synthetic turf are not eligible for a rebate under the District's Mow-No-Mow Turf Removal Program, which is an agency-administered incentive program funded by Metropolitan Water District (MWD). The policy was adopted by the District to encourage "California-friendly" gardens and landscaping and to avoid potential environmental concerns associated with synthetic turf. MWD does not currently exclude synthetic turf from eligibility for funding; however, a member agency such as the District may do so if it implements the incentive through an agency-administered program.

At this time, there remains a pressing need to reduce outdoor water demands to the maximum extent possible given the statewide drought. Landscape irrigation remains the largest use of water in the District's service area. Additionally, a number of District customers have contacted staff to express their interest in synthetic turf and frustration that it is not eligible for the incentive program.

On August 26, 2014, Board President Caspary directed staff to bring back an item for the Board to reconsider its policy related to the eligibility of synthetic turf for the District's Mow-No-Mow Program.

**RECOMMENDATION(S):**

Approve the eligibility of synthetic turf for incentives through the District's Mow-No-Mow Turf Removal Program.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

There is minimal financial impact associated with this action. While the action will likely increase the number of Mow-No-Mow Program participants, financial incentives provided under this program are funded by MWD.

**DISCUSSION:**

In essence, the District's exclusion of synthetic turf from eligibility through the Mow-No-Mow Program results in a trade-off. There is a potential missed opportunity to conserve water through installation of synthetic turf in exchange for supporting more environmentally-friendly alternatives to lawns. Some customers who desire to install synthetic turf may opt not to move forward with removal of their irrigated turf without the incentive. Although staff believes the magnitude of this missed opportunity to be relatively small, even relatively small reductions in demand can play an important role in communicating the need to

PREM9B

water to the public. Also, approval of eligibility of synthetic turf will ensure that the District maximizes the amount of MWD-incentive funding that can be utilized within the District's service area.

Based on a suggestion by Director Lee Renger, staff is currently working with MWD to obtain a regional data on lawn removals using synthetic turf and those using California-friendly plant.

**GOALS:**

Provide Safe and Quality Water with Reliable Services

**GOAL DESCRIPTION:**

Approval of the eligibility of synthetic turf for the District's Mow-No-Mow Turf Removal Program will improve water supply reliability to the District's customers during the current drought emergency by decreasing outdoor water demands.

Prepared By: Randal Orton, Resource Conservation Manager



September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Resource Conservation & Public Outreach

**Subject: Proposed Policy Addressing Miscellaneous Water Uses and Practices (Pg. 69)**

**SUMMARY:**

On August 12, 2014, the Board directed staff to draft a policy for the use of water to clean solar panels considering the statewide drought. In conjunction with considering such a policy, staff believe that it would be prudent for the Board to set a policy as to how other miscellaneous, non-irrigation water uses are handled within the context of the recently-adopted watering restrictions. Additionally, recent inquiries and feedback indicate that other irrigation-related activities and unique customer situations should be addressed at the same time to support the consistent enforcement of the restrictions.

The following proposed policy is intended to set the framework for clarifying certain water uses and practices:

*"The District may allow certain water uses and practices to safeguard public health and safety, protect the environment and maintain the quality of life for the community to the greatest extent possible, provided these uses and practices demonstrate efficient water use and achieve water use reductions that are responsive to the current drought."*

The application of the proposed policy would result in recognition that certain activities and customer situations justify some deviation from the restrictions as outlined in Attachment A. With approval of the Board, staff proposes to apply the policy, which would serve as the basis for staff to make the necessary adjustments and additions based on unique activities and situations as they arise.

**RECOMMENDATION(S):**

Approve the proposed policy addressing miscellaneous water uses and practices and authorize the General Manager to implement the policy during the current drought.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

This is minimal financial impact associated with this action.

**DISCUSSION:**

**Water Usage for Solar Panels:**

On August 12, 2014, a District customer addressed the Board with concerns related to the use of

water during the drought for cleaning solar panels. The concern stemmed from a homeowner association's directive to hose off the dust on the customer's solar panels. During the discussion of the issue, the Board felt that a reasonable approach would be to limit the cleaning of solar panels to once every six months, with recycled water if available, using a hose with an automatic shut-off nozzle. Staff was asked to bring the item back for the Board's consideration at a future meeting.

Staff concurs with the proposed approach to limit the washing of solar panel to once every six months. However, staff recommends exclusion of the requirement to use recycled water, if available, because hose bib connections to the recycled water system are strictly prohibited under Title 22 of the California Code of Regulations. Hose bibb connections provide a high potential for cross connection where potable water is available. As a result, it is unlikely that District customers would have access to an authorized source of recycled water that could be used for washing their solar panels.

**GOALS:**

Provide Safe and Quality Water with Reliable Services

Prepared By: Carlos G. Reyes, Director of Resource Conservation and Public Outreach

**ATTACHMENTS:**

Attachment A - Table of Policy Application for Miscellaneous Water Uses and Practices

**POLICY FOR ADDRESSING MISCELLANEOUS WATER USES AND PRACTICES DURING THE DROUGHT**

**Policy Statement:**

The District may allow certain water uses and practices to safeguard public health and safety, protect the environment and maintain the quality of life for the community to the greatest extent possible, provided these uses and practices demonstrate efficient water use and achieve water use reduction that are responsive to the current drought.

**Application of the Policy for Miscellaneous Water Uses and Practices:**

<b>Non-Irrigation Activities</b>	
Maintenance of solar panels	Allow cleaning up to once every six months using a hose with an automatic shut-off nozzle.
Maintenance of tennis courts	Allow as needed using a water conservation broom
Maintenance of horse corrals	Allow as needed
Washing of animals	Allow as needed
Refill of swimming pool water lost to evaporation	Allow as needed; discourage pool draining and refilling
<b>Irrigation-Related Activities</b>	
Irrigation system with weather-based irrigation controllers	Exempt from days of watering restriction subject to verification of equipment; encourage adherence to three-day watering schedule as much as possible
Maintenance and testing of sprinklers	Exempt from days and hours restrictions provided person conducting the test is present on site
Irrigation using private wells or non-District water source	Exempt from days and hours restrictions but encourage adherence to watering schedule as much as possible
<b>Irrigation Practices</b>	
Watering using a hand-held hose with an automatic shut-off nozzle, a faucet-filled bucket of five gallons or less, or a drip irrigation system	Allowed any time (Resolution No. 2460)
Days of watering for recycled water users	Allow subject to District field visit and verification of efficient irrigation equipment (Resolution No. 2460)
Shift watering schedule from even to odd and vice versa	Allow for religious reasons
Establishment of new landscaping for days of irrigation	Allow subject to District field visit and time limit



September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Resource Conservation & Public Outreach

**Subject: Request for Leak Adjustment by June Slayton (Pg. 72)**

**SUMMARY:**

On August 12, 2014, District customer June Slayton addressed the Board to request consideration of a leak adjustment for her property on Foothill Drive in Agoura Hills. Staff was asked to provide additional information the District's leak adjustment policy and the circumstances surrounding Ms. Slayton's leak.

The leak was identified by meter reading staff on May 28, 2013, and the meter reader left a door hanger to notify the customer. Over the next seven months, Ms. Slayton hired two landscapers and a plumber to make miscellaneous repairs to her irrigation system as she continued to have higher-than-usual water consumption. Overall, Ms. Slayton received four high water bills due to leaks on her property before her bi-monthly usage returned to the previous year's level.

Ms. Slayton contacted the District's customer service staff to request an adjustment for the leaks. However, staff informed her that she was not eligible for a leak adjustment because her account reflected a previous leak adjustment of \$21.51 on October 20, 2008. The District's leak adjustment policy provides for only one adjustment per customer at a given property every 10 years.

Considering the request by Ms. Slayton, staff has provided three potential options for the Board to consider in resolving the matter.

**RECOMMENDATION(S):**

Consider three potential options to resolve the leak adjustment request by June Slayton, select the preferred approach and direct staff accordingly.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

There is minimal financial impact associated with this action.

**DISCUSSION:**

**District's Leak Adjustment Policy:**

The District's leak adjustment policy (Attachment A) provides for residential customers in good standing to be eligible for an adjustment every 10 years as an accommodation for high water usage caused by a leak on the customer's property. The adjustments are applied to one billing period only, not to exceed \$1,500 per



adjustment.

The adjustment amount is determined by comparing the customer's usage for a single billing period with that of the same billing period from the prior year. The difference in usage is divided in half, with the District and customer each taking responsibility for half of the calculated additional usage, which is assumed to be a result of the leak. Prior to posting the adjustment, the customer is required to provide the District with a signed Leakage Adjustment Agreement Form (Attachment B).

Previous 2008 Leak Adjustment:

Ms. Slayton was previously provided a leak adjustment for her property on Foothill Drive on October 20, 2008, approximately 5.5 years prior to the current leak adjustment request. The adjustment was in the amount of \$21.51 and reflected on Ms. Slayton's December 3, 2008 bill (Attachment C).

A signed Leakage Adjustment Agreement Form is not available for the adjustment because the incident occurred prior to implementation of the District's current practice to scan all customer-related documents for storage and retrieval via the Customer Information System. Hard copies of some customer-related documents that pre-dated the implementation of the scanning process were destroyed in accordance with the then-current document retention period.

Description of 2013 Leak(s):

On May 28, 2013, District meter reading staff identified a potential leak on Ms. Slayton's property based on the flow pattern through her water meter. Staff left a door hanger on the property to inform the customer of the potential leak. Over the next seven months, Ms. Slayton hired two landscapers and a plumber to make various repairs to her irrigation system at a cost of \$1,240. Attachment D includes a copy of email correspondence with Mr. Slayton, which provided copies of the repair invoices. Following is a summary of the repair invoices:

<u>Invoice Date</u>	<u>Company</u>	<u>Description</u>	<u>Cost</u>
06/25/13	Gonzales Landscaping and Tree Service	Sprinkler repair – new timer	\$225
07/25/13	Gonzales Landscaping and Tree Service	Sprinkler repair	\$200
08/28/13	J.C. Landscaping	Front yard leak fix and new plastic on waterfall and horse corral	\$575
11/30/13	Gonzales Landscaping and Tree Service	Sprinkler repair	\$65
12/20/13	Ignacio Estrada	Replaced broken irrigation valve	\$175

Calculation of Leak Adjustment Amount:

Considering Ms. Slayton's water usage during 2013 as compared to 2012 (Attachment E), the single billing period with the largest differential usage is for May 2013. If eligible for a leak adjustment, the volume and amount would be calculated as follows:

$$(101-39)/2 = 31 \text{ hcf}$$

$$31 \text{ hcf} \times \$3.56 \text{ per hcf} = \mathbf{\$110.36}$$

Potential Options for Resolution of Leak Adjustment Request:

**Option No. 1:** Disregard the previous leak adjustment and authorize a new leak adjustment in the amount of \$110.36 based on the District's leak adjustment policy to adjust the usage for a single billing period when the leak occurred, selecting the billing period with the largest differential as compared to the previous year.

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Option No. 2: Authorize a new leak adjustment in the amount of \$110.36 based on the District's leak adjustment policy to adjust the usage for a single billing period when the leak occurred, selecting the billing period with the largest differential as compared to the previous year, and subtract the previous leak adjustment in the amount of \$21.51 for a net adjustment of \$88.85.

Option No. 3: Deny the request for a leak adjustment.

**GOALS:**

Provide Excellent Service That Exceeds Customer Expectations

Prepared By: Carlos G. Reyes, Director of Resource Conservation and Public Outreach

**ATTACHMENTS:**

Attachment A - Leak Adjustment Policy

Attachment B - Leakage Adjustment Agreement Form

Attachment C - December 3, 2008 Customer Bill

Attachment D - Email Correspondence with Repair Invoices

Attachment E - Water Usage Comparison (2013 v. 2012)



## LEAKAGE ADJUSTMENTS

Leakage adjustments will be offered by the District to **residential customers** as an accommodation for high water use caused by a leak on the customer's service lines. For the purpose of this policy, a leak is defined as water flow from a water line or fixture break on the customer side of the meter.

In granting a leakage adjustment:

The customer account must be in good standing. The customer will be eligible for an adjustment every 10 years or upon a change of ownership at a single property. An adjustment must be requested within one year of the date of identification of the leak.

The adjustment will apply to one billing period only. If the period of leak spans more than one billing period, the customer will be permitted to select the single billing period to which the adjustment will be applied.

All adjustments will be calculated according to the same process and will not exceed \$1500.00 per adjustment (See Process for Calculating Leakage Adjustments).

The adjustment will be made only after the customer submits a signed copy of the Leakage Adjustment Agreement.



## LEAKAGE ADJUSTMENT PROCESS

Usage for a single billing period is compared to the same billing period from the prior year. If the customer is a new resident to the property, usage from the previous resident is used to determine prior year's usage. In the case of no previous usage at the property, previous usage of the current customer will be used to determine the adjustment base. If the usage from the previous year is greater than the current year, no leakage adjustment will be granted.

The amount of usage (billing units) for the selected billing period the prior year is subtracted from the usage for the same billing period in the current year. The difference is divided in half, with the District and the customer each taking responsibility for half the calculated additional use (assumed to be a result of the leak).

The customer must furnish a signed copy of the District Leakage Adjustment Agreement Form.

Upon receipt of documentation from the customer, the adjustment will be posted to the customer account under Comments with the date, amount, and the documentation will be filed in the customer service file. The adjustment will be reflected on the customer's next normal billing cycle.

Date

Customer Name  
Address  
City, State, Zip

Customer Number:  
Account Number:

Service Location:

**RE: Request for Leak Adjustment**

Amount of the Adjustment \$

Terms of the adjustment:

- Only **one** adjustment per customer will be granted at a single property every 10 years.
- The adjustment will apply to one billing period **only** (if the leak occurred over more than one billing period, the customer will have the option to decide which billing period the adjustment will be calculated and applied to).
- The adjustment will be made only after receipt of a signed copy of this agreement.**

I understand and agree to the above terms.

Customer Signature: \_\_\_\_\_

Dated: \_\_\_\_\_

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**Mailing Information** **Account Information**

JUNE SLAYTON [REDACTED]	Customer # [REDACTED]	Account # [REDACTED]	Classification Residential
	Service Location [REDACTED] FOOTHILL DR		Bill # 1687728

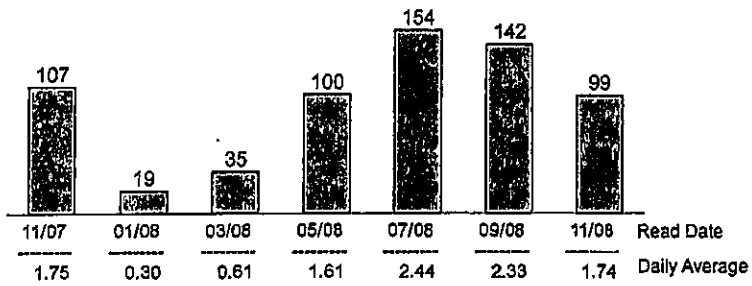
**Meter Information** **Billing Summary**

Meter Size 3/4x1"	Meter # 95103398	Bill Date	12/03/2008
From 09/29/08	To 11/25/08	Days 57	Previous Balance \$305.12
Previous 5457	Current 5556	Units 99	Payment - Thank you \$283.61CR
			Balance Forward \$21.51

**Charges** **Totals**

Leakage Adjustment			\$21.51CR
<b>* WATER</b> (1 Unit=100 Cubic Feet = 748 Gallons)			
	<u>Rate</u>	<u>Amount</u>	
Tier 1	16 UNITS x	\$1.28	\$20.48
Tier 2	51 UNITS x	\$1.60	\$81.60
Tier 3	32 UNITS x	\$2.39	\$76.48
Total Usage	99 UNITS		\$178.56
Readiness To Serve Charge			\$23.79
		Current Charge	\$180.84

Water Usage History (Units In HCF)



**Total Amount Due** \$202.35

Please return this portion with your payment. Make checks payable to LVMWD.

Customer Number [REDACTED]		Account Number [REDACTED]
Bill Date 12/03/2008	Due Date 12/24/2008	Total Amount Due \$202.35

JUNE SLAYTON  
[REDACTED]

Please show payment amount \_\_\_\_\_

For Credit Card Payments Call 1-855-277-7987

ITEM 9D

03621500006103600000020235200812246

**Reyes, Carlos**

**From:** Pedersen, David  
**Sent:** Friday, August 29, 2014 3:10 PM  
**To:** Reyes, Carlos  
**Subject:** FW: June Slayton, water leak  
**Attachments:** Foothill leak.pdf

Carlos, below is the 04/25/14 email from June Slayton.

---

**From:** Barry Steinhardt [mailto:bsslutcf@earthlink.net]  
**Sent:** Friday, July 18, 2014 1:47 PM  
**To:** Pedersen, David  
**Subject:** FW: June Slayton, water leak

\*\*\* This email contains an attachment that may contain malware or a virus. Only open the attachment if it is from a trusted source. \*\*\* \*\*

David, this was the lady that was paid \$10 for another leak about 9 years ago and was asking for an exception for the new leak. Attached are the invoices for the repair of the system that created the leak. Where do we go from here? Thanks, Barry

---

**From:** [REDACTED]  
**Sent:** Friday, April 25, 2014 3:23 PM  
**To:** Barry S Steinhardt, LUTCF  
**Subject:** June Slayton, water leak

Barry, sorry it has taken so long to get this information back to you but I have an intense IRS audit and all my files were upside down after the ordeal was over. I located the bills I paid to my gardener, a handyman and finally a plumber who actually found where the problem was occurring. I am attaching them as a scan as you requested. I had a total of \$1,240.00 in repair bills although included is a new sprinkler timer I purchased while they were fixing other leaks. I am sure I did not need half of these repairs but we could not find out why the bills kept coming so high when I was repairing even the horse water system in my corrals. Meryl had told me it was a rather simple to get a credit on her leak so I am confused why I have to go through all this hassle. I can attest the DWP issues credits for leaks in the Valley without this type of run around. Please see if you can resolve this issue because the more I look at these bills the more frustrated I get. Thanks. June Slayton [REDACTED]

----- Original Message -----

**From:** [REDACTED]  
**To:** Barry S Steinhardt, LUTCF  
**Sent:** Friday, February 21, 2014 12:16 PM  
**Subject:** Re: Per our conversation yesterday

Thanks. You have it now attached to this. June

----- Original Message -----

**From:** Barry S Steinhardt, LUTCF  
**To:** [REDACTED]  
**Sent:** Friday, February 21, 2014 9:05 AM  
**Subject:** Re: Per our conversation yesterday

Hi June, I asked Meril what happened to you when I saw her last weekend. For whatever happened, your original email never reached any of my 3 locations, I did a search and nothing came up.

Regardless, I will check into this with staff and get back to you.

Best, Barry

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Sent from my Verizon Wireless 4G LTE DROID

[REDACTED] wrote:

Id you forget me??????????

----- Original Message -----

From: [REDACTED]

To: [bsslutcr@earthlink.net](mailto:bsslutcr@earthlink.net)

Sent: Wednesday, February 05, 2014 12:51 PM

Subject: Per our conversation yesterday

Hey Barry, it's June Slayton you problem child for the day. The information you need is the property address is 5536 Foothill Drive, Agoura Hills. On 5/28/13 I received a yellow notice from the meter guy saying I had a water leak. I hired several plumbers who tunneled through my yard and said they repaired leaks however the bills kept on a comin. My property is on a septic so the water charges usually range between \$65.00 to \$115.00 during summer months. The bill I got at the time of the notice was \$293.18 on bill date 6/05/13. Even though I was desperately trying to find the leak the bills kept getting higher. The bill for 7/31/13 was \$319.50 the bill for 10/2/13 was \$326.08 and the last bill dated 12/4/13 was \$263.57. I think we finally found the leak which has cost me hundreds of dollars trying to locate and lots of plumber fees. I called your office to seek so sort of adjustment as the LVWD knew I had the leak and I talked with Jessica in customer service. Jessica told me that I was allowed one single credit for \$20.00 in 10 years and I already used mine 8 years ago. I remember that problem as well as I ate several hundred dollars that LVWD would not assist with. This police does not seem correct or fair. I own units in Granada Hills and have had a few problems over the years regarding leaks and they were helpful and understanding. I mentioned this problem to Meril because I was going to go to our City Council and try to get some help with this issue. Meril told me she had a leak and the LVWD adjusted her bill. Please look into this and advise as to how these bills can be adjusted. Thanks for your help. June Slayton

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<b>Statement</b>		DATE	8-28-13	TERMS
TO	June Slakton			
	[REDACTED]			
	Aqura Hills, CA 91301			
IN ACCOUNT WITH	J.C. Landscaping			
	Santa Monica Blvd Dornell Ct			
	Camarillo CA 93010			
	① Front yard Lik Fix			
	Materials and Labor		\$ 280	00
	② New plastic in the			
	weather Pool		\$ 160	00
	③ Like on the Hores Coral			
	part and labor		\$ 135	
P.O. #575		Thank you		
JUAN VALADEZ				
			\$ 575	00
CURRENT	OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT	

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**Gonzalez**  
Landscaping & Tree service

Phone: (805) 532-0839 Cell: (805) 573-0809  
www.GonzalezLand.com

**INVOICE**

Jul. 25, 13

June Slavton

Agoura Hills CA 91301

Lawn Service	July	175.00
Prune and Trim		
Clean-up		
Fertilizer		
Seed and Topping		
Flowers and Plants		
Sprinkler Repair		200.00
Soil		
Planting		
Balance from Last Bill		
<b>Total</b>		<b>375.00</b>

Signed *C. Gonzalez*



**Gonzalez**  
Landscaping & Tree service

Phone: (805) 532-0839 Cell: (805) 573-0809  
www.GonzalezLand.com

**INVOICE**

Jun. 25, 13

June Slavton

Agoura Hills CA 91301

Lawn Service	June	175.00
Prune and Trim		
Clean-up		
Fertilizer		
Seed and Topping		
Flowers and Plants		
Sprinkler Repair new timer		225.00
Soil		
Planting		
Balance from Last Bill		
<b>Total</b>		<b>400.00</b>

Signed *C. Gonzalez*

Lawn Service	Oct.+ Nov.	350.00
Prune and Trim		
Clean-up		
Fertilizer		
Seed and Topping		
Flowers and Plants		
Sprinkler Repair		
Soil		65.00
Planting		
Balance from Last Bill		
<b>Total</b>		<b>415.00</b>

Signed *C. Gonzalez*

INVOICE / 11/30/2013  
June Slavton  
Agoura Hills CA 91301

Landscaping & Tree service  
Phone: (805) 532-0839 Cell: (805) 573-0809  
www.GonzalezLand.com



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Plumber: Ignacio Estrada  
(818) 355 66 58

Contractors Invoice

WORK PERFORMED AT:

TO: June Slayton

Alhambra Hills 91301

DATE: 12.20.13

YOUR WORK ORDER NO.:

OUR BID NO.:

DESCRIPTION OF WORK PERFORMED

There was a water leak on the sprinkler system of the front yard. I found a irrigation valve broken and it was leaking 2 1/2" / 7"

I took out the old valve and install a new 3/4" irrigation valve

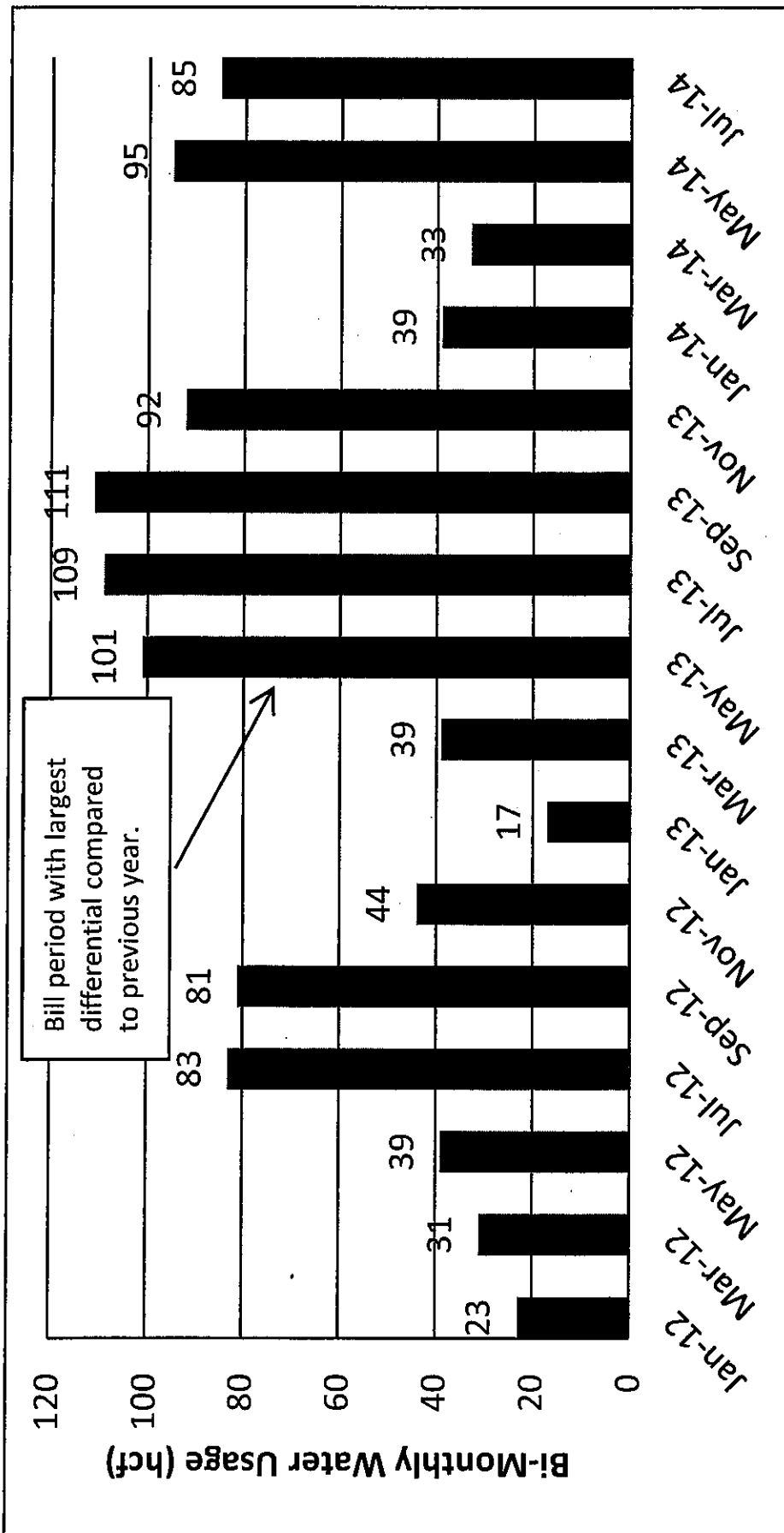
Labor and material total \$ 175.00

All Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of one hundred

seventy five dollars Dollars (\$ 175.00).

This is a  Partial  Full invoice due and payable by: \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ ITEM 9D

In accordance with our  Agreement  Proposal No. \_\_\_\_\_ Dated \_\_\_\_\_ Month \_\_\_\_\_ Day \_\_\_\_\_ Year \_\_\_\_\_



ITEM 9D



September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Finance & Administration

**Subject: Update of Las Virgenes Municipal Water District Code: Review Session No. 3 (Pg. 85)**

**SUMMARY:**

This item involves the review of proposed updates to Title 3, Potable Water Service, of the Las Virgenes Municipal Water District Code (Code). Attached are three versions of the Code sections: (1) the current Code; (2) the current Code with all changes tracked; and (3) the proposed Code (clean version). Staff and the District's Legal Counsel will review the proposed changes that seek to modernize the Code, eliminate potential inconsistencies, and consolidate related provisions adopted over time.

**RECOMMENDATION(S):**

Review the proposed updates to Title 3, Potable Water Service, of the Las Virgenes Municipal Water District Code and provide feedback to staff and the District's Legal Counsel.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

On November 12, 2013, the Board approved the District's Fiscal Year 2013-14 Tactical Actions and Activities proposed within the broader framework of the Strategic Plan Goals and Objectives. Among the actions was to update the Las Virgenes Municipal Water District Code (Code) to modernize its language, eliminate potential inconsistencies, and consolidate related provisions.

Staff proposed to accomplish this task by dividing the code into smaller parts that provide the Board the opportunity to discuss each section in more detail. On April 22, 2014, the Board reviewed the first section of the Code, Title 1, General Provisions and on June 24, 2014, the Board reviewed various chapters of Title 2, Administration.

The noteworthy proposed revisions to Title 3 pertain to the following four area.

**Capacity Fees:** The current Code provides all public agencies with an exemption for payment of capacity fees upon written request. However, Government Code Section 54999.3, which appears to support this provision, exempts only public schools from the payment of capacity fees. Staff proposes that the Board consider narrowing the exemption provided in the Code such that it is consistent with the statutory requirement for public school. If this Code change was approved, the Board can consider exemptions for other public agencies on a case-by-case basis, depending on the circumstances.

**Capacity Fees - Deposit Agreement:** Staff proposes to include an irrevocable letter of credit or ~~by title 10A~~

option to secure payment of capacity fees. Currently, the Code only calls for recording the deposit agreement as a lien on the property.

Locating and Sizing Service Connections: Staff proposes to add language that allows the General Manager to require installation of a larger water meter and service, if necessary, when customer usage exceeds the capacity of the meter, causing damages to District property.

Leak Adjustment Policy: The District's Leak Adjustment Policy is not currently contained in the Code. Staff proposes to codify the Leak Adjustment Policy to provide for greater transparency when customers request leak adjustments.

After receiving input and feedback from the Board, the proposed revisions to the Code will remain in draft form until completion of the entire review process. Upon completion, the Board will have an opportunity to review the proposed Code in its entirety prior to its adoption.

Prepared By: Donald Patterson, Director of Finance and Administration

**ATTACHMENTS:**

Current Title 3

Redline Title 3

Proposed Title 3 (Clean Version)

**TITLE 3 - POTABLE WATER SERVICE****CHAPTER 1. GENERAL****ARTICLE 1 - PURPOSE AND SCOPE****3-1.101      PURPOSE**

Rules and regulations for potable water service from the district, are set forth in this Title.

**3-1.102      SCOPE**

The provisions of this Title apply to potable water service from the district; fees and deposits to cover the cost thereof; the rates for water delivered; the time and manner of payment for services rendered; regulations regarding water usage; protection of the system from mechanical and health hazards; and rules and charges for extending mains and permitting connections to existing mains. This Title does not apply to recycled water service.

## **ARTICLE 2 - DEFINITIONS**

### **3-1.201      DEFINITIONS: GENERAL**

The definitions in this Article shall be used to interpret this Title, unless otherwise apparent from the context.

### **3-1.202      ACTIVE SERVICE**

"Active Service" refers to service to property through a meter turned-on by the district and for which all fees, charges and deposits have been paid.

### **3-1.203      APPLICANT**

"Applicant" means a person applying for water service to property within the district.

### **3-1.204      CUSTOMER**

"Customer" means a person or persons who receive water service from the district.

### **3-1.205      DOMESTIC SERVICE**

"Domestic Service" refers to the delivery of water for other than temporary service or fire protection service.

### **3-1.206      INACTIVE SERVICE**

"Inactive Service" refers to a meter turned-off by the district and for which all fees and deposits described herein have been paid.

### **3-1.207      SEALED SERVICE**

"Sealed Service" refers to a service connection without a meter for which the fees, charges and deposits described herein are outstanding.

### **3-1.208      SERVICE, WATER SERVICE OR POTABLE WATER SERVICE**

"Service" or "water service" refers to the furnishing of water to a customer.

### **3-1.209      SERVICE CONNECTION**

"Service Connection" means the piping necessary to conduct water from the district's water main to the property including the meter, meter box, valves and appurtenant equipment within the meter box.



**3-1.210**      **UNIT**

"Unit" means that quantity of water which is equivalent to one hundred cubic feet or 748 gallons.

**3-1.211**      **CONNECTION FEES**

"Connection Fees" means all of the various fees levied to offset the cost of constructing potable and recycled water system improvements, and connecting and installing meters to serve new customers and setting up the new accounts.

**3-1.212**      **SERVICE FEES**

"Service Fees" means the fees levied to cover operating and maintenance costs incurred to provide water service such as meter service charges, commodity charges and pumping charges.

**3-1.213<sup>1</sup>**      **PLANNED COMMERCIAL DEVELOPMENT**

Planned Commercial Development means a single development consisting of several individual lots and common area over which the Planning Agency has permitted the transfer of density among lots.

**3-1.214<sup>2</sup>**      **MIXED USE DEVELOPMENT**

Mixed Use Development means a single development consisting of a combination of residential and commercial development over individual lots and common areas over which the Planning Agency has permitted the development.

**3-1.215<sup>3</sup>**      **CLASS OF SERVICE**

"Class of Service" refers to the type of water service provided to a customer. There are four classes of service. "Single-Family Class" refers to service to one residential unit; or an individual unit within a multi-family dwelling complex served through a dedicated water meter. "Multi-family Class" refers to service to 2 or more combined residential units served by a single water meter. "Commercial Class" refers to service to business, institution or government agency. "Irrigation Class" refers to service solely for irrigation.

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<sup>1</sup> Added by Ord. No. 10-05-247 on Oct. 11, 2005.

<sup>2</sup> Added by Ord. No. 10-05-247 on Oct. 11, 2005.

<sup>3</sup> Added by Ord. No. 09-07-252 adopted on Sep 11, 2007.

**CHAPTER 2 - COMMENCEMENT OF SERVICE**

**ARTICLE 1 - APPLICATION FOR SERVICE**

**3-2.101 COMMENCEMENT OF SERVICE: GENERAL**

(a) Each person desiring to initiate water service or change an existing water service shall: execute appropriate application process, pay the required service initiation fees, make the deposits, and meet the conditions set forth herein.

(b) Each single-family dwelling shall be served through at least one water meter of at least 3/4" size and such additional meters as the property owner may request. Cross-connection control shall be a condition especially if more than one meter is installed.

(c) Each unit of multi-family dwelling shall be served through at least one water meter of at least 5/8" in size and such additional meters as the property owner may request.

**3-2.102 COMMENCEMENT OF SERVICE: APPLICATIONS**

(a) The application form(s) shall include an agreement to abide by all rules and regulations of the district and requires the furnishing of such information as the General Manager may reasonably request. Such application shall be for service to a particular and identified property and service is not assignable to other property.

(b) If the application is for service to property not previously served by the district, the applicant shall also present evidence of compliance with local ordinances implementing the Water Conservation in Landscaping Act. In those cases where the district is administering such an ordinance on behalf of a city within the district, the application for service shall be treated as an application for concurrent review of a landscape plan.

(c) If the application is for a commercial account in the name of a corporation or partnership, the applicant shall provide a personal guarantee from an owner or principal of the applying entity, regardless of the form of organization, as follows:

"I hereby certify I am a principal/officer of the organization listed on the attached application. I accept full responsibility for all fees and charges related to water and sewer service for the organization.

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Name and Title

**3-2.103****APPLICANT'S RESPONSIBILITY**

(a) The rendering of service obligates the applicant to pay for service for a minimum of one month.

(b) The applicant is responsible for any expenditure made by the district as a result of the submission of the application, even though the applicant withdraws the application prior to completion of the installation of the service connection.

(c) If an applicant gives incorrect information as to the description of the property or the location where the service connection is desired, and as a result thereof, the service connection is installed at an incorrect location, the applicant shall pay all expenses incurred for any corrections necessitated by such error.

(d) Two or more parties who join to make application for service to a commonly owned property shall be jointly and severally liable for water service, and single periodic bills shall be sent to their designee.

(e) An application to change responsibility for service may be filed by a customer as follows:

(1) An account can be changed from two spouses to one spouse upon provision of full information on the individual assuming billing responsibility. There will be no initiation fee and the customer number will remain the same.

(2) An account can be changed to a family member if a new application is submitted and the \$20.00 initiation fee paid. A new customer number will be generated.

(3) An account can be changed to other than a spouse or family member upon the filing of a new application by the responsible party. The \$20.00 initiation fee will be charged.

(4) A customer can direct billing information to a third party and bills will be sent "in care of" the party who will make the payment. There will be no initiation fee for this service.

**ARTICLE 2 - FEES AND DEPOSITS**

**3-2.201 FEES AND DEPOSITS: GENERAL**

Service will be commenced after submittal of an application and upon the payment to the district of the applicable fees, charges and deposits set forth in this Article.

**3-2.202 SERVICE FROM EXISTING SERVICE CONNECTION**

If the applicant's property can be served from an existing paid for but unused service connection, the applicant shall not be required to pay connection fees. If the applicant requests a change in meter size, additional charges shall be assessed or credits allowed in accordance with Section 3-2.218. If the applicant requests that a sealed service be activated, the applicant shall pay all outstanding connection fees and/or service fees for the service.

**3-2.203 SERVICE FROM NEW SERVICE CONNECTION ON EXISTING MAIN**

If the applicant's property cannot be served from an existing service connection but can be served from an existing water main, the applicant shall pay service fees and deposits, connection fees and, if applicable, a pro rata share of the cost of the main in accordance with any existing main extension refund agreements.

**3-2.204 SERVICE FROM NEW MAIN**

(a) If the applicant's property cannot be served from an existing main, the applicant shall pay connection fees; security deposits and service fees; and the cost of all improvements necessary to serve the applicant's property provided:

(1) If the water system improvements are identified in an improvement plan for a bond issue and appropriate bond proceeds are available, the improvements shall be constructed by the district using bond funds to pay for the cost of design and construction under the uniform policies of the district for expenditure of bond funds.

(2) If the water system improvements are identified in the current water system capital improvement plan, the improvements shall be constructed by the district using construction fees accrued on or after July 1, 1990, to pay for the cost of design and construction. Water system improvements are identified in the current water system capital improvement plan, within the meaning of this section, if the improvements are described in the plan or if the improvements are approved by the board as a substitute for the improvements described in the plan.

(b) If the applicant pays for the cost of a pipeline extension to serve the applicant's property, the applicant may enter into a main extension refund agreement.

**3-2.205 FEES: INSTALLATION CHARGES**

(a) Any person desiring to obtain a connection to an existing district main shall pay the following installation charges based upon the size of meter which is required for the service:

<u>Size of Meter</u>	<u>Installation Charge</u>
3/4"	\$1,420.00
1"	\$1,430.00
1 1/2" (or larger)	Actual Cost to District

If a pressure regulator or other special appurtenance is required, an additional charge will be paid for the regulator or special appurtenance.

(b) The above fees shall be deposited in a separate capital facilities account entitled "installation fee account", to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments, and shall be expended solely for the purposes of connecting property to the district's water system and installing a water meter, as follows:

(1) For each connection, regardless of meter size, the sum of \$260.00 shall be paid to the general fund for the administrative cost of processing an application for service and establishing a new account.

(2) For each connection using a 3/4" or 1" meter, the sum of \$1,100 shall be paid to the general fund for the excavation of materials and installation of pipe lateral, meter box and fittings. For each larger connection, the amount paid to the general fund shall be based upon the time and materials expended to complete such work.

(3) For each 3/4" meter, the sum of \$60.00 shall be paid to the general fund. For each 1" meter, the sum of \$70.00 shall be paid to the general fund. For each larger meter, the actual cost of the meter shall be paid to the general fund.

(c) The above fees shall be transferred from the installation fee account to the general fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

### **3-2.206 POTABLE WATER CAPACITY FEES**

(a) In addition to the other charges set forth in this Code, an applicant for water service shall also pay to the district the following capacity fee, based upon the size of the applicant's water meter:

Size of Meter	Capacity Fee
5/8" x 3/4"	\$ 2,900
3/4"	4,350
1"	7,250
1 1/2"	14,500
2"	23,200
3"	46,400
4"	72,500
6"	145,000
8"	232,000
10"	362,500
12"	522,000

(b) An applicant who requests a larger service for property, which is already served, shall be credited by the then current capacity fee for the size of meter to be replaced.

(c) Capacity fees shall be deposited in a separate capital facilities account, entitled "capacity fees," to avoid commingling of the fees with other revenue and funds of the district. The fees shall be expended solely for the purpose of planning, designing and constructing, including debt service, the water facilities described in the water system capital improvement plan.

(d) Capacity fees shall be transferred from the deferred capacity fees account to the potable water construction fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

(e) Upon written request, the potable water capacity fees to be paid by a public agency for service to tax exempt property shall be reduced by the amount of the fee attributable to the cost of capital facilities.

### **3-2.207**

#### **DEPOSITS: CAPACITY FEES**

(a) Upon receipt of capacity fees, the district shall invest, account for and expend the fees as follows:

(1) The fees shall be deposited in a separate capital facilities account to avoid any commingling of the fees with other revenues and funds of the district, except for temporary investments.

(2) The fees shall be expended solely for the purpose for which the fee is collected.

(3) Any interest earned by monies in this account shall also be deposited in the account and shall be expended only for the purpose for which the fee was originally collected.

(4) On or before September 1 of each year, the district shall make available to the public the beginning and ending balance for the prior fiscal year, and the fees, interest and other income, the amount of expenditures and the amount of refunds. The board shall review this information at the next regularly scheduled public meeting, not less than 15 days after the information is made available.

(b) The board shall make findings at least once each five years with respect to any portion of the fee remaining unexpended or uncommitted in the separate capital facilities account(s) five or more years after deposit of the fee to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The findings required by this subsection shall only be made for monies in the possession of the district and need not be made with respect to instruments of credit taken to secure payment of the fee at a future date.

(c) The district shall refund to the then current record owner or owners of lots or units of the development project or projects on a pro rated basis, the unexpended or uncommitted portion of the fee, and any interest accrued thereon, for which a need cannot be demonstrated pursuant to subsection (b) of this section, provided, if the administrative costs

of refunding exceed the amount to be refunded, the district may determine the revenues shall be allocated for some other purpose which serves the project(s) on which the fee was originally imposed. If the fees are not refunded to the record owner, the Board shall conduct a duly noticed public hearing before expending the fees for another purpose which serves the project(s).

(d) A deposit toward the fees described herein, equal to the then current fees, shall be paid prior to the date of final inspection of water facilities or the date the certificate of occupancy is issued, whichever occurs first, provided, if prior to final inspection or issuance of the certificate of occupancy, the board finds the fees are for improvements or for which an account has been established and funds appropriated, or for which the district has made expenditures or has adopted a proposed construction schedule or plan, the fees shall be deposited on demand. As used herein, "appropriated" means authorization by the Board to make expenditures and incur obligations for specific purposes. The fees shall be deposited on a lump sum basis for each dwelling in a residential property subdivision which contains more than one dwelling when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first. The applicant shall execute a deposit agreement before the issuance of a statement of service required for a building permit, if the fee is not fully deposited when the application is made or may not be fully deposited when service commences.

### 3-2.208<sup>4</sup>

#### WATER CONSERVATION FEES

(a) In addition to the other charges set forth in the Code, an applicant for water service shall also pay to the district the following water conservation fee based upon the size of the applicant's water meter:

Size of Meter	Conservation Fee
5/8" x 3/4"	\$ 2,033
3/4"	3,050
1"	5,083
1 1/2"	10,167
2"	16,167
3"	32,533
4"	50,833
6"	101,667
8"	162,667
10"	254,167
12"	366,000

(b) Conservation fees shall be deposited in a separate capital facilities account, entitled "deferred capacity fees" account to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments and shall be expended solely for the purpose of planning, designing, constructing, including debt service, recycled water facilities and implementing water conservation programs. The development of recycled water facilities allows the district to distribute available recycled water supplies, thereby avoiding the cost of constructing additional water system improvements to obtain a like amount of additional potable water from The Metropolitan Water District of Southern California. The water system capital improvement plan takes this into consideration by reducing the amount which would otherwise be charged to the water construction fee account.

<sup>4</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

(c) Water conservation fees shall be transferred from the deferred capacity fee account to the water conservation fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

(d) When an applicant for water service to a subdivision installs a recycled water distribution pipeline to serve the subdivision, which is separate and apart from the potable water distribution pipeline, the applicant shall be eligible for reimbursement of a portion of the costs of the recycled water distribution pipeline in an amount to be determined by the board, upon recommendation of the General Manager, provided such reimbursement shall not exceed 50% of the conservation fees paid by the applicant to the district for the subdivision.

(e) An applicant who requests a larger meter for property, which is already served, shall be credited by the then current water conservation fee for the size of meter to be replaced.

(f) Applicants for water service are not required to pay the water conservation fees if sewer capacity fees were paid for the proposed improvement between March 27, 1978, and November 11, 1982.

(g) Upon written request, the water conservation fees to be paid by a public agency for service to tax exempt property shall be reduced by the amount of the fee attributable to the cost of capital facilities.

### **3-2.209 FEES: CHANGES IN AMOUNT**

Connection fees may be changed at any time in accordance with state law. An applicant shall pay the connection fees existent when service commences regardless of when the connection fees are deposited or paid. As used herein, "service commences" when a request for service has been made and water can be first delivered to the applicant's property through district owned facilities and the monthly water service charges can be assessed. Service does not "commence" for the purpose of this section when construction water is provided through a temporary meter or prior to the acceptance by the district of the water system serving the applicant's property.

### **3-2.210 ASSURANCES OF SERVICE**

When an applicant desires assurances that service will be provided by the district at a future date, such assurances will be given only if the applicant agrees to be bound by district regulations, including regulations for the payment of connection fees, existent when service commences and the applicant makes financial arrangements to pay connection fees in the future by depositing cash with the district and entering into a deposit agreement.

### **3-2.211 FEES: SPECIAL SERVICES: FIRE PROTECTION**

(a) In addition to the other fees and charges set forth herein, applicants for private fire protection service shall pay the total actual cost of installation of such service from the distribution main of the district to the applicant's property line, including the costs of a suitable meter device.

(b) With the approval of the fire department, temporary service may be provided



through an existing, metered fire hydrant. When a fire hydrant is not available for temporary service, a connection may be made to an existing district main at a location acceptable to the General Manager.

### **3-2.212 FEES: WATER SYSTEM IMPROVEMENTS**

(a) An applicant for water service required to construct water system improvements shall pay all costs incurred by the District for:

(1) The preliminary design of the improvements: Before work on the preliminary design commences, the applicant shall deposit an amount equal to the General Manager's estimate of the preliminary design costs, including, if necessary, the cost of a water system design report and environmental documents.

(2) Review of the plans: After a preliminary review of the plans and specifications and before the plans are returned to the applicant with comments, the applicant shall deposit an amount equal to the General Manager's estimate of the costs which will be incurred by the district for plan check services.

(3) Construct Improvements: Prior to construction, the applicant shall deposit an amount equal to the General Manager's estimate of the costs which were incurred by the district for inspection.

(b) As used herein, the term "costs incurred by the district" include: the costs of consulting services, if any, necessary to perform the tasks described above; 15% of the costs of consulting services, if any, necessary to perform such tasks to reflect administrative and overhead expenses; and amounts paid by the district to its employees working on an hourly rate. The hourly rate for district employees shall be established from time-to-time by the General Manager and shall include reasonable supervision costs, transportation costs, and so forth.

### **3-2.213<sup>5</sup> MISCELLANEOUS FEES**

(a) If the district takes steps to discontinue service for failure to comply with this Code, the customer shall pay, in addition to any other fees, the following service charges:

(1) \$10.00 for each trip made to the property to deliver notice of future disconnection of service.

(2) \$50.00 to reactivate water service during regular business hours to reactivate water service previously disconnected for nonpayment.

(3) \$75.00 for each trip made to the property after regular business hours at the request of the customer. In no event shall service be reactivated after regular business hours if the request is made after 8:00 p.m. After-hours' fee must be paid prior to reactivation of service.

(b) The turning on or off of water service, other than in (a) above, for the convenience of the customer will be made during regular working hours of district's field personnel on any day at no charge. At any other time, the customer shall pay a charge equal to the cost of compensation paid to district personnel (including overtime pay) to perform such service and the cost of equipment.

<sup>5</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

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(c) Service connections are inspected prior to acceptance to assure that they meet district specifications. Any person thereafter connecting to the service connection must do so in a business-like manner so that proper alignment of the facilities will not be changed. The district will not adjust customer plumbing which has been hooked up improperly. Meters will not be set by the district if, upon removal of the temporary spacer, the customer valve moves appreciably out of alignment, or if any part of the service connection, including the meter box, has been moved or altered. In either of these cases, the district will leave the facilities where found, and will not again return to set the meter until the applicant has made corrections and paid a fee in the amount of \$40.00 per extra trip.

(d) Any person who receives water without prior authorization through a metered connection shall pay one hundred dollars (\$100.00) for each day's use.

(e) Any person who receives water without prior authorization through an un-metered connection shall pay two hundred dollars (\$200.00) for the first offense within one year, three hundred (\$300.00) dollars for the second offense within one year, and five hundred dollars (\$500.00) for each subsequent offense within one year.

(f) The district will shop-test a water meter in the presence of the customer at the request of the customer if the required deposit is tendered. The General Manager is authorized to make adjustments in the bills rendered to customers of the district in those instances where tests of the district's meters establish that such tested meter is found to be in error more than 2% at medium to high test flows as prescribed by American Water Works Association ("AWWA") specifications. The adjustments referred to above shall be limited to a period of six months, or to the time the customer can establish to the General Manager's satisfaction that the meter was inaccurate, whichever is less. If a meter is found to be registering outside prescribed AWWA specifications, the meter will be replaced.

<u>Meter Size</u>	<u>Amount</u>
3/4"	\$ 50.00
1"	50.00
1-1/2"	100.00
2"	125.00
2-1/2"	125.00
3"	125.00
4"	125.00
6"	125.00
8"	150.00
10"	150.00
12"	150.00

(g) Whenever backflow prevention is necessary, any property receiving both domestic water service and recycled water service shall have a reduced pressure principle backflow device or other appropriate backflow protection installed and shall pay for the purchase and installation of the device. Annual inspection of backflow protection for recycled water services are not charged to the customer.

(h) Whenever a backflow prevention device is required to protect against contamination by other than recycled water served by the district, the customer shall pay an annual inspection fee of \$50.00. The district will do minor repairs when the device fails the test. The customer must make major repairs or replacements to achieve a passing grade on their device.

(l) If the review of a landscape plan under the Water Conservation in Landscaping Act is not reimbursed by the jurisdiction which adopted the regulations, the applicant shall deposit a landscape plan check fee in the amount of \$500 for projects with proposed landscaping of under one half acre; \$750 for projects between one half acre and one acre of proposed landscaping; and \$1,000 for projects of an acre or more of proposed landscaping.

### **3-2.214**

#### **DEPOSITS: SERVICE FROM EXISTING SERVICE CONNECTION**

(a) If a residential applicant has promptly paid previous water bills or has not been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application for service, no deposit shall be required before rendering service.

(b) If the residential applicant has not promptly paid previous water bills or has been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has already been installed and charges therefor paid at the time of such application for service, the applicant shall make a cash deposit of the greater of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$50.00.

(c) If the commercial or industrial applicant owns the property where service is requested and has not been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application for service, no deposit shall be required before giving such service.

(d) If the commercial or industrial applicant owns the property where service is requested and has been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application service, the applicant shall make a cash deposit of the greater of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$100.00.

(e) If the commercial or industrial applicant is not the owner of the property where service is requested, and the service connection has been installed and the charges therefor paid at the time of such application for service, the applicant shall make a cash deposit of the greater of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$100.00.

### **3-2.215**

#### **DEPOSITS: MISCELLANEOUS**

(a) A deposit shall be required from all customers who receive a final notice 5 or more times within any two-year period, and from every customer whose service is disconnected for nonpayment of water charges. The deposit for the first disconnection for non-payment of water charges is \$50.00.

(b) Other deposits required shall be established by the General Manager, as prescribed herein, up to an amount twice the maximum bill for the given property.

(c) Deposits may be refunded to a customer after one year of service during which time

no more than one final notice has been sent to said customer. Refunds shall be made by a draft upon the district unless the customer expressly requests, in his refund application, that the refund be made by crediting the amount of the deposit to his account.

(d) In the absence of a deposit refund application as set forth herein, the refund of deposits will be made upon discontinuance of service and settlement of the closing bill.

(e) Public agencies, and public utilities, shall pay the charges herein provided, however, such agencies shall not be required to make the deposits herein provided.

**3-2.216 CREDITS: NO CHANGE IN EXISTING SERVICE**

When water service is applied for through any 3/4" or 1" sealed service, which was not installed at district expense, and which is of a size that the General Manager determines will adequately serve the applicant's needs, the district will allow a credit of \$1,050.00 upon the regular installation charge as set forth herein.

**3-2.217 CREDITS: CHANGE OF EXISTING SERVICE**

Upon written application, the size of an existing meter will be reduced at no charge.

**3-2.218 CAPACITY FEES: DEPOSIT AGREEMENT**

(a) An applicant who does not desire or is not required to make a cash deposit for capacity fees, shall enter into a deposit agreement.

(b) The General Manager shall present a form of the deposit agreement to the board for approval.

(c) The deposit agreement shall be recorded and constitutes a lien against the property for which service is sought.

**3-2.219 DEPOSITS:**

(a) Whenever a deposit is required, the General Manager shall establish the amount of deposit by estimating the district's cost of providing the materials, equipment or services for which the deposit is made. The deposit shall be tendered to the district before any work is undertaken by the district. The amount of deposit may be increased by order of the General Manager, if it appears that the original estimate is inadequate. If the applicant fails to increase the amount of deposit when requested by the General Manager, in writing to do so, then work on the project by the district shall cease. At the conclusion of the project, the General Manager shall refund any amounts deposited in excess of costs incurred.

(b) If the applicant abandons the construction of the improvements, or the recording of a subdivision for which installation and connection charges were paid, the installation and connection charges shall be refunded, with interest, to the applicant upon the applicant's written request, provided if the facilities necessary to serve the applicant's property have been installed or direct expenses incurred by the district toward such service installation, the refund permitted under this Section shall be reduced by the amount of such expenditure.

(c) Installation or connection fees paid prior to June 22, 1978, will be considered as a deposit toward the fee or charge which exists at the time service commences. Connection fees paid on or after June 22, 1979, but before March 26, 1990, shall be considered full payment of the fee existent at the time service commences.

**3-2-220****DELINQUENT CONNECTION FEES**

(a) The district may collect delinquent water or sanitation connection fees pursuant to this section if a water customer owns and occupies the property for which the water or sanitation connection fees are delinquent.

(b) A water customer shall be provided at least 15 days prior written notice of the district's intention to recommend collection of delinquent connection fees as a part of the customer's water bill. The notice shall invite the customer's comments, including opportunity to protest the existence or amount of the debt, the manner of payment and whether installment payments will be permitted.

(c) The General Manager shall consider the recommendations of staff, the comments of the customer, if any, and determine whether the connection fees should be collected as part of the customer's water bill. The decision of the General Manager shall be presented to the customer in writing at least 15 days prior to including delinquent connection fees as part of the water bill.

(d) Delinquent connection fees included on the water bill shall be treated the same as other water charges.

## **CHAPTER 3. CONDITIONS OF SERVICE**

### **ARTICLE 1 - GENERAL**

#### **3-3.101      GENERAL**

All applicants and customers shall accept such conditions of pressure and service as are provided by the distribution system of the district at the location of the proposed service connection, and hold the district harmless for any damage arising out of low pressure or high pressure conditions or interruptions in service.

#### **3-3.102      AREAS SERVED**

(a)      Lands lying within the boundaries of the district are eligible to receive water service from the district.

(b)      Lands lying outside the district may receive surplus water service from the district provided there exists an agreement with the governmental agency or franchised utility serving such area.

#### **3-3.103<sup>6</sup>      MAIN FRONTAGE REQUIRED**

(a)      Except for planned commercial or mixed use developments, permanent water service shall not be provided unless a district water main of adequate size extends across the entire frontage of each lot to be served or unless a limited services agreement is approved by the General Manager.

(b)      A District main shall extend across the entire frontage of a planned commercial or mixed use development, but need not extend across the frontage of each lot within a planned commercial or mixed use development if the General Manager determines arrangements have been made to ensure adequate service to lots without frontage.

(c)      Multiple commercial or residential units may be served through a single meter, but such individual buildings or units will be individually sub-metered for water conservation purposes. Accounting of water through sub-meters is the responsibility of the property owner.

#### **3-3.104      CUSTOMERS WITHOUT FRONTAGE - PRESENTLY RECEIVING SERVICE**

Property presently receiving service, but not immediately adjacent to a district water main, may continue to receive service in compliance with these rules, until such time a district water main is installed immediately adjacent to such property. At that time, the General Manager will give written notice to customers and the property owners without limited service agreements that the service connection will be relocated to the new main at the expense of the district.

Any installation or connection charges and/or water conservation fees paid in conjunction with the original service location will be transferred to the credit of the new service connection. The district will pay any "frontage fees" required if the new main is being privately financed. The abandoned service will thereafter be treated as a "Sealed Service," requiring payment of water construction and conservation fees and installation and administrative charges prior to its reactivation.

<sup>6</sup> Sec. 3-3.103 amended by Ord. No. 10-05-247 on Oct 11, 2005.

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The parties will have 120 days after the notices are mailed within which to connect their plumbing to the new service connection, at their own expense. Failure to comply with the above provisions may result in the discontinuance of all service to the property, pending compliance.

### **3-3.105 LOCATING AND SIZING SERVICE CONNECTIONS**

Water service connections will be installed as near as possible to the location desired by the applicant, within the projection of his side property lines, and shall meet the minimum size determined by local plumbing code requirements, the Uniform Building Code or the General Manager. Service connections will be made only adjacent to the district's distribution mains, at locations readily accessible by public streets, alleys, or other rights-of-way capable of accommodating District vehicles and equipment.

### **3-3.106 TYPES OF SERVICE**

(a) District provides permanent, limited, temporary, private, fire, surplus, inactive or sealed water service.

(b) Permanent service includes service to property meeting the frontage requirements, except temporary classes.

(c) Limited service includes service to property not adjacent to the main from which service is received, or which does not otherwise meet the frontage requirements.

(d) Temporary Service means service requested for a period of time which does not, through the payment of appropriate connection fees and charges, qualify for permanent status. Temporary service includes all customers who require service for less than 6 months, or who do not otherwise qualify for permanent domestic service. Temporary service connections will be discontinued and terminated 6 months after the installation thereof unless an application is made and an extension of time granted in writing by the General Manager, or an agreement for service outside the district specifies some other period of time. Temporary service also includes interim service which shall mean water service to a subdivision, through a master meter, during its construction phase.

(e) Private fire service includes service requested for emergency fire protection only and which will not be used for any other purpose.

(f) Surplus water service means service under special contracts for delivery of water available to the district in excess of the current requirements of the district, its inhabitants and property outside the district boundaries.

### **3-3.107<sup>7</sup> ELEVATION ZONES**

The elevation zones for water delivered by the District are:

(a) Zone I, which includes domestic water customers receiving water that does not require pumping above a hydraulic gradient of 1235' prior to delivery to the customer. As used in this Title, Hydraulic Gradient (or H.G.) shall mean the maximum water elevation represented by the pressure in the water system, or the maximum surface elevation of the water in the reservoir serving the system.

<sup>7</sup> Amended by Ord. No, 09-07-252 on Sep 11, 2007. (formerly entitled "Classes of Service.")

(b) Zone II, which includes domestic water customers receiving water that requires pumping to elevations between 1235' and 1700' prior to delivery to the customer.

(c) Zone III, which includes domestic water customers receiving water that requires pumping to elevations between 1700' and 2200' prior to delivery to the customer.

(d) Zone IV, which includes domestic water customers receiving water that requires pumping to elevations greater than 2200' prior to delivery to the customer.

(e) Zone V, which includes domestic water customers who are served water purchased by the District from other than the Metropolitan Water District of Southern California.

**3-3.108 PRESSURE, SUPPLY AND EMERGENCY STORAGE**

The district will exercise reasonable diligence and care to deliver a continuous and adequate supply of water to the customer at a reasonable constant pressure and to avoid any shortage or interruption in delivery. The district offers water at its system pressure, and the applicant must install adequate plumbing and protective devices in accordance with the current Uniform Plumbing Code in order to utilize the available water at whatever reasonable constant pressure is available in the system. The district is not responsible for the maintenance of pressure and reserves the right to discontinue service while making repairs required in the operation of the water system. Customers depending upon a continuous supply should provide for their own emergency storage.

**3-3.109 MAXIMUM SYSTEM PRESSURE**

Regulators will be required ahead of the district's meter where static pressures are in excess of 150 psi. Applicants for service will be charged for the district's costs of furnishing and installing the regulator. The district will set the regulator at 75 psi unless a signed waiver is received from the customer specifying a desired pressure, not to exceed 145 psi. The district assumes no liability for the accuracy of the regulator pressure setting, nor the reliability of the regulator.

**3-3.110 MINIMUM SYSTEM PRESSURE**

The nominal hydraulic gradient at the point of use for the system is 43 psi static pressure. If the minimum expected hydraulic gradient at the point of use is between 43 and 35 psi, the applicant may install a service connection at least one size larger than would be needed if the pressure were 43 psi, and the applicant may execute an elevation agreement. If the minimum gradient at the point of use is lower than 35 psi, the applicant must execute an elevation agreement. The form for elevation agreements shall be as from time-to-time approved by the board.



## **ARTICLE 2 - EXTENSION OF FACILITIES**

### **3-3.201      GENERAL**

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in this Article.

### **3-3.202      TYPES OF EXTENSIONS**

Depending upon the underlying facts, an applicant may provide for the extension of facilities by one or more of the following: (1) entering into a special contract; (2) construction of an individual main extension; or (3) installing and dedicating a subdivision main extension.

### **3-3.203      SPECIAL CONTRACTS**

(a) If an applicant is otherwise required to provide for a main extension because a district water main is not contiguous to the entire frontage of the applicant's property, the General Manager may in the exercise of his sole discretion enter into a "Limited Service Agreement" with the applicant in lieu of the main extension.

(b) If an applicant is otherwise required to provide for special facilities because the existing facilities do not deliver a sufficient water pressure to the applicant's property, the General Manager may, in the exercise of his sole discretion, enter into an "Elevation Agreement" with the applicant, in lieu of requiring the installation of the special facilities.

(c) If an applicant is otherwise required to provide for the extension of District facilities but may obtain service from facilities operated by another water purveyor, the General Manager may, in the exercise of his sole discretion, enter into a "Water Purveyor Agreement" with the other water purveyor to provide such service.

(d) The "Limited Service Agreement," "Elevation Agreement," and "Water Purveyor Agreement" approved by the General Manager shall be in the form approved by the board from time-to-time.

### **3-3.204      INDIVIDUAL MAIN EXTENSION: PRIVATELY FINANCED**

An applicant shall pay the cost of the main extension necessary to satisfy the appropriate frontage requirements. The necessary main extension may be accomplished in either of the following two ways:

(a) The applicant may contract for the installation of the main extension by private contractor. The design, construction, collection of fees and deposits, inspection and acceptance of the work shall be in the same amounts and in the same manner as are provided for subdivision construction herein. If refunding agreements are to be set up, the applicant must furnish satisfactory evidence on the cost of the work, including that of at least two legitimate bids were received for the work. Completion bonds will be required if the applicant requires that the district certify to the County that water service will be available to the premises.

(b) The applicant may have the district undertake the installation of the main extension. Deposits for design and inspection will be collected as provided herein. Deposit for the construction of the main extension will be provided in accordance with the schedule of costs from time-to-time promulgated by the General Manager and available at the district office in accordance with the procedure established in Chapter 2 of the Title. The deposit schedule shall reflect the district's costs for the pipeline, necessary appurtenances thereto, and administration, construction drawings and surveying fees.

### **3-3.205 INDIVIDUAL MAIN EXTENSIONS: REFUNDING AGREEMENTS**

Two methods are available to partially refund the cost of an individually financed main extension:

(a) Upon acceptance of an individual main extension by the district, the district will require all applicants whose property fronts upon the main to pay to the district a pro rata share of the original cost of the main extension before rendering service to the applicant. Thereafter, the district will refund all such collections to the person who paid for the main extension, or his or her successors or assigns, provided the terms and conditions of such refund shall be set forth in a Main Extension Refund Agreement executed by the General Manager on behalf of the district. (See Appendix B.) The Agreement shall provide, among other things:

(1) The refund shall be collected from persons who connect to the main within ten (10) years from the date of acceptance of the main by the district; and

(2) The person entitled to receive the refund keeps the district fully informed as to his whereabouts.

The 10-year refund deadline may be extended for an additional ten (10) years upon written application to the board for such extension, presented at least sixty (60) days prior to the expiration of the first ten-year period.

(b) If the main is shown on an improvement plan of the district, indicating its proposed installation within a reasonable period of years, an agreement to refund the cost of the presently required section of the main may be entered into by the district, to be paid to the person entitled thereto, at such time as the main is scheduled for installation but, in no event, shall any such district refund be made more than ten (10) years after the district's acceptance of the section of the main constructed in accordance with these provisions.

### **3-3.206 SUBDIVISIONS: PRELIMINARY DESIGN**

An application for service to property to be subdivided shall not be acted upon until the completion of a preliminary design at the applicant's expense, as a basis for the General Manager's recommendation to the Board as to the facilities required, and the estimated amount of any district participation in the proposed water system therefor.

The General Manager shall also review the preliminary design to determine the feasibility of providing recycled water service to all or a portion of the proposed subdivision. The General Manager shall make his recommendations to the board as to such feasibility when the preliminary design report for the subdivision is presented to the board. The nature and extent of required recycled water system improvements based upon the criteria set forth in Title 4 of this Code.

To the extent feasible, the preliminary design shall use the criteria established for landscaping plans adopted by the city or county with jurisdiction by law under the Water Conservation in Landscaping Act. The preliminary design shall be at least as strict as the criteria established under the Water Conservation in Landscaping Act and may include additional water conservation requirements.

**3-3.207 SUBDIVISIONS: FINAL DESIGN**

The board shall consider the report and recommendation of the General Manager and the preliminary design report. The board shall thereupon approve the final design of the water system improvements for the subdivision.

**3-3.208 SUBDIVISIONS: INSTALLED BY SUBDIVIDER**

Subdividers shall install the complete water system shown in the final design report, including service connections to each lot. The timing of all district construction shall be at the sole discretion of the board.

**3-3.209 SUBDIVISIONS: IMPROVEMENT SECURITY REQUIRED**

Before the district will certify that it will furnish water to the subdivided lands, the subdivider shall provide the district with security sufficient to ensure the water improvements will be constructed. Such improvement security shall be one of the following at the option of and subject to the approval of the district:

- (a) "Performance" Bond or bonds by one or more duly authorized corporate sureties.
- (b) A deposit of money or negotiable bonds of the kind approved for securing deposits of public moneys.
- (c) An instrument of credit from one or more financial institutions subject to regulations by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

Such security shall be in the amount of 100% of the total estimated cost of the improvement at the end of the period allowed for completion of the facilities plus such additional amount, if any, necessary to guarantee the work for a period of one year following its completion against any defects in workmanship, labor done, or defective materials, furnished. The amount of such service may be increased or decreased by the board upon the recommendation of the General Manager.

**3-3.210 SUBDIVISIONS: IMPROVEMENT SECURITY: CORPORATE SURETY BONDS**

When the subdivider provides a corporate surety bond, such bond shall be substantially the form required for improvement security bonds filed in connection with the Subdivision Map Act of the State of California.

**3-3.211 SUBDIVISIONS: IMPROVEMENT SECURITY: CASH OR NEGOTIABLE BONDS**

When the subdivider deposits cash or negotiable bonds as improvement security, such cash or bonds shall be deposited with the district or a responsible escrow agent or trust company, approved by the General Manager.

**3-3.212 SUBDIVISIONS: IMPROVEMENT SECURITY: INSTRUMENTS OF CREDIT**

When the subdivider deposits an instrument of credit from one or more financial institutions pledging that funds necessary to carry out the improvement are on deposit and guaranteed for payment, such instrument of credit shall be irrevocable and unconditional until the obligation secured thereby is performed to the satisfaction of the district and shall not be subject to levy or attachment by any creditors of the depositor or subdivider.

**3-3.213 SUBDIVISIONS: IMPROVEMENT SECURITY: COORDINATION WITH OTHER AGENCIES**

In the exercise of their sole discretion, the board may enter into the following written agreements with the local agency which administers the California Subdivision Map Act whereby the district and such other agency coordinate their respective improvement security requirements in order to eliminate duplication:

(a) When the subdivider provides improvement security pursuant to the Subdivision Map Act, the improvement security required herein may be reduced or eliminated when the agency which administers the Subdivision Map Act agrees that the water system improvements are subject to the approval of the district; or

(b) When the subdivider provides improvement security to the district, the Board of Directors may agree that the water system improvements are subject to the approval of the local agency which administers the Subdivision Map Act.

**3-3.214 SUBDIVISIONS: SYSTEM DEDICATED**

All subdivision distribution lines and service connections, including meters and other appurtenances, shall become and remain the property of the district and shall be dedicated to the district before the district will undertake water service to the subdivision. The total construction cost of the water system shall be certified to the district by the subdivider.

**3-3.215 SUBDIVISIONS: PAYMENTS PRIOR TO CONSTRUCTION**

Prior to approval of water system plans, the subdivider shall execute a deposit agreement for sufficient number of meters to serve each lot within the proposed subdivision.

If additional meters are required prior to completion of construction; or if any lots require an increase in meter size, then added fees and deposits shall be paid and any necessary revisions made in the deposit agreement. A credit will be allowed for any excess deposits previously made.

**3-3.216      SUBDIVISIONS: CONSTRUCTION WATER**

Construction water will be provided through a temporary service that will be connected to the district's metered facilities through a main tap which will be designed to accommodate the permanent water system required to service the subdivision for which such temporary water is requested. Fire hydrant meters may be used only at the discretion of the General Manager

The subdivider may pay the water construction and water conservation fund fees for the size of such master meter in addition to the cost of the meter and installation, and obtain water at the district's regular rates or pay only for the setting of the master meter and obtain water at the district's temporary water rates.

Such temporary service connections shall be discontinued and terminated within six months after installation, unless, an extension of time is granted in writing by the General Manager. Upon discontinuance of such temporary service, a refund of the salvage value of the recovered meter will be made.

**3-3.217      SUBDIVISIONS: SERVICE CHARGES: DEVELOPER**

(a) Prior to the acceptance by the district of the water system for a subdivision, the subdivider shall pay the master meter charges and bi-monthly service charges for each parcel within the subdivision which is approved for occupancy by the local agency with jurisdiction by law or which is actually occupied.

(b) Upon acceptance by the district of the water system for a subdivision and payment of the final bill, the master meter charges shall cease and the subdivider shall be no longer responsible for the payment of bi-monthly service charges for parcels within the subdivision.

(c) Upon acceptance by the district of a portion of the water system for a subdivision, the subdivider shall no longer be responsible for the payment of bi-monthly service charges for the parcels within the portion of the subdivision receiving service from the accepted portion of the water system. The district will set up and maintain meter reading routes for meters turned on in subdivision areas accepted by the board. The total water passing through such turned on meters will be subtracted from the subdivider's Master Meter reading, prior to the preparation of each master meter water bill to the subdivider.

**3-3.218      SUBDIVISIONS: SERVICE CHARGES: INDIVIDUAL CUSTOMERS**

(a) A person who occupies property prior to the acceptance or partial acceptance of the water system by the district serving the property is not a customer of the district.

(b) Upon acceptance by the district of the water system serving all or a portion of a subdivision, service to individual parcels capable of receiving or receiving service from the accepted water system shall terminate unless application for water service is made and fees and deposits made in accordance with this Title.

**3-3.219      SUBDIVISIONS: REFUNDING AGREEMENTS**

Subdividers who are required to bear the cost of the design and construction of off-site and peripheral water pipelines may utilize either of the two refund methods made available to individual applicants as set forth herein in order to recoup the costs of construction of said pipeline insofar as it benefits property located outside the subdivision.

**3-3.220      DISTRICT PROJECTS: GENERAL**

Notwithstanding the foregoing, the district may undertake the expansion of all or a portion of the facilities necessary to serve the applicant's property to the extent they are of general district benefit.

**3-3.221      DISTRICT PROJECTS: SIDE FRONTAGE**

When there is an existing distribution main in the public street or right-of-way, from which corner property may receive water service from the district, and a service connection is requested (except by a subdivider, who shall be required to pay the entire expense of the necessary main extension) beyond the corner property on the other frontage of the public street which passes the corner property, and the requested service connection requires an additional main extension fronting the subject property, under this Title, the district will install, at its expense, the necessary water main for the width of the said corner property or 150 feet, whichever is the shorter distance. Distances shall be measured from the front line of the corner property, projected if necessary to eliminate property returns, and so forth.

**3-3.222      FINANCING OF OVERSIZED FACILITIES**

(a) Should the district desire to install facilities in excess of those needed to meet the applicant's service and fire flow demands, the cost of the excess facilities shall be borne by the district.

(b) Should an applicant desire the installation of a water main to meet specialized service or fire flow requirements, the costs of the extra work shall be borne by the applicant. In such a case, the district will not participate in the side frontage as provided in Section 3-3.221. However, the side frontage will be deducted from the total frontage prior to calculating the unit reimbursement amount for the serviceable frontage.

(c) Upon acceptance of the facility with excess capacity, the district will, for a period of ten years following such acceptance, require all subsequent applicants whose property fronts upon the facilities, to pay to the district the applicant's pro rata share of the original cost of the facilities before rendering service, and the district will refund all such collections to the person, his successors or assigns, who provided the excess capacity. If the subsequent applicant's water service and fire flow requirements could have been met without the facilities with excess capacity, the subsequent applicant shall only be required to pay the district his pro rata share of any outstanding un-reimbursed costs of the facilities without considering excess capacity.

**3-3.223      WATER CONSTRUCTION FUND PROJECTS**

A water construction fund shall be maintained to provide for the installation of water facilities from time to time necessary to increase delivery capacity of the system to accommodate new customers and changed water demand beyond that which is required for a given applicant's property.

**3-3.224      DESIGN STANDARDS**

The size, type and quality of materials and location of the lines and appurtenances thereto shall be specified by the General Manager in accordance with Standard District Specifications for water system construction and design standards, as adopted by the board from time to time.

**3-3.225      APPLICANTS REQUIRED TO PROVIDE RIGHTS-OF-WAY**

An applicant for water service or a main extension shall dedicate or cause to be dedicated to the district an easement or easements for the installation, maintenance and replacement of water system facilities to provide service to the applicant.

**3-3.226      RELOCATIONS OF FACILITIES**

Any district facilities which are relocated for the convenience of someone other than the district shall be moved at the sole expense of the person requesting the relocation. If private construction is endangering the safety of a district facility, or is causing a facility to become a hazard, the facility will be relocated by the district, and the person causing the hazard shall pay for the full cost of the relocation.

**3-3.227      OWNERSHIP OF MAINS**

All mains and appurtenant facilities connected to the district's distribution system shall become the property of the district, and shall be operated and maintained by the district. Dedication of such mains and appurtenances to the district shall be made, in a form acceptable for recording, prior to commencement of service through the new system.

**3-3.228      ASSESSMENT DISTRICTS**

A group of applicants for service along a street or right-of-way in which a main could be installed which would provide for the frontage requirements of this Title, and who represent 60% or more of the owners of frontage along the proposed main, may join together to file an application with the District to form an assessment district for the purpose of financing the necessary improvement. All costs of forming the assessment district shall be advanced by the applicants, and prorated among all the beneficiaries of the improvement upon the successful completion of the proceedings. A deposit in an amount from time-to-time determined by the General Manager must be made to cover the costs of the preliminary design prior to further proceedings being instituted by the District. No refunds will be made of monies expended in the event the proceedings are terminated prior to completion.

**3-3.229      FIRE HYDRANTS**

(a) Fire hydrants shall be installed by the district in accordance with water system design reports or when requested by a property owner.

(b) If the fire hydrant is not located where the district may readily inspect for illegal connections or not constructed to district standards for public usage, a detector check valve shall be installed to detect illegal connections and water leaks. When a fire hydrant is constructed to district standards for public hydrants on a main constructed solely for this purpose and can be inspected for misuse from public vantage point by district personnel, the requirement for a detector check valve may be waived by the district, but in no event shall the requirement be waived for private-owned fire suppression sprinkler systems.

(c) The requirements for installation of a detector check valve may be waived by the district when it is not possible to install the valve due to a high water pressure. When the requirement for a detector check valve is waived for this reason, the applicant shall provide the district with perpetual access to the fire hydrant to make inspections to determine compliance with district rules and regulations and shall construct the hydrant in accordance with district standards for public fire hydrants. When both of these conditions cannot be met, the district may authorize the installation of a single service to provide both domestic and fire service complete with a pressure regulator and a compound meter to measure water delivered to the property. In this case, the main meter of the compound meter shall act as a detector check valve and be subject to all fees and penalties associated herein. The applicant shall pay the district the actual cost of installing the necessary facilities.

### **3-3.230**

#### **SIZE AND NUMBER OF WATER CONNECTIONS**

An applicant who desires service for commercial or industrial uses, including commercial offices, shall make application for the number, size and types of service connections which will serve the projected highest water use configuration of proposed or actual improvements to the applicant's property. Before service commences, the General Manager may require that the applicant obtain service connections which differ in number, size or type from the service connections requested by the applicant if the General Manager determines the application does not accurately portray the projected highest water use configuration of the improvements to the applicant's property. After service commences, the General Manager may also refuse to change the number, size or type of service connections if the General Manager determines the applicant negligently or intentionally failed to accurately describe the ultimate projected highest water use configuration of the improvements to the applicant's property. If the number, size or type of service connections is changed after service commences, the property owner shall pay for the changes at the rates prevailing at the time of the change.



**CHAPTER 4. CONTINUATION OF SERVICE**

**ARTICLE 1 - RATES: TIME AND MANNER OF PAYMENT**

**3-4.101      GENERAL**

A customer shall be entitled to continue to receive water service from the District by compliance with the provisions of this Chapter.

**3-4.101A<sup>8</sup>      WATER SCHEDULE OF ADJUSTMENTS**

(a) During the budget development process of each fiscal year, the board shall determine whether rates charged for water recover the reasonable cost of water service, including capital costs and operation and maintenance, to the maximum extent feasible and in accordance with the Municipal Water District Law of 1911. The board shall revise the rates, if necessary, to satisfy the foregoing criteria.

(b) The General Manager, with approval of the board of directors, shall change the rates for water service to reflect changes in the cost of water delivered to the District by The Metropolitan Water District of Southern California ("Metropolitan"). Rate changes by the General Manager shall be made as follows:

(1) The fiscal impact of the Metropolitan change shall be spread among rate tiers by the same dollar amount.

(2) A written report on the change shall be presented to the board by the General Manager before the proposed effective date of the change.

(3) The written report shall demonstrate the rate change did not exceed the amount of the rate increase or decrease adopted by Metropolitan.

(4) The rate change shall not be effective until at least thirty days after a notice of the change has been mailed to customers.

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<sup>8</sup> Amended by Ord. No. 11-09-259 on Nov. 24, 2009.

**3-4.102<sup>9</sup> READINESS TO SERVE CHARGE**

A potable water customer shall pay the following bimonthly readiness to serve charge based upon the size of the meter serving the property and effective with the date of service. This charge is to offset the cost of providing facilities to serve the customer and shall be paid whether the customer takes delivery of water or not.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
3/4"	\$ 28.77	\$ 30.21	\$ 31.73
3/4" x 1"	28.77	30.21	31.73
1"	42.37	44.49	46.72
1-1/2"	76.35	80.17	84.18
2"	117.60	123.48	129.66
3"	225.75	237.04	248.90
4"	348.60	366.03	384.34
6"	675.75	722.14	758.25
8"	1,096.20	1,151.01	1,208.57
10"	1,571.85	1,650.45	1,732.98

**3-4.103<sup>10</sup> COMMODITY CHARGES**

(a) In addition to the readiness to serve charge, each customer shall pay a commodity charge for water delivered through each meter in a bimonthly period based on the class of customer, tier allotments, and the elevation zone within which the customer's property is located as follows.

(b) A tier allotment is the number of units of water allocated to a customer for a bimonthly billing period. Tier allotments, stated in billing units, for single-family class of customers are as follows:

	Single Family
Tier 1	First 16
Tier 2	Next 51
Tier 3	Next 133
Tier 4	Over 200

Tier allotments, stated in billing units, for a multi-family class of customers are as follows:

	Multi-Family per dwelling unit
Tier 1	First 12
Tier 2	Next 2
Tier 3	Next 10
Tier 4	Over 24

Tier allotments for commercial and irrigation classes of customers are determined by multiplying the single-family class tier allotments by the meter capacity ratio for the meter serving the property.

<sup>9</sup> Amended by Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

<sup>10</sup> Amended in Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

Meter Size	Meter Capacity Ratio
3/4"	1.0
1"	1.7
1-1/2"	3.3
2"	5.3
3"	10.7
4"	16.7
6"	33.3
8"	53.3
10"	76.7

(c) Each customer shall pay a charge for the units of water delivered to offset the cost of delivery, other than pumping above Zone 1, as follows:

Volume Charge Per Unit	Commencing with meter reads on or after:		
	1/1/2013 <sup>1</sup>	1/1/2014 <sup>2</sup>	1/1/2015 <sup>3</sup>
Tier 1	\$ 1.98	\$ 2.19	\$ 2.23
Tier 2	2.37	2.60	2.72
Tier 3	3.29	3.56	3.73
Tier 4	4.68	5.02	5.26

Notes:  
1. For tiers 1-4, includes \$0.11 MWD pass through.  
2. For tiers 1-4, includes \$0.11 NWD pass through added to 1/1/13 rates.  
3. No pass through included.

(d) Each customer shall pay a charge for each unit of water delivered to offset the cost of pumping above Zone 1 as follows:

Elevation Charge per Unit	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
Zone 2	\$ 0.38	\$ 0.40	\$ 0.42
Zone 3	0.66	0.70	0.74
Zone 4	1.15	1.21	1.28
Zone 5	2.30	2.42	2.55

Note: the elevation charge is determined by the highest zone the water is pumped to prior to reaching the customer.

### 3-4.104<sup>11</sup> TEMPORARY SERVICE RATES

(a) A monthly readiness to serve charge shall be paid for each temporary meter to offset the cost of providing facilities to serve the customer and shall be paid following the installation of the meter and regardless of whether the customer takes delivery of water or not. Temporary potable water meter charges are calculated by multiplying the potable rate for the same size meter by 1.5 and then dividing by two because temporary accounts are billed monthly instead of bi-monthly as the potable accounts are.

<sup>11</sup> Amended by Ord. No. 11-12-270 adopted on Nov. 13, 2012, drafted by LV.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
1"	\$ 31.78	\$ 33.37	\$ 35.04
2-1/2"	169.32	177.79	186.68
3"	169.32	177.79	186.68
4"	261.45	274.53	288.26
6"	515.82	541.62	568.71
8"	822.15	863.26	906.43
10"	1,178.89	1,237.84	1,299.74

(b) The monthly volume charge per unit of potable water delivered through temporary meters shall be 150% of the Tier 4 potable water volume and elevation zone charges for the site where the temporary meter is connected.

(c) An installation fee of \$50.00 shall be paid prior to installation of the temporary meter by district staff. In addition, a meter deposit of \$500.00 for a 1" meter or \$1,500.00 for a 2-1/2" meter shall be required prior to installation of the meter. Such meter deposit will be refunded, net any costs incurred by the district relative to the temporary meter. For meters larger than 2-1/2", the deposit shall be 2 times the cost of the meter.

(d) Prior to the installation of the temporary meter, the customer shall be required to pay a deposit in an amount sufficient to guarantee the payment of twelve months of water bills as estimated by the General Manager. Such deposit will be refunded, net any costs unpaid to the district for potable water usage.

#### **3-4.105 PRIVATE FIRE PROTECTION SERVICE**

(a) Detector Check Valve - The bimonthly charge for private fire protection service shall be \$15.00.

(b) Detector Meter - The bimonthly charge for fire protection service shall be \$15.00.

(c) No Meter - The bimonthly charge for fire protection service shall be \$15.00.

#### **3-4.106 SERVICE OUTSIDE OF DISTRICT**

(a) The rate for surplus water used on land or property located entirely outside of the district shall be the same rate as the rate for water sold through temporary meters unless the agreement for surplus water delivery approved by the Board establishes a rate in which case the rate set forth in the agreement shall apply.

(b) The rate for water used on land or property located both inside and outside the district shall be apportioned according to the place of use insofar as the General Manager can determine the amounts used on properties within and outside of the district.

#### **3-4.107 BILLING ADJUSTMENTS**

For the purpose of computing water charges, each meter upon the customer's premises will be computed separately, and readings of two or more meters will not be combined as equivalent to measurement through one meter, except in those instances in which the district, for its operating convenience, substitutes two or more meters of a smaller size in battery for a single larger meter on the same service connection, in which event the total

equivalent capacity of the smaller meters shall be substituted for the size of a single meter of a similar capacity, in the application of the rate schedule.

**3-4.108 BILLS DUE WHEN PRESENTED**

Water meters shall be read as outlined below and the district, as soon after the meter reading date as practical, shall mail or deliver to each customer a statement of his bill for the preceding period. All bills and charges shall be due and payable at the office of the district, upon presentation. Accounts will become delinquent and services may be discontinued in accordance with requirements of this Title. A late charge of 2% per billing period shall be paid on past due balances.

**3-4.109 BILLING FREQUENCY**

(a) Normally, domestic services will be billed bimonthly. Exceptions will be made, if, at the discretion of the General Manager, more frequent billing is warranted. Temporary services will be billed monthly.

(b) A person who proposes to use at least 50 acre feet of water during a 30-day period for recreational uses, such as the filling of a lake, may request the billing for the water delivered to be spread over not more than twelve consecutive months next following the commencement of delivery of water for such purposes. Such a request shall be approved by the General Manager if the customer enters into a written agreement with the district setting forth the terms and conditions of payment.

**3-4.110 APPLICATION OF DEPOSITS TO DELINQUENT ACCOUNTS**

If a consumer who has made a deposit fails to pay his delinquent bill or bills, together with all added penalties, his deposit shall be applied on his account and the service may be discontinued until such time as the deposit is restored to the amount provided herein after all delinquencies and charges are paid.

**3-4.111 FAILURE TO RECEIVE A BILL**

Failure to receive a bill does not relieve a customer of liability for payment.

**3-4.112 NOTICE OF SERVICE DISCONTINUANCE REQUIRED**

Customers desiring to discontinue service should notify the District at least 24 hours prior to vacating the premises. A fee shall be added for discontinuance requested outside normal business hours. Unless discontinuance of service is ordered, the customer will be liable for the bimonthly service charges provided for herein, whether or not any water is used.

**3-4.113 MULTIPLE DISTRICT SERVICES**

The rates and charges for all services and facilities furnished by the district shall be collected with its water rates and charges. All such charges shall be included within the same bill and collected as one item. In the event of failure to pay the whole or any part of the bill, the district may discontinue any or all service for which the bill is rendered.

**3-4.114 MULTIPLE WATER SERVICE CONNECTIONS**

When water is furnished to one customer through more than one service connection at the

same or different locations or premises, all such services may be discontinued when a bill for any one of them becomes delinquent.

**3-4.115 PRORATION OF CHARGES FOR ODD PERIODS**

Bills for water service for periods of time less than one month will be prorated.

**3-4.116 ESTIMATED BILLS**

(a) If a meter in working condition cannot be read for any reason, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. Should the succeeding reading indicate that the estimate is materially in error, an adjustment shall be made in the succeeding bill.

(b) If a meter becomes inoperable, billing shall be based on the quantity used in a similar period, unless circumstances indicate clearly a material change in the rate of consumption, in which case the General Manager shall estimate the quantity used, considering all pertinent factors, and render a bill accordingly.

**3-4.117 CHANGE OF CUSTOMERS WITHOUT NOTICE**

A person taking possession of premises and using water from an active connection without having made application to the district for water service, shall be held liable for the water delivered from the date of the last recorded reading, and if the meter is found inoperative, the quantity consumed will be estimated by the General Manager. If proper application for water service is not made upon notification to do so by the district, and if accumulated bills for service and the fees herein provided are not paid immediately, the service may be discontinued by the district without further notice.

**3-4.118 DELINQUENT CUSTOMER AT SAME OR NEW ADDRESS**

Should any customer fail, or refuse to pay for service furnished and charged for in accordance with the rates herein specified, he shall not again be furnished service at the same or any other location until all of his delinquent bills plus the fees and charges herein provided have been paid; and he shall be required to make a deposit sufficient to cover future services as provided herein.

**3-4.119 DELINQUENT TENANTS WITH SERVICE IN OWNER'S NAME**

Should a customer who is the owner of property, whether occupied by the customer or a tenant, fail, or refuse to pay bills for service, service may be discontinued and may not again be resumed while the premises are in the same ownership until bills, plus the fees and deposit, have been paid.

**3-4.120 FIELD COLLECTIONS - DELINQUENT ACCOUNTS**

Any district employee possessing an authorized order for the immediate disconnection of service which is delinquent under these rules, may, at the time the employee calls to make such disconnection, accept and receipt for in the field the full amount of the water service

charges shown upon such disconnection order, plus all fees herein specified. The entire amount due shall be paid, even though the payment has been mailed. Upon collection of the amounts herein above specified, the service shall be left connected or reconnected, as the case may be, otherwise, it shall be disconnected as required in such order. The employee shall not make any rebate or adjust charges. Field collections and service restoration will not be made after 8:00 p.m.

#### **3-4.121 CHECK NOT HONORED BY BANK**

(a) Applicants or customers who pay bills rendered for service, fees, deposits or penalties by check or electronic funds transfer (EFT) will be held responsible for the payment being honored by the Bank upon which it is drawn. If a check or EFT transaction is refused for payment by the Bank, the writer, upon notification, will be required to redeem the payment in cash at the district's office within 24 hours and pay a redemption fee in the amount of \$20.00. If a customer has three returned payments, all subsequent payments will be required to be made in cash for a period of thirteen months.

(b) Service shall not be undertaken until the customer or applicant complies with the requirements of this section. In those cases where the dishonored check relates to service already commenced, the procedure set forth herein for termination of service upon failure to pay district charges, deposits and penalties shall be invoked if the customer fails or refuses to redeem the dishonored check within the allotted time.

#### **3-4.122 ELECTRONIC PAYMENTS**

(a) Customers may arrange electronic payment of bills.

(b) With the receipt of the signed authorization form, a voided check, and a pre-noting of their banking information, all future statements will be paid automatically from the bank account designated on the authorization form. When the form and voided check are received by Customer Service, the information will be input into the billing system and a test run will be completed with the customer's banking institution on the following Thursday. The customer will be notified when the test has been completed and advised *Autopay* will be effective with their next billing cycle.

(c) The Customer Service Technician will generate the automatic payment file with our district bank the Thursday following the customer's billing and the payment amount will be posted to the customer account. The bank will verify all file transmissions and if there are any discrepancies, Customer Service will be notified immediately by fax from the bank. In the case of a non-sufficient transaction, the district will remove the customer from *Autopay* and the customer will be required to make bi-monthly payments on their account.

(d) Customers may arrange payment of bills via Credit Card by accessing the District's website ([www.LVMWD.com](http://www.LVMWD.com)) or, from a touch-tone phone. Credit Card / EFT payments cannot be accepted at the LVMWD office or by customer service personnel over the phone. If you have any questions, contact Customer Service at 818-251-2200 during regular business hours (7:30 AM – 5:00 PM Monday through Thursday and 8:00 AM to 5:00 PM on Friday).

## **ARTICLE 2 - USAGE**

### **3-4.201      USE OF WATER - SUPPLYING ANOTHER PERSON**

- (a) Water shall not be supplied to any property other than described in the application for service except as provided in this section.
- (b) The General Manager may permit a customer to supply water to a holder of a public works contract or private contractor. Such permit shall be denied to any person who is indebted to the district for any prior water or damage charges, or who has failed to comply with the rules and regulations of the district or previously issued permit.
- (c) No customer of the district shall deliver or permit to be delivered any water outside of this district's boundaries or for use outside of the boundaries, from a service connection, or other facilities connected to the district's facilities, without the consent of the Board.
- (d) Service of water shall not be made through a single meter to two or more parcels of separately owned property. A temporary exception may be made to this rule if approved by the General Manager, provided that there is no main contiguous to the property from which separate service may be had, and provided further that the customer for whom the meter was installed shall give satisfactory guarantee of payment for all water delivered. Such service shall be charged as though separate meters existed for each separate use. Whenever a district main is installed from which separate service can be rendered, the General Manager will notify the parties and the common service will be discontinued after the time limit noted in the notices.

### **3-4.202      WASTE OF WATER PROHIBITED**

No customer shall knowingly permit waste or leaks of water. Where water is wastefully or negligently used on the customer's premises, the district may discontinue the service, if such conditions are not corrected within five days after the General Manager gives the customer written notice thereof.

### **3-4.203      UNAUTHORIZED USE OF FIRE HYDRANTS**

- (a) Except as provided herein, no person shall use water from a fire hydrant for any purpose other than fire suppression.
- (b) Temporary service may be provided through a fire hydrant under Section 3-2.210.
- (c) Water may be used to maintain or test a fire sprinkler system. Authorization to use water through a fire service connection for the purpose of maintaining or testing a fire sprinkler system will be granted up to four times per year with advance notification to the district. Exceptions may be made upon the estimated quantity of water to be used. The General Manager may restrict or prohibit such non-emergency flows as may be detrimental to the district's system.
- (d) When it is found that a fire service or a fire hydrant has been used for any purpose other than for suppression, or a single service has exceeded the allowable capacity of the by-pass meter, the district may charge the sum of \$200.00 for the first offense, \$300.00



for the second offense, and \$500.00 for the third and subsequent offenses; if warranted by the estimate of water usage for each and every incident of authorized use. (Each day of use may be construed as a separate incident.)

If the General Manager determines that leakage has occurred, totaling less than 0.03 units of water per period delivered during 3 consecutive billing periods to the customer's fire service or fire hydrants, the General Manager shall notify the customer of the usage and encourage customer to fix the leak.

If the General Manager determines that leakage has occurred, totaling less than 15 units but more than 0.03 units of water per period have been delivered to the customer's fire system or fire hydrant, the customer shall present satisfactory evidence that the leak has been repaired, or pay \$75.00 per billing period in addition to the regular charge described herein.

If the General Manager determines that leakage has occurred, totaling more than 15 units of water per period during three consecutive billing periods to the customer's fire service or fire hydrant, the customer shall be required either to present satisfactory evidence that the leakage has been fixed, or he must remove the detector check valve and purchase a water meter of the appropriate size. If the customer chooses to purchase a water meter, the customer shall pay all fees and charges normally associated with the purchase of the meter.

(e) If repeated unauthorized use of a fire service or hydrant occurs, the General Manager shall notify the fire department and the occupant of the properties served by the fire service or fire hydrant that within 10 days the fire service or fire hydrant shall be disconnected until all charges for each violation have been paid and until assurances, satisfactory to the General Manager, have been given that no further unauthorized use will occur.

#### **3-4.204      OPERATION OF DISTRICT FACILITIES RESTRICTED**

No one except an employee or representative of the district shall at any time, in any manner, operate service cocks or valves, main cocks, gates or valves of the district's system, or interfere with meters or their connections, water mains or other parts of the district's water system.

#### **3-4.205      DAMAGE TO PROPERTY**

(a) In no case will the district be liable for damages occasioned by water running from opened or faulty fixtures, or from opened or damaged pipes on the customer side of the meter.

(b) The customer shall be liable for any damage to the district's service facilities when such damage is from any act or omission of the customer or his family, tenants, agents, employees, contractors, licensees, or permittees.

#### **3-4.206      FRAUD**

Service may be discontinued, if necessary, to protect the district against fraud or abuse.

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**ARTICLE 3 - PROTECTIVE MEASURES****3-4.301 RELIEF VALVE REQUIRED**

To protect the customer's plumbing system, when pressure regulating valves or other protective devices are connected to a water heater of any type, a suitable pressure relief valve shall be installed and maintained by the customer, in accordance with the Uniform Plumbing Code.

**3-4.302 ISOLATION OF CERTAIN SERVICE CONNECTIONS REQUIRED**

(a) There shall be no connection between a private fire protection service and any other water distribution system on the premises.

(b) There shall be no connection between an irrigation service and any other water system on the premises.

**3-4.303 METER REQUIRED**

All water furnished by the district, except as provided in this Code, must pass through a meter. No by-pass or connection around a meter between the customer's plumbing and the district's main shall be made or maintained.

**3-4.304 CROSS CONNECTIONS**

(a) Cross-connection shall mean any unprotected connection between any part of the district's potable water supply system and any source or system which might potentially contain water or substance that is not, or cannot, be approved as potable for human consumption.

(b) The requirements of this district regarding cross-connections are covered in the Uniform Plumbing Code and Section 7583 through 7622 of Title 17 of the California Administrative Code, which are incorporated in this Code by reference.

(c) In addition to the other requirements herein, each customer must, at his own expense, comply with the requirements of this Section. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of these requirements.

(d) Whenever back flow protection has been found necessary on a water supply line entering a customer's premises, or when more than one Domestic and/or Irrigation Service Connection supplies water to a single premises, which, in the opinion of the General Manager, would not preclude the possibility of a circulating flow between the connections, then any and all water supply lines from the district's mains entering such premises, buildings or structures shall be protected by an approved back flow device, regardless of the use.

(e) Private fire protection services are excluded from the requirement of this section.

**3-4.305 SERVICE CONNECTION SHUT-OFF VALVES**

(a) All district shut-off valves are installed by and for the use of the district and will usually be found immediately adjacent to the street side of the meter.

(b) The district provides a valve on the customer's side of each meter. This valve is for the customer's use, and may be operated at the customer's convenience.

**3-4.306**      **OWNERSHIP AND ACCESSIBILITY OF SERVICE CONNECTIONS**

All service connections and all water meters installed or accepted for use by the District shall remain the property of the district. Service connections shall be kept safely and readily accessible for district personnel. The expense of maintenance, repairs, and renewal of such service connections and meters, due to normal wear and tear, shall be borne by the district.

**3-4.307**      **CUSTOMER PLUMBING APPLIANCES SUBJECT TO APPROVAL**

Water service may be refused or discontinued to any premises where apparatus or appliances are in use which unreasonably endanger district facilities.

## **ARTICLE 4 - WATER CONSERVATION**

### **3-4.401      GENERAL**

The district will offer educational materials to its customers in the efficient use of water to help customers conserve water. The district will furnish customers with water conservation information and make water-conserving fixtures and equipment available. The district will assist cities and the county in the implementation of the Water Conservation in Landscaping Act. This Article sets forth water conservation measures which shall be followed by customers.

### **3-4.402      REQUIREMENTS**

(a) Customers shall conserve water supplied by the District by the prevention and elimination of all waste or leakage of water.

(b) All new plumbing fixtures installed within the District service area must conform to the following requirements:

- (1) Toilets shall use less than 1.6 gallons per flush.
- (2) Showerheads shall flow at less than 2.5 gallons per minute.
- (3) Non-residential lavatory faucets shall be metering or self-closing.
- (4) Urinals shall use not more than 1.5 gallons per flush.

(c) All fixtures must be approved by the State Department of Housing and Community Development, and toilets, urinals and showerheads must have a certification of volume by a reputable independent testing organization.

(1) Where requirements of this subsection would cause hardship or if suitable fixtures are not available, hot water re-circulating systems or point of use hot water heaters may be substituted as water conserving measures for up to two toilet installations per single family dwelling.

(2) In commercial uses, developers/owners may install fixtures that use up to 3.5 gallons per flush when rest room facilities must meet County handicapped use requirements and/or when vandalism of tank style toilets is likely.

(d) All water conserving fixture installations shall be subject to compliance inspection, prior to issuance of final occupancy permits, by one of the following agencies: Los Angeles County, City of Agoura Hills, City of Calabasas, City of Westlake Village, City of Hidden Hills, or the district. Inspection reports shall be supplied by the inspector to the district and the appropriate city or the county.

(e) For the benefit of the public, and to further the cause of water conservation in landscaping, one home in each model home display must be landscaped with water efficient (xeriscape) plant material and irrigated with appropriate water-conserving irrigation systems.

- (1) The landscaping for the Xeriscape model shall be designed to be drought tolerant. The use of irrigation intensive plantings shall be discouraged.
- (2) All turf areas shall be no more than 30% of the area landscaped.
- (3) The model home display shall draw attention to the specific landscape materials and irrigation techniques utilized.

### **3-4.403 RECYCLED WATER USE**

To conserve the district's potable water supply, recycled water shall be used as follows:

(a) Where recycled water is available and appropriate, the use of potable water for irrigation purposes shall be considered a waste of potable water. Upon written notice from the General Manager that recycled water is available and appropriate for use, the customer shall have 60 days to commence the use of recycled water. Thereafter, all potable water which is delivered to the property for irrigation shall be charged at a rate of 150% of the then current potable water rate. As used in this section, "available" means a district recycled water main is contiguous to the site in question.

As used in this section, "appropriate" means that the proposed use is acceptable to the Department of Health Services and the Regional Water Quality Control Board.

(b) Potable water shall not be used for construction activities such as compaction and dust control when recycled water is available and appropriate. As used in this paragraph, "available" also means that the cost of required recycled water, when added to the cost of required recycled water conveyance facilities, is less than, or equal to, the cost of an equivalent amount of potable water priced at 150% of regular potable water rates, plus the cost of necessary potable water conveyance facilities.

### **3-4.404<sup>12</sup> WATER CONSERVATION MEASURES**

- (a) Customers shall comply with the following water conservation measures:
  - (1) Potable water shall not be used to clean or sweep hard surfaces such as sidewalks, walkways, driveways or parking areas unless the washing is performed with an approved water conservation broom, and only as necessary to protect the public health and safety.
  - (2) Hotels, motels and other places for commercial transient occupancy shall offer guests who stay more than one night the opportunity to retain towels and linens during their stay.
  - (3) Car washing is permitted only with the use of a nozzle having an automatic shut-off.
- (b) Customers shall use the following irrigation practices:
  - (1) Irrigation shall occur after 5:00 p.m. and before 10:00 a.m., provided no irrigation is permitted during rainfall, provided further, irrigation is not permitted for 24 hours after rainfall in excess of 1 inch.
  - (2) Irrigation shall not run off to streets, gutters or adjacent properties.
  - (3) The District shall assist in the promotion of water efficient irrigation practices by monitoring compliance with landscaping plans approved by cities and the

<sup>12</sup> Amended Sec. 3-4.404 by Ord. No. 06-11-266 on June 14, 2011. (Formerly entitled "Violations".)

county under the Water Conservation in Landscaping Act. The District shall notify the city or county with jurisdiction by law if it is determined that a landscaping plan has been breached.

**3-4.405<sup>13</sup> CONSERVATION INCENTIVES**

Customers are encouraged to make the most efficient use of the potable and recycled water supplies. The district may by resolution offer financial and other incentives to customers who replace high volume water use equipment, appliances and devices with low volume water use equipment, appliances and devices.

**3-4.406<sup>14</sup> IRRIGATION PRACTICES**  
REPEALED.

**3-4.407<sup>15</sup> WATER SHORTAGE RESPONSE – DROUGHT AND EMERGENCIES**  
REPEALED.

**3-4.408<sup>16</sup> ENFORCEMENT**

(a) Customers shall be notified in writing when the first violation of this article is discovered by the District. The notice shall include a warning that further violations could result in stricter penalties as set forth below.

(b) Customers who violate this article for a second time within a twelve-month period have committed an infraction punishable by a fine of up to \$50.00.

(c) Customers who violate this article for a third time within a twelve-month period have committed an infraction punishable by a fine of up to \$100.00.

(d) Customers who violate this article for a fourth time within a twelve-month period have committed an infraction punishable by a fine of up to \$250.

(e) The District may install flow restrictors or terminate service to customers who have violated provisions of this article five times within a twelve-month period.

(f) Customers shall be encouraged to report violations of this article through the District's water conservation "hot line".

(g) Fines collected pursuant to this section shall be deposited in a special fund and spent to provide assistance for water reduction appliances and processes.

**3-4.409<sup>17</sup> LONG-TERM WATER USE REDUCTIONS**

<sup>13</sup> Amended Sec. 3-4.405 by Ord. No. 07-09-257 on July 14, 2009. (Formerly entitled "Rebates").

<sup>14</sup> Sec. 3-4.406 repealed by Ord. No. 01-09-254 on Jan 27, 2009.

<sup>15</sup> Sec. 3-4.407 repealed by Ord. No. 06-11-266 on June 14, 2011.

<sup>16</sup> Sec. 3-4.408 added by Ord. No. 01-09-254 on January 27, 2009.

<sup>17</sup> Sec 3-4.409 amended by Ord. No. 06-11-266, on June 14, 2011. (Formerly "Water Shortage Response-Water Budgets)

The General Manager shall recommend appropriate programs and projects to achieve a 20% reduction in the District's water uses by the year 2020.



**TITLE 3 - POTABLE WATER SERVICE****CHAPTER 1. GENERAL****ARTICLE 1 - PURPOSE AND SCOPE****3-1.101      PURPOSE**

~~Rules and regulations~~Regulations for potable water service from the district, are set forth in this Title.

**3-1.102      SCOPE**

~~The provisions of this~~This Title applyapplies to potable water service from the district; rates, fees and deposits to cover the cost thereof;~~the rates for water delivered;~~ the time and manner of payment for services rendered; regulations regarding water usage; protection of the system from mechanical and health hazards; and rules and charges for extending mains and permitting connections to existing mains. This Title does not apply to recycled water service.

## ARTICLE 2 - DEFINITIONS

### **3-1.201      DEFINITIONS: GENERAL**

The definitions in this Article shall be used to interpret this Title, unless otherwise apparent from the context.

### **3-1.202      ACTIVESERVICE OR WATER SERVICE**

~~"Active-Service" refers to or "water service to property thorough" means the delivery of potable water through a meter turned on by the district and District for which all fees, and charges and deposits have been paid. "Service" does not refer to the system of pipes and appurtenances to deliver water.~~

### **3-1.203      APPLICANT**

~~"Applicant" means a person applying for water service to property within the district.~~

### ~~3-1.204      CUSTOMER~~

~~"Customer" means a person or persons who receive water service from the district.~~

### ~~3-1.205      DOMESTIC SERVICE~~

~~"Domestic Service" refers to the delivery of water for other than temporary service or fire protection service.~~

### ~~3-1.206      INACTIVE SERVICE~~

~~"Inactive Service" refers to a meter turned off by the district and for which all fees and deposits described herein have been paid.~~

### ~~3-1.207      SEALED SERVICE~~

~~"Sealed Service" refers to a service connection without a meter for which the fees, charges and deposits described herein are outstanding.~~

### ~~3-1.208      SERVICE, WATER SERVICE OR POTABLE WATER SERVICE~~

~~"Service" or "water service" refers to the furnishing of water to a customer.~~

### ~~3-1.209      SERVICE CONNECTION~~

~~"Service Connection" means the piping necessary to conduct water from the district's water main to the property including the meter, meter box, valves and appurtenant equipment~~

within the meter box.

~~3-1.210~~ **UNIT**

~~"Unit" means that quantity of water which is equivalent to one hundred cubic feet or 748 gallons.~~

~~3-1.211~~ **CONNECTION FEES**

~~"Connection Fees" means all of the various fees levied to offset the cost of constructing potable and recycled water system improvements, and connecting and installing meters to serve new customers and setting up the new accounts.~~  
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~~3-1.212~~ **SERVICE FEES**

~~"Service Fees" means the fees levied to cover operating and maintenance costs incurred to provide water service such as meter service charges, commodity charges and pumping charges.~~

~~3-1.213~~<sup>1</sup> **PLANNED COMMERCIAL DEVELOPMENT**

~~Planned Commercial Development means a single development consisting of several individual lots and common area over which the Planning Agency has permitted the transfer of density among lots.~~

~~3-1.214~~<sup>2</sup> **MIXED USE DEVELOPMENT**

~~Mixed Use Development means a single development consisting of a combination of residential and commercial development over individual lots and common areas over which the Planning Agency has permitted the development.~~

~~3-1.215~~<sup>3</sup> **CLASS OF SERVICE**

"Class of Service" refers to the type of water service provided to a customer. There are four classes of service. "Single-Family Class" refers to service to one residential unit; or an individual unit within a multi-family dwelling complex served through a dedicated water meter. "Multi-family Class" refers to service to 2 or more combined residential units served by a single water meter. "Commercial Class" refers to service to business, institution or government agency. "Irrigation Class" refers to service solely for irrigation.

~~3-1.205~~ **DOMESTIC SERVICE**

~~"Domestic Service" refers to the delivery of water for other than temporary service or fire protection service.~~

<sup>1</sup>-Added by Ord. No. 10-05-247 on Oct. 11, 2005.

<sup>2</sup>-Added by Ord. No. 10-05-247 on Oct. 11, 2005.

<sup>3</sup>-Added by Ord. No. 09-07-252 adopted on Sep 11, 2007.

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**3-1.206 CONNECTION FEES**

"Connection Fees" means fees levied by the District to recover the cost of facilities needed to provide water service, including: "Capacity Fees" to recover the cost of the potable water system delivering water (distribution pipeline) up to a lateral pipeline connecting the distribution pipeline to a customer's meter; a "Conservation Fee" to pay for the cost of facilities to conserve potable water capacity; and "Meter Fees" to pay for the cost of the lateral pipeline from the distribution pipeline and the meter.

**3-1.207 CUSTOMER**

"Customer" means a person or persons receiving water service from the district.

**3-1.208 SERVICE FEES**

"Service Fees" means the fees levied to recover costs incurred to operate and maintain the water system

**3-1.209 TYPES OF SERVICE**

(a) District provides permanent, limited, temporary, private, fire, surplus, inactive or sealed water service.

(b) "Permanent Service" means service to property meeting the frontage requirements.

(c) "Limited Service" means service to property which does not otherwise meet the frontage requirements.

(d) "Temporary Service" means service which does not qualify for permanent status. Temporary service connections will be discontinued and terminated 6 months after the installation unless an extension of time granted in writing by the General Manager, or an agreement for service outside the district specifies some other period of time. Temporary service includes service to a subdivision, through a master meter, during its construction phase.

(e) "Private Fire Service" means service for emergency fire protection only.

(f) "Surplus Water Service" means service in excess of the current requirements of the district, its inhabitants to property outside the district boundaries.

(g) "Inactive Service" refers to a meter turned-off by the district and for which all fees and deposits described herein have been paid.

(h) "Sealed Service" refers to a service connection without a meter for which the fees, charges and deposits described herein are outstanding.

**3-1.210 UNIT**

"Unit" means one hundred cubic feet or 748 gallons.

## CHAPTER 2 - COMMENCEMENT OF SERVICE

### ARTICLE 1 - APPLICATION FOR SERVICE

#### **3-2.101      COMMENCEMENT OF SERVICE: GENERAL**

(a) ~~Each person desiring to initiate~~ An applicant for water service or for to change an existing water service shall: execute appropriate application process, pay the required service initiation fees, make the deposits, and meet the conditions set forth herein.

(b) Each single-family dwelling shall be served through at least one water meter of at least 3/4" size and such additional meters as the property owner may request. Cross-connection control shall be ~~a condition especially~~ required if more than one meter is installed or non-potable water or unregulated water is available to the property.

(c) Each unit of multi-family dwelling shall be served through at least one water meter of at least 5/8" in size and such additional meters as the property owner may request.

#### **3-2.102      COMMENCEMENT OF SERVICE: APPLICATIONS**

(a) The application ~~form(s)~~ shall include an agreement to abide by ~~all rules and regulations of the district and requires the furnishing of~~ and such information as the General Manager may reasonably request. Such application shall be for service to a particular and identified property ~~and service is not assignable to other property.~~

(b) If the application is for service to property not previously served by the district, the applicant shall also present evidence of compliance with local ordinances implementing the Water Conservation in Landscaping Act. ~~In these cases where~~ If the district is administering such an ordinance on behalf of a city within the district, the application for service shall be treated as an application for concurrent review of a landscape plan.

(c) If the application is for ~~a commercial~~ an account in the name of a corporation or partnership, the applicant shall provide a personal guarantee from an owner or principal of the ~~applying~~ entity, regardless of the form of organization, as follows:

"I hereby certify I am a principal/officer of the organization listed on the attached application. I accept full responsibility for all fees and charges related to water and sewer service for the organization.

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Name and Title

**3-2.103 APPLICANT'S RESPONSIBILITY**

(a) ~~The rendering applicant shall pay for a minimum of one month of service obligates if the applicant to pay for service for a minimum of one month is approved.~~

(b) ~~—The applicant is responsible for any expenditure made shall pay expenses incurred by the district District as a result of the submission of the application, even though the applicant withdraws the application prior to completion of the installation of the service connection.~~

(c) ~~—If an applicant gives incorrect information as to the description of the property or the location where the service connection is desired, and as a result thereof, the service connection is installed at an incorrect location, the applicant shall pay all expenses incurred for any corrections necessitated by such error on the application.~~

(d) ~~—Two or more parties who join to make application for service to (c) Multiple applicants for a commonly owned property shall be jointly and severally liable for water service, and, A single periodic bills bill shall be sent to their designee.~~

(e) ~~—An application to change responsibility (d) Responsibility for service may be filed claimed by a customer as follows:~~

(1) ~~An account can be changed from two spouses to one spouse upon provision of full with information on the individual assuming billing responsibility. There will be no initiation fee and the customer number will remain the same.~~

(2) ~~An account can be changed to a family member if a new application is submitted and the \$20.00 initiation fee paid. A new customer number will be generated.~~

~~(3) —An account can be changed to other than a spouse or family member upon the filing of a new application by the responsible party. The \$20.00 initiation fee will be charged.~~

~~(4) (3) A customer can direct billing information to a third party and bills will be sent "in care of" the party who will make the payment. There will be no initiation fee for this service.~~

**3-2.104 METER REQUIRED**

All water furnished by the district, except as provided in this Code, must pass through a meter.

No by-pass or connection around a meter between the customer's plumbing and the district's main shall be made or maintained.

**3-2.105 OWNERSHIP AND ACCESSIBILITY OF SERVICE CONNECTIONS**

Service connections and water meters installed or accepted for use by the District are the property of the district. Service connections shall be kept safely and readily accessible for district personnel. The expense of maintenance, repairs, and renewal of such service connections and meters, due to normal wear and tear, shall be borne by the district. Water pipes and appurtenances downstream of the meter are the property of the customer who is responsible for operation and maintenance.

## ARTICLE 2 - FEES AND DEPOSITS

### **3-2.201      FEES AND DEPOSITS: GENERAL**

Service will be commenced after submittal of an application and ~~upon the payment to the district of the applicable fees, charges and deposits~~ as set forth in this Article.

### **3-2.202      SERVICE FROM EXISTING SERVICE CONNECTION**

~~If the applicant is not required to pay connection fees if the applicant's property can be served from an existing paid for but unused inactive service connection, the applicant's Outstanding connection fees and service fees shall not be required to pay connection fees. If the applicant requests a change in meter size, additional charges shall be assessed or credits allowed in accordance with Section 3-2.218. If be paid if the applicant requests that a sealed service be activated, the applicant shall pay all outstanding connection fees and/or service fees for the service.~~

### **3-2.203      SERVICE FROM NEW SERVICE CONNECTION ON EXISTING MAIN**

If the applicant's property cannot be served from an existing ~~service connection~~ but can be served from an existing water main, the applicant shall ~~pay service fees~~ may deposit and deposits, ~~pay~~ connection fees and, if applicable, a pro rata share of the cost of the main in accordance with any existing main extension refund agreements, if any.

### **3-2.204      SERVICE FROM NEW MAIN**

(a) If the applicant's property cannot be served from an existing main, the applicant shall make deposits, ~~pay connection fees; security deposits and service fees;~~ and the cost of all improvements necessary to serve the applicant's property provided:

(1) If the water system improvements are identified in an improvement plan for a bond issue and appropriate bond proceeds are available, ~~the improvements shall be constructed by the district using bond funds~~ shall be used to pay for the cost of design and construction under the uniform policies of the district ~~for expenditure of bond funds.~~

(2) If the water system improvements are identified in the current water system capital improvement plan, the improvements shall be constructed by the district using construction fees accrued on or after July 1, 1990, to pay for the cost of design and construction of the improvements. Water system improvements are identified in the current water system capital improvement plan, ~~within the meaning of this section,~~ if the improvements are described in the plan or if the improvements are approved by the board approves other improvements as a substitute for the improvements described in the plan.

(b) If the applicant pays for the cost of a pipeline extension to serve the applicant's property, the applicant may enter into a main extension refund agreement.



**3-2.205****FEES: INSTALLATION CHARGES**

(a) ~~Any~~<sup>A</sup> person desiring to ~~may~~ obtain a connection to an existing district main shall ~~pay~~<sup>by paying</sup> the following installation charges based upon the size of meter which is required for the service:

<u>Size of Meter</u>	<u>Installation Charge</u>
3/4"	\$1,420.00
1"	\$1,430.00
1-1/2" (or larger)	Actual Cost to District

<u>Size of Meter</u>	<u>Installation Charge</u>
3/4"	\$1,420.00
1"	\$1,430.00
1-1/2" (or larger)	Actual Cost to District

If a pressure regulator or other special appurtenance is required, an additional charge will be paid for the regulator or special appurtenance.

(b) The above fees shall be deposited in a separate capital facilities account entitled "installation fee account", to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments, and shall be expended solely for the purposes of connecting property to the district's water system and installing a water meter, as follows:

(1) For each connection, regardless of meter size, the sum of \$260.00 shall be paid to the general fund for the administrative cost of processing an application for service and establishing a new account.

(2) For each connection using a 3/4" or 1" meter, the sum of \$1,100 shall be paid to the general fund for the excavation of materials and installation of pipe lateral, meter box and fittings. For each larger connection, the amount paid to the general fund shall be based upon the time and materials expended to complete such work.

(3) For each 3/4" meter, the sum of \$60.00 shall be paid to the general fund. For each 1" meter, the sum of \$70.00 shall be paid to the general fund. For each larger meter, the actual cost of the meter shall be paid to the general fund.

(c) The above fees shall be transferred from the installation fee account to the general fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

**3-2.206 POTABLE WATER CAPACITY FEES**

(a) In addition to the other charges set forth in this Code fees, an applicant for water service shall also pay to the district the following capacity fee, based upon the size of the applicant's water meter:

Size of Meter	Capacity Fee
5/8" x 3/4"	\$ 2,900
3/4"	4,350
1"	7,250
1 1/2"	14,500
2"	23,200
3"	46,400
4"	72,500
6"	145,000
8"	232,000
10"	362,500
12"	522,000

(b) An applicant who requests a larger service for property, which is already served, shall be credited by the then current capacity fee for the size of meter to be replaced.

(e) (b) Capital facilities fees imposed on a school district shall not exceed the construction cost of the portion of District facilities serving school district facilities prior to January 1, 1987, increased by the percentage increase in the Implicit Price Deflation for state and local government purchases determined by the California Department of Finance. Capital facilities fees initially imposed after July 21, 1986 or in excess of the amount set forth above, shall be imposed only after agreement with the school district.

**3-2.207 DEPOSITS: CAPACITY FEES**

(a) The district shall invest, account for and expend capacity fees as follows:

(1) Capacity fees shall be deposited in a separate capital facilities account, entitled "capacity fees," to avoid commingling ~~of the fees~~ with other revenue ~~and funds of the district~~. The fees shall be expended solely for the purpose of planning, designing and constructing, including debt service, the water facilities described in the water system capital improvement plan, to the applicant's property.

(2) The fees shall be expended solely for the purpose for which the fee is collected. ~~(d)~~ Capacity fees shall be transferred from the ~~deferred~~ capacity fees account to the ~~potable water construction~~ general fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first. If prior to final inspection or issuance of the certificate of occupancy, the board finds the fees are for improvements for which the district has made expenditures or has adopted a construction schedule or plan, the fees shall be paid to the general fund. As used herein, "appropriated" means authorization by the Board to make expenditures and incur obligations for specific purposes.

The fees deposited on a lump sum basis for each dwelling in a residential property subdivision which contains more than one dwelling shall be paid to the general fund when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first.

The applicant shall execute a deposit agreement before the issuance of a statement of service required for a building permit, if the fee is not fully deposited when the application is made or may not be fully deposited when service commences.

~~(c) Upon written request, the potable water capacity fees to be paid by a public agency for service to tax exempt property shall be reduced by the amount of the fee attributable to the cost of capital facilities.~~

### ~~3-2.207 DEPOSITS: CAPACITY FEES~~

~~(a) Upon receipt of capacity fees, the district shall invest, account for and expend the fees as follows:~~

~~(1) The fees shall be deposited in a separate capital facilities account to avoid any commingling of the fees with other revenues and funds of the district, except for temporary investments.~~

~~(2) The fees shall be expended solely for the purpose for which the fee is collected.~~

(3) ~~Any interest~~Interest earned by monies in this account shall also be deposited in the account and shall be expended only for the purpose for which the fee was originally collected.

(4) On or before September 1 of each year, the district shall make available to the public the beginning and ending balance for the prior fiscal year, and the fees, interest and other income, the amount of expenditures and the amount of refunds. The board shall review this information at the next regularly scheduled public meeting, not less than 15 days after the information is made available.

(b) The board shall make findings at least once each five years with respect to ~~any~~the portion of the fee remaining unexpended or uncommitted in the separate capital facilities account(s) five or more years after deposit of the fee to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The findings required by this subsection shall only be made for monies in the possession of the district and need not be made with respect to instruments of credit taken to secure payment of the fee at a future date.

(c) The district shall refund to the then current record owner or owners of lots or units of the development project or projects on a ~~pro-rated~~prorated basis, the unexpended or uncommitted portion of the fee, and ~~any~~ interest accrued thereon, for which a need cannot be demonstrated pursuant to subsection (b) of this section, provided, if the administrative costs of refunding exceed the amount to be refunded, the district may determine the revenues shall be allocated for ~~some other~~ purpose which serves the project(s) on which the fee was originally imposed. If the fees are not refunded to the record owner, the Board shall conduct a duly noticed public hearing before expending the fees for another purpose which serves the project(s).

(d) ~~A deposit toward the fees described herein, equal to the then current fees, shall be paid prior to the date of final inspection of water facilities or the date the certificate of occupancy is issued, whichever occurs first, provided, if prior to final inspection or issuance of the certificate of occupancy, the board finds the fees are for improvements or for which an account has been established and funds appropriated, or for which the district has made expenditures or has adopted a proposed construction schedule or plan, the fees shall be deposited on demand.~~

~~As used herein, "appropriated" means authorization by the Board to make expenditures and incur obligations for specific purposes. The fees shall be deposited on a lump sum basis for each dwelling in a residential property subdivision which contains more than one dwelling when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first. The applicant shall execute a deposit agreement before the issuance of a statement of service required for a building permit, if the fee is not fully deposited when the application is made or may not be fully deposited when service commences.~~

**3-2.208<sup>4</sup> WATER CONSERVATION FEES**

(a) In addition to the other charges set forth in the Code, an applicant for water service shall also pay to the district the following water conservation fee based upon the size of the applicant's water meter:

Size of Meter	Conservation Fee
5/8" x 3/4"	\$ 2,033
3/4"	3,050
1"	5,083
1 1/2"	10,167
2"	16,167
3"	32,533
4"	50,833
6"	101,667
8"	162,667
10"	254,167
12"	366,000

(b) Conservation fees shall be deposited in a separate capital facilities account, entitled ~~"deferred capacity water conservation fees"~~ account to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments and shall be expended solely for the purpose of planning, designing, constructing, including debt service, recycled water facilities and implementing water conservation programs.

The development of recycled water facilities allows the district to distribute available recycled water supplies, thereby avoiding the cost of constructing additional water system improvements to obtain a like amount of additional potable water from The Metropolitan Water District of Southern California. The water system capital improvement plan takes this into consideration by reducing the amount which would otherwise be charged to the water construction fee account.

(c) Water conservation fees shall be transferred from the deferred capacity fee account to the water conservation fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

<sup>4</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

(d) When an applicant for water service to a subdivision installs a recycled water distribution pipeline to serve the subdivision, which is separate and apart from the potable water distribution pipeline, the applicant shall be eligible for reimbursement of a portion of the costs of the recycled water distribution pipeline in an amount to be determined by the board, upon recommendation of the General Manager, provided such reimbursement shall not exceed 50% of the conservation fees paid by the applicant to the district for the subdivision.

~~(c) An applicant who requests a larger meter for property, which is already served, shall be credited by the then current water conservation fee for the size of meter to be replaced.~~

~~(f)~~ (e) Applicants for water service are not required to pay the water conservation fees if sewer capacity fees were paid for the proposed improvement between March 27, 1978, and November 11, 1982.

~~(gf)~~ Upon written request, the water conservation fees to be paid by a public agency for service to tax exempt property shall be reduced by the amount of the fee attributable to the cost of capital facilities.

(g) Capital facilities fees imposed on a school district shall not exceed the construction cost of the portion of District facilities serving school district facilities prior to January 1, 1987, increased by the percentage increase in the Implicit Price Deflation for state and local government purchases determined by the California Department of Finance. Capital facilities fees initially imposed after July 21, 1986 or in excess of the amount set forth above, shall be imposed only after agreement with the school district.

### 3-2.209

#### **FEES: CHANGES IN AMOUNT**

~~Connection fees~~ Fees may be changed at any time in accordance with state law. An applicant shall pay the ~~connection fees~~ existing when service commences regardless of when the ~~connection fees~~ are deposited or paid. As used herein, "service commences" when a request for service has been made and water can be first delivered to the applicant's property through district owned facilities and the monthly water service charges can be assessed. Service does not "commence" ~~for the purpose of this section~~ when construction water is provided through a temporary meter or prior to the acceptance by the district of the water system serving the applicant's property.

**3-2.210      ASSURANCES OF SERVICE**

When an applicant desires assurances that service will be provided by the district at a future date, such assurances will be given only if the applicant agrees to be bound by district regulations, including regulations for the payment of connection fees, existent when service commences and the applicant makes financial arrangements to pay connection fees in the future by depositing cash with the district and entering into a deposit agreement.

**3-2.211      FEES: SPECIAL SERVICES: FIRE PROTECTION**

(a) In addition to the other fees and charges set forth herein, applicants for private fire protection service shall pay the total actual cost of installation of such service from the distribution main of the district to the applicant's property line, including the costs of a suitable meter device.

(b) With the approval of the fire department, temporary service may be provided through an existing, metered fire hydrant. When a fire hydrant is not available for temporary service, a connection may be made to an existing district main at a location acceptable to the General Manager.

**3-2.212      FEES: WATER SYSTEM IMPROVEMENTS**

(a) An applicant for water service required to construct water system improvements shall pay all costs incurred by the District for:

(1) The preliminary design of the improvements: Before work on the preliminary design commences, the applicant shall deposit an amount equal to the General Manager's estimate of the preliminary design costs, including, if necessary, the cost of a water system design report and environmental documents.

(2) Review of the plans: ~~After a preliminary~~Before review of the plans and specifications ~~and before the plans are returned to the applicant with comments,~~ the applicant shall deposit an amount equal to the General Manager's estimate of the costs which will be incurred by the district for plan ~~check services~~review.

(3) Construct Improvements: Prior to construction, the applicant shall deposit an amount equal to the General Manager's estimate of the costs ~~which were to be~~to be incurred by the district for inspection.

(b) As used herein, the term "costs incurred by the district" include: the costs of consulting services, if any, necessary to perform the tasks described above; 15% of the costs of consulting services, if any, necessary to perform such tasks to reflect administrative and overhead expenses; and amounts paid by the district to its employees working on an hourly rate. The hourly rate for district employees shall be established from time-to-time by the General Manager and shall include reasonable supervision costs, transportation costs, and so forth.

**3-2.213<sup>5</sup>      MISCELLANEOUS FEES**

<sup>5</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

8/14/2014

LV\TITLE 3 Redline

(a) If the district takes steps to discontinue service for failure to comply with this Code, the customer shall pay, ~~in addition to any other fees,~~ the following additional charges before service charges is reinstated:

(1) ~~\$10.00 for each trip made to the property to deliver notice of future disconnection of service.~~

(2) ~~\$50.00 for each trip to reactivate water service the property during regular business hours at the request of the customer to reactivate water service previously disconnected for nonpayment.~~

(3) ~~\$75.00 for each trip made to the property after regular business hours at the request of the customer. In no event shall service be reactivated after regular business hours if the request is made after 8:00 p.m. After hours' fee must be paid prior to reactivation of service.~~

(b) The turning on or off of water service, other than in (a) above, for the convenience of the customer will be made during regular working hours of ~~district's field personnel on any day at no charge. At any other time, the customer shall pay a charge equal to the cost of compensation paid to district personnel (including overtime pay) to perform such service and the cost of equipment.~~ field personnel at no charge.

(c) Service connections are inspected prior to acceptance to assure that they meet district specifications. ~~Any~~ A person thereafter connecting to the service connections system must do so in a business-like manner so that proper alignment of the facilities will not be changed. The district will not adjust customer plumbing ~~which has been hooked up~~ connected improperly. Meters will not be set by the district if, upon removal of the temporary spacer, the customer valve moves appreciably out of alignment, or if any part of the service connection, including the meter box, has been moved or altered. In either of these cases, the district will leave the facilities where found, and will not again return to set the meter until the applicant has made corrections and paid a fee in the amount of \$40.00 per extra trip.

(d) ~~Any person who receives water without prior authorization through a metered connection shall pay one hundred dollars (\$100.00) for each day's use.~~

(e) ~~Any person who receives water without prior authorization through an un-metered connection shall pay two hundred dollars (\$200.00) for the first offense within one year, three hundred (\$300.00) dollars for the second offense within one year, and five hundred dollars (\$500.00) for each subsequent offense within one year.~~

(f) ~~The district will shop-test a water meter in the presence of the customer at the request of the customer if a few \_\_\_\_\_ to cover the required deposit cost of testing is tendered. The General Manager is authorized to make adjustments in the~~ adjusts bills rendered to customers of the district in those instances where tests of the district's meters establish that ~~such~~ if tested meter is found to be in error more than 2% at medium to high test flows as prescribed by American Water Works Association ("AWWA") specifications. The adjustments referred to above shall be are limited to a period of six months, or to the time the customer can establish to the General Manager's satisfaction that the meter was inaccurate, whichever is less. If a meter is found to be registering outside prescribed AWWA specifications, the meter will be replaced.

Meter Size \_\_\_\_\_ Amount

3/4"	\$ 50.00
1"	50.00
1-1/2"	100.00
2"	125.00
2-1/2"	125.00
3"	125.00
4"	125.00
6"	125.00
8"	150.00
10"	150.00
12"	150.00

Meter Size	Test Fee
3/4"	\$ 50.00
1"	\$ 50.00
1-1/2"	\$100.00
2"	\$125.00
2-1/2"	\$125.00
3"	\$125.00
4"	\$125.00
6"	\$125.00
8"	\$150.00
10"	\$150.00
12"	\$150.00

(f) Property

~~(g) Whenever backflow prevention is necessary, any property receiving both domestic water service and recycled water service shall have a reduced pressure –principle backflow device or other appropriate backflow protection installed and shall pay forat the purchase and installation of the device. Annualcustomer's expense, but an annual inspection of backflow protection for recycled water services arefee is not charged to the customer.~~

(h) ~~Whenever~~(g) If a backflow prevention device is required to protect against contamination by other than recycled water served by the district, the customer shall pay an annual inspection fee of \$50.00. The district will do minor repairs when the device fails the test. The customer must make major repairs or replacements to achieve a passing grade on their device.

(ih) If the review of a landscape plan under the Water Conservation in Landscaping Act is not reimbursed by the jurisdiction which adopted the regulations, the applicant shall ~~deposit~~pay a landscape plan check fee in the amount of \$500 for projects with proposed landscaping of under one half acre; \$750 for projects between one half acre and one acre of proposed landscaping; and \$1,000 for projects of an acre or more of proposed landscaping.

**3-2.214**

**DEPOSITS: SERVICE FROM EXISTING SERVICE CONNECTION**

(a) ~~If atthe residential applicant has not promptly paid previous water bills or has not been determined by the General Manager to have a credit history which indicatesindicating the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application for service, no deposit shall be required before rendering service.~~



~~(b) If the residential applicant has not promptly paid previous water bills or has been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has already been installed and charges therefor paid at the time of such application for service, the applicant shall make a cash deposit of the greater of the applicant shall make a cash deposit of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$50.00.~~

~~(e)b) If the commercial or industrial applicant owns the property where service is requested and has not been determined by the General Manager to have a credit history which indicates indicating the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application for service, no deposit shall be required before giving such service.~~

~~(d) If the commercial or industrial applicant owns the property where service is requested and has been determined by the General Manager to have a credit history which indicates the applicant is a credit risk, and the service connection has been installed and the charges therefor paid at the time of such application service, the applicant shall make a cash deposit of the greater of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$100.00.~~

~~(ec) If the commercial or industrial applicant is not the owner of the property where service is requested, and the service connection has been installed and the charges therefor paid at the time of such application for service, the applicant shall make a cash deposit of the greater of twice the amount of the normal maximum bill for such property, as determined by the General Manager, or \$100.00.~~

### ~~3-2.215~~ **DEPOSITS: MISCELLANEOUS**

~~(a. (d) A deposit shall be required from all made by customers who receive have received a final notice five or more times within any two-year period, and from every customer whose service is disconnected for nonpayment of water charges. The deposit for the first disconnection for non-payment of water charges is \$50.00.~~

~~(b) Other deposits required shall be established by the General Manager, as prescribed herein, up to an amount twice the maximum bill for the given property.~~

~~(e(e) Deposits may be refunded to a customer after one year of service during which time now without more than one final notice has been sent to said customer. Refunds shall be made by a draft upon the district unless the customer expressly requests, in his refund application, that the refund be made by crediting the amount of the deposit to his the account.~~

~~(d) In the absence of a deposit refund application as set forth herein, the refund of deposits will be made upon discontinuance of service and settlement of the closing bill.~~

~~(e) Public agencies, and public utilities, shall pay the charges herein provided, however, such agencies shall not be are not required to make the deposits herein provided required by this section.~~

**3-2.216215 CREDITS: NO CHANGE IN EXISTING SERVICE**

~~When water~~ An applicant for service is applied for through any 3/4" or 1" sealed service, to property which was can be serviced by an existing 3/4" or 1" connection not installed at district expense, and which is of a size that the General Manager determines will adequately serve the applicant's needs, the district will allow a credit shall pay an installation charge of \$1,050.00 upon less than the regular installation charge as set forth herein.

**3-2.217216 CREDITS: CHANGE OF EXISTING SERVICE**

~~Upon written application, the size of an~~ An existing meter will may be reduced in size at no charge. Connection fees shall not be refunded.

**3-2.218217 CAPACITY FEES: DEPOSIT AGREEMENT**

~~(a)——~~ An applicant who does not desire or is not required to make a cash deposit for capacity fees, shall enter into a deposit agreement.

~~(b)——~~ The General Manager shall present a form of the deposit agreement to the board for approval.

~~(c)——~~ The deposit agreement shall be recorded and constitutes a lien against the property for which service is sought.

**3-2.219218 DEPOSITS:**

~~(a)~~ Whenever a deposit is required, the General Manager shall establish the amount of deposit by estimating the district's cost of providing the materials, equipment or services for which the deposit is made. The deposit shall be tendered to the district before any work is undertaken by the district.

~~The amount of deposit may be increased by order of the General Manager, if it appears that the original estimate is inadequate. If the applicant fails to increase the amount of deposit when requested by the General Manager, in writing to do so, then work on the project by the district shall cease.~~

~~At the conclusion of the project, the General Manager shall refund any amounts deposited in excess of costs incurred.~~

~~(b)~~ If the applicant abandons the construction of the improvements, or the recording of a subdivision for which installation and connection charges were paid, the installation and connection charges shall be refunded, with interest, to the applicant upon the applicant's written request, provided if the facilities necessary to serve the applicant's property have been installed or direct expenses incurred by the district toward such service installation, the refund permitted under this Section shall be reduced by the amount of such expenditure.

~~(c)~~ Installation or connection fees paid prior to June 22, 1978, will be considered as a deposit toward the fee or charge which exists at the time service commences. Connection fees paid on or after June 22, 1979, but before March 26, 1990, shall be considered full payment of the fee existent at the time service commences.

~~3-2-220~~ DELINQUENT CONNECTION FEES

3-2.219 SANITATION

(a) The district may collect delinquent water or sanitation-connection fees pursuant to this section if a water customer owns and occupies the property for which the water or sanitation connection fees are delinquent.

(b) A water customer shall be provided at least 15 days prior written notice of the district's intention to ~~recommend collection of~~ collect delinquent ~~connections~~sanitation fees as a part of the customer's water bill. The notice shall invite the customer's comments, including opportunity to protest the existence or amount of the debt, the manner of payment and whether installment payments will be permitted.

(c) The General Manager shall consider the recommendations of staff, the comments of the customer, if any, and determine whether the ~~connections~~sanitation fees should be collected as part of the customer's water bill. The decision of the General Manager shall be presented to the customer in writing at least 15 days prior to including delinquent ~~connections~~sanitation fees as part of the water bill.

(d) Delinquent ~~connections~~sanitation fees included on the water bill shall be treated the same -as other water charges.

## **CHAPTER 3. CONDITIONS OF SERVICE**

### **ARTICLE 1 - GENERAL**

#### **3-3.101      GENERAL**

~~All applicants and customers shall accept such conditions of pressure and service as are provided by the distribution system of the district at the location of the proposed service connection, and hold the district harmless for any damage arising out of low pressure or high pressure conditions or interruptions in service.~~

The district will exercise reasonable diligence and care to deliver a continuous and adequate supply of water to the customer at a reasonable constant pressure and to avoid shortage or interruption in delivery. The district offers water at its system pressure, and the applicant must install adequate plumbing and protective devices in accordance with the current Uniform Plumbing Code in order to utilize the available water at whatever reasonable constant pressure is available in the system. The district is not responsible for the maintenance of pressure and reserves the right to discontinue service while making repairs required in the operation of the water system. Customers depending upon a continuous supply should provide for their own emergency storage.

#### **3-3.102      AREAS SERVED**

(a) ~~Lands lying within the boundaries of the district are eligible to receive water service from the district.~~

(b) ~~Lands lying outside the district may receive surplus water service from the district provided if there exists an agreement with the governmental agency or franchised utility serving such area.~~

#### **3-3.103<sup>6</sup>      MAIN FRONTAGE REQUIRED**

(a) ~~Except for planned commercial or mixed use developments, permanent water service shall not be provided unless a district water main of adequate size extends across the entire frontage of each lot to be served or unless a limited services agreement is approved by the General Manager.~~

(b) ~~A District main shall extend across the entire frontage of a planned commercial or mixed use development, but need not extend across the frontage of each lot within a planned commercial or mixed use development if the General Manager determines arrangements have been made to ensure adequate service to lots without frontage.~~

(c) ~~Multiple commercial or residential units may be served through a single meter, but such individual buildings or units will be individually sub-metered for water conservation purposes. Accounting of water through sub-meters is the responsibility of the property owner.~~

#### **3-3.104      CUSTOMERS WITHOUT FRONTAGE - PRESENTLY RECEIVING SERVICE**

<sup>6</sup> Sec. 3-3.103 amended by Ord. No. 10-05-247 on Oct 11, 2005.

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LV\TITLE 3 Redline

Property presently receiving service, but not immediately adjacent to a district water main, may continue to receive service in compliance with these rules, until such time a district water main is installed immediately adjacent to such property. At that time, the General Manager will give written notice to customers and the property owners without limited service agreements that the service water connection will be relocated to the new main at the expense of the district.

~~Any installation~~ Installation or connection charges and/or water conservation fees paid in conjunction with the original service location will be ~~transferred~~ credited to the credit of the new service connection. The district will pay any "frontage fees" required if the new main is being privately financed. The abandoned service will thereafter be treated as a "Sealed Service," requiring payment of water construction and conservation fees and installation and administrative charges prior to its reactivation."

The parties will have 120 days after the notices are mailed within which to connect their plumbing to the new service connection, at their own expense. Failure to comply with the above provisions may result in the discontinuance of all service to the property, pending compliance.

### **3-3.105      LOCATING AND SIZING SERVICE CONNECTIONS**

Water service connections will be installed within the projection of his side property lines as near as possible to the location desired by the applicant, within the projection of his side property lines, and shall meet the minimum size determined by local plumbing code requirements, the Uniform Building Code or the General Manager. Service connections will be made only adjacent to the district's distribution mains, at locations readily accessible by public streets, alleys, or other rights-of-way capable of accommodating District vehicles and equipment.

### **3-3.106      TYPES OF SERVICE**

~~(a) District provides permanent, limited, temporary, private, fire, surplus, inactive or sealed water service.~~

~~(b) Permanent service includes service to property meeting the frontage requirements, except temporary classes.~~

~~(c) Limited service includes service to property not adjacent to the main from which service is received, or which does not otherwise meet the frontage requirements.~~

~~(d) Temporary Service means service requested for a period of time which does not, through the payment of appropriate connection fees and charges, qualify for permanent status. Temporary service includes all customers who require service for less than 6 months, or who do not otherwise qualify for permanent domestic service. Temporary service connections will be discontinued and terminated 6 months after the installation thereof unless an application is made and an extension of time granted in writing by the General Manager, or an agreement for service outside the district specifies some other period of time. Temporary service also includes interim service which shall mean water service to a subdivision, through a master meter, during its construction phase.~~

~~(e) Private fire service includes service requested for emergency fire protection only and which will not be used for any other purpose.~~

~~(f) Surplus water service means service under special contracts for delivery of water available to the district in excess of the current requirements of the district, its inhabitants and property outside the district boundaries.~~

### ~~3-3.107~~ **ELEVATION ZONES**

The elevation zones for water delivered by the District are:

~~(a) Zone I, which includes domestic water customers receiving water that does not require pumping above a hydraulic gradient of 1235' prior to delivery to the customer. As used in this Title, Hydraulic Gradient (or H.G.) shall mean the maximum water elevation represented by the pressure in the water system, or the maximum surface elevation of the water in the reservoir serving the system.~~

~~(b) Zone II, which includes domestic water customers receiving water that requires pumping to elevations between 1235' and 1700' prior to delivery to the customer.~~

~~(c) Zone III, which includes domestic water customers receiving water that requires pumping to elevations between 1700' and 2200' prior to delivery to the customer.~~

~~(d) Zone IV, which includes domestic water customers receiving water that requires pumping to elevations greater than 2200' prior to delivery to the customer.~~

~~(e) Zone V, which includes domestic water customers who are served water purchased by the District from other than the Metropolitan Water District of Southern California.~~

### ~~3-3.108~~ **PRESSURE, SUPPLY AND EMERGENCY STORAGE**

The district will exercise reasonable diligence and care to deliver a continuous and adequate supply of water to the customer at a reasonable constant pressure and to avoid any shortage or interruption in delivery. The district offers water at its system pressure, and the applicant must install adequate plumbing and protective devices in accordance with the current Uniform Plumbing Code in order to utilize the available water at whatever reasonable constant pressure is available in the system. The district is not responsible for the maintenance of pressure and reserves the right to discontinue service while making repairs required in the operation of the water system. Customers depending upon a continuous supply should provide for their own emergency storage.

### ~~3-3.109~~ **MAXIMUM-107 SYSTEM PRESSURE**

~~(a) Regulators will be required ahead of the district's meter where static pressures are in excess of 150 psi. Applicants for service will be charged for the district's costs of furnishing and installing the regulator. The district will set the regulator at 75 psi unless a signed waiver is received from the customer specifying a desired pressure, not to exceed 145 psi. The district assumes no liability for the accuracy of the regulator pressure setting, nor the reliability of the regulator.~~

### ~~3-3.110~~ **MINIMUM SYSTEM PRESSURE**

~~The nominal hydraulic gradient at the point of use for the system is 43 psi static pressure.~~

<sup>7</sup> Amended by Ord. No. 09-07-252 on Sep 11, 2007. (formerly entitled "Classes of Service.")

If the minimum expected hydraulic gradient at the point of use is between 43 and 35 psi, the applicant may install a service connection at least one size larger than would be needed if the pressure were 43 psi, and the applicant may execute an elevation agreement. If the minimum gradient at the point of use is lower than 35 psi, the applicant must execute an elevation agreement. (b) Applicant shall execute an elevation agreement if the minimum gradient at the average elevation of the building foundation is lower than 35 psi. The form for elevation agreements shall be as from time-to-time approved by the board.

## **ARTICLE 2 - EXTENSION OF FACILITIES**

### **3-3.201      GENERAL**

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in this Article.

### **3-3.202      TYPES OF EXTENSIONS**

Depending upon the underlying facts, an applicant may provide for the extension of facilities by one or more of the following: (1) entering into a special contract; (2) construction of an individual main extension; or (3) installing and dedicating a subdivision main extension.

### **3-3.203      SPECIAL CONTRACTS**

(a) If an applicant is otherwise required to provide for a main extension because a district water main is not contiguous to the entire frontage of the applicant's property, the General Manager may in the exercise of his sole discretion enter into a "Limited Service Agreement" with the applicant in lieu of the main extension.

(b) If an applicant is otherwise required to provide for special facilities because the existing facilities do not deliver a sufficient water pressure to the applicant's property, the General Manager may, in the exercise of his sole discretion, enter into an "Elevation Agreement" with the applicant, in lieu of requiring the installation of the special facilities.

(c) If an applicant is otherwise required to provide for the extension of District facilities but may obtain service from facilities operated by another water purveyor, the General Manager may, in the exercise of his sole discretion, enter into a "Water Purveyor Agreement" with the other water purveyor to provide such service.

(d) The "Limited Service Agreement," "Elevation Agreement," and "Water Purveyor Agreement" approved by the General Manager shall be in the form approved by the board from time-to-time.

### **3-3.204      INDIVIDUAL MAIN EXTENSION: PRIVATELY FINANCED**

An applicant shall pay the cost of the main extension necessary to satisfy the appropriate frontage requirements. The necessary main extension may be accomplished in either of the following two ways:

(a) The applicant may contract for the installation of the main extension by private contractor. The design, construction, collection of fees and deposits, inspection and acceptance of the work shall be in the same amounts and in the same manner as are provided for subdivision construction herein. If refunding agreements are to be set up, the applicant must furnish satisfactory evidence on the cost of the work, including that of at least two legitimate bids were received for the work. Completion bonds will be required if the applicant requires that the district certify to the County that water service will be available to the premises.



(b) The applicant may have the district undertake the installation of the main extension. Deposits for design and inspection will be collected as provided herein. Deposit for the construction of the main extension will be provided in accordance with the schedule of costs from time-to-time promulgated by the General Manager and available at the district office in accordance with the procedure established in Chapter 2 of the Title. The deposit schedule shall reflect the district's costs for the pipeline, necessary appurtenances thereto, and administration, construction drawings and surveying fees.

### **3-3.205**

#### **INDIVIDUAL MAIN EXTENSIONS: REFUNDING AGREEMENTS**

Two methods are available to partially refund the cost of an individually financed main extension:

(a) Upon acceptance of an individual main extension by the district, the district will require all applicants whose property fronts upon the main to pay to the district a pro rata share of the original cost of the main extension before rendering service to the applicant. Thereafter, the district will refund all such collections to the person who paid for the main extension, or his or her successors or assigns, provided the terms and conditions of such refund shall be set forth in a Main Extension Refund Agreement executed by the General Manager on behalf of the district. (See Appendix B.) The Agreement shall provide, among other things:

(1) The refund shall be collected from persons who connect to the main within ten (10) years from the date of acceptance of the main by the district; and

(2) The person entitled to receive the refund keeps the district fully informed as to his whereabouts.

The 10-year refund deadline may be extended for an additional ten (10) years upon written application to the board for such extension, presented at least sixty (60) days prior to the expiration of the first ten-year period.

(b) If the main is shown on an improvement plan of the district, indicating its proposed installation within a reasonable period of years, an agreement to refund the cost of the presently required section of the main may be entered into by the district, to be paid to the person entitled thereto, at such time as the main is scheduled for installation but, in no event, shall any such district refund be made more than ten (10) years after the district's acceptance of the section of the main constructed in accordance with these provisions.

### **3-3.206**

#### **SUBDIVISIONS: PRELIMINARY DESIGN**

An application for service to property to be subdivided shall not be acted upon until the completion of a preliminary design at the applicant's expense, as a basis for the General Manager's recommendation to the Board as to the facilities required, and the estimated amount of any district participation in the proposed water system therefor.

The General Manager shall also review the preliminary design to determine the feasibility of providing recycled water service to all or a portion of the proposed subdivision. The General Manager shall make his recommendations to the board as to such feasibility when the preliminary design report for the subdivision is presented to the board. The nature and extent of required recycled water system improvements based upon the criteria set forth in Title 4 of this Code.

To the extent feasible, the preliminary design shall use the criteria established for landscaping plans adopted by the city or county with jurisdiction by law under the Water Conservation in Landscaping Act. The preliminary design shall be at least as strict as the criteria established under the Water Conservation in Landscaping Act and may include additional water conservation requirements.

**3-3.207      SUBDIVISIONS: FINAL DESIGN**

The board shall consider the report and recommendation of the General Manager and the preliminary design report. The board shall thereupon approve the final design of the water system improvements for the subdivision.

**3-3.208      SUBDIVISIONS: INSTALLED BY SUBDIVIDER**

Subdividers shall install the complete water system shown in the final design report, including service connections to each lot. The timing of all district construction shall be at the sole discretion of the board.

**3-3.209      SUBDIVISIONS: IMPROVEMENT SECURITY REQUIRED**

Before the district will certify that it will furnish water to the subdivided lands, the subdivider shall provide the district with security sufficient to ensure the water improvements will be constructed. Such improvement security shall be one of the following at the option of and subject to the approval of the district:

- (a) "Performance" Bond or bonds by one or more duly authorized corporate sureties.
- (b) A deposit of money or negotiable bonds of the kind approved for securing deposits of public moneys.
- (c) An instrument of credit from one or more financial institutions subject to regulations by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

Such security shall be in the amount of 100% of the total estimated cost of the improvement at the end of the period allowed for completion of the facilities plus such additional amount, if any, necessary to guarantee the work for a period of one year following its completion against any defects in workmanship, labor done, or defective materials, furnished. The amount of such service may be increased or decreased by the board upon the recommendation of the General Manager.

**3-3.210      SUBDIVISIONS: IMPROVEMENT SECURITY: CORPORATE SURETY BONDS**

When the subdivider provides a corporate surety bond, such bond shall be substantially the form required for improvement security bonds filed in connection with the Subdivision Map Act of the State of California.

**3-3.211**      **SUBDIVISIONS: IMPROVEMENT SECURITY: CASH OR NEGOTIABLE BONDS**

When the subdivider deposits cash or negotiable bonds as improvement security, such cash or bonds shall be deposited with the district or a responsible escrow agent or trust company, approved by the General Manager.

**3-3.212**      **SUBDIVISIONS: IMPROVEMENT SECURITY: INSTRUMENTS OF CREDIT**

When the subdivider deposits an instrument of credit from one or more financial institutions pledging that funds necessary to carry out the improvement are on deposit and guaranteed for payment, such instrument of credit shall be irrevocable and unconditional until the obligation secured thereby is performed to the satisfaction of the district and shall not be subject to levy or attachment by any creditors of the depositor or subdivider.

**3-3.213**      **SUBDIVISIONS: IMPROVEMENT SECURITY: COORDINATION WITH OTHER AGENCIES**

In the exercise of their sole discretion, the board may enter into the following written agreements with the local agency which administers the California Subdivision Map Act whereby the district and such other agency coordinate their respective improvement security requirements in order to eliminate duplication:

(a) When the subdivider provides improvement security pursuant to the Subdivision Map Act, the improvement security required herein may be reduced or eliminated when the agency which administers the Subdivision Map Act agrees that the water system improvements are subject to the approval of the district; or

(b) When the subdivider provides improvement security to the district, the Board of Directors may agree that the water system improvements are subject to the approval of the local agency which administers the Subdivision Map Act.

**3-3.214**      **SUBDIVISIONS: SYSTEM DEDICATED**

All subdivision distribution lines and service connections, including meters and other appurtenances, shall become and remain the property of the district and shall be dedicated to the district before the district will undertake water service to the subdivision. The total construction cost of the water system shall be certified to the district by the subdivider.

**3-3.215**      **SUBDIVISIONS: PAYMENTS PRIOR TO CONSTRUCTION**

Prior to approval of water system plans, the subdivider shall execute a deposit agreement for sufficient number of meters to serve each lot within the proposed subdivision.

If additional meters are required prior to completion of construction; or if any lots require an increase in meter size, then added fees and deposits shall be paid and any necessary revisions made in the deposit agreement. A credit will be allowed for any excess deposits previously made.

**3-3.216      SUBDIVISIONS: CONSTRUCTION WATER**

Construction water will be provided through a temporary service that will be connected to the district's metered facilities through a main tap which will be designed to accommodate the permanent water system required to service the subdivision for which such temporary water is requested. Fire hydrant meters may be used only at the discretion of the General Manager

The subdivider may pay the water construction and water conservation fund fees for the size of such master meter in addition to the cost of the meter and installation, and obtain water at the district's regular rates or pay only for the setting of the master meter and obtain water at the district's temporary water rates.

Such temporary service connections shall be discontinued and terminated within six months after installation, unless, an extension of time is granted in writing by the General Manager. Upon discontinuance of such temporary service, a refund of the salvage value of the recovered meter will be made.

**3-3.217      SUBDIVISIONS: SERVICE CHARGES: DEVELOPER**

(a) Prior to the acceptance by the district of the water system for a subdivision, the subdivider shall pay the master meter charges and bi-monthly service charges for each parcel within the subdivision which is approved for occupancy by the local agency with jurisdiction by law or which is actually occupied.

(b) Upon acceptance by the district of the water system for a subdivision and payment of the final bill, the master meter charges shall cease and the subdivider shall be no longer responsible for the payment of bi-monthly service charges for parcels within the subdivision.

(c) Upon acceptance by the district of a portion of the water system for a subdivision, the subdivider shall no longer be responsible for the payment of bi-monthly service charges for the parcels within the portion of the subdivision receiving service from the accepted portion of the water system. The district will set up and maintain meter reading routes for meters turned on in subdivision areas accepted by the board. The total water passing through such turned on meters will be subtracted from the subdivider's Master Meter reading, prior to the preparation of each master meter water bill to the subdivider.

**3-3.218      SUBDIVISIONS: SERVICE CHARGES: INDIVIDUAL CUSTOMERS**

(a) A person who occupies property prior to the acceptance or partial acceptance of the water system by the district serving the property is not a customer of the district.

(b) Upon acceptance by the district of the water system serving all or a portion of a subdivision, service to individual parcels capable of receiving or receiving service from the accepted water system shall terminate unless application for water service is made and fees and deposits made in accordance with this Title.

**3-3.219 SUBDIVISIONS: REFUNDING AGREEMENTS**

Subdividers who are required to bear the cost of the design and construction of off-site and peripheral water pipelines may utilize either of the two refund methods made available to individual applicants as set forth herein in order to recoup the costs of construction of said pipeline insofar as it benefits property located outside the subdivision.

**3-3.220 DISTRICT PROJECTS: GENERAL**

Notwithstanding the foregoing, the district may undertake the expansion of all or a portion of the facilities necessary to serve the applicant's property to the extent they are of general district benefit.

**3-3.221 DISTRICT PROJECTS: SIDE FRONTAGE**

When there is an existing distribution main in the public street or right-of-way, from which corner property may receive water service from the district, and a service connection is requested (except by a subdivider, who shall be required to pay the entire expense of the necessary main extension) beyond the corner property on the other frontage of the public street which passes the corner property, and the requested service connection requires an additional main extension fronting the subject property, under this Title, the district will install, at its expense, the necessary water main for the width of the said corner property or 150 feet, whichever is the shorter distance. Distances shall be measured from the front line of the corner property, projected if necessary to eliminate property returns, and so forth.

**3-3.222 FINANCING OF OVERSIZED FACILITIES**

(a) Should the district desire to install facilities in excess of those needed to meet the applicant's service and fire flow demands, the cost of the excess facilities shall be borne by the district.

(b) Should an applicant desire the installation of a water main to meet specialized service or fire flow requirements, the costs of the extra work shall be borne by the applicant. In such a case, the district will not participate in the side frontage as provided in Section 3-3.221. However, the side frontage will be deducted from the total frontage prior to calculating the unit reimbursement amount for the serviceable frontage.

(c) Upon acceptance of the facility with excess capacity, the district will, for a period of ten years following such acceptance, require all subsequent applicants whose property fronts upon the facilities, to pay to the district the applicant's pro rata share of the original cost of the facilities before rendering service, and the district will refund all such collections to the person, his successors or assigns, who provided the excess capacity. If the subsequent applicant's water service and fire flow requirements could have been met without the facilities with excess capacity, the subsequent applicant shall only be required to pay the district his pro rata share of any outstanding un-reimbursed costs of the facilities without considering excess capacity.

**3-3.223 WATER CONSTRUCTION FUND PROJECTS**

A water construction fund shall be maintained to provide for the installation of water facilities from time to time necessary to increase delivery capacity of the system to accommodate new customers and changed water demand beyond that which is required for a given applicant's property.

**3-3.224      DESIGN STANDARDS**

The size, type and quality of materials and location of the lines and appurtenances thereto shall be specified by the General Manager in accordance with Standard District Specifications for water system construction and design standards, as adopted by the board from time to time.

**3-3.225      APPLICANTS REQUIRED TO PROVIDE RIGHTS-OF-WAY**

An applicant for water service or a main extension shall dedicate or cause to be dedicated to the district an easement or easements for the installation, maintenance and replacement of water system facilities to provide service to the applicant.

**3-3.226      RELOCATIONS OF FACILITIES**

Any district facilities which are relocated for the convenience of someone other than the district shall be moved at the sole expense of the person requesting the relocation. If private construction is endangering the safety of a district facility, or is causing a facility to become a hazard, the facility will be relocated by the district, and the person causing the hazard shall pay for the full cost of the relocation.

**3-3.227      OWNERSHIP OF MAINS**

All mains and appurtenant facilities connected to the district's distribution system shall become the property of the district, and shall be operated and maintained by the district. Dedication of such mains and appurtenances to the district shall be made, in a form acceptable for recording, prior to commencement of service through the new system.

**3-3.228      ASSESSMENT DISTRICTS**

A group of applicants for service along a street or right-of-way in which a main could be installed which would provide for the frontage requirements of this Title, and who represent 60% or more of the owners of frontage along the proposed main, may join together to file an application with the District to form an assessment district for the purpose of financing the necessary improvement. All costs of forming the assessment district shall be advanced by the applicants, and prorated among all the beneficiaries of the improvement upon the successful completion of the proceedings. A deposit in an amount from time-to-time determined by the General Manager must be made to cover the costs of the preliminary design prior to further proceedings being instituted by the District. No refunds will be made of monies expended in the event the proceedings are terminated prior to completion.

**3-3.229      FIRE HYDRANTS**

(a) Fire hydrants shall be installed by the district in accordance with water system design reports or when requested by a property owner.

(b) If the fire hydrant is not located where the district may readily inspect for illegal connections or not constructed to district standards for public usage, a detector check valve shall be installed to detect illegal connections and water leaks. When a fire hydrant is constructed to district standards for public hydrants on a main constructed solely for this purpose and can be inspected for misuse from public vantage point by district personnel, the requirement for a detector check valve may be waived by the district, but in no event shall the requirement be waived for private-owned fire suppression sprinkler systems.

(c) The requirements for installation of a detector check valve may be waived by the district when it is not possible to install the valve due to a high water pressure. When the requirement for a detector check valve is waived for this reason, the applicant shall provide the district with perpetual access to the fire hydrant to make inspections to determine compliance with district rules and regulations and shall construct the hydrant in accordance with district standards for public fire hydrants. When both of these conditions cannot be met, the district may authorize the installation of a single service to provide both domestic and fire service complete with a pressure regulator and a compound meter to measure water delivered to the property. In this case, the main meter of the compound meter shall act as a detector check valve and be subject to all fees and penalties associated herein. The applicant shall pay the district the actual cost of installing the necessary facilities.

### **3-3.230**

#### **SIZE AND NUMBER OF WATER CONNECTIONS**

An applicant who desires service for commercial or industrial uses, including commercial offices, shall make application for the number, size and types of service connections which will serve the projected highest water use configuration of proposed or actual improvements to the applicant's property. Before service commences, the General Manager may require that the applicant obtain service connections which differ in number, size or type from the service connections requested by the applicant if the General Manager determines the application does not accurately portray the projected highest water use configuration of the improvements to the applicant's property. After service commences, the General Manager may also refuse to change the number, size or type of service connections if the General Manager determines the applicant negligently or intentionally failed to accurately describe the ultimate projected highest water use configuration of the improvements to the applicant's property. If the number, size or type of service connections is changed after service commences, the property owner shall pay for the changes at the rates prevailing at the time of the change.

**CHAPTER 4. CONTINUATION OF SERVICE**

**ARTICLE 1 - RATES: TIME AND MANNER OF PAYMENT**

**3-4.101      GENERAL**

A customer shall be entitled to continue to receive water service from the District by compliance with the provisions of this Chapter.

**3-4.101A<sup>8</sup>      WATER SCHEDULE OF ADJUSTMENTS**

(a) During the budget development process of each fiscal year, the board shall determine whether rates charged for water recover the reasonable cost of water service, including capital costs and operation and maintenance, to the maximum extent feasible and in accordance with the Municipal Water District Law of 1911. The board shall revise the rates, if necessary, to satisfy the foregoing criteria.

(b) The General Manager, with approval of the board of directors, shall change the rates for water service to reflect changes in the cost of water delivered to the District by The Metropolitan Water District of Southern California ("Metropolitan"). Rate changes by the General Manager shall be made as follows:

(1) The fiscal impact of the Metropolitan change shall be spread among rate tiers by the same dollar amount.

(2) A written report on the change shall be presented to the board by the General Manager before the proposed effective date of the change.

(3) The written report shall demonstrate the rate change did not exceed the amount of the rate increase or decrease adopted by Metropolitan.

(4) The rate change shall not be effective until at least thirty days after a notice of the change has been mailed to customers.

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<sup>8</sup> Amended by Ord. No. 11-09-259 on Nov. 24, 2009.



**3-4.102<sup>9</sup>      READINESS TO SERVE CHARGE**

A potable water customer shall pay the following bimonthly readiness to serve charge based upon the size of the meter serving the property and effective with the date of service. This charge is to offset the cost of providing facilities to serve the customer and shall be paid whether the customer takes delivery of water or not.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
3/4"	\$ 28.77	\$ 30.21	\$ 31.73
3/4" x 1"	28.77	30.21	31.73
1"	42.37	44.49	46.72
1-1/2"	76.35	80.17	84.18
2"	117.60	123.48	129.66
3"	225.75	237.04	248.90
4"	348.60	366.03	384.34
6"	675.75	722.14	758.25
8"	1,096.20	1,151.01	1,208.57
10"	1,571.85	1,650.45	1,732.98

**3-4.103<sup>10</sup>      COMMODITY CHARGES**

(a) In addition to the readiness to serve charge, each customer shall pay a commodity charge for water delivered through each meter in a bimonthly period based on the class of customer, tier allotments, and the elevation zone within which the customer's property is located as follows.

(b) A tier allotment is the number of units of water allocated to a customer for a bimonthly billing period. Tier allotments, stated in billing units, for single-family class of customers are as follows:

	Single Family
Tier 1	First 16
Tier 2	Next 51
Tier 3	Next 133
Tier 4	Over 200

\_\_\_\_\_ Tier allotments, stated in billing units, for a multi-family class of customers are as follows:

	Multi-Family per dwelling unit
Tier 1	First 12
Tier 2	Next 2
Tier 3	Next 10
Tier 4	Over 24

<sup>9</sup> Amended by Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

<sup>10</sup> Amended in Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

Tier allotments for commercial and irrigation classes of customers are determined by multiplying the single-family class tier allotments by the meter capacity ratio for the meter serving the property.

Meter Size	Meter Capacity Ratio
3/4"	1.0
1"	1.7
1-1/2"	3.3
2"	5.3
3"	10.7
4"	16.7
6"	33.3
8"	53.3
10"	76.7

(c) Each customer shall pay a charge for the units of water delivered to offset the cost of delivery, other than pumping above Zone 1, as follows:

Volume Charge Per Unit	Commencing with meter reads on or after:		
	1/1/2013 <sub>1</sub>	1/1/2014 <sub>2</sub>	1/1/2015 <sub>3</sub>
Tier 1	\$ 1.98	\$ 2.19	\$ 2.23
Tier 2	2.37	2.60	2.72
Tier 3	3.29	3.56	3.73
Tier 4	4.68	5.02	5.26

Notes:

- For tiers 1-4, includes \$0.11 MWD pass through.
- For tiers 1-4, includes \$0.11 NWD pass through added to 1/1/13 rates.
- No pass through included.

(d) Each customer shall pay a charge for each unit of water delivered to offset the cost of pumping above Zone 1 as follows:

Elevation Charge per Unit	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
Zone 2	\$ 0.38	\$ 0.40	\$ 0.42
Zone 3	0.66	0.70	0.74
Zone 4	1.15	1.21	1.28
Zone 5	2.30	2.42	2.55

Note: the elevation charge is determined by the highest zone the water is pumped to prior to reaching the customer.

As used herein, the elevation zones are:

(a) Zone I, which includes domestic water customers receiving water that does not require pumping above a hydraulic gradient of 1235' prior to delivery to the customer. As used in this Title, Hydraulic Gradient (or H.G.) shall mean the maximum water elevation represented by the pressure in the water system, or the maximum surface elevation of the water in the reservoir serving the system.

(b) Zone II, which includes domestic water customers receiving water that requires pumping to elevations between 1235' and 1700' prior to delivery to the customer.

(c) Zone III, which includes domestic water customers receiving water that requires pumping to elevations between 1700' and 2200' prior to delivery to the customer.

(d) Zone IV, which includes domestic water customers receiving water that requires pumping to elevations greater than 2200' prior to delivery to the customer.

(e) Zone V, which includes domestic water customers who are served water purchased by the District from other than the Metropolitan Water District of Southern California.

### 3-4.104<sup>11</sup>

#### **TEMPORARY SERVICE RATES**

(a) A monthly readiness to serve charge shall be paid for each temporary meter to offset the cost of providing facilities to serve the customer and shall be paid following the installation of the meter and regardless of whether the customer takes delivery of water or not. Temporary potable water meter charges are calculated by multiplying the potable rate for the same size meter by 1.5 and then dividing by two because temporary accounts are billed monthly instead of bi-monthly as the potable accounts are.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
1"	\$ 31.78	\$ 33.37	\$ 35.04
2-1/2"	169.32	177.79	186.68
3"	169.32	177.79	186.68
4"	261.45	274.53	288.26
6"	515.82	541.62	568.71
8"	822.15	863.26	906.43
10"	1,178.89	1,237.84	1,299.74

(b) The monthly volume charge per unit of potable water delivered through temporary meters shall be 150% of the Tier 4 potable water volume and elevation zone charges for the site where the temporary meter is connected.

(c) An installation fee of \$50.00 shall be paid prior to installation of the temporary meter by district staff. In addition, a meter deposit of \$500.00 for a 1" meter or \$1,500.00 for a 2-1/2" meter shall be required prior to installation of the meter. Such meter deposit will be refunded, net any costs incurred by the district relative to the temporary meter. For meters larger than 2-1/2", the deposit shall be 2 times the cost of the meter.

(d) Prior to the installation of the temporary meter, the customer shall be required to pay a deposit in an amount sufficient to guarantee the payment of twelve months of water bills as estimated by the General Manager. Such deposit will be refunded, net any costs unpaid to the district for potable water usage.

<sup>11</sup> Amended by Ord. No. 11-12-270 adopted on Nov. 13, 2012, drafted by LV.

**3-4.105 PRIVATE FIRE PROTECTION SERVICE**

- (a) Detector Check Valve - The bimonthly charge for private fire protection service shall be \$15.00.
- (b) Detector Meter - The bimonthly charge for fire protection service shall be \$15.00.
- (c) No Meter - The bimonthly charge for fire protection service shall be \$15.00.

**3-4.106 SERVICE OUTSIDE OF DISTRICT**

- (a) The rate for surplus water used on land or property located entirely outside of the district shall be the same rate as the rate for water sold through temporary meters unless the agreement for surplus water delivery approved by the Board establishes a rate in which case the rate set forth in the agreement shall apply.
- (b) The rate for water used on land or property located both inside and outside the district shall be apportioned according to the place of use insofar as the General Manager can determine the amounts used on properties within and outside of the district.

**3-4.107 BILLING ADJUSTMENTS**

(a) For the purpose of computing water charges, each meter upon the customer's premises will be computed separately, and readings of two or more meters will not be combined as equivalent to measurement through one meter, except in those instances in which the district, for its operating convenience, substitutes two or more meters of a smaller size in battery for a single larger meter on the same service connection, in which event the total equivalent capacity of the smaller meters shall be substituted for the size of a single meter of a similar capacity, in the application of the rate schedule.

(b) Single family residential customers which have not had a delinquency are eligible for one leak adjustment every ten years provided:

- (1) The adjustment shall be requested within one year of discovery of the leak;
- (2) The adjustment shall apply to one billing period; and
- (3) The credit shall be one-half the difference between the bill in question and the same period one-year earlier or \$1,500, whichever is less.

**3-4.108 BILLS DUE WHEN PRESENTED**

Water meters shall be read as outlined below and the district, as soon after the meter reading date as practical, shall mail or deliver to each customer a statement of his bill for the preceding period. All bills and charges shall be due and payable at the office of the district, upon presentation. Accounts will become delinquent and services may be discontinued in accordance with requirements of this Title. A late charge of 2% per billing period shall be paid on past due balances.

**3-4.109 BILLING FREQUENCY**

(a) Normally, domestic services will be billed bimonthly. Exceptions will be made, if, at the discretion of the General Manager, more frequent billing is warranted. Temporary services will be billed monthly.

(b) A person who proposes to use at least 50 acre feet of water during a 30-day period for recreational uses, such as the filling of a lake, may request the billing for the water delivered to be spread over not more than twelve consecutive months next following the commencement of delivery of water for such purposes. Such a request shall be approved by the General Manager if the customer enters into a written agreement with the district setting forth the terms and conditions of payment.

**3-4.110 APPLICATION OF DEPOSITS TO DELINQUENT ACCOUNTS**

If a consumer who has made a deposit fails to pay his delinquent bill or bills, together with all added penalties, his deposit shall be applied on his account and the service may be discontinued until such time as the deposit is restored to the amount provided herein after all delinquencies and charges are paid.

**3-4.111 FAILURE TO RECEIVE A BILL**

Failure to receive a bill does not relieve a customer of liability for payment.

**3-4.112 NOTICE OF SERVICE DISCONTINUANCE REQUIRED**

Customers desiring to discontinue service should notify the District at least 24 hours prior to vacating the premises. A fee shall be added for discontinuance requested outside normal business hours. Unless discontinuance of service is ordered, the customer will be liable for the bimonthly service charges provided for herein, whether or not any water is used.

**3-4.113 MULTIPLE DISTRICT SERVICES**

The rates and charges for all services and facilities furnished by the district shall be collected with its water rates and charges. All such charges shall be included within the same bill and collected as one item. In the event of failure to pay the whole or any part of the bill, the district may discontinue any or all service for which the bill is rendered.

**3-4.114 MULTIPLE WATER SERVICE CONNECTIONS**

When water is furnished to one customer through more than one service connection at the same or different locations or premises, all such services may be discontinued when a bill for any one of them becomes delinquent.

**3-4.115 PRORATION OF CHARGES FOR ODD PERIODS**

Bills for water service for periods of time less than one month will be prorated.

**3-4.116**      **ESTIMATED BILLS**

(a) If a meter in working condition cannot be read for any reason, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. Should the succeeding reading indicate that the estimate is materially in error, an adjustment shall be made in the succeeding bill.

(b) If a meter becomes inoperable, billing shall be based on the quantity used in a similar period, unless circumstances indicate clearly a material change in the rate of consumption, in which case the General Manager shall estimate the quantity used, considering all pertinent factors, and render a bill accordingly.

**3-4.117**      **CHANGE OF CUSTOMERS WITHOUT NOTICE**

A person taking possession of premises and using water from an active connection without having made application to the district for water service, shall be held liable for the water delivered from the date of the last recorded reading, and if the meter is found inoperative, the quantity consumed will be estimated by the General Manager. If proper application for water service is not made upon notification to do so by the district, and if accumulated bills for service and the fees herein provided are not paid immediately, the service may be discontinued by the district without further notice.

**3-4.118**      **DELINQUENT CUSTOMER AT SAME OR NEW ADDRESS**

Should any customer fail, or refuse to pay for service furnished and charged for in accordance with the rates herein specified, he shall not again be furnished service at the same or any other location until all of his delinquent bills plus the fees and charges herein provided have been paid; and he shall be required to make a deposit sufficient to cover future services as provided herein.

**3-4.119**      **DELINQUENT TENANTS WITH SERVICE IN OWNER'S NAME**

Should a customer who is the owner of property, whether occupied by the customer or a tenant, fail, or refuse to pay bills for service, service may be discontinued and may not again be resumed while the premises are in the same ownership until bills, plus the fees and deposit, have been paid.

**3-4.120**      **FIELD COLLECTIONS - DELINQUENT ACCOUNTS**

Any district employee possessing an authorized order for the immediate disconnection of service which is delinquent under these rules, may, at the time the employee calls to make such disconnection, accept and receipt for in the field the full amount of the water service charges shown upon such disconnection order, plus all fees herein specified. The entire amount due shall be paid, even though the payment has been mailed. Upon collection of the amounts herein above specified, the service shall be left connected or reconnected, as the case may be, otherwise, it shall be disconnected as required in such order. The employee shall not make any rebate or adjust charges. Field collections and service restoration will

not be made after 8:00 p.m.

### **3-4.121 CHECK NOT HONORED BY BANK**

(a) Applicants or customers who pay bills rendered for service, fees, deposits or penalties by check or electronic funds transfer (EFT) will be held responsible for the payment being honored by the Bank upon which it is drawn. If a check or EFT transaction is refused for payment by the Bank, the writer, upon notification, will be required to redeem the payment in cash at the district's office within 24 hours and pay a redemption fee in the amount of \$20.00. If a customer has three returned payments, all subsequent payments will be required to be made in cash for a period of thirteen months.

(b) Service shall not be undertaken until the customer or applicant complies with the requirements of this section. In those cases where the dishonored check relates to service already commenced, the procedure set forth herein for termination of service upon failure to pay district charges, deposits and penalties shall be invoked if the customer fails or refuses to redeem the dishonored check within the allotted time.

### **3-4.122 ELECTRONIC PAYMENTS**

~~(a) Customers may arrange electronic payment of bills.~~

~~(b) With the receipt of the signed authorization form, a voided check, and a pre-noting of their banking information, all future statements will be paid automatically from the bank account designated on the authorization form. When the form and voided check are received by Customer Service, the information will be input into the billing system and a test run will be completed with the customer's banking institution on the following Thursday. The customer will be notified when the test has been completed and advised Autopay will be effective with their next billing cycle.~~

~~(c) The Customer Service Technician will generate the automatic payment file with our district bank the Thursday following the customer's billing and the payment amount will be posted to the customer account. The bank will verify all file transmissions and if there are any discrepancies, Customer Service will be notified immediately by fax from the bank. In the case of a non-sufficient transaction, the district will remove the customer from Autopay and the customer will be required to make bi-monthly payments on their account.~~

~~(d) Customers may arrange payment of bills via Credit Card by accessing the District's website ([www.LVMWD.com](http://www.LVMWD.com)) or, from a touch tone phone. Credit Card / EFT payments cannot be accepted at the LVMWD office or by customer service personnel over the phone. If you have any questions, contact Customer Service at 818-251-2200 during regular business hours (7:30 AM - 5:00 PM Monday through Thursday and 8:00 AM to 5:00 PM on Friday).~~

Bills shall be legal tender or equivalent approved by the general manager including electronic transfer.

## **ARTICLE 2 - USAGE**

### **3-4.201 USE OF WATER - SUPPLYING ANOTHER PERSON**

- (a) Water shall not be supplied to any property other than described in the application for service except as provided in this section.
- (b) The General Manager may permit a customer to supply water to a holder of a public works contract or private contractor. Such permit shall be denied to any person who is indebted to the district for any prior water or damage charges, or who has failed to comply with the rules and regulations of the district or previously issued permit.
- (c) No customer of the district shall deliver or permit to be delivered any water outside of this district's boundaries or for use outside of the boundaries, from a service connection, or other facilities connected to the district's facilities, without the consent of the Board.
- (d) Service of water shall not be made through a single meter to two or more parcels of separately owned property. A temporary exception may be made to this rule if approved by the General Manager, provided that there is no main contiguous to the property from which separate service may be had, and provided further that the customer for whom the meter was installed shall give satisfactory guarantee of payment for all water delivered. Such service shall be charged as though separate meters existed for each separate use. Whenever a district main is installed from which separate service can be rendered, the General Manager will notify the parties and the common service will be discontinued after the time limit noted in the notices.

### **3-4.202 WASTE OF WATER PROHIBITED**

No customer shall knowingly permit waste or leaks of water. Where water is wastefully or negligently used on the customer's premises, the district may discontinue the service, if such conditions are not corrected within five days after the General Manager gives the customer written notice thereof.

### **3-4.203 UNAUTHORIZED USE OF FIRE HYDRANTS**

- (a) Except as provided herein, no person shall use water from a fire hydrant for any purpose other than fire suppression.
- (b) Temporary service may be provided through a fire hydrant under Section 3-2.210.
- (c) Water may be used to maintain or test a fire sprinkler system. Authorization to use water through a fire service connection for the purpose of maintaining or testing a fire sprinkler system will be granted up to four times per year with advance notification to the district. Exceptions may be made upon the estimated quantity of water to be used. The General Manager may restrict or prohibit such non-emergency flows as may be detrimental to the district's system.
- (d) When it is found that a fire service or a fire hydrant has been used for any purpose other than for suppression, or a single service has exceeded the allowable capacity of the by-pass meter, the district may charge the sum of \$200.00 for the first offense, \$300.00



for the second offense, and \$500.00 for the third and subsequent offenses; if warranted by the estimate of water usage for each and every incident of authorized use. (Each day of use may be construed as a separate incident.)

If the General Manager determines that leakage has occurred, totaling less than 0.03 units of water per period delivered during 3 consecutive billing periods to the customer's fire service or fire hydrants, the General Manager shall notify the customer of the usage and encourage customer to fix the leak.

If the General Manager determines that leakage has occurred, totaling less than 15 units but more than 0.03 units of water per period have been delivered to the customer's fire system or fire hydrant, the customer shall present satisfactory evidence that the leak has been repaired, or pay \$75.00 per billing period in addition to the regular charge described herein.

If the General Manager determines that leakage has occurred, totaling more than 15 units of water per period during three consecutive billing periods to the customer's fire service or fire hydrant, the customer shall be required either to present satisfactory evidence that the leakage has been fixed, or he must remove the detector check valve and purchase a water meter of the appropriate size. If the customer chooses to purchase a water meter, the customer shall pay all fees and charges normally associated with the purchase of the meter.

(e) If repeated unauthorized use of a fire service or hydrant occurs, the General Manager shall notify the fire department and the occupant of the properties served by the fire service or fire hydrant that within 10 days the fire service or fire hydrant shall be disconnected until all charges for each violation have been paid and until assurances, satisfactory to the General Manager, have been given that no further unauthorized use will occur.

#### **3-4.204      OPERATION OF DISTRICT FACILITIES RESTRICTED**

No one except an employee or representative of the district shall at any time, in any manner, operate service cocks or valves, main cocks, gates or valves of the district's system, or interfere with meters or their connections, water mains or other parts of the district's water system.

#### **3-4.205      DAMAGE TO PROPERTY**

(a) In no case will the district be liable for damages occasioned by water running from opened or faulty fixtures, or from opened or damaged pipes on the customer side of the meter.

(b) The customer shall be liable for any damage to the district's service facilities when such damage is from any act or omission of the customer or his family, tenants, agents, employees, contractors, licensees, or permittees.

#### **3-4.206      FRAUD**

Service may be discontinued, if necessary, to protect the district against fraud or abuse.

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### **ARTICLE 3 - PROTECTIVE MEASURES**

#### **3-4.301 RELIEF VALVE REQUIRED**

To protect the customer's plumbing system, when pressure regulating valves or other protective devices are connected to a water heater of any type, a suitable pressure relief valve shall be installed and maintained by the customer, in accordance with the Uniform Plumbing Code.

#### **3-4.302 ISOLATION OF CERTAIN SERVICE CONNECTIONS REQUIRED**

(a) There shall be no connection between a private fire protection service and any other water distribution system on the premises.

(b) There shall be no connection between an irrigation service and any other water system on the premises.

#### **~~3-4.303 METER REQUIRED~~**

~~All water furnished by the district, except as provided in this Code, must pass through a meter. No by-pass or connection around a meter between the customer's plumbing and the district's main shall be made or maintained.~~

#### **3-4.304 CROSS CONNECTIONS**

(a) Cross-connection shall mean any unprotected connection between any part of the district's potable water supply system and any source or system which might potentially contain water or substance that is not, or cannot, be approved as potable for human consumption.

(b) The requirements of this district regarding cross-connections are covered in the Uniform Plumbing Code and Section 7583 through 7622 of Title 17 of the California Administrative Code, which are incorporated in this Code by reference.

(c) In addition to the other requirements herein, each customer must, at his own expense, comply with the requirements of this Section. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of these requirements.

(d) Whenever back flow protection has been found necessary on a water supply line entering a customer's premises, or when more than one Domestic and/or Irrigation Service Connection supplies water to a single premises, which, in the opinion of the General Manager, would not preclude the possibility of a circulating flow between the connections, then any and all water supply lines from the district's mains entering such premises, buildings or structures shall be protected by an approved back flow device, regardless of the use.

(e) Private fire protection services are excluded from the requirement of this section.

#### **~~3-4.305~~304 SERVICE CONNECTION SHUT-OFF VALVES**

(a) ~~All district~~District shut-off valves are installed by and for the use of the district and will usually be found~~located~~ immediately adjacent to the street side of the meter.

(b) The district provides a valve on the customer's side of each meter. This valve is for the customer's use, and may be operated at the customer's convenience.

~~3-4.306~~ **OWNERSHIP AND ACCESSIBILITY OF SERVICE CONNECTIONS**

~~All service connections and all water meters installed or accepted for use by the District shall remain the property of the district.~~

~~3-4.305~~ ~~Service connections shall be kept safely and readily accessible for district personnel. The expense of maintenance, repairs, and renewal of such service connections and meters, due to normal wear and tear, shall be borne by the district.~~

~~3-4.307~~ **CUSTOMER PLUMBING APPLIANCES SUBJECT TO APPROVAL**

Water service may be refused or discontinued to any premises where apparatus or appliances are in use which unreasonably endanger district facilities.

## **ARTICLE 4 - WATER CONSERVATION**

### **3-4.401      GENERAL**

The district will offer educational materials to its customers in the efficient use of water to help customers conserve water. The district will furnish customers with water conservation information and make water-conserving fixtures and equipment available. The district will assist cities and the county in the implementation of the Water Conservation in Landscaping Act. This Article sets forth water conservation measures which shall be followed by customers.

### **3-4.402      REQUIREMENTS**

(a) Customers shall conserve water supplied by the District by the prevention and elimination of all waste or leakage of water.

(b) All new plumbing fixtures installed within the District service area must conform to the following requirements:

- (1) Toilets shall use less than 1.6 gallons per flush.
- (2) Showerheads shall flow at less than 2.5 gallons per minute.
- (3) Non-residential lavatory faucets shall be metering or self-closing.
- (4) Urinals shall use not more than 1.5 gallons per flush.

(c) All fixtures must be approved by the State Department of Housing and Community Development, and toilets, urinals and showerheads must have a certification of volume by a reputable independent testing organization.

(1) Where requirements of this subsection would cause hardship or if suitable fixtures are not available, hot water re-circulating systems or point of use hot water heaters may be substituted as water conserving measures for up to two toilet installations per single family dwelling.

(2) In commercial uses, developers/owners may install fixtures that use up to 3.5 gallons per flush when rest room facilities must meet County handicapped use requirements and/or when vandalism of tank style toilets is likely.

(d) All water conserving fixture installations shall be subject to compliance inspection, prior to issuance of final occupancy permits, by one of the following agencies: Los Angeles County, City of Agoura Hills, City of Calabasas, City of Westlake Village, City of Hidden Hills, or the district. Inspection reports shall be supplied by the inspector to the district and the appropriate city or the county.

(e) For the benefit of the public, and to further the cause of water conservation in landscaping, one home in each model home display must be landscaped with water efficient (xeriscape) plant material and irrigated with appropriate water-conserving irrigation systems.

(1) The landscaping for the Xeriscape model shall be designed to be drought tolerant. The use of irrigation intensive plantings shall be discouraged.

(2) All turf areas shall be no more than 30% of the area landscaped.

(3) The model home display shall draw attention to the specific landscape materials and irrigation techniques utilized.

### **3-4.403 RECYCLED WATER USE**

To conserve the district's potable water supply, recycled water shall be used as follows:

(a) Where recycled water is available and appropriate, the use of potable water for irrigation purposes shall be considered a waste of potable water. Upon written notice from the General Manager that recycled water is available and appropriate for use, the customer shall have 60 days to commence the use of recycled water. Thereafter, all potable water which is delivered to the property for irrigation shall be charged at a rate of 150% of the then current potable water rate. As used in this section, "available" means a district recycled water main is contiguous to the site in question.

As used in this section, "appropriate" means that the proposed use is acceptable to the Department of Health Services and the Regional Water Quality Control Board.

(b) Potable water shall not be used for construction activities such as compaction and dust control when recycled water is available and appropriate. As used in this paragraph, "available" also means that the cost of required recycled water, when added to the cost of required recycled water conveyance facilities, is less than, or equal to, the cost of an equivalent amount of potable water priced at 150% of regular potable water rates, plus the cost of necessary potable water conveyance facilities.

### **3-4.404<sup>12</sup> WATER CONSERVATION MEASURES**

(a) Customers shall comply with the following water conservation measures:

(1) Potable water shall not be used to clean or sweep hard surfaces such as sidewalks, walkways, driveways or parking areas unless the washing is performed with an approved water conservation broom, and only as necessary to protect the public health and safety.

(2) Hotels, motels and other places for commercial transient occupancy shall offer guests who stay more than one night the opportunity to retain towels and linens during their stay.

(3) Car washing is permitted only with the use of a nozzle having an automatic shut-off.

(b) Customers shall use the following irrigation practices:

<sup>12</sup> Amended Sec. 3-4.404 by Ord. No. 06-11-266 on June 14, 2011. (Formerly entitled "Violations".)

(1) Irrigation shall occur after 5:00 p.m. and before 10:00 a.m., provided no irrigation is permitted during rainfall, provided further, irrigation is not permitted for 24 hours after rainfall in excess of 1 inch.

(2) Irrigation shall not run off to streets, gutters or adjacent properties.

(3) The District shall assist in the promotion of water efficient irrigation practices by monitoring compliance with landscaping plans approved by cities and the county under the Water Conservation in Landscaping Act. The District shall notify the city or county with jurisdiction by law if it is determined that a landscaping plan has been breached.

### **3-4.405<sup>13</sup> CONSERVATION INCENTIVES**

Customers are encouraged to make the most efficient use of the potable and recycled water supplies. The district may by resolution offer financial and other incentives to customers who replace high volume water use equipment, appliances and devices with low volume water use equipment, appliances and devices.

### **~~3-4.406<sup>14</sup> IRRIGATION PRACTICES~~**

~~REPEALED.~~

### **~~3-4.407<sup>15</sup> WATER SHORTAGE RESPONSE – DROUGHT AND EMERGENCIES~~**

~~REPEALED.~~

### **3-4.408<sup>16</sup> ENFORCEMENT**

(a) Customers shall be notified in writing when the first violation of this article is discovered by the District. The notice shall include a warning that further violations could result in stricter penalties as set forth below.

(b) Customers who violate this article for a second time within a twelve-month period have committed an infraction punishable by a fine of up to \$50.00.

(c) Customers who violate this article for a third time within a twelve-month period have committed an infraction punishable by a fine of up to \$100.00.

(d) Customers who violate this article for a fourth time within a twelve-month period have committed an infraction punishable by a fine of up to \$250.

(e) The District may install flow restrictors or terminate service to customers who have violated provisions of this article five times within a twelve-month period.

(f) Customers shall be encouraged to report violations of this article through the District's water conservation "hot line".

(g) Fines collected pursuant to this section shall be deposited in a special fund and

<sup>13</sup> Amended Sec. 3-4.405 by Ord. No. 07-09-257 on July 14, 2009. (Formerly entitled "Rebates").

<sup>14</sup> Sec. 3-4.406 repealed by Ord. No. 01-09-254 on Jan 27, 2009.

<sup>15</sup> Sec. 3-4.407 repealed by Ord. No. 06-11-266 on June 14, 2011.

<sup>16</sup> Sec. 3-4.408 added by Ord. No. 01-09-254 on January 27, 2009.

spent to provide assistance for water reduction appliances and processes.



**3-4.409407<sup>17</sup> LONG-TERM WATER USE REDUCTIONS**

The General Manager shall recommend appropriate programs and projects to achieve a 20% reduction in the District's water uses by the year 2020.

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<sup>17</sup> Sec 3-4.409 amended by Ord. No. 06-11-266, on June 14, 2011. (Formerly "Water Shortage Response-Water Budgets)

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**TITLE 3 - POTABLE WATER SERVICE****CHAPTER 1. GENERAL****ARTICLE 1 - PURPOSE AND SCOPE****3-1.101 PURPOSE**

Regulations for potable water service are set forth in this Title.

**3-1.102 SCOPE**

This Title applies to potable water service from the district; rates, fees and deposits to cover the cost thereof; the time and manner of payment for services rendered; regulations regarding water usage; protection of the system from mechanical and health hazards; and rules and charges for extending mains and permitting connections to existing mains. This Title does not apply to recycled water service.

**ARTICLE 2 - DEFINITIONS****3-1.201      DEFINITIONS: GENERAL**

The definitions in this Article shall be used to interpret this Title, unless otherwise apparent from the context.

**3-1.202      SERVICE OR WATER SERVICE**

"Service" or "water service" means the delivery of potable water through a meter turned on by the District for which fees and charges have been paid. "Service" does not refer to the system of pipes and appurtenances to deliver water.

**3-1.203      APPLICANT**

"Applicant" means a person applying for water service from the district.

**3-1.204      CLASS OF SERVICE**

"Class of Service" refers to the type of water service provided to a customer. There are four classes of service. "Single-Family Class" refers to service to one residential unit; or an individual unit within a multi-family dwelling complex served through a dedicated water meter. "Multi-family Class" refers to service to 2 or more combined residential units served by a single water meter. "Commercial Class" refers to service to business, institution or government agency. "Irrigation Class" refers to service solely for irrigation.

**3-1.205      DOMESTIC SERVICE**

"Domestic Service" refers to the delivery of water for other than temporary service or fire protection service.

**3-1.206      CONNECTION FEES**

"Connection Fees" means fees levied by the District to recover the cost of facilities needed to provide water service, including: "Capacity Fees" to recover the cost of the potable water system delivering water (distribution pipeline) up to a lateral pipeline connecting the distribution pipeline to a customer's meter; a "Conservation Fee" to pay for the cost of facilities to conserve potable water capacity; and "Meter Fees" to pay for the cost of the lateral pipeline from the distribution pipeline and the meter.

**3-1.207      CUSTOMER**

"Customer" means a person or persons receiving water service from the district.

**3-1.208**      **SERVICE FEES**

"Service Fees" means the fees levied to recover costs incurred to operate and maintain the water system

**3-1.209**      **TYPES OF SERVICE**

(a) District provides permanent, limited, temporary, private, fire, surplus, inactive or sealed water service.

(b) "Permanent Service" means service to property meeting the frontage requirements.

(c) "Limited Service" means service to property which does not otherwise meet the frontage requirements.

(d) "Temporary Service" means service which does not qualify for permanent status. Temporary service connections will be discontinued and terminated 6 months after the installation unless an extension of time granted in writing by the General Manager, or an agreement for service outside the district specifies some other period of time. Temporary service includes service to a subdivision, through a master meter, during its construction phase.

(e) "Private Fire Service" means service for emergency fire protection only.

(f) "Surplus Water Service" means service in excess of the current requirements of the district, its inhabitants to property outside the district boundaries.

(g) "Inactive Service" refers to a meter turned-off by the district and for which all fees and deposits described herein have been paid.

(h) "Sealed Service" refers to a service connection without a meter for which the fees, charges and deposits described herein are outstanding.

**3-1.210**      **UNIT**

"Unit" means one hundred cubic feet or 748 gallons.

**CHAPTER 2 - COMMENCEMENT OF SERVICE**

**ARTICLE 1 - APPLICATION FOR SERVICE**

**3-2.101      COMMENCEMENT OF SERVICE: GENERAL**

(a) An applicant for water service or for to change an existing water service shall: execute appropriate application process, pay the required service initiation fees, make the deposits, and meet the conditions set forth herein.

(b) Each single-family dwelling shall be served through at least one water meter of at least 3/4" size and such additional meters as the property owner may request. Cross-connection control shall be required if more than one meter is installed or non-potable water or unregulated water is available to the property.

(c) Each unit of multi-family dwelling shall be served through at least one water meter of at least 5/8" in size and such additional meters as the property owner may request.

**3-2.102      COMMENCEMENT OF SERVICE: APPLICATIONS**

(a) The application shall include an agreement to abide by regulations and such information as the General Manager may reasonably request. Such application shall be for service to a particular and identified property.

(b) If the application is for service to property not previously served by the district, the applicant shall also present evidence of compliance with local ordinances implementing the Water Conservation in Landscaping Act. If the district is administering such an ordinance on behalf of a city within the district, the application for service shall be treated as an application for concurrent review of a landscape plan.

(c) If the application is for an account in the name of a corporation or partnership, the applicant shall provide a personal guarantee from an owner or principal of the entity, regardless of the form of organization, as follows:

"I hereby certify I am a principal/officer of the organization listed on the attached application. I accept full responsibility for all fees and charges related to water and sewer service for the organization.

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Name and Title

**3-2.103      APPLICANT'S RESPONSIBILITY**

- (a) The applicant shall pay for a minimum of one month of service if the applicant is approved.
- (b) The applicant shall pay expenses incurred by the District as a result of incorrect information on the application.
- (c) Multiple applicants for a commonly owned property shall be jointly and severally liable for water service. A single bill shall be sent to their designee.
- (d) Responsibility for service may be claimed by a customer as follows:
- (1) An account can be changed from two spouses to one spouse with information on the individual assuming billing responsibility.
  - (2) An account can be changed to a family member if a new application is submitted and the \$20.00 initiation fee paid.
  - (3) A customer can direct billing information to a third party and bills will be sent "in care of" the party who will make the payment.

**3-2.104      METER REQUIRED**

All water furnished by the district, except as provided in this Code, must pass through a meter. No by-pass or connection around a meter between the customer's plumbing and the district's main shall be made or maintained.

**3-2.105      OWNERSHIP AND ACCESSIBILITY OF SERVICE CONNECTIONS**

Service connections and water meters installed or accepted for use by the District are the property of the district. Service connections shall be kept safely and readily accessible for district personnel. The expense of maintenance, repairs, and renewal of such service connections and meters, due to normal wear and tear, shall be borne by the district. Water pipes and appurtenances downstream of the meter are the property of the customer who is responsible for operation and maintenance.

**ARTICLE 2 - FEES AND DEPOSITS****3-2.201 FEES AND DEPOSITS: GENERAL**

Service will be commenced after submittal of an application and payment of the applicable fees and deposits as set forth in this Article.

**3-2.202 SERVICE FROM EXISTING SERVICE CONNECTION**

The applicant is not required to pay connection fees if the applicant's property can be served from an inactive service connection. Outstanding connection fees and service fees shall be paid if the applicant requests that a sealed service be activated.

**3-2.203 SERVICE FROM NEW SERVICE CONNECTION**

If the applicant's property cannot be served from an existing connection but can be served from an existing water main, the applicant shall may deposit and pay connection fees and a pro rata share of the cost of the main in accordance with any existing main extension refund agreements, if any.

**3-2.204 SERVICE FROM NEW MAIN**

(a) If the applicant's property cannot be served from an existing main, the applicant shall make deposits; pay connection fees; and the cost of improvements to serve the property provided:

(1) If the water system improvements are identified in an improvement plan for a bond issue and bond proceeds are available, bond funds shall be used to pay for the cost of design and construction under the uniform policies of the district.

(2) If the water system improvements are identified in the current water system capital improvement plan, the improvements shall be constructed by the district using construction fees accrued on or after July 1, 1990, to pay for the cost of design and construction of the improvements. Water system improvements are identified in the current water system capital improvement plan, if the improvements are described in the plan or if the board approves other improvements as a substitute for the improvements described in the plan.

(b) If the applicant pays for a pipeline extension to serve the applicant's property, the applicant may enter into a main extension refund agreement.



**3-2.205****FEES: INSTALLATION CHARGES**

(a) A person may obtain a connection to an existing district main by paying the following installation charges based upon the size of meter which is required for the service:

Size of Meter	Installation Charge
3/4"	\$1,420.00
1"	\$1,430.00
1-1/2" (or larger)	Actual Cost to District

If a pressure regulator or other special appurtenance is required, an additional charge will be paid for the regulator or special appurtenance.

(b) The above fees shall be deposited in a separate capital facilities account entitled "installation fee account", to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments, and shall be expended solely for the purposes of connecting property to the district's water system and installing a water meter, as follows:

(1) For each connection, regardless of meter size, the sum of \$260.00 shall be paid to the general fund for the administrative cost of processing an application for service and establishing a new account.

(2) For each connection using a 3/4" or 1" meter, the sum of \$1,100 shall be paid to the general fund for the excavation of materials and installation of pipe lateral, meter box and fittings. For each larger connection, the amount paid to the general fund shall be based upon the time and materials expended to complete such work.

(3) For each 3/4" meter, the sum of \$60.00 shall be paid to the general fund. For each 1" meter, the sum of \$70.00 shall be paid to the general fund. For each larger meter, the actual cost of the meter shall be paid to the general fund.

(c) The above fees shall be transferred from the installation fee account to the general fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

**3-2.206****CAPACITY FEES**

(a) In addition to the other fees, an applicant for water service shall pay the following capacity fee, based upon the size of the applicant's water meter:

Size of Meter	Capacity Fee
5/8" x 3/4"	\$ 2,900
3/4"	4,350
1"	7,250
1 1/2"	14,500
2"	23,200
3"	46,400
4"	72,500
6"	145,000
8"	232,000
10"	362,500
12"	522,000

(b) Capital facilities fees imposed on a school district shall not exceed the construction cost of the portion of District facilities serving school district facilities prior to January 1, 1987, increased by the percentage increase in the Implicit Price Deflation for state and local government purchases determined by the California Department of Finance. Capital facilities fees initially imposed after July 21, 1986 or in excess of the amount set forth above, shall be imposed only after agreement with the school district.

**3-2.207****DEPOSITS: CAPACITY FEES**

(a) The district shall invest, account for and expend capacity fees as follows:

(1) Capacity fees shall be deposited in a separate capital facilities account, entitled "capacity fees," to avoid commingling with other revenue. The fees shall be expended solely for the purpose of planning, designing and constructing, including debt service, the water facilities described in the water system capital improvement plan to the applicant's property.

(2) The fees shall be expended solely for the purpose for which the fee is collected. Capacity fees shall be transferred from the capacity fees account to the general fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first. If prior to final inspection or issuance of the certificate of occupancy, the board finds the fees are for improvements for which the district has made expenditures or has adopted a construction schedule or plan, the fees shall be paid to the general fund. As used herein, "appropriated" means authorization by the Board to make expenditures and incur obligations for specific purposes.

The fees deposited on a lump sum basis for each dwelling in a residential property subdivision which contains more than one dwelling shall be paid to the general fund when the first dwelling in the development receives its final inspection or certificate of occupancy, whichever occurs first.

The applicant shall execute a deposit agreement before the issuance of a statement of service required for a building permit, if the fee is not fully deposited when the application is made or may not be fully deposited when service commences.

(3) Interest earned by monies in this account shall also be deposited in the account and shall be expended only for the purpose for which the fee was originally collected.

(4) On or before September 1 of each year, the district shall make available to the public the beginning and ending balance for the prior fiscal year, and the fees, interest and other income, the amount of expenditures and the amount of refunds. The board shall review this information at the next regularly scheduled public meeting, not less than 15 days after the information is made available.

(b) The board shall make findings at least once each five years with respect to the portion of the fee remaining unexpended or uncommitted in the separate capital facilities account(s) five or more years after deposit of the fee to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. The findings required by this subsection shall only be made for monies in the possession of the district and need not be made with respect to instruments of credit taken to secure payment of the fee at a future date.

(c) The district shall refund to the then current record owner or owners of lots or units of the development project or projects on a prorated basis, the unexpended or uncommitted portion of the fee, and interest accrued thereon, for which a need cannot be demonstrated pursuant to subsection (b) of this section, provided, if the administrative costs of refunding exceed the amount to be refunded, the district may determine the revenues shall be allocated for other purpose which serves the project(s) on which the fee was originally imposed. If the fees are not refunded to the record owner, the Board shall conduct a duly noticed public hearing before expending the fees for another purpose which serves the project(s).

### 3-2.208<sup>1</sup>

#### **WATER CONSERVATION FEES**

(a) In addition to the other charges set forth in the Code, an applicant for water service shall pay to the district the following water conservation fee based upon the size of the applicant's water meter:

Size of Meter	Conservation Fee
5/8" x 3/4"	\$ 2,033
3/4"	3,050
1"	5,083
1 1/2"	10,167
2"	16,167
3"	32,533
4"	50,833
6"	101,667
8"	162,667

<sup>1</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

10"	254,167
12"	366,000

(b) Conservation fees shall be deposited in a separate capital facilities account, entitled "water conservation fees" account to avoid commingling of the fees with other revenues and funds of the district, except for temporary investments and shall be expended solely for the purpose of planning, designing, constructing, including debt service, recycled water facilities and implementing water conservation programs.

The development of recycled water facilities allows the district to distribute available recycled water supplies, thereby avoiding the cost of constructing additional water system improvements to obtain a like amount of additional potable water from The Metropolitan Water District of Southern California. The water system capital improvement plan takes this into consideration by reducing the amount which would otherwise be charged to the water construction fee account.

(c) Water conservation fees shall be transferred from the deferred capacity fee account to the water conservation fund when the above-described work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

(d) When an applicant for water service to a subdivision installs a recycled water distribution pipeline to serve the subdivision, which is separate and apart from the potable water distribution pipeline, the applicant shall be eligible for reimbursement of a portion of the costs of the recycled water distribution pipeline in an amount to be determined by the board, upon recommendation of the General Manager, provided such reimbursement shall not exceed 50% of the conservation fees paid by the applicant to the district for the subdivision.

(e) Applicants for water service are not required to pay the water conservation fees if sewer capacity fees were paid for the proposed improvement between March 27, 1978, and November 11, 1982.

(f) Upon written request, the water conservation fees to be paid by a public agency for service to tax exempt property shall be reduced by the amount of the fee attributable to the cost of capital facilities.

(g) Capital facilities fees imposed on a school district shall not exceed the construction cost of the portion of District facilities serving school district facilities prior to January 1, 1987, increased by the percentage increase in the Implicit Price Deflation for state and local government purchases determined by the California Department of Finance. Capital facilities fees initially imposed after July 21, 1986 or in excess of the amount set forth above, shall be imposed only after agreement with the school district.

### 3-2.209

#### **FEES: CHANGES IN AMOUNT**

Fees may be changed at any time in accordance with state law. An applicant shall pay the fees existent when service commences regardless of when the fees are deposited. As used herein, "service commences" when a request for service has been made and water can be delivered to the applicant's property through district facilities and monthly water service charges can be assessed. Service does not "commence" when construction water is provided through a temporary meter or prior to the acceptance by the district of the water system serving the applicant's property.



**3-2.210      ASSURANCES OF SERVICE**

When an applicant desires assurances service will be provided at a future date, such assurances will be given only if the applicant agrees to be bound by district regulations, including regulations for the payment of connection fees, existent when service commences and the applicant makes financial arrangements to pay connection fees in the future by depositing cash with the district and entering into a deposit agreement.

**3-2.211      FEES: SPECIAL SERVICES**

(a) In addition to the other fees and charges set forth herein, applicants for private fire protection service shall pay the total actual cost of installation of such service from the distribution main to the applicant's property line.

(b) With the approval of the fire department, temporary service may be provided through an existing, metered fire hydrant. When a fire hydrant is not available for temporary service, a connection may be made to an existing district main at a location acceptable to the General Manager.

**3-2.212      FEES: WATER SYSTEM IMPROVEMENTS**

(a) An applicant for water service required to construct water system improvements shall pay costs incurred by the District for:

(1) The preliminary design of the improvements: Before work on the preliminary design commences, the applicant shall deposit an amount equal to the General Manager's estimate of the preliminary design costs, including, if necessary, the cost of a water system design report and environmental documents.

(2) Review of the plans: Before review of the plans and specifications, the applicant shall deposit an amount equal to the General Manager's estimate of the costs which will be incurred by the district for plan review.

(3) Construct Improvements: Prior to construction, the applicant shall deposit an amount equal to the General Manager's estimate of the costs to be incurred by the district for inspection.

(b) As used herein, the term "costs incurred by the district" include: the costs of consulting services, if any, necessary to perform the tasks described above; 15% of the costs of consulting services, if any, necessary to perform such tasks to reflect administrative and overhead expenses; and amounts paid by the district to its employees working on an hourly rate. The hourly rate for district employees shall be established from time-to-time by the General Manager and shall include reasonable supervision costs, transportation costs, and so forth.

**3-2.213<sup>2</sup>      MISCELLANEOUS FEES**

(a) If the district takes steps to discontinue service for failure to comply with this Code, the customer shall pay the following additional charges before service is reinstated:

<sup>2</sup> Amended by Ord. 07-06-250 on July 25, 2006. (Non-substantive changes were made throughout Title 3.)

(1) \$10.00 for each trip to the property to deliver notice of disconnection of service.

(2) \$50.00 for each trip to the property during regular business hours at the request of the customer to reactivate water service previously disconnected for nonpayment.

(3) \$75.00 for each trip made to the property after regular business hours at the request of the customer.

(b) The turning on or off of water service, other than in (a) above, for the convenience of the customer will be made during regular working hours of field personnel at no charge.

(c) Service connections are inspected prior to acceptance to assure they meet district specifications. A person connecting to the system must do so in a business-like manner so that proper alignment of the facilities will not be changed. The district will not adjust customer plumbing connected improperly. Meters will not be set by the district if, upon removal of the temporary spacer, the customer valve moves appreciably out of alignment, or if any part of the service connection, including the meter box, has been moved or altered. In either of these cases, the district will leave the facilities where found, and will not again return to set the meter until the applicant has made corrections and paid a fee in the amount of \$40.00 per extra trip.

(d) Any person who receives water without prior authorization shall pay two hundred dollars (\$200.00) for the first offense within one year, three hundred (\$300.00) dollars for the second offense within one year, and five hundred dollars (\$500.00) for each subsequent offense within one year.

(e) The district will shop-test a water meter in the presence of the customer at the request of the customer if a few \_\_\_\_\_ to cover the cost of testing is tendered. The General Manager adjusts bills if tested meter is found to be in error more than 2% at medium to high test flows as prescribed by American Water Works Association ("AWWA") specifications. The adjustments are limited to a period of six months, or to the time the customer can establish to the General Manager's satisfaction that the meter was inaccurate, whichever is less. If a meter is found to be registering outside prescribed AWWA specifications, the meter will be replaced.

Meter Size	Test Fee
3/4"	\$ 50.00
1"	\$ 50.00
1-1/2"	\$100.00
2"	\$125.00
2-1/2"	\$125.00
3"	\$125.00
4"	\$125.00
6"	\$125.00
8"	\$150.00
10"	\$150.00
12"	\$150.00

(f) Property receiving both domestic water service and recycled water service shall have a reduced pressure principle backflow device or other appropriate backflow protection installed at the customer's expense, but an annual inspection fee is not charged.

(g) If a backflow prevention device is required to protect against contamination by other

than recycled water served by the district, the customer shall pay an annual inspection fee of \$50.00.

(h) If the review of a landscape plan under the Water Conservation in Landscaping Act is not reimbursed by the jurisdiction which adopted the regulations, the applicant shall pay a landscape plan check fee in the amount of \$500 for projects with proposed landscaping of under one half acre; \$750 for projects between one half acre and one acre of proposed landscaping; and \$1,000 for projects of an acre or more of proposed landscaping.

### **3-2.214**

#### **DEPOSITS: SERVICE FROM EXISTING SERVICE CONNECTION**

(a) If the residential applicant has not promptly paid previous water bills or has a credit history indicating the applicant is a credit risk, the applicant shall make a cash deposit of twice the amount of the normal maximum bill for such property.

(b) If the commercial or industrial applicant owns the property where service is requested and has a credit history indicating the applicant is a credit risk, the applicant shall make a cash deposit of twice the amount of the normal maximum bill for such property.

(c) If the commercial or industrial applicant is not the owner of the property where service is requested, the applicant shall make a cash deposit of twice the amount of the normal maximum bill for such property. (d) A deposit shall be made by customers who have received a final notice five or more times within a two-year period, and from every customer whose service is disconnected for nonpayment of water charges. The deposit for the first disconnection for non-payment of water charges is \$50.00.

(e) Deposits may be refunded to a customer after one year of service without more than one final notice. Refunds shall be made by a draft upon the district unless the customer expressly requests that the refund be made by crediting the amount of the deposit to the account. In the absence of a deposit refund application, the refund of deposits will be made upon discontinuance of service and settlement of the closing bill.

(e) Public agencies and public utilities are not required to make the deposits required by this section.



**3-2.215      CREDITS: NO CHANGE IN EXISTING SERVICE**

An applicant for service to property which can be serviced by an existing  $\frac{3}{4}$ " or 1" connection not installed at district expense shall pay an installation charge of \$1,050 less than the regular installation charge.

**3-2.216      CREDITS: CHANGE OF EXISTING SERVICE**

An existing meter may be reduced in size at no charge. Connection fees shall not be refunded.

**3-2.217      CAPACITY FEES: DEPOSIT AGREEMENT**

An applicant who does not desire or is not required to make a cash deposit for capacity fees, shall enter into a deposit agreement. The General Manager shall present a form of the deposit agreement to the board for approval. The deposit agreement shall be recorded and constitutes a lien against the property for which service is sought.

**3-2.218      DEPOSITS:**

(a) Whenever a deposit is required, the General Manager shall establish the amount of deposit by estimating the district's cost of providing the materials, equipment or services for which the deposit is made. The deposit shall be tendered before work is undertaken.

The amount of deposit may be increased by the General Manager, if the original estimate is inadequate. If the applicant fails to increase the amount of deposit when requested in writing to do so, work on the project shall cease.

At the conclusion of the project, the General Manager shall refund any amounts deposited in excess of costs incurred.

(b) If the applicant abandons the construction of the improvements, or the recording of a subdivision for which installation and connection charges were paid, the installation and connection charges shall be refunded, with interest, to the applicant upon the applicant's written request, provided if the facilities necessary to serve the applicant's property have been installed or direct expenses incurred by the district toward such service installation, the refund shall be reduced by the amount of such expenditure.

(c) Installation or connection fees paid prior to June 22, 1978, will be considered as a deposit toward the fee or charge which exists at the time service commences. Connection fees paid on or after June 22, 1979, but before March 26, 1990, shall be considered full payment of the fee existent at the time service commences.

**3-2.219      SANITATION**

(a) The district may collect delinquent water or sanitation fees pursuant to this section if a water customer owns and occupies the property for which the water or sanitation connection fees are delinquent.

(b) A water customer shall be provided at least 15 days prior written notice of the

district's intention to collect delinquent sanitation fees as a part of the customer's water bill. The notice shall invite the customer's comments, including opportunity to protest the existence or amount of the debt, the manner of payment and whether installment payments will be permitted.

(c) The General Manager shall consider the recommendations of staff, the comments of the customer, if any, and determine whether the sanitation fees should be collected as part of the customer's water bill. The decision of the General Manager shall be presented to the customer in writing at least 15 days prior to including delinquent sanitation fees as part of the water bill.

(d) Delinquent sanitation fees included on the water bill shall be treated the same as other water charges.

## **CHAPTER 3. CONDITIONS OF SERVICE**

### **ARTICLE 1 - GENERAL**

#### **3-3.101      GENERAL**

The district will exercise reasonable diligence and care to deliver a continuous and adequate supply of water to the customer at a reasonable constant pressure and to avoid shortage or interruption in delivery. The district offers water at its system pressure, and the applicant must install adequate plumbing and protective devices in accordance with the current Uniform Plumbing Code in order to utilize the available water at whatever reasonable constant pressure is available in the system. The district is not responsible for the maintenance of pressure and reserves the right to discontinue service while making repairs required in the operation of the water system. Customers depending upon a continuous supply should provide for their own emergency storage.

#### **3-3.102      AREAS SERVED**

- (a) Lands lying within the boundaries of the district are eligible to receive water service.
- (b) Lands lying outside the district may receive surplus water service if there exists an agreement with the governmental agency or franchised utility serving such area.

#### **3-3.103<sup>3</sup>      MAIN FRONTAGE REQUIRED**

- (a) Except for planned commercial or mixed use developments, permanent water service shall not be provided unless a district water main of adequate size extends across the entire frontage of each lot to be served or unless a limited services agreement is approved.
- (b) A District main shall extend across the entire frontage of a planned commercial or mixed use development, but need not extend across the frontage of each lot within a planned commercial or mixed use development if the General Manager determines arrangements have been made to ensure adequate service to lots without frontage.
- (c) Multiple commercial or residential units may be served through a single meter, but such individual buildings and units will be individually sub-metered for water conservation purposes. Accounting of water through sub-meters is the responsibility of the property owner.

#### **3-3.104      CUSTOMERS WITHOUT FRONTAGE - PRESENTLY RECEIVING SERVICE**

Property presently receiving service, but not immediately adjacent to a district water main, may continue to receive service, until such time a water main is installed adjacent to such property. At that time, the General Manager will give written notice to customers and the property owners without limited service agreements that the water connection will be relocated to the new main at the expense of the district.

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<sup>3</sup> Sec. 3-3.103 amended by Ord. No. 10-05-247 on Oct 11, 2005.

Installation or connection charges or water conservation fees paid in conjunction with the original service location will be credited to the new service connection. The district will pay "frontage fees" if the new main is being privately financed. The abandoned service will thereafter be treated as a "Sealed Service."

The parties will have 120 days after the notices are mailed within which to connect their plumbing to the new service connection, at their own expense. Failure to comply may result in the discontinuance of service to the property.

### **3-3.105      LOCATING AND SIZING SERVICE CONNECTIONS**

Water service connections will be installed within the projection of his side property lines as near as possible to the location desired by the applicant, and shall meet the minimum size determined by local plumbing code requirements. Service connections will be made only adjacent to mains readily accessible by public streets, alleys, or other rights-of-way capable of accommodating District vehicles and equipment.

### **3-3.106      PRESSURE, SUPPLY AND EMERGENCY STORAGE**

The district will exercise reasonable diligence and care to deliver a continuous and adequate supply of water to the customer at a reasonable constant pressure and to avoid shortage or interruption in delivery. The district offers water at its system pressure, and the applicant must install adequate plumbing and protective devices in accordance with the current Uniform Plumbing Code in order to utilize the available water at whatever reasonable constant pressure is available in the system. The district is not responsible for the maintenance of pressure and reserves the right to discontinue service while making repairs required in the operation of the water system. Customers depending upon a continuous supply should provide for their own emergency storage.

### **3-3.107      SYSTEM PRESSURE**

(a) Regulators will be required ahead of the district's meter where static pressures are in excess of 150 psi. Applicants for service will be charged for the district's costs of furnishing and installing the regulator. The district will set the regulator at 75 psi unless a signed waiver is received from the customer specifying a desired pressure, not to exceed 145 psi. The district assumes no liability for the accuracy of the regulator pressure setting, nor the reliability of the regulator.

(b) Applicant shall execute an elevation agreement if the minimum gradient at the average elevation of the building foundation is lower than 35 psi. The form for elevation agreements shall be as from time-to-time approved by the board.

## **ARTICLE 2 - EXTENSION OF FACILITIES**

### **3-3.201      GENERAL**

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in this Article.

### **3-3.202      TYPES OF EXTENSIONS**

Depending upon the underlying facts, an applicant may provide for the extension of facilities by one or more of the following: (1) entering into a special contract; (2) construction of an individual main extension; or (3) installing and dedicating a subdivision main extension.

### **3-3.203      SPECIAL CONTRACTS**

(a) If an applicant is otherwise required to provide for a main extension because a district water main is not contiguous to the entire frontage of the applicant's property, the General Manager may in the exercise of his sole discretion enter into a "Limited Service Agreement" with the applicant in lieu of the main extension.

(b) If an applicant is otherwise required to provide for special facilities because the existing facilities do not deliver a sufficient water pressure to the applicant's property, the General Manager may, in the exercise of his sole discretion, enter into an "Elevation Agreement" with the applicant, in lieu of requiring the installation of the special facilities.

(c) If an applicant is otherwise required to provide for the extension of District facilities but may obtain service from facilities operated by another water purveyor, the General Manager may, in the exercise of his sole discretion, enter into a "Water Purveyor Agreement" with the other water purveyor to provide such service.

(d) The "Limited Service Agreement," "Elevation Agreement," and "Water Purveyor Agreement" approved by the General Manager shall be in the form approved by the board from time-to-time.

### **3-3.204      INDIVIDUAL MAIN EXTENSION: PRIVATELY FINANCED**

An applicant shall pay the cost of the main extension necessary to satisfy the appropriate frontage requirements. The necessary main extension may be accomplished in either of the following two ways:

(a) The applicant may contract for the installation of the main extension by private contractor. The design, construction, collection of fees and deposits, inspection and acceptance of the work shall be in the same amounts and in the same manner as are provided for subdivision construction herein. If refunding agreements are to be set up, the applicant must furnish satisfactory evidence on the cost of the work, including that of at least two legitimate bids were received for the work. Completion bonds will be required if the applicant requires that the district certify to the County that water service will be available to the premises.

(b) The applicant may have the district undertake the installation of the main extension. Deposits for design and inspection will be collected as provided herein. Deposit for the construction of the main extension will be provided in accordance with the schedule of costs from time-to-time promulgated by the General Manager and available at the district office in accordance with the procedure established in Chapter 2 of the Title. The deposit schedule shall reflect the district's costs for the pipeline, necessary appurtenances thereto, and administration, construction drawings and surveying fees.

### **3-3.205 INDIVIDUAL MAIN EXTENSIONS: REFUNDING AGREEMENTS**

Two methods are available to partially refund the cost of an individually financed main extension:

(a) Upon acceptance of an individual main extension by the district, the district will require all applicants whose property fronts upon the main to pay to the district a pro rata share of the original cost of the main extension before rendering service to the applicant. Thereafter, the district will refund all such collections to the person who paid for the main extension, or his or her successors or assigns, provided the terms and conditions of such refund shall be set forth in a Main Extension Refund Agreement executed by the General Manager on behalf of the district. (See Appendix B.) The Agreement shall provide, among other things:

(1) The refund shall be collected from persons who connect to the main within ten (10) years from the date of acceptance of the main by the district; and

(2) The person entitled to receive the refund keeps the district fully informed as to his whereabouts.

The 10-year refund deadline may be extended for an additional ten (10) years upon written application to the board for such extension, presented at least sixty (60) days prior to the expiration of the first ten-year period.

(b) If the main is shown on an improvement plan of the district, indicating its proposed installation within a reasonable period of years, an agreement to refund the cost of the presently required section of the main may be entered into by the district, to be paid to the person entitled thereto, at such time as the main is scheduled for installation but, in no event, shall any such district refund be made more than ten (10) years after the district's acceptance of the section of the main constructed in accordance with these provisions.

### **3-3.206 SUBDIVISIONS: PRELIMINARY DESIGN**

An application for service to property to be subdivided shall not be acted upon until the completion of a preliminary design at the applicant's expense, as a basis for the General Manager's recommendation to the Board as to the facilities required, and the estimated amount of any district participation in the proposed water system therefor.

The General Manager shall also review the preliminary design to determine the feasibility of providing recycled water service to all or a portion of the proposed subdivision. The General Manager shall make his recommendations to the board as to such feasibility when the preliminary design report for the subdivision is presented to the board. The nature and extent of required recycled water system improvements based upon the criteria set forth in Title 4 of this Code.

To the extent feasible, the preliminary design shall use the criteria established for landscaping plans adopted by the city or county with jurisdiction by law under the Water Conservation in Landscaping Act. The preliminary design shall be at least as strict as the criteria established under the Water Conservation in Landscaping Act and may include additional water conservation requirements.

**3-3.207**      **SUBDIVISIONS: FINAL DESIGN**

The board shall consider the report and recommendation of the General Manager and the preliminary design report. The board shall thereupon approve the final design of the water system improvements for the subdivision.

**3-3.208**      **SUBDIVISIONS: INSTALLED BY SUBDIVIDER**

Subdividers shall install the complete water system shown in the final design report, including service connections to each lot. The timing of all district construction shall be at the sole discretion of the board.

**3-3.209**      **SUBDIVISIONS: IMPROVEMENT SECURITY REQUIRED**

Before the district will certify that it will furnish water to the subdivided lands, the subdivider shall provide the district with security sufficient to ensure the water improvements will be constructed. Such improvement security shall be one of the following at the option of and subject to the approval of the district:

- (a) "Performance" Bond or bonds by one or more duly authorized corporate sureties.
- (b) A deposit of money or negotiable bonds of the kind approved for securing deposits of public moneys.
- (c) An instrument of credit from one or more financial institutions subject to regulations by the state or federal government and pledging that the funds necessary to carry out the act or agreement are on deposit and guaranteed for payment.

Such security shall be in the amount of 100% of the total estimated cost of the improvement at the end of the period allowed for completion of the facilities plus such additional amount, if any, necessary to guarantee the work for a period of one year following its completion against any defects in workmanship, labor done, or defective materials, furnished. The amount of such service may be increased or decreased by the board upon the recommendation of the General Manager.

**3-3.210**      **SUBDIVISIONS: IMPROVEMENT SECURITY: CORPORATE SURETY BONDS**

When the subdivider provides a corporate surety bond, such bond shall be substantially the form required for improvement security bonds filed in connection with the Subdivision Map Act of the State of California.

**3-3.211      SUBDIVISIONS: IMPROVEMENT SECURITY: CASH OR NEGOTIABLE BONDS**

When the subdivider deposits cash or negotiable bonds as improvement security, such cash or bonds shall be deposited with the district or a responsible escrow agent or trust company, approved by the General Manager.

**3-3.212      SUBDIVISIONS: IMPROVEMENT SECURITY: INSTRUMENTS OF CREDIT**

When the subdivider deposits an instrument of credit from one or more financial institutions pledging that funds necessary to carry out the improvement are on deposit and guaranteed for payment, such instrument of credit shall be irrevocable and unconditional until the obligation secured thereby is performed to the satisfaction of the district and shall not be subject to levy or attachment by any creditors of the depositor or subdivider.

**3-3.213      SUBDIVISIONS: IMPROVEMENT SECURITY: COORDINATION WITH OTHER AGENCIES**

In the exercise of their sole discretion, the board may enter into the following written agreements with the local agency which administers the California Subdivision Map Act whereby the district and such other agency coordinate their respective improvement security requirements in order to eliminate duplication:

(a) When the subdivider provides improvement security pursuant to the Subdivision Map Act, the improvement security required herein may be reduced or eliminated when the agency which administers the Subdivision Map Act agrees that the water system improvements are subject to the approval of the district; or

(b) When the subdivider provides improvement security to the district, the Board of Directors may agree that the water system improvements are subject to the approval of the local agency which administers the Subdivision Map Act.

**3-3.214      SUBDIVISIONS: SYSTEM DEDICATED**

All subdivision distribution lines and service connections, including meters and other appurtenances, shall become and remain the property of the district and shall be dedicated to the district before the district will undertake water service to the subdivision. The total construction cost of the water system shall be certified to the district by the subdivider.

**3-3.215      SUBDIVISIONS: PAYMENTS PRIOR TO CONSTRUCTION**

Prior to approval of water system plans, the subdivider shall execute a deposit agreement for sufficient number of meters to serve each lot within the proposed subdivision.

If additional meters are required prior to completion of construction; or if any lots require an increase in meter size, then added fees and deposits shall be paid and any necessary revisions made in the deposit agreement. A credit will be allowed for any excess deposits previously made.



**3-3.216      SUBDIVISIONS: CONSTRUCTION WATER**

Construction water will be provided through a temporary service that will be connected to the district's metered facilities through a main tap which will be designed to accommodate the permanent water system required to service the subdivision for which such temporary water is requested. Fire hydrant meters may be used only at the discretion of the General Manager

The subdivider may pay the water construction and water conservation fund fees for the size of such master meter in addition to the cost of the meter and installation, and obtain water at the district's regular rates or pay only for the setting of the master meter and obtain water at the district's temporary water rates.

Such temporary service connections shall be discontinued and terminated within six months after installation, unless, an extension of time is granted in writing by the General Manager. Upon discontinuance of such temporary service, a refund of the salvage value of the recovered meter will be made.

**3-3.217      SUBDIVISIONS: SERVICE CHARGES: DEVELOPER**

(a) Prior to the acceptance by the district of the water system for a subdivision, the subdivider shall pay the master meter charges and bi-monthly service charges for each parcel within the subdivision which is approved for occupancy by the local agency with jurisdiction by law or which is actually occupied.

(b) Upon acceptance by the district of the water system for a subdivision and payment of the final bill, the master meter charges shall cease and the subdivider shall be no longer responsible for the payment of bi-monthly service charges for parcels within the subdivision.

(c) Upon acceptance by the district of a portion of the water system for a subdivision, the subdivider shall no longer be responsible for the payment of bi-monthly service charges for the parcels within the portion of the subdivision receiving service from the accepted portion of the water system. The district will set up and maintain meter reading routes for meters turned on in subdivision areas accepted by the board. The total water passing through such turned on meters will be subtracted from the subdivider's Master Meter reading, prior to the preparation of each master meter water bill to the subdivider.

**3-3.218      SUBDIVISIONS: SERVICE CHARGES: INDIVIDUAL CUSTOMERS**

(a) A person who occupies property prior to the acceptance or partial acceptance of the water system by the district serving the property is not a customer of the district.

(b) Upon acceptance by the district of the water system serving all or a portion of a subdivision, service to individual parcels capable of receiving or receiving service from the accepted water system shall terminate unless application for water service is made and fees and deposits made in accordance with this Title.

**3-3.219      SUBDIVISIONS: REFUNDING AGREEMENTS**

Subdividers who are required to bear the cost of the design and construction of off-site and peripheral water pipelines may utilize either of the two refund methods made available to individual applicants as set forth herein in order to recoup the costs of construction of said pipeline insofar as it benefits property located outside the subdivision.

**3-3.220      DISTRICT PROJECTS: GENERAL**

Notwithstanding the foregoing, the district may undertake the expansion of all or a portion of the facilities necessary to serve the applicant's property to the extent they are of general district benefit.

**3-3.221      DISTRICT PROJECTS: SIDE FRONTAGE**

When there is an existing distribution main in the public street or right-of-way, from which corner property may receive water service from the district, and a service connection is requested (except by a subdivider, who shall be required to pay the entire expense of the necessary main extension) beyond the corner property on the other frontage of the public street which passes the corner property, and the requested service connection requires an additional main extension fronting the subject property, under this Title, the district will install, at its expense, the necessary water main for the width of the said corner property or 150 feet, whichever is the shorter distance. Distances shall be measured from the front line of the corner property, projected if necessary to eliminate property returns, and so forth.

**3-3.222      FINANCING OF OVERSIZED FACILITIES**

(a) Should the district desire to install facilities in excess of those needed to meet the applicant's service and fire flow demands, the cost of the excess facilities shall be borne by the district.

(b) Should an applicant desire the installation of a water main to meet specialized service or fire flow requirements, the costs of the extra work shall be borne by the applicant. In such a case, the district will not participate in the side frontage as provided in Section 3-3.221. However, the side frontage will be deducted from the total frontage prior to calculating the unit reimbursement amount for the serviceable frontage.

(c) Upon acceptance of the facility with excess capacity, the district will, for a period of ten years following such acceptance, require all subsequent applicants whose property fronts upon the facilities, to pay to the district the applicant's pro rata share of the original cost of the facilities before rendering service, and the district will refund all such collections to the person, his successors or assigns, who provided the excess capacity. If the subsequent applicant's water service and fire flow requirements could have been met without the facilities with excess capacity, the subsequent applicant shall only be required to pay the district his pro rata share of any outstanding un-reimbursed costs of the facilities without considering excess capacity.

**3-3.223      WATER CONSTRUCTION FUND PROJECTS**

A water construction fund shall be maintained to provide for the installation of water facilities from time to time necessary to increase delivery capacity of the system to accommodate new customers and changed water demand beyond that which is required for a given applicant's property.

**3-3.224      DESIGN STANDARDS**

The size, type and quality of materials and location of the lines and appurtenances thereto shall be specified by the General Manager in accordance with Standard District Specifications for water system construction and design standards, as adopted by the board from time to time.

**3-3.225      APPLICANTS REQUIRED TO PROVIDE RIGHTS-OF-WAY**

An applicant for water service or a main extension shall dedicate or cause to be dedicated to the district an easement or easements for the installation, maintenance and replacement of water system facilities to provide service to the applicant.

**3-3.226      RELOCATIONS OF FACILITIES**

Any district facilities which are relocated for the convenience of someone other than the district shall be moved at the sole expense of the person requesting the relocation. If private construction is endangering the safety of a district facility, or is causing a facility to become a hazard, the facility will be relocated by the district, and the person causing the hazard shall pay for the full cost of the relocation.

**3-3.227      OWNERSHIP OF MAINS**

All mains and appurtenant facilities connected to the district's distribution system shall become the property of the district, and shall be operated and maintained by the district. Dedication of such mains and appurtenances to the district shall be made, in a form acceptable for recording, prior to commencement of service through the new system.

**3-3.228      ASSESSMENT DISTRICTS**

A group of applicants for service along a street or right-of-way in which a main could be installed which would provide for the frontage requirements of this Title, and who represent 60% or more of the owners of frontage along the proposed main, may join together to file an application with the District to form an assessment district for the purpose of financing the necessary improvement. All costs of forming the assessment district shall be advanced by the applicants, and prorated among all the beneficiaries of the improvement upon the successful completion of the proceedings. A deposit in an amount from time-to-time determined by the General Manager must be made to cover the costs of the preliminary design prior to further proceedings being instituted by the District. No refunds will be made of monies expended in the event the proceedings are terminated prior to completion.

**3-3.229      FIRE HYDRANTS**

(a) Fire hydrants shall be installed by the district in accordance with water system design reports or when requested by a property owner.

(b) If the fire hydrant is not located where the district may readily inspect for illegal connections or not constructed to district standards for public usage, a detector check valve shall be installed to detect illegal connections and water leaks. When a fire hydrant is constructed to district standards for public hydrants on a main constructed solely for this purpose and can be inspected for misuse from public vantage point by district personnel, the requirement for a detector check valve may be waived by the district, but in no event shall the requirement be waived for private-owned fire suppression sprinkler systems.

(c) The requirements for installation of a detector check valve may be waived by the district when it is not possible to install the valve due to a high water pressure. When the requirement for a detector check valve is waived for this reason, the applicant shall provide the district with perpetual access to the fire hydrant to make inspections to determine compliance with district rules and regulations and shall construct the hydrant in accordance with district standards for public fire hydrants. When both of these conditions cannot be met, the district may authorize the installation of a single service to provide both domestic and fire service complete with a pressure regulator and a compound meter to measure water delivered to the property. In this case, the main meter of the compound meter shall act as a detector check valve and be subject to all fees and penalties associated herein. The applicant shall pay the district the actual cost of installing the necessary facilities.

### **3-3.230**

#### **SIZE AND NUMBER OF WATER CONNECTIONS**

An applicant who desires service for commercial or industrial uses, including commercial offices, shall make application for the number, size and types of service connections which will serve the projected highest water use configuration of proposed or actual improvements to the applicant's property. Before service commences, the General Manager may require that the applicant obtain service connections which differ in number, size or type from the service connections requested by the applicant if the General Manager determines the application does not accurately portray the projected highest water use configuration of the improvements to the applicant's property. After service commences, the General Manager may also refuse to change the number, size or type of service connections if the General Manager determines the applicant negligently or intentionally failed to accurately describe the ultimate projected highest water use configuration of the improvements to the applicant's property. If the number, size or type of service connections is changed after service commences, the property owner shall pay for the changes at the rates prevailing at the time of the change.

**CHAPTER 4. CONTINUATION OF SERVICE****ARTICLE 1 - RATES: TIME AND MANNER OF PAYMENT****3-4.101      GENERAL**

A customer shall be entitled to continue to receive water service from the District by compliance with the provisions of this Chapter.

**3-4.101A<sup>4</sup>      WATER SCHEDULE OF ADJUSTMENTS**

(a) During the budget development process of each fiscal year, the board shall determine whether rates charged for water recover the reasonable cost of water service, including capital costs and operation and maintenance, to the maximum extent feasible and in accordance with the Municipal Water District Law of 1911. The board shall revise the rates, if necessary, to satisfy the foregoing criteria.

(b) The General Manager, with approval of the board of directors, shall change the rates for water service to reflect changes in the cost of water delivered to the District by The Metropolitan Water District of Southern California ("Metropolitan"). Rate changes by the General Manager shall be made as follows:

(1) The fiscal impact of the Metropolitan change shall be spread among rate tiers by the same dollar amount.

(2) A written report on the change shall be presented to the board by the General Manager before the proposed effective date of the change.

(3) The written report shall demonstrate the rate change did not exceed the amount of the rate increase or decrease adopted by Metropolitan.

(4) The rate change shall not be effective until at least thirty days after a notice of the change has been mailed to customers.

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<sup>4</sup> Amended by Ord. No. 11-09-259 on Nov. 24, 2009.

**3-4.102<sup>5</sup> READINESS TO SERVE CHARGE**

A potable water customer shall pay the following bimonthly readiness to serve charge based upon the size of the meter serving the property and effective with the date of service. This charge is to offset the cost of providing facilities to serve the customer and shall be paid whether the customer takes delivery of water or not.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
3/4"	\$ 28.77	\$ 30.21	\$ 31.73
3/4" x 1"	28.77	30.21	31.73
1"	42.37	44.49	46.72
1-1/2"	76.35	80.17	84.18
2"	117.60	123.48	129.66
3"	225.75	237.04	248.90
4"	348.60	366.03	384.34
6"	675.75	722.14	758.25
8"	1,096.20	1,151.01	1,208.57
10"	1,571.85	1,650.45	1,732.98

**3-4.103<sup>6</sup> COMMODITY CHARGES**

(a) In addition to the readiness to serve charge, each customer shall pay a commodity charge for water delivered through each meter in a bimonthly period based on the class of customer, tier allotments, and the elevation zone within which the customer's property is located as follows.

(b) A tier allotment is the number of units of water allocated to a customer for a bimonthly billing period. Tier allotments, stated in billing units, for single-family class of customers are as follows:

	Single Family
Tier 1	First 16
Tier 2	Next 51
Tier 3	Next 133
Tier 4	Over 200

Tier allotments, stated in billing units, for a multi-family class of customers are as follows:

	Multi-Family per dwelling unit
Tier 1	First 12
Tier 2	Next 2
Tier 3	Next 10
Tier 4	Over 24

<sup>5</sup> Amended by Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

<sup>6</sup> Amended in Ord. No. 11-12-270 adopted on Nov 13, 2012, drafted by LV.

Tier allotments for commercial and irrigation classes of customers are determined by multiplying the single-family class tier allotments by the meter capacity ratio for the meter serving the property.

Meter Size	Meter Capacity Ratio
3/4"	1.0
1"	1.7
1-1/2"	3.3
2"	5.3
3"	10.7
4"	16.7
6"	33.3
8"	53.3
10"	76.7

(c) Each customer shall pay a charge for the units of water delivered to offset the cost of delivery, other than pumping above Zone 1, as follows:

Volume Charge Per Unit	Commencing with meter reads on or after:		
	1/1/2013 <sub>1</sub>	1/1/2014 <sub>2</sub>	1/1/2015 <sub>3</sub>
Tier 1	\$ 1.98	\$ 2.19	\$ 2.23
Tier 2	2.37	2.60	2.72
Tier 3	3.29	3.56	3.73
Tier 4	4.68	5.02	5.26

Notes:

- For tiers 1-4, includes \$0.11 MWD pass through.
- For tiers 1-4, includes \$0.11 NWD pass through added to 1/1/13 rates.
- No pass through included.

(d) Each customer shall pay a charge for each unit of water delivered to offset the cost of pumping above Zone 1 as follows:

Elevation Charge per Unit	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
Zone 2	\$ 0.38	\$ 0.40	\$ 0.42
Zone 3	0.66	0.70	0.74
Zone 4	1.15	1.21	1.28
Zone 5	2.30	2.42	2.55

Note: the elevation charge is determined by the highest zone the water is pumped to prior to reaching the customer.

As used herein, the elevation zones are:

(a) Zone I, which includes domestic water customers receiving water that does not require pumping above a hydraulic gradient of 1235' prior to delivery to the customer. As used in this Title, Hydraulic Gradient (or H.G.) shall mean the maximum water elevation represented by the pressure in the water system, or the maximum surface elevation of the water in the reservoir serving the system.

- (b) Zone II, which includes domestic water customers receiving water that requires pumping to elevations between 1235' and 1700' prior to delivery to the customer.
- (c) Zone III, which includes domestic water customers receiving water that requires pumping to elevations between 1700' and 2200' prior to delivery to the customer.
- (d) Zone IV, which includes domestic water customers receiving water that requires pumping to elevations greater than 2200' prior to delivery to the customer.
- (e) Zone V, which includes domestic water customers who are served water purchased by the District from other than the Metropolitan Water District of Southern California.

### 3-4.104<sup>7</sup> TEMPORARY SERVICE RATES

(a) A monthly readiness to serve charge shall be paid for each temporary meter to offset the cost of providing facilities to serve the customer and shall be paid following the installation of the meter and regardless of whether the customer takes delivery of water or not. Temporary potable water meter charges are calculated by multiplying the potable rate for the same size meter by 1.5 and then dividing by two because temporary accounts are billed monthly instead of bi-monthly as the potable accounts are.

Meter Size	Commencing with meter reads on or after:		
	1/1/2013	1/1/2014	1/1/2015
1"	\$ 31.78	\$ 33.37	\$ 35.04
2-1/2"	169.32	177.79	186.68
3"	169.32	177.79	186.68
4"	261.45	274.53	288.26
6"	515.82	541.62	568.71
8"	822.15	863.26	906.43
10"	1,178.89	1,237.84	1,299.74

- (b) The monthly volume charge per unit of potable water delivered through temporary meters shall be 150% of the Tier 4 potable water volume and elevation zone charges for the site where the temporary meter is connected.
- (c) An installation fee of \$50.00 shall be paid prior to installation of the temporary meter by district staff. In addition, a meter deposit of \$500.00 for a 1" meter or \$1,500.00 for a 2-1/2" meter shall be required prior to installation of the meter. Such meter deposit will be refunded, net any costs incurred by the district relative to the temporary meter. For meters larger than 2-1/2", the deposit shall be 2 times the cost of the meter.
- (d) Prior to the installation of the temporary meter, the customer shall be required to pay a deposit in an amount sufficient to guarantee the payment of twelve months of water bills as estimated by the General Manager. Such deposit will be refunded, net any costs unpaid to the district for potable water usage.

<sup>7</sup> Amended by Ord. No. 11-12-270 adopted on Nov. 13, 2012, drafted by LV.



**3-4.105 PRIVATE FIRE PROTECTION SERVICE**

- (a) Detector Check Valve - The bimonthly charge for private fire protection service shall be \$15.00.
- (b) Detector Meter - The bimonthly charge for fire protection service shall be \$15.00.
- (c) No Meter - The bimonthly charge for fire protection service shall be \$15.00.

**3-4.106 SERVICE OUTSIDE OF DISTRICT**

- (a) The rate for surplus water used on land or property located entirely outside of the district shall be the same rate as the rate for water sold through temporary meters unless the agreement for surplus water delivery approved by the Board establishes a rate in which case the rate set forth in the agreement shall apply.
- (b) The rate for water used on land or property located both inside and outside the district shall be apportioned according to the place of use insofar as the General Manager can determine the amounts used on properties within and outside of the district.

**3-4.107 BILLING ADJUSTMENTS**

- (a) For the purpose of computing water charges, each meter upon the customer's premises will be computed separately, and readings of two or more meters will not be combined as equivalent to measurement through one meter, except in those instances in which the district, for its operating convenience, substitutes two or more meters of a smaller size in battery for a single larger meter on the same service connection, in which event the total equivalent capacity of the smaller meters shall be substituted for the size of a single meter of a similar capacity, in the application of the rate schedule.
- (b) Single family residential customers which have not had a delinquency are eligible for one leak adjustment every ten years provided:
  - (1) The adjustment shall be requested within one year of discovery of the leak;
  - (2) The adjustment shall apply to one billing period; and
  - (3) The credit shall be one-half the difference between the bill in question and the same period one-year earlier or \$1,500, whichever is less.

**3-4.108 BILLS DUE WHEN PRESENTED**

Water meters shall be read as outlined below and the district, as soon after the meter reading date as practical, shall mail or deliver to each customer a statement of his bill for the preceding period. All bills and charges shall be due and payable at the office of the district, upon presentation. Accounts will become delinquent and services may be discontinued in accordance with requirements of this Title. A late charge of 2% per billing period shall be paid on past due balances.

**3-4.109**      **BILLING FREQUENCY**

(a) Normally, domestic services will be billed bimonthly. Exceptions will be made, if, at the discretion of the General Manager, more frequent billing is warranted. Temporary services will be billed monthly.

(b) A person who proposes to use at least 50 acre feet of water during a 30-day period for recreational uses, such as the filling of a lake, may request the billing for the water delivered to be spread over not more than twelve consecutive months next following the commencement of delivery of water for such purposes. Such a request shall be approved by the General Manager if the customer enters into a written agreement with the district setting forth the terms and conditions of payment.

**3-4.110**      **APPLICATION OF DEPOSITS TO DELINQUENT ACCOUNTS**

If a consumer who has made a deposit fails to pay his delinquent bill or bills, together with all added penalties, his deposit shall be applied on his account and the service may be discontinued until such time as the deposit is restored to the amount provided herein after all delinquencies and charges are paid.

**3-4.111**      **FAILURE TO RECEIVE A BILL**

Failure to receive a bill does not relieve a customer of liability for payment.

**3-4.112**      **NOTICE OF SERVICE DISCONTINUANCE REQUIRED**

Customers desiring to discontinue service should notify the District at least 24 hours prior to vacating the premises. A fee shall be added for discontinuance requested outside normal business hours. Unless discontinuance of service is ordered, the customer will be liable for the bimonthly service charges provided for herein, whether or not any water is used.

**3-4.113**      **MULTIPLE DISTRICT SERVICES**

The rates and charges for all services and facilities furnished by the district shall be collected with its water rates and charges. All such charges shall be included within the same bill and collected as one item. In the event of failure to pay the whole or any part of the bill, the district may discontinue any or all service for which the bill is rendered.

**3-4.114**      **MULTIPLE WATER SERVICE CONNECTIONS**

When water is furnished to one customer through more than one service connection at the same or different locations or premises, all such services may be discontinued when a bill for any one of them becomes delinquent.

**3-4.115**      **PRORATION OF CHARGES FOR ODD PERIODS**

Bills for water service for periods of time less than one month will be prorated.

**3-4.116**      **ESTIMATED BILLS**

(a) If a meter in working condition cannot be read for any reason, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. Should the succeeding reading indicate that the estimate is materially in error, an adjustment shall be made in the succeeding bill.

(b) If a meter becomes inoperable, billing shall be based on the quantity used in a similar period, unless circumstances indicate clearly a material change in the rate of consumption, in which case the General Manager shall estimate the quantity used, considering all pertinent factors, and render a bill accordingly.

**3-4.117**      **CHANGE OF CUSTOMERS WITHOUT NOTICE**

A person taking possession of premises and using water from an active connection without having made application to the district for water service, shall be held liable for the water delivered from the date of the last recorded reading, and if the meter is found inoperative, the quantity consumed will be estimated by the General Manager. If proper application for water service is not made upon notification to do so by the district, and if accumulated bills for service and the fees herein provided are not paid immediately, the service may be discontinued by the district without further notice.

**3-4.118**      **DELINQUENT CUSTOMER AT SAME OR NEW ADDRESS**

Should any customer fail, or refuse to pay for service furnished and charged for in accordance with the rates herein specified, he shall not again be furnished service at the same or any other location until all of his delinquent bills plus the fees and charges herein provided have been paid; and he shall be required to make a deposit sufficient to cover future services as provided herein.

**3-4.119**      **DELINQUENT TENANTS WITH SERVICE IN OWNER'S NAME**

Should a customer who is the owner of property, whether occupied by the customer or a tenant, fail, or refuse to pay bills for service, service may be discontinued and may not again be resumed while the premises are in the same ownership until bills, plus the fees and deposit, have been paid.

**3-4.120**      **FIELD COLLECTIONS - DELINQUENT ACCOUNTS**

Any district employee possessing an authorized order for the immediate disconnection of service which is delinquent under these rules, may, at the time the employee calls to make such disconnection, accept and receipt for in the field the full amount of the water service charges shown upon such disconnection order, plus all fees herein specified. The entire amount due shall be paid, even though the payment has been mailed. Upon collection of the amounts herein above specified, the service shall be left connected or reconnected, as the case may be, otherwise, it shall be disconnected as required in such order. The employee shall not make any rebate or adjust charges. Field collections and service restoration will

not be made after 8:00 p.m.

**3-4.121**      **CHECK NOT HONORED BY BANK**

(a) Applicants or customers who pay bills rendered for service, fees, deposits or penalties by check or electronic funds transfer (EFT) will be held responsible for the payment being honored by the Bank upon which it is drawn. If a check or EFT transaction is refused for payment by the Bank, the writer, upon notification, will be required to redeem the payment in cash at the district's office within 24 hours and pay a redemption fee in the amount of \$20.00. If a customer has three returned payments, all subsequent payments will be required to be made in cash for a period of thirteen months.

(b) Service shall not be undertaken until the customer or applicant complies with the requirements of this section. In those cases where the dishonored check relates to service already commenced, the procedure set forth herein for termination of service upon failure to pay district charges, deposits and penalties shall be invoked if the customer fails or refuses to redeem the dishonored check within the allotted time.

**3-4.122**      **PAYMENTS**

Bills shall be by legal tender or equivalent approved by the general manager including electronic transfer.

**ARTICLE 2 - USAGE**

**3-4.201 USE OF WATER - SUPPLYING ANOTHER PERSON**

- (a) Water shall not be supplied to any property other than described in the application for service except as provided in this section.
- (b) The General Manager may permit a customer to supply water to a holder of a public works contract or private contractor. Such permit shall be denied to any person who is indebted to the district for any prior water or damage charges, or who has failed to comply with the rules and regulations of the district or previously issued permit.
- (c) No customer of the district shall deliver or permit to be delivered any water outside of this district's boundaries or for use outside of the boundaries, from a service connection, or other facilities connected to the district's facilities, without the consent of the Board.
- (d) Service of water shall not be made through a single meter to two or more parcels of separately owned property. A temporary exception may be made to this rule if approved by the General Manager, provided that there is no main contiguous to the property from which separate service may be had, and provided further that the customer for whom the meter was installed shall give satisfactory guarantee of payment for all water delivered. Such service shall be charged as though separate meters existed for each separate use. Whenever a district main is installed from which separate service can be rendered, the General Manager will notify the parties and the common service will be discontinued after the time limit noted in the notices.

**3-4.202 WASTE OF WATER PROHIBITED**

No customer shall knowingly permit waste or leaks of water. Where water is wastefully or negligently used on the customer's premises, the district may discontinue the service, if such conditions are not corrected within five days after the General Manager gives the customer written notice .

**3-4.203 UNAUTHORIZED USE OF FIRE HYDRANTS**

- (a) Except as provided herein, no person shall use water from a fire hydrant for any purpose other than fire suppression.
- (b) Temporary service may be provided through a fire hydrant under Section 3-2.210.
- (c) Water may be used to maintain or test a fire sprinkler system. Authorization to use water through a fire service connection for the purpose of maintaining or testing a fire sprinkler system will be granted up to four times per year with advance notification to the district. Exceptions may be made upon the estimated quantity of water to be used. The General Manager may restrict or prohibit such non-emergency flows as may be detrimental to the district's system.
- (d) When it is found that a fire service or a fire hydrant has been used for any purpose other than for suppression, or a single service has exceeded the allowable capacity of the by-pass meter, the district may charge the sum of \$200.00 for the first offense, \$300.00

for the second offense, and \$500.00 for the third and subsequent offenses; if warranted by the estimate of water usage for each and every incident of authorized use. (Each day of use may be construed as a separate incident.)

If the General Manager determines that leakage has occurred, totaling less than 0.03 units of water per period delivered during 3 consecutive billing periods to the customer's fire service or fire hydrants, the General Manager shall notify the customer of the usage and encourage customer to fix the leak.

If the General Manager determines that leakage has occurred, totaling less than 15 units but more than 0.03 units of water per period have been delivered to the customer's fire system or fire hydrant, the customer shall present satisfactory evidence that the leak has been repaired, or pay \$75.00 per billing period in addition to the regular charge described herein.

If the General Manager determines that leakage has occurred, totaling more than 15 units of water per period during three consecutive billing periods to the customer's fire service or fire hydrant, the customer shall be required either to present satisfactory evidence that the leakage has been fixed, or he must remove the detector check valve and purchase a water meter of the appropriate size. If the customer chooses to purchase a water meter, the customer shall pay all fees and charges normally associated with the purchase of the meter.

(e) If repeated unauthorized use of a fire service or hydrant occurs, the General Manager shall notify the fire department and the occupant of the properties served by the fire service or fire hydrant that within 10 days the fire service or fire hydrant shall be disconnected until all charges for each violation have been paid and until assurances, satisfactory to the General Manager, have been given that no further unauthorized use will occur.

#### **3-4.204      OPERATION OF DISTRICT FACILITIES RESTRICTED**

No one except an employee or representative of the district shall at any time, in any manner, operate service cocks or valves, main cocks, gates or valves of the district's system, or interfere with meters or their connections, water mains or other parts of the district's water system.

#### **3-4.205      DAMAGE TO PROPERTY**

(a) In no case will the district be liable for damages occasioned by water running from opened or faulty fixtures, or from opened or damaged pipes on the customer side of the meter.

(b) The customer shall be liable for any damage to the district's service facilities when such damage is from any act or omission of the customer or his family, tenants, agents, employees, contractors, licensees, or permittees.

#### **3-4.206      FRAUD**

Service may be discontinued, if necessary, to protect the district against fraud or abuse.

### **ARTICLE 3 - PROTECTIVE MEASURES**

#### **3-4.301 RELIEF VALVE REQUIRED**

To protect the customer's plumbing system, when pressure regulating valves or other protective devices are connected to a water heater of any type, a suitable pressure relief valve shall be installed and maintained by the customer, in accordance with the Uniform Plumbing Code.

#### **3-4.302 ISOLATION OF CERTAIN SERVICE CONNECTIONS REQUIRED**

(a) There shall be no connection between a private fire protection service and any other water distribution system on the premises.

(b) There shall be no connection between an irrigation service and any other water system on the premises.

#### **3-4.303 CROSS CONNECTIONS**

(a) Cross-connection shall mean any unprotected connection between any part of the district's potable water supply system and any source or system which might potentially contain water or substance that is not, or cannot, be approved as potable for human consumption.

(b) The requirements of this district regarding cross-connections are covered in the Uniform Plumbing Code and Section 7583 through 7622 of Title 17 of the California Administrative Code, which are incorporated in this Code by reference.

(c) In addition to the other requirements herein, each customer must, at his own expense, comply with the requirements of this Section. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of these requirements.

(d) Whenever back flow protection has been found necessary on a water supply line entering a customer's premises, or when more than one Domestic and/or Irrigation Service Connection supplies water to a single premises, which, in the opinion of the General Manager, would not preclude the possibility of a circulating flow between the connections, then any and all water supply lines from the district's mains entering such premises, buildings or structures shall be protected by an approved back flow device, regardless of the use.

(e) Private fire protection services are excluded from the requirement of this section.

#### **3-4.304 SERVICE CONNECTION SHUT-OFF VALVES**

(a) District shut-off valves are installed by and for the use of the district and will usually be located immediately adjacent to the street side of the meter.

(b) The district provides a valve on the customer's side of each meter. This valve is for the

customer's use, and may be operated at the customer's convenience.

**3-4.305      CUSTOMER PLUMBING APPLIANCES SUBJECT TO APPROVAL**

Water service may be refused or discontinued to any premises where apparatus or appliances are in use which unreasonably endanger district facilities.



## **ARTICLE 4 - WATER CONSERVATION**

### **3-4.401      GENERAL**

The district will offer educational materials to its customers in the efficient use of water to help customers conserve water. The district will furnish customers with water conservation information and make water-conserving fixtures and equipment available. The district will assist cities and the county in the implementation of the Water Conservation in Landscaping Act. This Article sets forth water conservation measures which shall be followed by customers.

### **3-4.402      REQUIREMENTS**

(a) Customers shall conserve water supplied by the District by the prevention and elimination of all waste or leakage of water.

(b) All new plumbing fixtures installed within the District service area must conform to the following requirements:

- (1) Toilets shall use less than 1.6 gallons per flush.
- (2) Showerheads shall flow at less than 2.5 gallons per minute.
- (3) Non-residential lavatory faucets shall be metering or self-closing.
- (4) Urinals shall use not more than 1.5 gallons per flush.

(c) All fixtures must be approved by the State Department of Housing and Community Development, and toilets, urinals and showerheads must have a certification of volume by a reputable independent testing organization.

(1) Where requirements of this subsection would cause hardship or if suitable fixtures are not available, hot water re-circulating systems or point of use hot water heaters may be substituted as water conserving measures for up to two toilet installations per single family dwelling.

(2) In commercial uses, developers/owners may install fixtures that use up to 3.5 gallons per flush when rest room facilities must meet County handicapped use requirements and/or when vandalism of tank style toilets is likely.

(d) All water conserving fixture installations shall be subject to compliance inspection, prior to issuance of final occupancy permits, by one of the following agencies: Los Angeles County, City of Agoura Hills, City of Calabasas, City of Westlake Village, City of Hidden Hills, or the district. Inspection reports shall be supplied by the inspector to the district and the appropriate city or the county.

(e) For the benefit of the public, and to further the cause of water conservation in landscaping, one home in each model home display must be landscaped with water efficient (xeriscape) plant material and irrigated with appropriate water-conserving irrigation systems.

- (1) The landscaping for the Xeriscape model shall be designed to be drought tolerant. The use of irrigation intensive plantings shall be discouraged.
- (2) All turf areas shall be no more than 30% of the area landscaped.
- (3) The model home display shall draw attention to the specific landscape materials and irrigation techniques utilized.

### **3-4.403 RECYCLED WATER USE**

To conserve the district's potable water supply, recycled water shall be used as follows:

(a) Where recycled water is available and appropriate, the use of potable water for irrigation purposes shall be considered a waste of potable water. Upon written notice from the General Manager that recycled water is available and appropriate for use, the customer shall have 60 days to commence the use of recycled water. Thereafter, all potable water which is delivered to the property for irrigation shall be charged at a rate of 150% of the then current potable water rate. As used in this section, "available" means a district recycled water main is contiguous to the site in question.

As used in this section, "appropriate" means that the proposed use is acceptable to the Department of Health Services and the Regional Water Quality Control Board.

(b) Potable water shall not be used for construction activities such as compaction and dust control when recycled water is available and appropriate. As used in this paragraph, "available" also means that the cost of required recycled water, when added to the cost of required recycled water conveyance facilities, is less than, or equal to, the cost of an equivalent amount of potable water priced at 150% of regular potable water rates, plus the cost of necessary potable water conveyance facilities.

### **3-4.404<sup>8</sup> WATER CONSERVATION MEASURES**

(a) Customers shall comply with the following water conservation measures:

(1) Potable water shall not be used to clean or sweep hard surfaces such as sidewalks, walkways, driveways or parking areas unless the washing is performed with an approved water conservation broom, and only as necessary to protect the public health and safety.

(2) Hotels, motels and other places for commercial transient occupancy shall offer guests who stay more than one night the opportunity to retain towels and linens during their stay.

(3) Car washing is permitted only with the use of a nozzle having an automatic shut-off.

(b) Customers shall use the following irrigation practices:

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<sup>8</sup> Amended Sec. 3-4.404 by Ord. No. 06-11-266 on June 14, 2011. (Formerly entitled "Violations".)

(1) Irrigation shall occur after 5:00 p.m. and before 10:00 a.m., provided no irrigation is permitted during rainfall, provided further, irrigation is not permitted for 24 hours after rainfall in excess of 1 inch.

(2) Irrigation shall not run off to streets, gutters or adjacent properties.

(3) The District shall assist in the promotion of water efficient irrigation practices by monitoring compliance with landscaping plans approved by cities and the county under the Water Conservation in Landscaping Act. The District shall notify the city or county with jurisdiction by law if it is determined that a landscaping plan has been breached.

**3-4.405<sup>9</sup>**

**CONSERVATION INCENTIVES**

Customers are encouraged to make the most efficient use of the potable and recycled water supplies. The district may by resolution offer financial and other incentives to customers who replace high volume water use equipment, appliances and devices with low volume water use equipment, appliances and devices.

**3-4.406<sup>10</sup>**

**ENFORCEMENT**

(a) Customers shall be notified in writing when the first violation of this article is discovered by the District. The notice shall include a warning that further violations could result in stricter penalties as set forth below.

(b) Customers who violate this article for a second time within a twelve-month period have committed an infraction punishable by a fine of up to \$50.00.

(c) Customers who violate this article for a third time within a twelve-month period have committed an infraction punishable by a fine of up to \$100.00.

(d) Customers who violate this article for a fourth time within a twelve-month period have committed an infraction punishable by a fine of up to \$250.

(e) The District may install flow restrictors or terminate service to customers who have violated provisions of this article five times within a twelve-month period.

(f) Customers shall be encouraged to report violations of this article through the District's water conservation "hot line".

(g) Fines collected pursuant to this section shall be deposited in a special fund and spent to provide assistance for water reduction appliances and processes.

<sup>9</sup> Amended Sec. 3-4.405 by Ord. No. 07-09-257 on July 14, 2009. (Formerly entitled "Rebates").

<sup>10</sup> Sec. 3-4.408 added by Ord. No. 01-09-254 on January 27, 2009.

**3-4.407<sup>11</sup>****LONG-TERM WATER USE REDUCTIONS**

The General Manager shall recommend appropriate programs and projects to achieve a 20% reduction in the District's water uses by the year 2020.

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<sup>11</sup> Sec 3-4.409 amended by Ord. No. 06-11-266, on June 14, 2011. (Formerly "Water Shortage Response-Water Budgets)

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September 9, 2014 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Facilities & Operations

**Subject: State and Federal Drinking Water Standards for Radioactivity Monitoring (Pg. 222)**

**SUMMARY:**

On May 27, 2014, Director Len Polan requested additional information on the District's water quality monitoring for radioactivity as required by state and federal drinking water standards. This report provides an explanation of monitoring and reporting requirements for radioactivity and a status update on monitoring activities associated with the Fukushima Daiichi nuclear disaster.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

**Radioactivity Monitoring and Reporting:**

Title 22 of the California Code of Regulations establishes maximum contaminant levels (MCLs) and monitoring and reporting requirements for various radionuclides in drinking water sources. The monitoring requirements are based on vulnerability assessments and an initial sampling period. The District's water sources that are subject to monitored are purchased water from Metropolitan Water District (MWD), which is handled by MWD, and treated water produced at the Westlake Filtration Plant.

The District is required to monitor radium-226, radium-228, gross alpha particle activity and uranium every six years. Monitoring frequencies were based on the results of four consecutive quarters of initial sampling in 2008 and 2009. The average of the quarterly samples was compared to the MCL and detection level for reporting (DLR). If the average was greater than the DLR and less than half the MCL, monitoring was required every six years. The next monitoring event for the District is scheduled for August 2015.

Title 22 also requires monitoring of gross beta particle activity, strontium-90 and tritium for water systems determined to be vulnerable to contamination by nuclear facilities and/or based on a determination of vulnerability by a Source Water Assessment. Until recently, The District sampled annually for strontium-90 and tritium and quarterly for gross beta particle activity because of a misinterpretation of its vulnerability assessment. After consulting with the Drinking Water Program District Engineer, staff recently determined that neither one of these circumstances applies to the District, so monitoring of gross beta particle activity, strontium-90 and tritium is no longer required.

MWD monitors for radionuclides on a three-year cycle based on Title 22 requirements and its Source Water Assessment. The radionuclides are monitored for four consecutive quarters of the first year of the cycle with the average result and range of results reported in all three years. MWD's most recent monitoring cycle began in 2014, so the results will be reported in its 2014, 2015 and 2016 Consumer Confidence

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Reports (CCRs). As a result, some radionuclide monitoring results are reported in the District's CCR even though the District does not directly test for them.

The District's 2013 CCR can be accessed via the web-link provided below and includes water quality monitoring results for radionuclides. All of the District's drinking water meets state and federal standards for radionuclides.

<http://www.lvmwd.com/home/showdocument?id=4337>

#### Fukushima Daiichi Nuclear Disaster Status:

The Fukushima Daiichi nuclear disaster occurred at the Fukushima I Nuclear Power Plant on March 11, 2011, resulting in a meltdown of three of the plant's six nuclear reactors. The failure was caused by a tsunami triggered by the magnitude 9.0 Tohoku Earthquake. Following the disaster, the Environmental Protection Agency (EPA), Food and Drug Administration (FDA) and National Oceanic and Atmospheric Administration (NOAA) began monitoring air, water, drinking water and imported food for radioactivity. The majority of the specialized monitoring has since been curtailed.

There has been some public concern raised by recent articles about the impact of potentially on-going radioactive leaks from the damaged nuclear reactors. EPA's air monitoring data from its RadNet[i] Monitoring System has not shown any radioactive elements associated with the disaster since late 2011, and the levels found at that time were very low, well below any level of public health concern. Also, the FDA has found no evidence to-date that radionuclides from the disaster are present in U.S. food supplies at levels that would pose a public health hazard. This holds true for FDA-regulated food products imported from Japan and U.S. domestic food products, including seafood caught off the coast of the U.S. NOAA's monitoring of marine debris and atmospheric dispersion of radioactive particles follows the same trend.

Attached for reference is Heal the Bay's Mythbuster: "The Latest From Fukushima" that is intended to "illuminate some of truths and debunk many of the myths currently surrounding the Fukushima Disaster." It is a good resource on the status of the disaster and contains several links to the EPA, FDA and NOAA resources with additional information.

[i] The nationwide RadNet system monitors the nation's air, drinking water, precipitation and pasteurized milk to determine levels of radiation in the environment.

#### **GOALS:**

Provide Safe and Quality Water with Reliable Services

Prepared By: David R. Lippman, Director of Facilities and Operations

#### **ATTACHMENTS:**

Mythbusting



Heal the Bay

VOLUNTEER TAKE ACTION OUR WORK SANTA MONICA PIER AQUARIUM BE A MEMBER EN ESPAÑOL

HOME | BLOG | HEAL THE BAY BLOG

BLOG

- Heal the Bay Blog
- Japanese Blog
- Currents

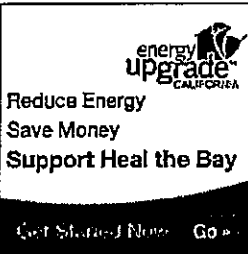
HOW YOU CAN  
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## MYTHBUSTING: THE LATEST FROM FUKUSHIMA



*"Mom, I have a headache"....."It must be that radiation you got surfing the other day ..."*  
**BUSTED**

Heal the Bay has been swamped with calls and emails from concerned California residents asking about possible human and biological impacts originating from the 2011 Fukushima disaster. Since the Japanese tsunami in March 2011, the Daiichi Nuclear Power Plant has been continually releasing radiated water to the Pacific Ocean. We're asked on a weekly basis about ocean water contamination, local seafood consumption safety, and what news sources are credible. In an effort to keep the public up-to-date on emerging environmental issues, we'll try to illuminate some of the truths and debunk many of the myths currently surrounding the Fukushima Disaster.

*Myth: California's coastal waters are contaminated with harmful radiation from Fukushima*

**Busted:** Entering the ocean in California, even to surf or swim, will *not* expose you to harmful radiation as a result of Fukushima. Open ocean currents in the greater Pacific dilute radioactive concentrations within four months of their release from Japan, according to Dr. Erik Van Sebille, a physical oceanographer at the University of New South Wales. The World Health Organization has concluded that four months' time provides adequate dispersion of any radioactive materials released along the Japanese shoreline. It takes years for seawater plumes from Japan to reach U.S. shores. Therefore, enjoying California's beautiful beaches and waters, even on a daily basis, will not expose humans to harmful radiation, or cause headaches or hair loss, as some media channels have led the public to believe.

*Myth: Fish caught in Japan and the Far Pacific contain harmful radiation and cannot be consumed.*

**Plausible:** It depends on the type of fish and where it was caught. Know your seafood's origins before you consume. Highly migratory fish species and those caught in and around Fukushima may have elevated concentrations of radiation and should not be consumed; these species have been identified and/or removed from commercial fishing markets. Large predatory species, such as Bluefin Tuna, and bottom-dwelling species, can bioaccumulate contaminants more readily and may be more prone to having higher concentrations of radiation in their bodies. Read this FishWise article for more on Pacific seafood. There are other reasons to avoid eating certain species of fish aside from Fukushima radiation. Check out Seafood Watch or Environmental Defense Fund's seafood health advisories on other contaminants such as mercury that may be present in some fish.

*Myth: Consuming fish originating from California's waters could put you at risk from harmful Fukushima radiation.*

**Busted:** Because of dilution, scientists are not concerned about the levels of radiation in seafood harvested from the U.S. West Coast. Fish caught along California's waters as well as our northern and southern boundaries do not have high levels of radiation. Consult US EPA's consumption guidelines for fish caught in Los Angeles and Orange Counties.

*Myth: U.S. federal agencies are actively monitoring the Fukushima disaster for public health and environmental impacts.*

**Confirmed:** Three major federal agencies are currently monitoring radiation from the Fukushima disaster: the National Oceanic and Atmospheric Administration (NOAA) is monitoring marine debris and atmospheric dispersion of radioactive particles; the U.S. Environmental Protection Agency (USEPA) is monitoring air and water for radiation that is harmful to human health; and the Food and Drug Administration (FDA) is monitoring Japanese imports to insure food safety. These agencies work closely together to monitor radiation leveling in the United States as well as our imported goods.

*Myth: All information found on the Internet about Fukushima is true.*

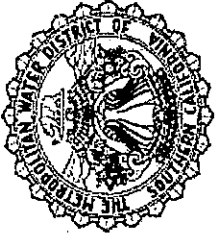
**Busted:** There is a great deal of inaccurate information floating around the Internet about Fukushima radiation and its impacts to human and marine life. We recommend double-checking your news sources for credibility, and when in doubt, check out how Heal the Bay is keeping up to date on the most recent news and scientific studies on the Fukushima disaster. We will provide updates on our website and social media channels (Facebook and Twitter) on the issue as more information becomes available.

To delve deeper, read our Fukushima FAQ.

For more information on the possible effects of radiation from Fukushima affecting fish, you can also visit the following websites:

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THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

MWD MEETING  
AGENDA

**Board Meeting**  
Meeting with Board of Directors

**September 9, 2014**

**12:00 p.m. -- Board Room**

**MWD Headquarters Building**

**700 N. Alameda Street**

**Los Angeles, CA 90012**

1. **Call to Order**
  - (a) Invocation: Sr. Angela Faustina, CSJ, Major Superior, Los Angeles Province
  - (b) Pledge of Allegiance: Director Peter Beard
2. **Roll Call**
3. **Determination of a Quorum**
4. **Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code § 54954.3(a))**
5. **OTHER MATTERS**

ITEM 12A

  - A. Approval of the Minutes of the Meetings for August 12 and 19, 2014. (Copies have been mailed to each Director) Any additions,

- B. Report on Directors' events attended at Metropolitan expense for month of August
- C. Approve Memorial Resolution for late Director Edward "Ed" Little
- D. Approve Commendatory Resolutions for Directors Vincent Mudd and Kristine Murray
- E. Approve 30-day leave of absence for Director Linda Ackerman, commencing September 9, 2014
- F. Approve committee assignments
- G. Chairman's Monthly Activity Report

**6. DEPARTMENT HEADS' REPORTS**

- A. General Manager's summary of Metropolitan's activities for the month of August
- B. General Counsel's summary of Legal Department activities for the month of August
- C. General Auditor's summary of activities for the month of August
- D. Ethics Officer's summary of activities for the month of August

**7. CONSENT CALENDAR ITEMS -- ACTION**

- 7-1 Award \$345,892.79 procurement contract to Patterson Pump Company for cooling water pumps at the Robert A. Skinner Water Treatment Plant. (Approp. 15388). (E&O)  
7-1 Board Letter and Attachments
- 7-2 Appropriate \$1.69 million; and authorize design of solar generation facilities at the F. E. Weymouth and Joseph Jensen Water Treatment Plants (Approp. 15391). (E&O)  
7-2 Board Letter and Attachments
- 7-3 Appropriate \$1.33 million; and authorize: (1) design of a Project Control and Reporting System for management of the Capital

ITEM 12A

Investment Plan; and (2) professional services agreement with CH2M Hill, Inc. (Approp. 15490). (E&O)

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7-3 Board Letter and Attachments

7-4 Appropriate \$1.08 million; and award \$780,024 procurement contract to Whipps, Inc. for finished water reservoir gates at the F. E. Weymouth Water Treatment Plant (Approp. 15440). (E&O)

7-4 Board Letter and Attachments

7-5 Appropriate \$800,000; and authorize: (1) design of seismic upgrades to five structures at the F. E. Weymouth Water Treatment Plant; and (2) amendment to agreement with IDS Group, Inc. (Approps. 15440 and 15477). (E&O)

7-5 Board Letter and Attachments

7-6 Appropriate \$1.62 million; and authorize piping modifications on San Diego Pipeline No. 3 (Approp. 15480). (E&O)

7-6 Board Letter and Attachments

7-7 Authorize granting a 0.34-acre (14,810 square feet) permanent easement to the county of Riverside on Metropolitan-owned property near Lake Skinner in Riverside County. (RP&AM)

7-7 Board Letter and Attachments

7-8 Authorize granting a 0.103-acre (4,487 square feet) permanent easement to Cucamonga Valley Water District on Metropolitan-owned property in the city of Rancho Cucamonga in San Bernardino County. (RP&AM)

7-8 Board Letter and Attachment

(END OF CONSENT CALENDAR)

**8. OTHER BOARD ITEMS — ACTION**

8-1 Authorize an improvement of the return capacity of the Semitropic Groundwater Storage Program. (WP&S) (To be mailed separately)

8-2 Authorize a five-year reimbursable agreement with the Los Angeles Department of Water and Power for Groundwater Recovery Projects in an amount not to exceed \$20 million. (WP&S) (To be mailed separately)

8-3 Express support for Proposition 1, The Water Quality Supply and Infrastructure Improvement Act of 2014. (C&L) (To be mailed separately)

8-4 Report on Shimmick-Obayashi Joint Venture construction claim regarding Diemer Oxidation Retrofit Program; and authorize increase of maximum amount payable under contract with Pacific Construction Consultants, Inc. for consulting services by \$150,000 to an amount not to exceed \$250,000. (L&C) [Conference with legal counsel-anticipated litigation; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]

**9. BOARD INFORMATION ITEMS**

9-1 Report on Local Resources Program Refinements. (WP&S) (To be mailed separately)

9-2 Report on AB 1739 (Dickinson, D-Sacramento) and SB 1168 (Pavley, D-Agoura Hills) - Groundwater Management. (C&L)

**10. OTHER MATTERS (Contd.)**

10-1 Department Heads' Evaluation Action Plans Follow-up Presentations. [Public employees' performance evaluation; to be heard in closed session pursuant to Gov. Code Section 54957]

10-2 Approve compensation recommendation for General Manager, General Counsel, General Auditor, and Ethics Officer. (To be distributed at meeting)

**11. FUTURE AGENDA ITEMS**

**12. ADJOURNMENT**

NOTE: At the discretion of the committee, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the committee.

This committee reviews items and makes a recommendation for final action to the full Board of Directors. Final action will be taken by the Board of Directors. Agendas for the meeting of the Board of Directors may be obtained from the Board Executive Secretary. This committee will not take any final action that is binding on the Board, even when a quorum of the Board is present.

Writings relating to open session agenda items distributed to Directors less than 72 hours prior to a regular meeting are available for public inspection at Metropolitan's Headquarters Building and on Metropolitan's Web site <http://www.mwdh2o.com>.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Board Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

ITEM 12A