



**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

August 11, 2015

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: August 11, 2015 Approve (Pg. 4)**

- B Minutes: Regular Meeting of July 28, 2015 Approve (Pg.35)**
- C Directors' Per Diem: July 2015 Ratify (Pg. 40)**
- D Investment Report for the Month of June 2015 Receive and File (Pg. 46)**
- E Appointment of Deputy Secretary: Josie Guzman (Pg. 57)**

Appoint Josie Guzman, Executive Assistant/Clerk of the Board, as Deputy Secretary.

- F Tapia Water Reclamation Facility Channel Mixing Improvements: Approval of Change Order No. 2 (Pg. 58)**

Authorize the General Manager to approve Change Order No. 2, adding 55 calendar days to the contract duration for the Tapia Water Reclamation Facility Channel Mixing Improvements Project.

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

- A Legislative and Regulatory Updates**
- B Water Supply Conditions and Drought Response (Pg. 62)**

## 6. TREASURER

## 7. BOARD OF DIRECTORS

- A Board of Directors' Code of Conduct: Review and Comment (Pg. 69)**

Review and comment on the draft Board of Directors' Code of Conduct.

## 8. LEGAL SERVICES

- A Updated Las Virgenes Municipal Water District Code: Adoption (Pg. 72)**

Pass, approve, and adopt Resolution No. 2468, adopting the updated Las Virgenes Municipal Water District Code.

### **Resolution No. 2468**

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE LAS VIRGENES MUNICIPAL WATER DISTRICT CODE AND REPEALING RESOLUTION NO. 7-90-2046

- B Long-Term Water Use Efficiency: Establishment of Administrative Penalties for Unsustainable Potable Water Use (Pg. 302)**

Approve, pass and adopt Resolution No. 2469, finding that unsustainable water is a violation of the District's rules and regulations and subject to escalating administrative penalties.

### **Resolution No. 2469**

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO ESTABLISHING MONETARY PENALTIES FOR UNSUSTAINABLE WATER USE

## 9. NON-ACTION ITEMS

## **A Organization Reports**

- (1) MWD Representative Report
- (2) Other

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

## **C General Manager Reports**

- (1) General Business
- (2) Follow-Up Items

## **D Director's Comments**

## **10. FUTURE AGENDA ITEMS**

## **11. 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

## **12. CLOSED SESSION**

### **A Conference with Labor Negotiator (Government Code Section 54957.6):**

Agency Designated Representative: David W. Pedersen, General Manager; Donald Patterson, Director of Finance and Administration; Sherri Paniagua, Human Resources Manager; and Peter Brown, Liebert Cassidy Whitmore

Employee Organization(s): Las Virgenes Manager, Supervisor, Professional and Confidential Employees Association

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

Las Virgenes - Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson

## **13. OPEN SESSION AND ADJOURNMENT**

LAS VIRGENES MUNICIPAL WATER DISTRICT

To: JAY LEWITT, TREASURER

Payments for Board Meeting of: August 11, 2015

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. 70055 through 70223 were issued in the total amount of \$ 649,225.90

**Payments through wire transfers as follows:**

7/31/2015 Metropolitan Water Dist. Payment for water deliveries in the month of May 2015 \$ 1,708,290.72

Total wires \$ 1,708,290.72

Total payments \$ 2,357,516.62

(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.)

**CHECK LISTING FOR BOARD MEETING  
08/11/15**

Company Name	Company No.	Check No. 70055 thru 70081 07/28/15	Amount	Check No. 70082 thru 70122 08/04/15	Amount	Check No. 70123 thru 70223 08/11/15	Amount	Total
Potable Water Operations	101	30,896.99		26,769.69		252,999.04		310,665.72
Recycled Water Operations	102							0.00
Sanitation Operations	130	2,142.80				1,282.98		3,425.78
Potable Water Construction	201							0.00
Water Conservation Construction	203							0.00
Sani- Construction	230							0.00
Potable Water Replacement	301	755.39		4,198.00		47,635.38		52,588.77
Reclaimed Water Replace	302							0.00
Sanitation Replacement	330							0.00
Internal Service	701	26,428.39		37,927.72		58,271.73		122,627.84
JPA Operations	751	36,880.70		18,721.19		46,944.31		102,546.20
JPA Construction	752							0.00
JPA Replacement	754	408.40		35.04		56,928.15		57,371.59
<b>Total Printed</b>		<b>97,512.67</b>		<b>87,651.64</b>		<b>464,061.59</b>		<b>649,225.90</b>

**Voided Checks/ payment stopped:**

<b>Total Voids</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Total</b>	<b>97,512.67</b>	<b>87,651.64</b>	<b>649,225.90<sup>pn</sup></b>



**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

May 2015	Page No. 1 of 1
Mailed: 06/10/2015	Due Date: 07/31/2015
Invoice Number: 8371	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	1,451.8

SALES	Type	Volume (AF)	Rate (\$ /AF)	Total (\$)
Full Service	Tier 1 Supply Rate	1,659.3	\$158.00	\$262,169.40
	System Access Rate	1,659.3	\$257.00	\$426,440.10
	Water Stewardship Rate	1,659.3	\$41.00	\$68,031.30
	System Power Rate	1,659.3	\$126.00	\$209,071.80
	Treatment Surcharge	1,659.3	\$341.00	\$565,821.30
<b>SUBTOTAL</b>				<b>\$1,531,533.90</b>

OTHER CHARGES AND CREDITS	Rate (\$ /AF)
Readiness To Serve Charge( Payment Schedule: M)	\$136,611.82
Capacity Charge( Payment Schedule: M)	\$40,145.00
<b>SUBTOTAL</b>	<b>\$176,756.82</b>

ADDITIONAL INFORMATION	Volume (AF)	Tier1 %	Peak Day	Flow (CFS)
Purchase Order Commitment (Jan 2015 to Dec 2024)	162,386.7			
Purchase Order Firm Delivery To Date (Jan 2015 to Dec 2024)	8,416.7			
Tier 1 Annual Limit (For Current Calendar Year)	24,358.0			
Tier 1 YTD Deliveries (For Current Calendar Year)	8,416.7	34.6		
Tier 1 Current Month Deliveries	1,659.3			
Capacity Charge			7/7/2011	43.4

<b>INVOICE TOTAL</b>	Volume AF	Amount Now Due
	<b>1,659.3</b>	<b>\$1,708,290.72</b>

Note: Amount Due is based on highlighted fields.

*Handwritten signature and date: 6/9/15*

**PAID**  
*Wired 7/31/15*  
*sc*

Approved for Payment  
*David W. Pedersen*  
 David W. Pedersen, P.E.  
 ITEM 4A06/11/15

Batch Number - 238879  
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
70055	07/28/15	8680	ADS, LLC	JUN'15 FLOW	PV	140371	001	00701	673.15	12975.22-0615
				MONITORING						
				JUN'15 FLOW	PV	140371	002	00701	2,019.45	12975.22-0615
				MONITORING						
				Payment Amount					2,692.60	
70056	07/28/15	2869	AT&T	SRV	PV	140383	001	00101	19.54	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	002	00101	205.30	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	003	00101	75.90	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	004	00101	90.79	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	005	00101	808.37	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	006	00101	6,173.52	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	007	00101	1,228.19	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	008	00101	75.45	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	009	00101	86.43	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	010	00101	1,080.58	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	011	00101	476.70	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	012	00101	1,286.70	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	013	00101	43.26	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	014	00101	75.45	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	015	00101	75.45	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	016	00101	75.45	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	017	00101	75.45	0051/070515
				7/5--8/4/15						
				SRV	PV	140383	018	00101	75.45	0051/070515
				7/5--8/4/15						

Batch Number - 238879  
Bank Account - 00146807 Cash-General

Payment Number	Date	Address Number	Name	Payment Stub Message	Ty	Document . . . Number	Key Item Co	Amount	Invoice Number
				SRV	PV	140383	019 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	020 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	021 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	022 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	023 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	024 00101	77.17	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	025 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	026 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	027 00101	75.90	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	028 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	029 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	030 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	031 00101	75.45	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	032 00101	37.73	0051/070515
				7/5--8/4/15					
				SRV	PV	140383	033 00101	37.72	0051/070515
				7/5--8/4/15					
				SRV	PV	140475	001 00701	75.48	4639/071415
				7/14--8/13/15					
				SRV	PV	140476	001 00751	75.48	4860/071415
				7/14--8/13/15					
				PaymentAmount			13,237.41		
				55 YDS WOOD	PV	140376	001 00701	638.00	113653
				CHIPS					
				55 YDS WOOD	PV	140377	001 00701	638.00	113654
				CHIPS					
				55 YDS WOOD	PV	140378	001 00701	638.00	113655
				CHIPS					

ITEM 4A  
07/28/15

70057 7965 B&B PALLET  
CO.



Batch Number - 238879  
Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Key	Key	Amount	Invoice Number
							Itm	Co			
70058	07/28/15	2425	BANK OF AMERICA	55 YDS WOOD CHIPS	PV	140379	001	00701		638.00	113656
				55 YDS WOOD CHIPS	PV	140380	001	00701		638.00	113657
				Payment Amount					3,190.00		
				VISA	PV	140394	001	00701		3,212.73	3071/070715
				CHG-F&A-JUN'15							
				VISA CHG-F&A	PV	140395	001	00701		204.01	9885/070715
				N2-JUN'15							
				VISA CHG-R	PV	140396	001	00701		272.00	4847/070715
				CNSRV-JUN'15							
				VISA CHG-R	PV	140397	001	00701		166.93	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	002	00701		200.28	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	003	00701		10.66	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	004	00701		666.94	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	005	00701		51.18	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	006	00701		259.55	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	007	00701		27.83	3954/070715
				CNSV							
				N1-JUN'15							
				VISA CHG-R	PV	140397	008	00701		29.36	3954/070715
				CNSV							
				N1-JUN'15							
				VISA	PV	140398	001	00101		22.82	1302/070715
				CHG-MAINT-JUN '15							
				VISA	PV	140398	002	00101		123.56	1302/070715
				CHG-MAINT-JUN '15							

Payment Number	Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Item Co	Amount	Invoice Number
'15					PV	140398	003 00101	121.64	1302/070715
				VISA CHG-MAINT-JUN					
'15					PV	140399	001 00751	186.45	7366/070715
				VISA CHG-OPS-JUN'1					
5					PV	140399	002 00751	81.83	7366/070715
				VISA CHG-OPS-JUN'1					
5					PV	140399	003 00751	339.93	7366/070715
				VISA CHG-OPS-JUN'1					
5					PV	140400	001 00701	718.43	6218/070715
				VISA CHG-ENG-JUN'1					
5					PV	140401	001 00701	2,092.11	2209/070715
				VISA CHG-LIPPMAN-J UN'15					
				VISA CHG-WTR DIST	PV	140402	001 00101	113.99	3713/070715
				N1-JUN'15					
				VISA CHG-WTR DIST	PV	140402	002 00101	23.38	3713/070715
				N1-JUN'15					
				VISA CHG-WTR DIST	PV	140402	003 00101	542.16	3713/070715
				N1-JUN'15					
				VISA CHG-WTR DIST	PV	140402	004 00101	117.27	3713/070715
				N1-JUN'15					
				VISA CHG-POLAN-JUN	PV	140403	001 00701	525.00	7961/070715
'15					PV	140404	001 00701	163.49	7431/070715
				VISA CHG-WSTLK-JUN					
'15					PV	140404	002 00701	204.11	7431/070715
				VISA CHG-WSTLK-JUN					
'15					PV	140404	003 00701	9.82	7431/070715
				VISA					

Batch Number - 238879  
Bank Account - 00146807 Cash-General

Payment Number	Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key itm Co	Amount	Invoice Number
				CHG-WSTLK-JUN					
				'15					
				VISA	PD	140405	001 00701	85.00-	3740/070715
				CHG-CASPARY-J					
				UN'15					
				VISA	PV	140406	001 00701	582.89	1611/070715
				CHG-LEWITT-JU					
				N'15					
				VISA CHG-WTR	PV	140407	001 00701	50.00	8102/070715
				DIST					
				N2-JUN'15					
				VISA CHG-WTR	PV	140407	002 00701	50.00	8102/070715
				DIST					
				N2-JUN'15					
				VISA CHG-WTR	PV	140407	003 00701	42.44	8102/070715
				DIST					
				N2-JUN'15					
				VISA CHG-WTR	PV	140407	004 00701	486.82	8102/070715
				DIST					
				N2-JUN'15					
				VISA CHG-OPS	PV	140451	001 00130	16.26	2248/070715
				ADMN-JUN'15					
				VISA CHG-OPS	PV	140451	002 00130	15.00	2248/070715
				ADMN-JUN'15					
				VISA CHG-OPS	PV	140451	003 00130	156.10	2248/070715
				ADMN-JUN'15					
				VISA CHG-OPS	PV	140451	004 00130	47.74	2248/070715
				ADMN-JUN'15					
				VISA	PV	140452	001 00701	153.86	0271/070715
				CHG-PATTERSON					
				-JUN'15					
				VISA	PV	140453	001 00701	350.01	0663/070715
				CHG-PETERSON-					
				JUN'15					
				VISA	PV	140483	001 00701	20.83	2698/070715
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140483	002 00701	165.73	2698/070715
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140483	003 00701	202.09	2698/070715

Batch Number - 238879

Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Item Co	Amount	Invoice Number
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140483	004 00701	26.05	2698/070715
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140483	005 00701	84.55	2698/070715
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140483	006 00701	1,071.11	2698/070715
				CHG-TAPIA-JUN					
				'15					
				VISA	PV	140484	001 00701	484.00	2808/070715
				CHG-PEDERSEN-JUN'15					
				Payment Amount			14,409.94		
70059	07/28/15	18071	BLUE DIAMOND MATERIALS	2.91 TN PAVG	PV	140414	001 00701	260.19	514028 RI
				MATL					
				Payment Amount			260.19		
70060	07/28/15	3455	CALIFORNIA HIGHWAY PATROL	RPT-NCIC#9580 ,OFC#21013	PV	140364	001 00101	10.00	NCIC#9580
				Payment Amount			10.00		
70061	07/28/15	5405	CALOLYMPIC SAFETY	FACEPCS, ADTR & FLTRS	PV	140382	007 00701	1,248.69	341610
				Payment Amount			1,248.69		
70062	07/28/15	2513	CAPCO ANALYTICAL SERVICES	JUN'15 DIGESTR TEST	PV	140477	001 00701	366.25	151570
				Payment Amount			366.25		
70063	07/28/15	18860	CHEMTREAT, INC.	JUL'15 WTR TRTMT	PV	140370	001 00701	562.71	1941804
				Payment Amount			562.71		
70064	07/28/15	2539	CITY OF SIMI VALLEY	PURCH WTR 5/7-7/8/15	PV	140372	001 00101	6,410.80	0092205322
				Payment Amount			6,410.80		
				PURCH WTR 5/7-7/8/15	PV	140373	001 00101	308.00	0092205316
				Payment Amount			308.00		
70065	07/28/15	17343	CONEJO/LAS VIRGENES FUTURE FOUNDATION	SILVR SPNSRSHF FY15-16	PV	140365	001 00101	1,000.00	SPNSRSHF/15-1
				Payment Amount			1,000.00		

ITEM 4A

Batch Number - 238879  
Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document		Key	Amount	Invoice Number
					Ty	Number			
70066	07/28/15	18441	EMPLOYEE RELATIONS NETWORK	BKGRND	PV	140482	001 00701	198.70	71722
				Payment Amount		1,000.00			
70067	07/28/15	2658	FEDERAL EXPRESS CORP	2 PKG DEL	PV	140410	001 00701	117.86	5-098-74425
				Payment Amount		198.70			
70068	07/28/15	19397	FIRST CHOICE SERVICES	WLK COFFEE	PV	140415	001 00701	25.35	189952
				Payment Amount		117.86			
				SUPPLIES				86.28	189482
				SUPPLIES				33.74	189483
				SUPPLIES				55.86	189484
				SUPPLIES				58.99	189485
70069	07/28/15	2701	GRAINGER, INC.	TAPIA COFFEE	PV	140419	001 00701	174.51	9774683354
				Payment Amount		260.23			
				ALKALINE					
				BATTERIES					
				Payment Amount		174.51			
				Payment Amount		135.00			
70070	07/28/15	16543	INTERNATIONAL INSTITUTE OF MUNI CLERKS	MBRSH	PV	140361	001 00701	135.00	27942/FY15-16
				Payment Amount		135.00			
70071	07/28/15	2611	LA DWP	RECTIFIER	PV	140362	001 00101	40.97	017698/071515
				Payment Amount		135.00			
				RECTIFIER				36.42	503850/071615
				RECTIFIER				13,687.32	875668/071415
				RECTIFIER				4,562.44	875668/071415
				RECTIFIER				18,327.15	875668/071415
70072	07/28/15	3352	LAS VIRGENES MUNICIPAL	TWIN LKS P/S	PV	140473	001 00101	13,687.32	875668/071415
				Payment Amount		18,327.15			
				RES#2				186.68	8302/070815
				RES#2					

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Itm Co	Amount	Invoice Number
WATER									
DISTRICT									
70073	07/28/15	5736	MISCO WATER	RES#2 6/30-7/8/15	PV	140367	001 00754	186.68	8302/070915
				3RD DGSTR 5/28-6/30/15	PV	140368	001 00754	35.04	7682/070815
				5 MG TNK 5/28-6/30/15	PV	140369	001 00301	755.39	7992/070815
				Payment Amount			1,163.79		
				(4) MARPRENE TUBES	PV	140486	001 00701	309.56	10198SW
				FREIGHT	PV	140486	002 00701	6.95	10198SW
				Payment Amount			316.51		
70074	07/28/15	2835	MODERN TOOL CO	12 TEFLON SLEEVES	PV	140478	001 00701	1,870.50	46940
				Payment Amount			1,870.50		6279
70075	07/28/15	16754	NATURAL SURROUNDINGS	JUL '15 FLORAL MAINT	PV	140412	001 00701	235.00	
				Payment Amount			235.00		
70076	07/28/15	19027	NOBLE IRON	60' BOOM LIFT RNTL	PV	140485	001 00751	2,517.48	59220
				Payment Amount			2,517.48		
70077	07/28/15	6940	SECTRAN SECURITY, INC.	JUL '15 COURIER SRV	PV	140374	001 00701	293.48	15070607
				Payment Amount			293.48		
70078	07/28/15	19093	SOLARCITY - AU SOLAR 1 (GS1)	RW P/S 6/1-6/30/15 SOLAR	PV	140408	001 00751	22,477.29	9133440-00-01 7
				Payment Amount			22,477.29		
70079	07/28/15	2964	STATE BOARD OF EQUALIZATION	SALES/USE TAX-2ND QT'15	PV	140409	001 00701	3,795.00	97817885/0630 15
				Payment Amount			3,795.00		
70080	07/28/15	18095	TOTAL BARRICADE SERVICE, INC.	SRV@WSTLK BLVD 7/1/15	PV	140413	001 00701	700.00	31338
				Payment Amount			700.00		
70081	07/28/15	3047	WESCO DISTRIBUTION, INC.	BSHNG INSUL&CONDUIT	PV	140479	001 00701	476.22	457769
				Payment Amount			476.22		

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Payment Number	Date	Address Number	Name	Payment Stub Message	Document		Key		Amount	Invoice Number
					Ty	Number	Item	Co		
				P-STRUT	PV	140480	001	00701	346.49	460519
				CABL	PV	140481	001	00701	410.87	459733
				TIES&WIRE						
				NUTS						
			Alt Payee	6443						
			WESCO DISTRIBUTION, INC PO BOX 31001-0465 PASADENA CA 91110-0465							
				Payment Amount					1,233.58	
				Total Amount of Payments Written					97,512.67	
				Total Number of Payments Written						27

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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
70082	08/04/15	18955	ePOWER NETWORK, INC.	RLV UPS	PV	140422	001	00701	595.00	24152
				TRBLSHOOT SVC						
				Payment Amount					695.00	
70083	08/04/15	16051	ACCURATE TELECOM INC.	CNNCT CPE	PV	140501	001	00101	220.21	14852
				CRDLSS PHONE SYST						
				Payment Amount					220.21	
70084	08/04/15	2322	ACWAUJPIA	TUITION-CEAS-1 TRNG 8/4&5	PV	140560	001	00701	250.00	BACKSCHOOL1
				Payment Amount					250.00	
70085	08/04/15	18563	ALTURA PAINT CENTER, INC	4 GAL TAN PAINT	PV	140525	001	00701	524.60	1-17466
				Payment Amount					524.60	
70086	08/04/15	18647	AMTECH ELEVATOR SERVICES	8/1-10/31/15 ELEV MAINT	PV	140521	001	00701	823.56	DVA009741815
				Payment Amount					823.56	
70087	08/04/15	2526	APPLIED INDUSTRIAL TECHNOLOGIES	1-1/2" HOSES	PV	140500	001	00101	813.98	7005583385
				Payment Amount					813.98	
				Alt Payee						
				3180 APPLIED INDUSTRIAL TECHNOLOGIES						
				P. O. BOX 100538						
				PASADENA CA 91189-0538						
70088	08/04/15	2397	AQUATIC BIOASSAY & CONSULTING	6/15 CHRONIC BIOASSAYS	PV	140498	001	00701	810.00	LVS0715.0682
				TSTG						
				Payment Amount					810.00	
70089	08/04/15	16224	ASBURY ENVIRONMENTAL SERVICES	USED OIL SVC	PV	140517	001	00701	35.00	130513253
				CHG@SHOP						
				Payment Amount					35.00	
				USED OIL SVC						
				CHG@TAPIA						
				Payment Amount					35.00	
				USED OIL SVC						
				CHG@RLV						
				Payment Amount					105.00	
70090	08/04/15	2869	AT&T	SRV	PV	140557	001	00101	75.50	2150/072015
				7/20-8/19/15						
				Payment Amount					75.50	
70091	08/04/15	7965	B&B PALLET	55 YDS WOOD	PV	140522	001	00701	638.00	113658
				Payment Amount					638.00	

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Doc Number	Key	Amount	Invoice Number
70092	08/04/15	18071	BLUE DIAMOND MATERIALS	CHIPS	140523	001 00701	638.00	113659
70093	08/04/15	19059	CALIFORNIA RECYCLES, INC	CHIPS	140524	001 00701	638.00	113660
70094	08/04/15	18952	CDW GOVERNMENT	Payment Amount 1.34 TN PAVING MATL Payment Amount BTTRY RCYCL FEE&PCK UP Payment Amount (3) MS SRF PRO LAPTOPS (3) MS SRF PRO LAPTOPS LAPTOP 4 YR WARRENTY	140496 140488 140588 140588 140589	001 00701 001 00701 001 00701 006 00701 001 00701	121.58 275.00 4,074.42 9.00 1,125.00	522585 RI 0007667-IN WFR98879 WFR98879 WT51799
70095	08/04/15	9684	CITY OF LOS ANGELES-DEPT. PUBLIC WORKS	Payment Amount 12/1/14--6/30/ 15 VLLY CRCL INSP	140502	001 00101	1,426.63	74UP160000055
70096	08/04/15	19270	COMMUNICATION S RELAY, LLC	Payment Amount 8/15 SITE RNTL	140499	001 00701	900.00	55564
70097	08/04/15	4586	CONSOLIDATED ELECTRICAL DISTRIBUTORS	Payment Amount 3/8 FLEX CONN WELL PMP PVC WIRE&RESIN SPLICE 14-BLD MINI SCRW SKT&120VAC GP 16 AWG WIRE&14 BLD	140423 140424 140425	001 00701 001 00701 001 00701	133.96 465.59 604.66 473.67	9009-717603 9009-717816 9009-717966 9009-717813

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	TY	Document Number	Item	Co	Key	Amount	Invoice Number
70098	08/04/15	2601	DELL COMPUTER CORP	MINI SCRW ALLEN-BRADLY FAN KIT DISCOUNT-ALLE N-BRADLY FAN KIT 100 SPRG NUTS&5 ELEC TAPES Payment Amount 10 OPTIPLX 3020	PV	140493	001	00701		386.17	9009-717468
70099	08/04/15	11330	DIAL SECURITY	DRGHT ENFRGMT PERF EVAL-COLIFORM S Payment Amount 2 PKG DEL 7/17 & 7/21/15	PV	140504	001	00701		2,242.96	253425
70100	08/04/15	2638	ENVIRONMENTAL RESOURCE ASSOC	Payment Amount 7/17 & 7/21/15	PV	140600	001	00701		309.57	762191
70101	08/04/15	2658	FEDERAL EXPRESS CORP	Payment Amount 2 PKG DEL 7/17 & 7/21/15	PV	140601	001	00701		104.50	5-106-14848
70102	08/04/15	6770	G.I. INDUSTRIES	Payment Amount 6/28-7/15/15 SHOP DISP 6/28-7/15/15 TAPIA DISP	PV	140505	001	00701		337.14	2739129-0283-3
70103	08/04/15	2690	GIBBS INTERNATIONAL TRUCKS	Payment Amount VEH#163 OIL CHG&FLTRS VEH#163 FRNT RPR&SVC	PV	140520	001	00701		431.55	2524645-0283-7

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Payment Number	Payment Date	Address Number	Name	Payment Slub Message	Document Ty	Document Number	Key Item	Key Co	Amount	Invoice Number
70104	08/04/15	2705	HACH COMPANY	Payment Amount POLE MOUNTG HRDWARE FREIGHT	PV	140492	001	00701	568.98	9474551
			Alt Payee	6442 HACH COMPANY 2207 COLLECTIONS CENTER DR CHICAGO IL 60693					1,464.73	
70105	08/04/15	4525	HARRINGTON INDUSTRIAL PLASTICS INC.	Payment Amount 4 2" BALL VALVES	PV	140420	001	00701	545.04	005A3877
			Alt Payee	7132 HARRINGTON INDUSTRIAL PLASTICS LLC P. O. BOX 5128 CHINO CA 91708-5128					610.65	
70106	08/04/15	3061	HDS WHITE CAP CONST SUPPLY	Payment Amount (48) 50# SPEEDCRETE	PV	140507	001	00701	1,317.94	50002980886
70107	08/04/15	4144	INTERSTATE BATTERY SYSTEMS	Payment Amount VEH#828 BATTERY	PV	140497	001	00701	123.41	51035755
70108	08/04/15	18535	KEMIRA WATER SOLUTIONS, INC.	Payment Amount 9.75 TN FERRIC CHLORIDE	PV	140487	001	00701	4,516.69	9017458051
			Alt Payee	18536 KEMIRA WATER SOLUTIONS MAIL CODE 5581, P. O. BOX 105046 ATLANTA GA 30348-5046					123.41	
70109	08/04/15	2611	LA DWP	Payment Amount RECTIFIER 6/23-7/23/15 RECTIFIER 6/24-7/24/15	PV	140555	001	00101	40.97	557160/072415
70110	08/04/15	3352	LAS VIRGENES MUNICIPAL WATER DISTRICT	Payment Amount TAPIA 5/7-7/9/15	PV	140384	001	00751	485.61	1760/071515
									77.39	

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document . . . .	Key	Amount	Invoice Number
					TY Number	Item Co		
70111	08/04/15	2789	LIEBERT CASSIDY WHITMORE	RLV 5/7-7/9/15 BLDG#1 5/7-7/9/15 BLDG#8 5/7-7/9/15 BLDG#8 FIRE PRICTN 5/7-7/9/15 BLDG#7 FIRE PRICTN 5/7-7/9/15 BLDG#7 5/7-7/9/15 BLDG#2 5/7-7/9/15 RLV FARM 5/7-7/9/15 3RD DGSTR 6/30-7/10/15 Payment Amount MGMT UNIT NGT P/E 6/30/15	140385	001 00751	325.13	2090/071515
					140386	001 00101	429.07	2620/071515
					140387	001 00701	440.62	2647/071515
					140388	001 00701	15.00	2650/071515
					140389	001 00701	15.00	2654/071515
					140390	001 00701	870.11	2656/071515
					140391	001 00701	529.18	2658/071515
					140392	001 00751	131.97	2080/071515
					140393	001 00754	35.04	7682/071315
							3,276.73	
					140561	001 00701	1,397.50	1406586
					140562	001 00701	130.00	1406587
							1,527.50	
70112	08/04/15	2814	MCMaster-CARR SUPPLY CO	Payment Amount (4) 3/4" GARDEN HOSE	140558	001 00101	75.01	34247879
							75.01	
70113	08/04/15	2839	MOTION INDUSTRIES, INC.	Payment Amount SUMITOMO GEARBOX	140604	001 00701	5,276.03	CA22-593594
					140604	002 00701	221.51	CA22-593594
					140608	001 00701	187.44	CA22-593597

Las Virgenes Municipal Water  
 A/P Auto Payment Register

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key Itrm	Key Co	Amount	Invoice Number
			All Payee	MOTION INDUSTRIES INC. FILE 749376 LOS ANGELES CA 90074	PV	140617	001	00701	22.51	CA22-594164
				STD V-BELTS	PV	140618	001	00701	66.42	CA22-593913
70114	08/04/15	19299	NORTH AMERICAN SAFETY, INC.	TRAFFIC VESTS	PV	140503	001	00701	485.18	12991
				Payment Amount					5,773.91	
70115	08/04/15	2302	OFFICE DEPOT	STENO PAD	PV	140609	001	00701	6.47	775618864002
				BINDER	PV	140610	001	00701	60.70	781972081001
				FOLDERS, FILES, LGL PADS	PV	140611	001	00701	248.78	781972298001
				CASH BOX	PV	140612	001	00701	25.39	781972297001
				W/LOCKING	PV	140613	001	00701	194.31	780080990001
				MISC OFFICE SUPPLIES	PV	140614	001	00701	12.24	780081084001
				BINDER	PV	140615	001	00701	11.33	780081083001
				DRY ERASE BOARD	PV	140616	001	00701	21.79	780081085001
				NAME PLATE	PV	140429	001	00701	610.42	0000110918
				Payment Amount					581.01	
70116	08/04/15	16586	SIERRA MONITOR CORPORATION	GAS SNSR RPR@CONDUIT P/S	PV	140605	001	00751	545.00	7-28-15
				Payment Amount					610.42	
70117	08/04/15	14479	STEPHEN'S VIDEO PRODUCTIONS	7/6/15 JPA MTG VID RCRD	PV	140606	001	00701	1,090.00	7-29-15
				7/14&7/28/15	PV	140606	001	00701	1,090.00	7-29-15
				LV BD MTG VID RCD						
				Payment Amount					1,635.00	
70118	08/04/15	15427	THE GATEKEEPER	WLK&PS ACCESS CNTL PNLS	PV	140603	001	00701	4,198.00	92605
				Payment Amount					4,198.00	
70119	08/04/15	3003	U.S. POSTAL SERVICE	PRE-PD PSTG#239643	PV	140629	001	00701	5,000.00	239643/080415

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Document Ty	Document Number	Key	Key	Amount	Invoice Number
							Item	Co		
70120	08/04/15	2729	(HASLER) VULCAN MATERIALS CO.	Payment Amount 24.57 TN SE-30 FILL 12.23 TN 3/4" CR AGG BASE	PV	140427	001	00701	5,000.00 439.55	70827673
70121	08/04/15	3025	Water & Sanitation SRV/VENTURA COUNTY	Payment Amount PURCH WTR 6/16-7/14/15	PV	140556	001	00101	859.08 20,497.31	1090357
70122	08/04/15	19771	WESTCOAST WRAPPERS, INC.	Payment Amount VEH#B24 VAN WRAP-CNSRV MSG	PV	140559	001	00701	20,497.31 1,790.00	4000527
									1,790.00	
									87,651.64	
										41

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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
70123	08/11/15	19269	ACC BUSINESS	INTERNET	PV	140597	001	00701	960.56	151937707
				6/11~7/10/15						
				SCADA MPLS LINES	PV	140598	001	00130	480.66	151949269
				6/11~7/10/15						
				SCADA MPLS LINES	PV	140598	002	00130	515.78	151949269
				6/11~7/10/15						
				SCADA MPLS LINES	PV	140598	003	00130	480.51	151949269
				6/11~7/10/15						
				SCADA MPLS LINES	PV	140598	004	00130	515.79	151949269
				6/11~7/10/15						
				SCADA MPLS LINES	PV	140598	005	00130	298.58	151949269
				6/11~7/10/15						
				Payment Amount						
				TBL&CHAIR	PV	140620	001	00701	638.50	596
				RNTL@7/15/15						
				Payment Amount						
				3.50 CCF	PV	140631	001	00701	2,901.58	9041702335
				NITRGN&DLVR						
				FEE						
				Alt Payee						
				6658 AIRGAS USA, LLC						
				P. O. BOX 7423						
				PASADENA CA 91109-7423						
				Payment Amount						
				TURF RMVL	PV	140457	001	00101	1,490.00	630484
				REBATE						
				Payment Amount						
				MBRSHIP	PV	140510	001	00701	320.00	134152/15-16
				10/1/15~9/30/						
				ASSOCIATION						
				Payment Amount						
				TAPIA BLNC	PV	140590	001	00701	17,000.00	11851
				POND SLINT						
				RPLC						
				RESTORATION,						

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Itm Co	Amount	Invoice Number
			INC						
70129	08/11/15	18623	ELLEN ANREDER	ADDTL TAPIA BLNC POND SLNT RPL Payment Amount TURF RMVL REBATE	PV	140591	001 00701	6,612.50	11868
							23,612.50		
70130	08/11/15	18955	ARGO CHEMICAL INC.	Payment Amount 30,880 LB AMMONIUM HYDROXIDE	PV	140584	001 00701	5,032.05	1506121
70131	08/11/15	16224	ASBURY ENVIRONMENTAL SERVICES	Payment Amount NON-RCRA SOLID DRM PCKUP	PV	140626	001 00751	150.00	130514631
70132	08/11/15	5625	ASSOC. OF WATER AGENCIES OF VENTURA CO	Payment Amount 2015 REAGAN LIBR SPNSRSHIP	PV	140544	001 00701	500.00	06-8238
70133	08/11/15	7770	AUTOMATIONDIR ECT.COM	Payment Amount SDM HYPOCHLORITE PMP PARTS	PV	140628	001 00701	223.00	6293794
							500.00		
70134	08/11/15	7965	B&B PALLET CO.	Payment Amount 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS 55 YDS WOOD CHIPS	PV	140567	001 00701	638.00	042478
							223.00		
							638.00		113661
							638.00		113662
							638.00		113663
							638.00		113664
							638.00		113665
							638.00		042497
							4,466.00		
70135	08/11/15	19807	SAMANTHA	Payment Amount TURF RMVL	PV	140458	001 00101	730.00	2160538

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Amount	Invoice Number
							Item Co		
70136	08/11/15	5475	SUSAN BELLER	REBATE Payment Amount TURF RMVL	PV	140526	001 00101	730.00 1,216.00	680884
70137	08/11/15	2443	BENNER & CARPENTER	REBATE Payment Amount 3 SPRNGS DR SRVYNG SRV	PV	140511	001 00301	1,216.00 1,690.00	11675
70138	08/11/15	19826	JULIE BENNETT	REBATE Payment Amount TURF RMVL	PV	140531	001 00101	1,690.00 2,022.00	790146
70139	08/11/15	18071	BLUE DIAMOND MATERIALS	REBATE Payment Amount 2.97 TN PAVG MATL&EMLSN BKTS	PV	140635	001 00701	2,022.00 319.99	527404 RI
70140	08/11/15	2487	CALABASAS CHAMBER OF COMMERCE-HT	REBATE Payment Amount '15 PMPKIN FSTVL-BUS EXPO	PV	140433	001 00701	319.99 1,000.00	PUMPKINFSTV15
70141	08/11/15	18739	CALIFORNIA HAZARDOUS SERVICES, INC.	REBATE Payment Amount TSTG DSL&UNILD TNKS&SVC	PV	140636	001 00701	1,000.00 2,825.00	57646
70142	08/11/15	19825	GREG B. CASEQUIN	REBATE Payment Amount TURF RMVL	PV	140530	001 00101	2,825.00 4,972.00	660042
70143	08/11/15	19808	TATYANA CASSANELLI	REBATE Payment Amount TURF RMVL	PV	140459	001 00101	4,972.00 5,316.00	3020780
70144	08/11/15	19837	DENISE CAVALIER	REBATE Payment Amount TURF RMVL	PV	140547	001 00101	5,316.00 1,070.00	1140634
70145	08/11/15	19809	LAI LING CHU	REBATE Payment Amount TURF RMVL	PV	140460	001 00101	1,070.00 3,350.00	230480
70146	08/11/15	2533	CITY OF AGOURA HILLS	REBATE Payment Amount 1/1-6/30/15 ENCR PRMITS 1/1-6/30/15 ENCR PRMITS	PV	140509	001 00101	3,350.00 6,661.00 498.00	201507160463 201507160463
								7,159.00	

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Amount	Invoice Number
Number	Date	Number				Number	Item Co		Number
70147	08/11/15	4586	CONSOLIDATED ELECTRICAL DISTRIBUTORS	16 AWG TFFN WIRE	PV	140633	001 00701	278.73	9009-718763
70148	08/11/15	19810	GREG CORMAN	Payment Amount TURF RMVL REBATE	PV	140461	001 00101	2,218.00	250450
70149	08/11/15	3790	COUNTY OF LA -AUDITOR CONTROLLER	Payment Amount LAFCO ALLOCATN FY15-16	PV	140434	001 00701	20,431.15	LAFCO/15-16
70150	08/11/15	19843	CSULB RESEARCH FOUNDATION	Payment Amount NUTRNT SMPLG-APR'14- MAR'15	PV	140630	001 00751	4,725.00	104595
70151	08/11/15	19803	ART DARAKJIAN	Payment Amount RFND BAL - CLOSED A/C	PV	140442	001 00101	379.38	037820
70152	08/11/15	19824	ROSE DEL MEDICO	Payment Amount TURF RMVL REBATE	PV	140529	001 00101	1,588.00	790424
70153	08/11/15	11330	DIAL SECURITY	Payment Amount 7/11-7/16/15 DRGHT ENFRGMT	PV	140583	001 00701	2,144.00	253527
70154	08/11/15	3372	DOUG MARTIN CONTRACTING CO.	Payment Amount RFND BAL - CLOSED A/C	PV	140440	001 00101	1,313.32	9998437
70155	08/11/15	19838	LAWRENCE DUTRA	Payment Amount TURF RMVL REBATE	PV	140548	001 00101	2,312.00	1030876
70156	08/11/15	19811	LANCY EDACKARA	Payment Amount TURF RMVL REBATE	PV	140462	001 00101	2,914.00	540214
70157	08/11/15	19812	GARY ESHLEMAN	Payment Amount TURF RMVL REBATE	PV	140463	001 00101	2,510.00	1150610
70158	08/11/15	19804	SUSAN ESTES	Payment Amount RFND BAL - CLOSED A/C	PV	140443	001 00101	346.98	068129
70159	08/11/15	2654	FAMICON PIPE	Payment Amount BRASS	PV	140515	001 00701	618.04	170818

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Batch Number - 238960

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
PARTS&CPR										
				COUPLNG						
70160	08/11/15	19813	MOHAMMAD R. GHAFOURIAN	3 POLY AIR	PV	140516	001	00701	1,438.80	170815
				VAC ENCL						
				Payment Amount					2,056.84	
				TURF RMVL	PV	140464	001	00101	1,930.00	230466
				REBATE						
				Payment Amount					1,930.00	
70161	08/11/15	18175	GOLD COAST ENVIRONMENTAL	CENTRT TNK	PV	140634	001	00701	2,250.00	11216
				FLW MTR						
				CALIBR						
				Payment Amount					2,250.00	
70162	08/11/15	19827	DAVID GOLDSTEIN	TURF RMVL	PV	140532	001	00101	1,176.00	780684
				REBATE						
				Payment Amount					1,176.00	
70163	08/11/15	2701	GRAINGER, INC.	1/6 HP PSTN	PV	140513	001	00701	517.97	9791453815
				AIR CMPRSSR						
				All Payee						
				5453 GRAINGER, INC.						
				DEPT 805178142						
				PALATINE IL 60038-0001						
				Payment Amount					517.97	
70164	08/11/15	9810	MARILYN GREENE	TURF RMVL	PV	140527	001	00101	640.00	690688
				REBATE						
				Payment Amount					640.00	
70165	08/11/15	19814	ROBERT HAKENSON	TURF RMVL	PV	140465	001	00101	2,202.00	710398
				REBATE						
				Payment Amount					2,202.00	
70166	08/11/15	16659	HARRIS COMPUTER SYSTEMS	REG-CIS CONF	PV	140445	001	00701	875.00	X9N6ZNTPB4
				10/21--23 CP						
				Payment Amount					875.00	
				REG-CIS CONF	PV	140545	001	00701	1,875.00	QYN3PRYV5NR
				10/19--23						
				Payment Amount					2,750.00	
70167	08/11/15	18646	HDR ENGINEERING, INC.	5/31--6/27/15	PV	140437	001	00701	15,826.88	224411-B
				WLP EXP DSN						
				5/31--6/27/15						
				WLK P/S UPGRD						
				Payment Amount					10,551.26	224411-B
70168	08/11/15	11161	R. LLOYD	TURF RMVL	PV	140454	001	00101	20,062.00	160162
				Payment Amount					26,378.14	

Batch Number - 238960  
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
70169	08/11/15	5402	HUFFMAN	REBATE Payment Amount 9/1/15--8/31/1 6 DB/TEXT FOR SQL	PV	140439	001	00701	2,500.00	QTE0016126
70170	08/11/15	19839	ROBERT ISENBERG	REBATE Payment Amount TURF RMVL	PV	140549	001	00101	22,570.00	942700
70171	08/11/15	3083	JCI JONES CHEMICALS, INC	REBATE Payment Amount 4,857 GAL HYPOCHLORITE	PV	140512	001	00701	2,826.63	661502
				4,857 GAL HYPOCHLORITE	PV	140592	001	00701	2,826.63	662184
			Alt Payee 13647 JCI JONES CHEMICALS, INC P.O. BOX 636877 CINCINNATI OH 45263-6877	REBATE Payment Amount	PV	140466	001	00101	5,076.00	1020346
70172	08/11/15	19815	ALBERT JEROME	REBATE Payment Amount	PV	140533	001	00101	738.00	860574
70173	08/11/15	19828	ANNA KAPLAN	REBATE Payment Amount	PV	140632	001	00701	4,701.99	9017460632
70174	08/11/15	18535	KEMIRA WATER SOLUTIONS, INC.	REBATE Payment Amount 10.15 TN FERRIC CHLORIDE	PV	140550	001	00101	1,228.00	530686
			Alt Payee 18536 KEMIRA WATER SOLUTIONS MAIL CODE 5581, P. O. BOX 105046 ATLANTA GA 30348-5046	REBATE Payment Amount	PV	140467	001	00101	4,444.00	410254
70175	08/11/15	19840	HOWARD KURTZ	REBATE Payment Amount	PV	140534	001	00101	1,644.00	530880
70176	08/11/15	19816	JAROD LAM	REBATE Payment Amount	PV					
70177	08/11/15	19829	GARY LAND	REBATE Payment Amount	PV					

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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
70178	08/11/15	3352	LAS VIRGENES MUNICIPAL WATER DISTRICT	LS#1 5/13-7/15/15	PV	140430	001	00130	49.03	1775/072215
70179	08/11/15	2781	LAS VIRGENES UNIFIED SCHOOL DISTRICT	LS#2 5/13-7/15/15 5 MG TNK 6/30-7/23/15 Payment Amount WTR CNSRV EDU-FY15-16	PV	140431	001	00130	67.51	0570/072215
70180	08/11/15	19830	JASON LEVINE	Payment Amount TURF RMVL REBATE	PV	140535	001	00101	532.00	630648
70181	08/11/15	3483	DAVID LIPPMAN	Payment Amount REIMB CELL EXP 6/4-7/3/15	PV	140619	001	00701	70.63	7898/070715
70182	08/11/15	2610	LOS ANGELES COUNTY DEPT. OF PUBLIC WORKS	Payment Amount WST INSPCT FEE 8/23/15-8/22/16	PV	140432	001	00701	306.00	P000325695/FY 2015
70183	08/11/15	19831	HADAS LUGASI	Payment Amount TURF RMVL REBATE	PV	140536	001	00101	818.00	1170146
70184	08/11/15	19026	MNS ENGINEERS, INC.	Payment Amount JUN'15 TAPIA CHNL MXNG IMPRVMT	PV	140574	001	00701	793.75	65768
70185	08/11/15	18940	MP PRINTING & MAILING	Payment Amount CRRNT FLW#4 ENVELOPES	PV	140637	001	00701	1,652.55	58366
70186	08/11/15	8065	MWH AMERICAS, INC	Payment Amount JUN'15 RW SEAS STRG PLN	PV	140565	001	00701	29,120.32	1688846
70187	08/11/15	19835	NASSAU MASONRY	Payment Amount RFND BAL - CLOSED A/C	PV	140541	001	00101	326.23	9996982

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Bank Account - 00146807 Cash-General

Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key	Key	Amount	Invoice Number
Number	Date	Number				Number	Item	Code		Number
70188	08/11/15	19817	CATHERINE NELSON	Payment Amount TURF RMVL REBATE	PV	140468	001	00101	4,404.00	580714
70189	08/11/15	19805	RICHARD O'LINN	Payment Amount RFND BAL - CLOSED A/C	PV	140444	001	00101	40.55	045804
70190	08/11/15	19687	OAKRIDGE GEOSCIENCE, INC.	Payment Amount 6/26-7/21/15 RAS PMP STN SRV	PV	140514	001	00701	500.00	002.001-2
70191	08/11/15	19841	MIN OU	Payment Amount TURF RMVL REBATE	PV	140551	001	00101	1,274.00	710716
70192	08/11/15	19818	VALORIE PAULSON	Payment Amount TURF RMVL REBATE	PV	140469	001	00101	1,176.00	530674
70193	08/11/15	19819	JAMES PEOPLES	Payment Amount TURF RMVL REBATE	PV	140470	001	00101	790.00	850150
70194	08/11/15	19820	DAVID/SHARON PEVSNER	Payment Amount TURF RMVL REBATE	PV	140471	001	00101	3,340.00	450760
70195	08/11/15	8484	PRAXAIR DISTRIBUTION, INC	Payment Amount JUL'15 CYLNR RNTL	PV	140436	001	00701	116.91	53219764
70196	08/11/15	13645	PSOMAS	Payment Amount JUN'15 STNDBY CHG SRV	PV	140522	001	00701	3,332.50	108933
70197	08/11/15	18505	RAFTELIS FINANCIAL CONSULTANTS, INC.	Payment Amount JUN'15 FNCL ANLYS&RATE STDY	PV	140435	001	00701	4,649.88	LVCA1407-10
70198	08/11/15	2907	RED WING SHOE STORE	Payment Amount PRTRCTV FTWR-M.KAMINS	PV	140554	001	00701	220.36	1310000015672

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key Itm	Key Co	Amount	Invoice Number
70199	08/11/15	18632	ERIC N. ROHLFING	Payment Amount BLDG#1 REHAB SRV	PV	140563	001	00701	220.36 16,000.00	14-170-CD-03R EV1
70200	08/11/15	17174	ROTH STAFFING COMPANIES, LP	Payment Amount 7/6-7/10/15 S.LINARES	PV	140593	001	00701	717.28	13155728
70201	08/11/15	19632	NADINE ROTHERMEL	Payment Amount TURF RMVL REBATE	PV	140537	001	00101	1,464.53 2,536.00	690232
70202	08/11/15	19621	BARBARA ROSE SHERMAN	Payment Amount TURF RMVL REBATE	PV	140472	001	00101	1,138.00	1170430
70203	08/11/15	19633	SHEILA SHERWYN	Payment Amount TURF RMVL REBATE	PV	140538	001	00101	1,138.00	780474
70204	08/11/15	19642	GERALD SILVER	Payment Amount TURF RMVL REBATE	PV	140552	001	00101	1,770.00 3,020.00	602520
70205	08/11/15	2948	SMITH PIPE & SUPPLY	Payment Amount (2) HERBICIDE, ROUNDUP	PV	140446	001	00701	3,020.00 1,351.60	2862567
70206	08/11/15	19636	MONICA/JOE TEURLINGS	Payment Amount REFND BAL - CLOSED A/C	PV	140542	001	00101	3,327.10 85.17	068736
				Payment Amount TURF RMVL REBATE (2) HERBICIDE, ROUNDUP HQ LNDSCP IRRIG PARTS WIRE STAKE&DURA-FL O TEE&COUP GRDN VLV& 12"X500' PH PC SOLENOID ASSEMBLY	PV	140446	002	00701	1,351.60	2862567
				Payment Amount TURF RMVL REBATE (2) HERBICIDE, ROUNDUP HQ LNDSCP IRRIG PARTS WIRE STAKE&DURA-FL O TEE&COUP GRDN VLV& 12"X500' PH PC SOLENOID ASSEMBLY	PV	140447	001	00701	313.28	2864616
				Payment Amount TURF RMVL REBATE (2) HERBICIDE, ROUNDUP HQ LNDSCP IRRIG PARTS WIRE STAKE&DURA-FL O TEE&COUP GRDN VLV& 12"X500' PH PC SOLENOID ASSEMBLY	PV	140448	001	00701	52.08	2859241
				Payment Amount TURF RMVL REBATE (2) HERBICIDE, ROUNDUP HQ LNDSCP IRRIG PARTS WIRE STAKE&DURA-FL O TEE&COUP GRDN VLV& 12"X500' PH PC SOLENOID ASSEMBLY	PV	140449	001	00701	167.06	2860823
				Payment Amount TURF RMVL REBATE (2) HERBICIDE, ROUNDUP HQ LNDSCP IRRIG PARTS WIRE STAKE&DURA-FL O TEE&COUP GRDN VLV& 12"X500' PH PC SOLENOID ASSEMBLY	PV	140450	001	00701	91.48	2861408

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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
70207	08/11/15	4595	THE COPY DEPARTMENT	Payment Amount (7) PDR-WLFP & WLK P/S	PV	140624	001	00701	593.81	1485765
				(3) PLANS&SPECS-P W SYS RHB	PV	140625	001	00701	66.77	1485769
70208	08/11/15	15427	THE GATEKEEPER	Payment Amount OPS GATE RPR	PV	140623	001	00701	452.56	92753
70209	08/11/15	2780	VALLEY NEWS GROUP	Payment Amount ADS@7/16/15	PV	140508	001	00751	160.00	7-16
				ADS@7/16/15	PV	140508	002	00751	350.00	7-16
				ADS@7/9/15	PV	140546	001	00751	140.00	7-9
				ADS@7/9/15	PV	140546	002	00751	200.00	7-9
70210	08/11/15	3022	VAUGHANS INDUSTRIAL REPAIR	Payment Amount RAS PMP RPR@TAPIA	PV	140566	001	00701	8,858.21	022403
70211	08/11/15	16623	VELOCITY TECHNOLOGY SOLUTIONS, INC.	Payment Amount SEP'15 DISASTR RECVRY SRV	PV	140564	001	00701	3,114.00	308125
70212	08/11/15	4587	VERTEX INC.	Payment Amount PAYROLL TAX 9/15--8/16	PV	140627	001	00701	4,305.50	4122182
70213	08/11/15	2436	VINCE BARNES AUTOMOTIVE	Payment Amount VEH#816 MAP SNRS&HI PRSSR HOSE	PV	140579	001	00701	328.13	021023
				VEH#317 SPK PLGS, OIL/AIR FLTR	PV	140580	001	00701	321.41	021033
				VEH#892 BRAKE PADS&MCHN ROTRS	PV	140581	001	00701	256.70	021030
				VEH#892 ENGN OIL/FLTRS	PV	140582	001	00701	90.20	021028
70214	08/11/15	16542	VISION	Payment Amount ADDNDM#2-STRE	PV	140599	001	00701	2,100.00	30604

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Batch Number - 238960

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Payment Number	Payment Date	Address Number	Name	Payment Stub Message	Ty	Document Number	Key lim Co	Amount	Invoice Number
			INTERNET PROVIDERS, INC.	AMG VID CNTR					
70215	08/11/15	19665	W. LITTEN INC.	Payment Amount SRV 7/5-7/11/15@R LV	PV	140577	001 00701	2,100.00 3,537.60	11010
				SRV 7/12-7/18/15@ RLV	PV	140578	001 00701	4,510.90	11012
70216	08/11/15	18643	WARD CORPORATION	Payment Amount RFND BAL - CLOSED A/C	PV	140441	001 00101	8,048.50 790.22	9998422
				RFND BAL - CLOSED A/C	PV	140540	001 00101	274.79	71757-9998422
70217	08/11/15	3047	WESCO DISTRIBUTION, INC.	Payment Amount EATON VOLTG MONITR MODULES	PV	140621	001 00701	1,065.01 803.02	462093
				EATON VOLTG MONITR MODULES	PV	140621	002 00701	15.00	462093
			Alt Payee 6443 WESCO DISTRIBUTION, INC PO BOX 31001-0465 PASADENA CA 91110-0465	Payment Amount A/C PM@BLDG#7&8	PV	140639	001 00701	818.02 395.00	\$67382
70218	08/11/15	3048	WEST COAST AIR CONDITIONING	THERMOST SRV@TAPIA A/C PM@CORNELL P/S A/C PM@TAPIA A/C PM@BLDG#7 A/C PM@BLDG#2 A/C PM@L/S#1 A/C PM@L/S#2	PV	140640	001 00701	128.00	\$66966
				Payment Amount A/C PM@L/S#2	PV	140646	001 00701	50.00 135.00 265.00 30.00 108.00 62.00	\$67395 \$67388 \$67381 \$67387 \$67380 \$67379
				Payment Amount				1,173.00	

Payment . . . . . Number	Date	Address Number	Name	Payment Stub Message	Ty	Document . . . . . Number	Key Item Co	Amount	Invoice Number
70219	08/11/15	9171	WESTLAKE LAKE MANAGEMENT ASSOC.	AD-WLMA NWSLTR SMMR'15 Payment Amount	PV	140553	001 00751	125.00	1012
70220	08/11/15	19834	NIGEL WILLIAMS	TURF RMVL REBATE	PV	140539	001 00101	760.00	530724
70221	08/11/15	17038	ANDREA YASGOOR	Payment Amount TURF RMVL REBATE	PV	140456	001 00101	7,804.00	160204
70222	08/11/15	16050	MICHAEL YOFFE	Payment Amount TURF RMVL REBATE	PV	140455	001 00101	2,836.00	681194
70223	08/11/15	3068	YSI	Payment Amount SENSOR CAP KITS	PV	140575	001 00701	332.45	611853
				FREIGHT	PV	140575	003 00701	8.50	611853
				Payment Amount				340.95	
				Total Amount of Payments Written				464,061.59	
				Total Number of Payments Written				101	



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

**MINUTES**  
**REGULAR MEETING**

5:00 PM

July 28, 2015

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Vice President Renger.

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

The meeting was called to order at **5:00 p.m.** by Vice President Renger in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road in Calabasas, California. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Director(s): Caspary, Lewitt, Polan, and Renger

Absent: Director(s): Peterson (arrived at 5:12 p.m.)

**2. APPROVAL OF AGENDA**

General Manager David Pedersen noted that Item 7A was not needed, and he requested this item be removed from the agenda.

Director Lewitt moved to approve the agenda as amended. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Caspary, Lewitt, Polan, Renger

NOES: None

ABSENT: Peterson

### 3. PUBLIC COMMENTS

None.

### 4. CONSENT CALENDAR

#### A **Minutes: Regular Meetings of May 26 and July 14, 2015**

#### B **Annual Supply and Delivery of Polymer: Request for Bids**

**Approve the issuance of a request for bids for a one-year contract with four one-year renewal options for the supply and delivery of polymer to the Rancho Las Virgenes Composting Facility.**

#### C **List of Demands: July 28, 2015**

Director Caspary moved to approve the Consent Calendar items. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lewitt, Polan, Renger

NOES: None

ABSENT: Peterson

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

#### A **Legislative and Regulatory Updates**

General Manager David Pedersen provided a brief update regarding the California Water Commission's consideration to revise its Model Landscape Ordinance in order to decrease the amount of turf area for new residential construction.

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

General Manager David Pedersen provided a brief update regarding the current water supply conditions and referred to the summary included in the agenda packet. He indicated that the District's drought response in June 2015 showed a 33 percent decrease in water usage; staff is anticipating the Water Board's release of the statewide data for water conservation; and staff would provide an update once the water conservation percentages for July are tabulated.

Legal Counsel Keith Lemieux responded to Director Caspary's inquiry regarding the status of the \$1.5 million fine imposed by the State Water Resources Control Board to the Byron-Bethany Irrigation District.

### 6. TREASURER

Director Lewitt stated that the Treasurer's report was in order.

**7. FINANCE AND ADMINISTRATION**

**A Memorandums of Understanding with Management and Supervisor, Professional and Confidential Bargaining Units**

This item was removed from the agenda.

**8. RESOURCE CONSERVATION AND PUBLIC OUTREACH**

**A Proposal for Student Internship Program: Approval**

**Approve the proposed Student Internship Program and authorize the General Manager to implement the program with an initial budget of \$30,000 for Fiscal Year 2015-16.**

General Manager David Pedersen provided an overview of the item.

Director Peterson arrived at **5:12 p.m.**

A discussion ensued regarding the possibility of reaching out to the University of California Santa Barbara, Moorpark College, California State University Channel Islands, Pepperdine University, and Cal Lutheran University, and whether the District would need to comply with the County of Los Angeles or the City of Calabasas' minimum hourly wage standard.

Director Renger moved to approve Item 8A. Motion seconded by Director Caspary. Motion carried unanimously.

**9. INFORMATION ITEMS**

**A Tapia Channel Mixing Improvements: Approval of Change Order No. 1**

General Manager David Pedersen noted that staff would bring back an item at a future Board meeting for the Board to approve the time extension to complete the project.

**10. NON-ACTION ITEMS**

**A Organization Reports**

- (1) MWD Representative Report/Agenda(s)

Director Peterson reported he attended an MWD meeting earlier in the day where they received a presentation regarding the Bay Delta Conservation Plan/California Water Fix; current drought conditions and water quality; presentation by Brad Udall regarding climate change; presentation by Dr. Patrick Reed regarding Integrated Resource Planning; and a closed session regarding San Diego County Water Authority v. Metropolitan Water District. He inquired whether this litigation would be discussed with the Las Virgenes Board. Legal Counsel Keith Lemieux responded that Legal Counsel Steve O'Neill would provide a briefing at a future Board meeting.

- (2) Other

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

None.

## **C General Manager Reports**

### **(1) General Business**

General Manager David Pedersen reported that Finance Manager Joseph Lillio accepted the position of Chief Financial Officer with the City of Oxnard and tendered his resignation effective July 31, 2015; Associate Engineer Lindsay Cao also tendered her resignation effective August 3, 2015; and the Special District Leadership Foundation confirmed the District's renewal of its District Transparency Certificate of Excellence. He asked the Board to consider scheduling a Special Board meeting for a workshop to discuss budget based rates. It was the consensus of the Board to schedule a Special Board meeting on Thursday, August 13, 2015, from 9:00 a.m. to 12:00 p.m.

### **(2) Follow-Up Items**

General Manager David Pedersen noted that an item would be presented on the August 11, 2015 agenda for the Board to consider Board of Directors' Norms; upcoming agenda items include water conservation demonstration gardens and the condition of the Russell Valley Basin.

## **D Director's Comments**

Director Polan inquired whether staff could prepare a management report to more clearly explain each department's budget allocation and expenditures. Director of Finance and Administration Donald Patterson responded he would provide an expanded summary level budget. Director Polan inquired regarding the status of the budget based rate questionnaire. Director of Resource and Public Outreach Carlos Reyes provided a brief summary of the number of questionnaires and surveys received, and noted that the main concern is to resolve customer concerns that the square footages are incorrect for their properties' irrigated areas.

## **11. FUTURE AGENDA ITEMS**

None.

## **12. PUBLIC COMMENTS**

None.

## **13. CLOSED SESSION**

### **A Conference with Labor Negotiator (Government Code Section 54957.6):**

Agency Designated Representative: David W. Pedersen, General Manager;  
Donald Patterson, Director of Finance and Administration; Sherri Paniagua,

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GLEN PETERSON, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:

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CHARLES CASPARY, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)

August 3, 2015

To: Payroll

From: David W. Pedersen  
General Manager

**RE: Per Diem Request – July 2015**

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 me. Thank you.

On February 26, 2008, the Board unanimously voted to amend the daily per diem to \$200, effective February 27, 2008. On January 26, 2010, during the annual review of compensation, the Board opted for the per diem to remain at \$200 and requested that a per diem survey be conducted along with the next employee compensation study.

<u>Director</u>	<u>No. of Meetings</u>	<u>Rate</u>	<u>Total</u>
Charles Caspary	4	\$200.00	\$800.00
Glen Peterson LVMWD* – 4 MWD** – 5	9	\$200.00	\$1,800.00
Leonard Polan	3	\$200.00	\$600.00
Lee Renger	3	\$200.00	\$600.00
Jay Lewitt	3	\$200.00	\$600.00

\*LVMWD Code Section 2-2.401(a): "not exceeding a total of ten (10) days in any calendar month"

\*\*LVMWD Code Section 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: Clerk of the Board Director's Name: Charles Caspary  
 Month of: Jul-15 Division: Division 1

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 <sup>1</sup>		Total	MWD	
7/6/2015	1		1 N		X	LV-TSD JPA BOARD MEETING
7/9/2015	1		1 N		X	REGIONAL WATER QUALITY BOARD MEETING - LOS ANGELES
7/14/2015	1		1 N		X	LVMWD - REGULAR BOARD MEETING
7/28/2015	1		1 N		X	LVMWD - REGULAR BOARD MEETING
<b>TOTAL</b>			<b>4</b>			

Date Submitted: 28-Jul-15  
 Director Signature: Charles Caspary via email

## LAS VIRGENES MUNICIPAL WATER DISTRICT - PER DIEM REPORT


 To: Clerk of the Board \_\_\_\_\_ Director's Name: Glen Peterson  
 Month of: Jul-15 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 <sup>1</sup>		Total	MWD	
<i>RMP</i> 7/6/2015	1		1 n		x	JPA Meeting
7/8/2015	1		1 n/a	x		E and O Committee meeting
7/10/2015	1		1 n/a	x		Northern Caucus
7/13/2015	1		1 n	x		Committee Meetings
7/14/2015	1		1 n/a	x		Board Meetings and MWD committee
7/17/2015	1		1 n/a	x		JPL Visit with Orange County
7/21/2015	1		1 n/a	x		Bay Delta meeting prep
7/28/2015	1		1 n/a	x	x	Committee and Board meeting
7/29/2015	1		1 n/a		x	State Leg ACWA subcommittee meeting
TOTAL			9			

Date Submitted: July 29, 2015  
 Director Signature: Glen Peterson via email

**NOTE: 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.

## LAS VIRGENES MUNICIPAL WATER DISTRICT - PER DIEM REPORT



 To: Joanne Bodenhamer, Clerk of the Board  
 Director's Name: Leonard Polan  
 Month of: July Division: #4

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 <sup>1</sup>		Total	MWD	
7/6/15	1	----	1		Y	JPA Board Meeting
7/14/15	1	----	1		Y	LVMWD BOARD MTG
7/28/15	1	----	1		Y	LVMWD BOARD MTG
TOTAL			3			

Date Submitted: 7/30/15  
 Director Signature: Electronically Signed Leonard E. Polan

**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.



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



	To: Dave Pedersen						Director's Name: Lee Renger
	Month of July 2015						Division: 3
The following are Las Virgenes Municipal Water District Board of Directors Meetings, Committee Meetings/Conferences I have attended:							
Date(s)	# of Days Claimed		Reimbursible Expenses2 (Y/N)	Check One		Event Title	
	Event	Travel 1 Total		MWD	LVMWD		
7/6/2015	1	1			X	JPA BOARD MEETING	
7/14/2015	1	1			X	LVMWD BOARD MEETING	
7/28/2015	1	1			X	LVMWD BOARD MEETING	
TOTAL		3					
							44

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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.

Date Submitted: 7-28-2015  
 Director Signature: Lee Renger

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



To: Dave Pedersen

Director's Name: Jay Lewitt

Month of: July

Division: 5

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 <sup>1</sup>		Total	MWD	
7.6.15	JPA		(		X	JPA BOARD Meeting
7.14.15	LVMWD				X	LVMWD Board Meeting
7.28.15	LVMWD				X	LVMWD Board Meeting
TOTAL			30			

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Date Submitted: 7.29.15

Director Signature: Jay Lewitt

**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.



August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Finance & Administration

**Subject: Investment Report for the Month of June 2015**

**SUMMARY:**

Driven by a combination of positive and negative economic indicators, the economy continued its slow recovery in June. At the end of June, markets were slightly lower than May and the June Federal Reserve meeting indicated little change in its current policies: interest rates stayed at historic lows and expectations of interest rate increases in the second half of 2015 continued. Interest rates for financial instruments in the one- to five-year range and the U.S. stock markets remained higher than a year ago.

The portfolio was valued at \$61,571,456 on June 30, 2015.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

Staff monitors economic news to help predict factors that may influence the District's operations and investment portfolio performance. As was discussed with the Board during the budget-based rates study session, the economy has historically been a good predictor of water usage with the impact of negative economic conditions nearly matching that of mandatory water use restrictions. Conversely, a more robust economy promotes infill development within the District, such as the Shoppes at Westlake and the new homes off Agoura Road in Agoura Hills, which increases demands for the District's services. Keeping abreast of national economic factors and its impact on the District's return on its investment portfolio helps to ensure the effective utilization of the public's assets and money.

**Economic Trends:**

The June employment report was softer than expected. Nonfarm payrolls rose by 223,000, which was slightly below what analysts forecasted at 230,000. April and May payrolls were also revised downward by a total of 60,000 jobs. The unemployment rate declined to 5.3% in June from 5.5% in May, partly due to a drop in the participation rate; which dropped to 62.6% from 62.9%. This is the lowest participation rate since the late 1970s and is indicative of the impact of changing demographics and continued slack in the economy. Wages were flat on a month-over-month basis in June, and declined to 2.0% from 2.3% on a year-over-year basis. The economy continues to add jobs but there is still excess slack in the labor market. Meanwhile, inflation pressures remain subdued.

Notably, the housing sector and consumer spending trends appear to be strengthening slightly, but manufacturing data remains weak. Overall, domestic economic data is mixed, leaving the outlook for monetary policy unclear. Most financial experts are predicting continued slow improvements to the economy

ITEM 4D



for calendar year 2015, followed with some short-term volatility. The annualized yield for the District's portfolio was up 8.7% year-over-year, reaching 1.00% in June 2015 compared to 0.92% in June 2014.

As expected, the Federal Open Market Committee (FOMC) left policy rates unchanged at its June 16 to 17 meeting without any dissenting votes. The FOMC continued to emphasize that monetary policy changes will be data-dependent. The Committee expects to see further improvement in the labor market and needs to be confident that inflation will move back toward its 2% target before they raise rates. The Fed also discussed increased risk tied to Greece and China. Increased instability in Greece and/or China, could potentially push out the Fed's timeline. Ongoing uncertainty about the timing of the first fed funds rate hike will likely continue to fuel financial market volatility.

The yield on the two-year Treasury note increased in June to 0.65%, from 0.61% at the end of May. The three-year Treasury was up as well, closing the month at 1.01% compared to 0.94% from May. The five-year increased to 1.65% from 1.49% in May.

The Dow Jones Industrial Average finished June lower, down 391.17 points or 2.20% for the month, closing at 17,619.51 from 18,010.68 on May 29th.

In June, overall Consumer Price Index (CPI) inflation was 0.4%, which brings total inflation for the first half of 2015 to 0.1%. Headline inflation for the first half of the year was low due to a precipitous decline in energy prices. The year-over-year Core CPI (CPI less food and energy) for the first half of 2015 was 1.5%.

Following a string of disappointing monthly retail sales reports, the May retail sales report was strong, signaling a long-awaited pick-up in consumer spending. In May, retail sales rose 2.7% on a year-over-year basis, following a 1.5% gain in April. On a month-over-month basis, retail sales rose 1.2% in May after inching up just 0.2% in April.

Overall, the U.S. housing starts fell 11.1% in May following a 22.1% gain in April. However, the annual rate of housing starts remained strong in May at 1.036 million. Single-family starts fell 5.4% in May while multi-family starts fell 20.2%. Notably, permits were much stronger than expected in May, up 11.8%. Overall, activity in the housing sector has recently picked up. Locally, the housing market reported strong June sales with sales in the San Fernando Valley area up 9.7% year-over-year.

The national unemployment rate decreased to 5.3% in June compared to 5.5% in May. The State unemployment rate for California (seasonally adjusted) was 6.4% in May, compared to 6.3% in April. Preliminary unemployment rates for our micro-area (Agoura Hills data) remains steady at 3.3%. The Los Angeles County unemployment rate improved to 7.3% in May, from 7.1% in April. Ventura County's unemployment decreased to 5.2% in May compared to 5.1% in April.

#### Performance of the District's Portfolio:

As of June 30, 2015, the District held \$61,571,456 in its portfolio, down 12.8% year-over-year, primary due to withdraws to fund for capital improvement projects. The majority of the funds are held in the District's investment accounts, which had a June 30th value of \$32,574,461. LAIF held the majority of the remaining funds in the amount of \$24,165,365. A small portion of the funds, \$2,003,820, were held in the pooled investment fund of CalTrust. A significant portion of remaining funds were held in a trustee account as required reserves for the Bond Refunding: \$2,761,223. The annualized yield for the District's portfolio was up on a year-over-year basis, reaching 1.00% in June 2015 from 0.92% in June 2014.

#### **GOALS:**

Ensure Effective Utilization of the Public's Assets and Money

Prepared By: Don Patterson, Director of Finance and Administration

#### **ATTACHMENTS:**

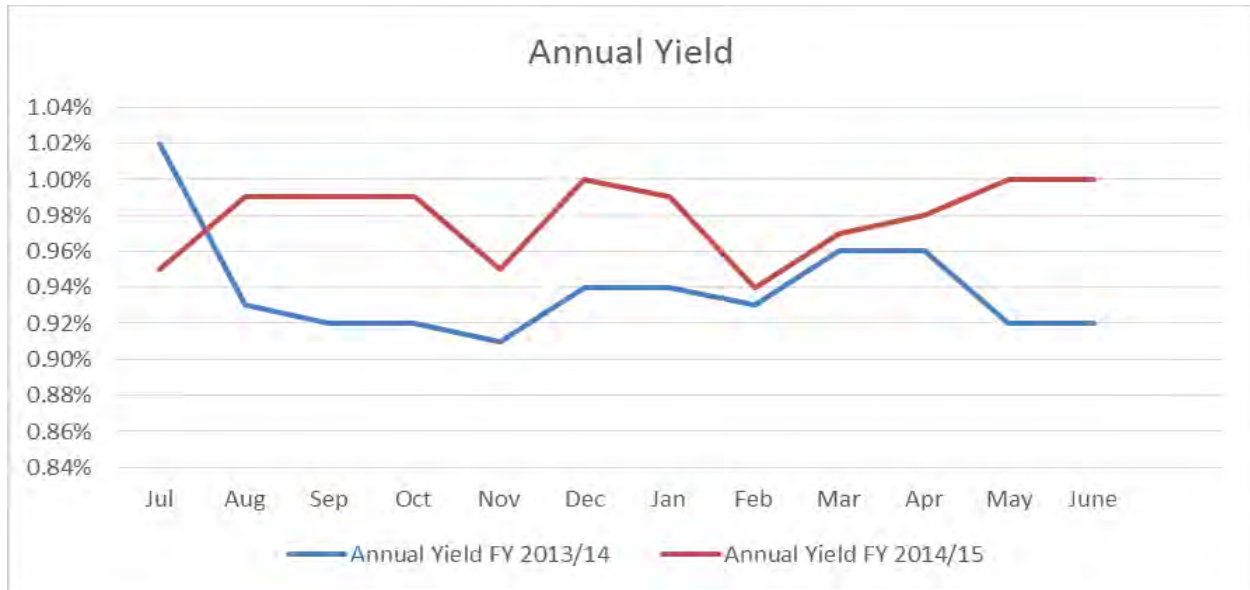
[Investment Report Charts](#)

[June Investment Report](#)

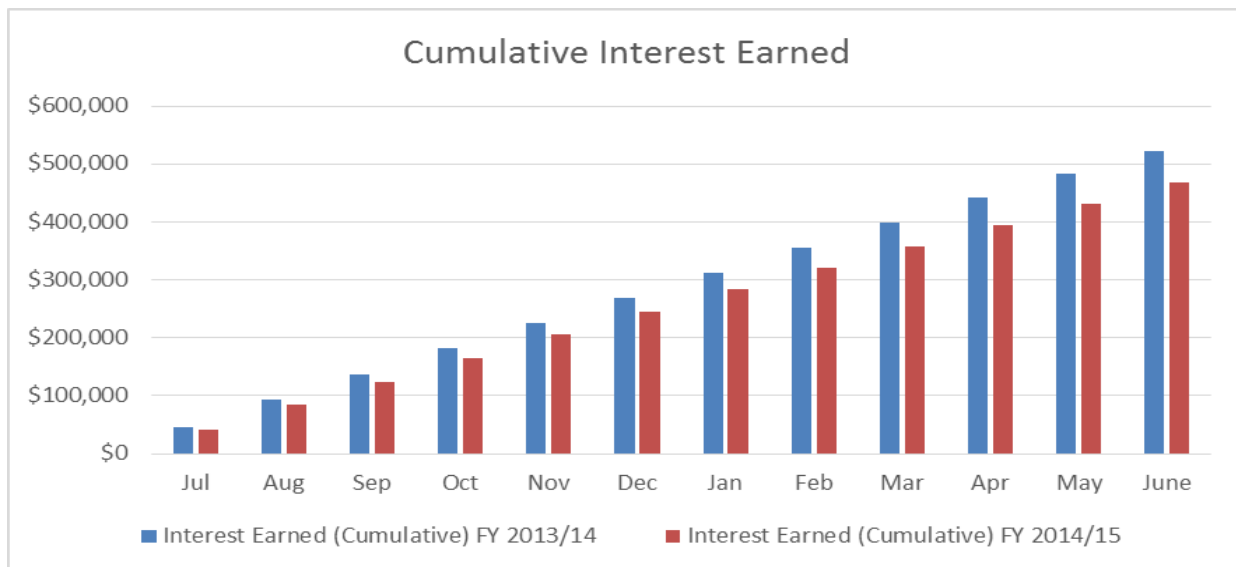
[Appendix A](#)



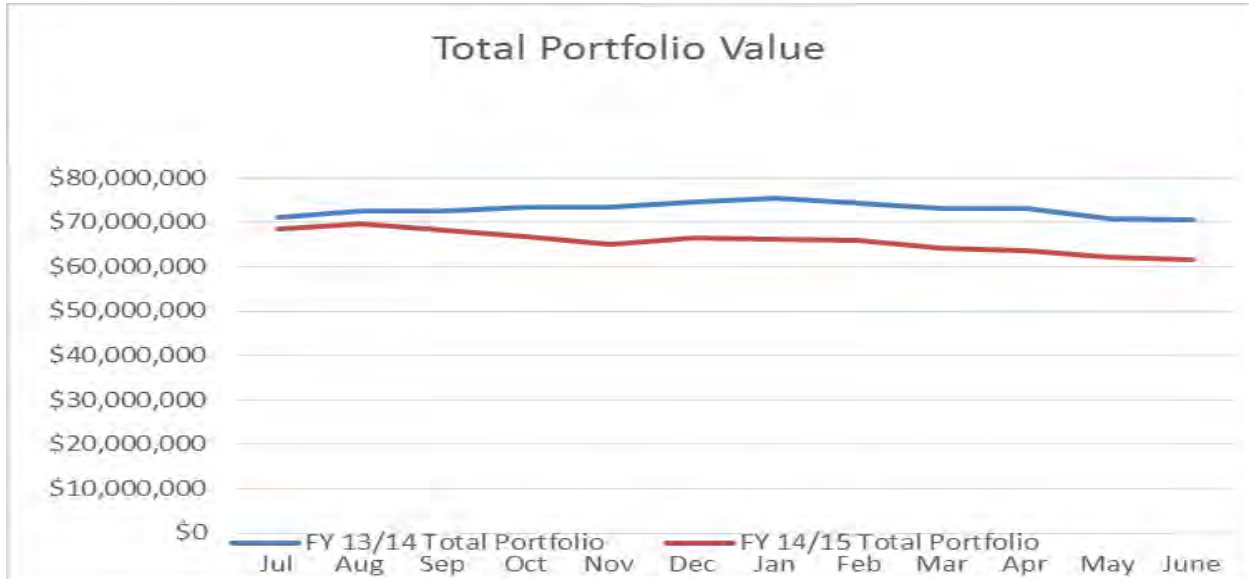
In June, the annualized yield for the District’s Investment portfolio remained unchanged from the prior month, at 1.00%. The small dips in yield (depicted in the Annual Yield chart) are when investments matured or were called and the proceeds were held in LAIF until reinvested. The following chart shows annualized monthly yield over the current fiscal year (FY) and previous FY. As the chart shows, yields have largely remained flat since August 2013. Staff does anticipate a slight increase in rates/yield for 2016.



The interest earned from all investments in the portfolio has slightly trailed FY 13/14 as anticipated. The following chart shows cumulative interest earned over the current and previous FY. The current cumulative interest earned is slightly less than the cumulative interest earned during this same period last year (June 2014) due to a lower overall portfolio balance. Since there is no indication of a significant increase in the overall portfolio balance, staff projects that the current trend will continue through the new Fiscal Year.

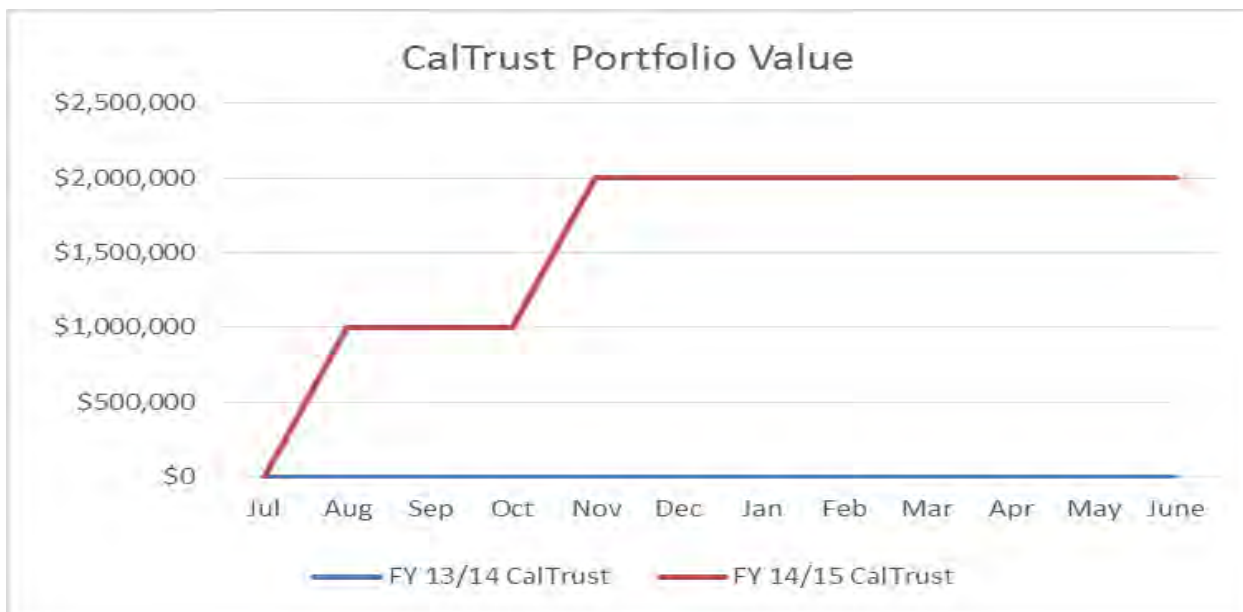
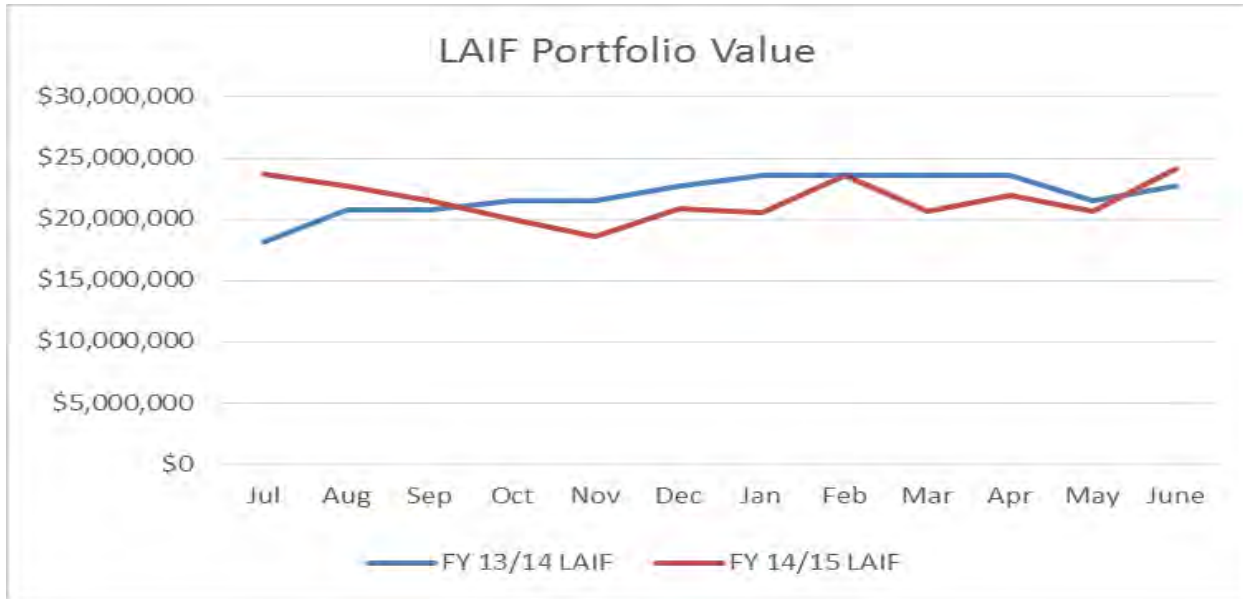


The total value of the portfolio as of June 30, 2015 is \$61.6M. This compares to a balance of \$70.6M from June 30, 2014. This year-over-year difference reflects a 12.8% decrease and is a reflection of the capital project outlays over the past year. The portfolio typically fluctuates as funding is needed for capital projects. The chart below shows the total portfolio value over time.

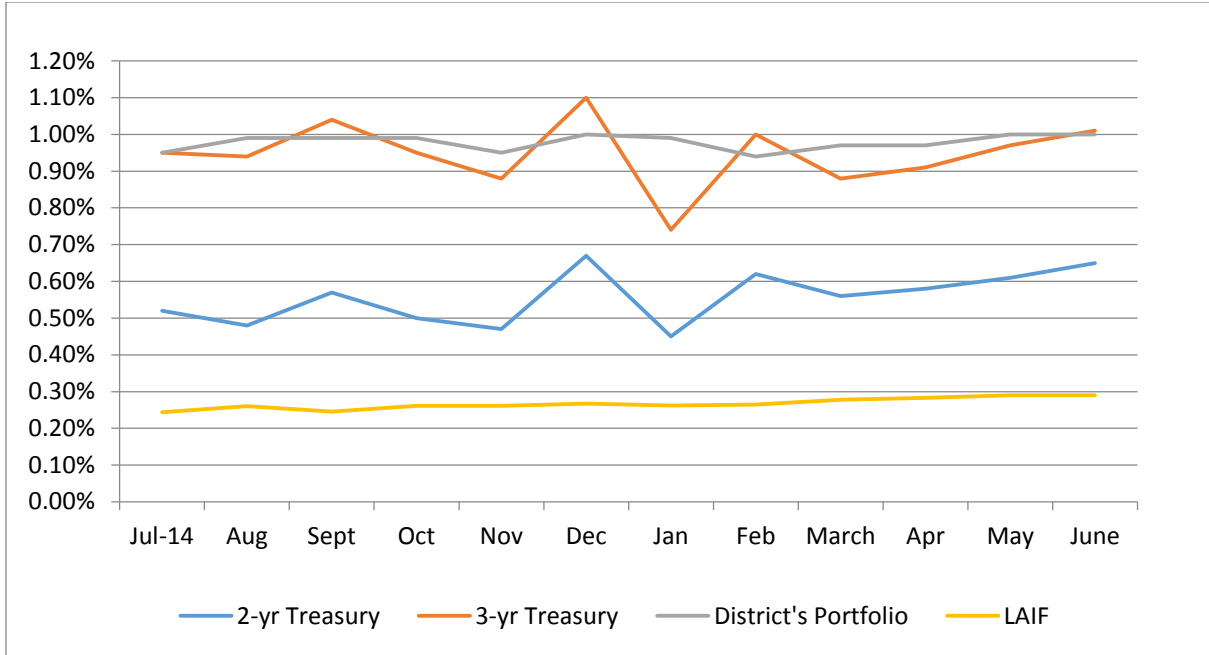


On average, the District maintains approximately 30-35% of the portfolio in LAIF and 65-70% in direct investments. The following charts show the value of the District’s Investment Portfolio, LAIF, and CalTrust. The investment portfolio had a balance of \$32.6M as of June 30, 2015, LAIF had a balance of \$24.2M, and there was a balance of \$2.0M in CalTrust. The CalTrust account was first funded in August 2014 as a means of diversifying the liquidity portion of the District’s portfolio. The charts visually show the District’s rebalancing of funds from the investment portfolio to LAIF during the last half of fiscal year 13/14 to ensure liquidity needs for the ongoing capital projects.





The following chart depicts annualized yields on the District’s portfolio for FY 2014-15 in comparison to comparative benchmarks; the 2-year U.S. Treasury yield, the 3-year U.S. Treasury yield and LAIF. The average duration of the District’s portfolio as of June 30, 2015 was 2.34 years, excluding LAIF, and 1.63 years, including LAIF.



Date: July 15, 2015  
 To: David W. Pedersen, General Manager  
 From: Finance and Administration Department  
 Subject: Investment Report for the Month of June 2015

**Summary of Investments**

Investments Maturing Within Six Months:

Disc./Cpn Rate	Yield To Maturity	Yield To Call	Investment Type	Date Invested	Next Call Date	Date Matures	Book Value	Par Value	Market Value	Market Value Source
0.670%	0.670%		FNMA-Bullet	03/26/12		08/26/15	1,000,000	1,000,000	1,000,810	Custodian
0.600%	0.580%		Port Auth NY&NJ-MuniBond	12/19/12		12/01/15	1,000,580	1,000,000	1,000,320	Custodian
			Sub-Total				2,000,580	2,000,000	2,001,130	

Investments Maturing After Six Months:

1.050%	1.050%		FFCB-Bullet	03/28/12		03/28/16	1,000,000	1,000,000	1,005,620	Custodian
1.270%	1.270%		FHLB-Bullet	03/30/12		03/02/17	1,000,000	1,000,000	1,010,520	Custodian
0.980%	0.980%	0.980%	FFCB-Callable Coupon	09/18/12	Continuous	09/18/17	1,000,000	1,000,000	998,070	Custodian
0.900%	0.921%	0.950%	FNMA-Callable Coupon	10/25/12	07/25/15	10/25/17	999,000	1,000,000	995,460	Custodian
0.625%	0.700%		FHLMC-Bullet	10/26/12		11/01/16	997,040	1,000,000	1,001,900	Custodian
0.820%	0.860%	0.860%	FFCB-Callable Coupon	10/26/12	Continuous	07/11/17	998,000	1,000,000	996,570	Custodian
0.625%	0.625%		FNMA-Bullet	11/28/12		11/28/16	2,000,000	2,000,000	2,001,520	Custodian
0.600%	0.600%	0.600%	FFCB-Callable Coupon	12/13/12	Continuous	12/12/16	1,000,000	1,000,000	999,820	Custodian
0.600%	0.600%		FFCB-Bullet	12/27/12		12/27/16	1,000,000	1,000,000	1,000,230	Custodian
1.585%	1.100%		LVNSCD-Muni Bond	02/20/13		11/01/17	1,022,130	1,000,000	1,006,940	Custodian
0.690%	0.690%		PST-Muni Bond	03/26/13		11/01/16	1,000,000	1,000,000	995,600	Custodian
1.000%	1.000%		FHLMC-Bullet	03/26/13		03/26/18	1,000,000	1,000,000	998,070	Custodian
0.85% & Up <sup>1</sup>	1.170%	0.850%	FNMA-Callable Coupon	03/28/13	06/28/15	03/28/18	1,000,000	1,000,000	1,001,020	Custodian
1.020%	1.020%	1.043%	FHLMC-Callable Coupon	04/30/13	07/30/15	04/30/18	999,500	1,000,000	993,640	Custodian
0.950%	0.950%		FHLMC-Bullet	05/22/13		05/22/18	1,000,000	1,000,000	995,390	Custodian
0.750%	0.750%		FHLMC-Bullet	05/28/13		11/28/17	1,000,000	1,000,000	993,940	Custodian
0.75% & Up <sup>2</sup>	1.117%	0.775%	FNMA-Callable Coupon	05/29/13	11/29/15	05/29/18	1,000,000	1,000,000	1,001,160	Custodian
0.832%	0.832%		ARLDEV-Muni Bond	06/03/13		12/15/16	1,585,000	1,585,000	1,585,951	Custodian
1.250%	1.250%		FHLB-Bullet	06/26/13		06/26/18	1,000,000	1,000,000	999,470	Custodian
1.500%	1.500%	1.500%	FNMA-Callable Coupon	09/19/14	09/19/16	09/19/18	1,000,000	1,000,000	1,004,950	Custodian
1% & Up <sup>3</sup>	2.216%	1.000%	FHLB-Callable Coupon	12/30/14	12/30/15	12/30/19	1,000,000	1,000,000	1,002,890	Custodian
1.000%	1.034%	1.001%	FHLB-Callable Coupon	02/26/15	02/26/16	02/26/18	999,000	1,000,000	999,420	Custodian
1.400%	1.400%	1.400%	FHLMC-Callable Coupon	02/27/15	02/24/16	08/24/18	1,000,000	1,000,000	1,002,420	Custodian
1% & Up <sup>4</sup>	2.172%	1.000%	FHLB-Callable Coupon	02/27/15	08/27/15	02/27/20	1,000,000	1,000,000	998,840	Custodian

LVMWD Investment Report for the Month Ending June 30, 2015

Disc./Cpn Rate	Yield To Maturity	Investment Type	Date Invested	Date Matures	Book Value	Par Value	Market Value	Market Value Source
1.500%	1.500%	FHLB-Callable Coupon	03/13/15	03/13/17	1,000,000	1,000,000	999,070	Custodian
1.330%	1.330%	FHLB-Callable Coupon	03/18/15	03/18/16	1,000,000	1,000,000	999,460	Custodian
1.300%	1.300%	FHLB-Bullet	03/30/15	10/30/18	1,000,000	1,000,000	1,001,010	Custodian
1.250%	1.250%	FHLB-Callable Coupon	04/22/15	04/22/16	1,000,000	1,000,000	995,520	Custodian
1.600%	1.600%	FNMA-Callable Coupon	05/19/20	05/19/17	1,000,000	1,000,000	988,860	Custodian
		Sub-Total			30,599,670	30,585,000	30,573,331	
		Total Investments			32,600,250	\$32,585,000	32,574,461	

Note: Gov. Agency Coupon Notes will distribute interest every six month.

1-CPNRT=0.85% to 9/15; 1% to 9/16; 1.5% to 9/17; thereafter 2.5%.

3-CPNRT=1% to 12/15; 1.25% to 12/16; 2% to 12/17; 3% to 12/18; thereafter 4%.

2-CPNRT=0.75% to 5/16; 1% to 5/17; 2% to 11/17; thereafter 3%.

4-CPNRT=1% to 2/16; 1.5% to 2/17; 2% to 2/18; 3% to 2/19; thereafter 3.5%.

Interest earnings for the month were as followed:

	Amount Earned/Accrued	Current Yield
Refunding Revenue Bonds - Reserve Fund (Bank of New York Mellon) Investments	\$688	0.299%
Local Agency Investment Fund (LAIF)	28,998	1.000%
CalTrust Short-Term Fund	5,706	0.299%
Reich & Tang Daily Income - US Treasury Money Market Fund	826	0.350%
Sweep Accounts (Wells Fargo Bank/Bank of New York Mellon)	0	0.010%
	12	0.010%
<b>Total Earnings</b>	<b>\$36,230</b>	

Schedule of Investment Balance Limitations (Per District investment policy)

The source of the market valuation is as followed:

Investments (Note 1)	Total Amount Invested	% of Total	Max. Limit Allowed
Refunding Revenue Bonds - Reserve Fund (Bank of New York Mellon/LAIF)	\$32,600,250	52.95%	no limit
Reich & Tang Daily Income - US Treasury Money Market Fund (Union Bank)	2,761,223	4.48%	1 yr debt pmt.
Local Agency Investment Fund (LAIF)	40,798	0.07%	no limit
CalTrust Short-Term Fund	24,165,365	39.25%	50,000,000
	2,003,820	3.25%	no limit
<b>Total</b>	<b>\$61,571,456</b>	<b>100.00%</b>	

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Note 1: The average weighted duration for investments, excluding LAIF, is 884 days, which is under the assumption that callable coupons will not be called and will be held until maturity.  
 Note 2: In June 2015, estimated Joint Powers Authority's participation in investment is \$6,056,080.30, of which \$4,263,544.66 (or 70.40%) belongs to LV.

LVMWD Investment Report for the Month Ending June 30, 2015

Bank Account Balances as of June 30, 2015:

Bank Name	Account Type	Amount
Wells Fargo Bank	Checking	\$291,366 (Note 3)
Wells Fargo Bank	Sweep	1,392,446
Bank of New York Mellon	Money Market	-
	<b>Total</b>	<b>\$1,683,812</b>

Note 3: This is bank balance without adjusting for outstanding checks. The total amount of outstanding checks is unavailable at the time of reporting.

"All District investments are included in this report and all investments, except those relating to debt issues and deferred compensation programs funds, conform to District investment policy. All investment transactions within the period covered by this report, except for the exceptions noted above, conform to District investment policy. Deferred compensation program funds are not included in this report; their investment is directed by individual employees participating in the deferred compensation program and not by the District. Debt issue funds are included in this report; their investment is controlled by specific provisions of the issuance documents and not by the District."

"The deposits and investments of the District safeguard the principal and maintain the liquidity needs of the District, providing the District with the ability to meet expenditure requirements for the next six months. The maturity dates are compatible with foreseeable cash flow requirements. The deposits and investments can be easily and rapidly converted into cash without substantial loss of value."

David W. Pedersen, General Manager

Approved for July 28, 2015 Agenda:

I HEREBY CERTIFY THAT THE FOREGOING IS TRUE AND CORRECT

TO THE BEST OF MY KNOWLEDGE

Jay Lewitt, Treasurer

### Definitions

- Disc./Cpn Rate – The yield paid by a fixed income security.
- Yield to Maturity – The rate of return of a security held to maturity when interest payments, market value and par value are considered.
- Bullet – A fixed income security that cannot be redeemed by the issuer until the maturity date.
- Callable – A fixed income security that can be redeemed by the issuer before the maturity date.
- Book Value – The price paid for the security.
- Par Value – The face value of a security.
- Market Value – The current price of a security.
- Custodian – The financial institution that holds securities for an investor.

### Investment Abbreviations

- FHLB – Federal Home Loan Bank
- FHLMC – Federal Home Loan Mortgage Corporation (Freddie Mac)
- FNMA – Federal National Mortgage Association (Fannie Mae)
- FFCB – Federal Farm Credit Bank
- Bonds
  - NYCGEN – New York City Transitional Finance Authority Future Tax Secured Bond
  - KYSHSG – Kentucky State Housing
  - Montgomery – Montgomery, AL General Obligation Bond
  - PORTRN – Port Authority of New York & New Jersey Revenue Bond
  - AZSHGR – Arizona Board of Regents University of Arizona System Revenue Bond
  - LVNSCD – Las Virgenes Unified School District
  - NJSMFH – New Jersey State Mortgage Finance & Housing
  - PTS – Port of Seattle
  - ARLDEV – Arlington County Development Authority Revenue Bond





August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: General Manager

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**Subject: Appointment of Deputy Secretary: Josie Guzman**

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**SUMMARY:**

Pursuant to Water Code Section 71340, the Board may appoint a Deputy Secretary to serve at the pleasure of the Board. Traditionally, the Board has appointed the Executive Assistant/Clerk of the Board as Deputy Secretary. By deputizing a District employee, the Board authorizes the employee to perform routine, day-to-day functions of the officer subject to any limitations specified by the Secretary and/or Board.

**RECOMMENDATION(S):**

Appoint Josie Guzman, Executive Assistant/Clerk of the Board, as Deputy Secretary.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

Prepared By: Josie Guzman, Executive Assistant/Clerk of the Board



August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Facilities & Operations

**Subject: Tapia Water Reclamation Facility Channel Mixing Improvements: Approval of Change Order No. 2**

**SUMMARY:**

On March 2, 2015, the Board awarded a construction contract to GSE Construction Company, Inc., in the amount of \$896,560, for the replacement of the existing channel mixing system, which has reached the end of its useful life, at the Tapia Water Reclamation Facility. Change Order No. 2 is required to add 55 calendar days to the contract duration to enable the contractor to remove and replace additional air header piping not specified in the original construction contract.

**RECOMMENDATION(S):**

Authorize the General Manager to approve Change Order No. 2, adding 55 calendar days to the contract duration for the Tapia Water Reclamation Facility Channel Mixing Improvements Project.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

Yes

**FINANCIAL IMPACT:**

There is no financial impact associated with this action.

**DISCUSSION:**

Change Order No. 1, in the amount of \$17,353, was approved by the General Manager for the contractor to remove and replace additional air header piping in three locations. The existing piping was in poor condition and was not easily acceptable during the design phase of work.

Change Order No. 2 is a zero dollar change order that adds 55 calendar days to the contract duration. The time extension is necessary to account for delays associated with redesign of the air diffuser layout to avoid stop log conflicts, redesign and procurement of air header piping associated with Change Order No. 1, and installation of the additional piping.

Board approval of the time extension is required because the extension constitutes a 30.5% increase to the original contract duration of 180 days; the General Manager's authority is limited to those extensions within 25% of the original contract duration.

**GOALS:**

Construct, Manage and Maintain All Facilities and Provide Services to Assure System Reliability and Environmental Compatibility

ITEM 4F

Prepared By: Eric Maple, Associate Engineer

**ATTACHMENTS:**

[Change Order No. 2](#)



4232 Las Virgenes Road  
Calabasas, California 91302-1994

## CONTRACT CHANGE ORDER

No. 2

Project Tapia Channel Mixing Improvements

Project No. 10538.1880.505

Contractor GSE Construction Company, Inc.

Date: 7/30/15

CONTRACTOR CHANGE ORDER NO. 2 The Contractor is hereby authorized and directed to make the herein described changes from the Plans and Specifications or do the following work not included in the Plans and Specifications for the construction of this project.

This change requested by: LVMWD

### DESCRIPTION OF CHANGE:

	Description	Amount	Calendar Days
1	Additional time for construction of changes noted in GSE PCO No. 3, PCO No.4, and PCO No.5.	\$0	4
2	Contract time extension for modifying diffuser layout to resolve stop log conflicts, complete.	\$0	18
3	Contract time extension for modifying stainless steel header piping layout in response to RFI's, generation of change order quotes requested by District for PCO No.3, No.4, and No.5, and any delay or procurement of parts, complete.	\$0	33
	TOTAL	<b>\$0</b>	55

INCREASES  
TOTAL AT AGREED PRICES OR FORCE ACCOUNT **\$ 0**  
DECREASES

Contract Change Order No. 2 Project No. 10538.1880.505

Date 7/30/2015

(2) Estimate of increases and/or decreases in contract items at contract unit prices:

**INCREASES**

Item	Description	Quantity	Unit Price	Total
TOTAL INCREASES				<u>\$N/A</u>

**DECREASES**

Item	Description	Quantity	Unit Price	Total
			\$	\$
TOTAL DECREASES				<u>\$</u>

TOTAL NET \_\_\_\_\_ IN CONTRACT ITEMS AT CONTRACT UNIT PRICES \$

TOTAL COST OF THIS CHANGE ORDER \$ 0

**INCREASE**

**DECREASE**

It is agreed 55 consecutive calendar days extension of time will be allowed by reason of this change.

Recommended by

Departmental Approval



Eric Maple, P.E.  
Associate Engineer

David R. Lippman  
Director of Facilities and Operations

ACCEPTED:

APPROVED:

\_\_\_\_\_

Las Virgenes Municipal Water District

By: \_\_\_\_\_

By: \_\_\_\_\_  
David W. Pedersen, General Manager

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Note: Attention is called to the sections of the Special Provisions and Standard Provisions on EXTRA, ADDITIONAL OR OMITTED WORK.

THIS CHANGE ORDER IS NOT EFFECTIVE UNTIL APPROVED BY OWNER

IF ACCEPTABLE TO THE CONTRACTOR, THIS CHANGE ORDER IS EFFECTIVE IMMEDIATELY

ITEM 4F



## Drought Update Tuesday, July 28, 2015

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### **KEY ACTION ITEMS FROM THIS WEEK**

- **California WaterFix Comment Period Extended to Oct. 30:** On July 22, the Department of Water Resources (DWR) and the U.S. Bureau of Reclamation [announced](#) a 60-day extension on the public comment period for the recirculated environmental documents for California WaterFix, which is the proposed water conveyance improvement plan for the Sacramento-San Joaquin River Delta. For more information on California WaterFix, visit the website [here](#).
- **Draft Regulations Released to Guide Groundwater Basin Boundary Revision:** On July 17, the Department of Water Resources (DWR) opened the public comment period on [proposed draft emergency regulations](#) that will outline the process local agencies must follow when requesting modifications to existing boundaries of groundwater basins and sub-basins. For additional information on the draft regulations, visit DWR's Basin Boundary Revision webpage [here](#).
- **USDA and NASA Expand Innovative Partnership to Better Predict Wildfires, Monitor Drought from Space:** On July 16, the U.S. Department of Agriculture (USDA) and the National Aeronautics and Space Administration (NASA) [announced](#) an expanded partnership designed to better protect America's working lands, predict and prevent natural disasters, and inspire young people to pursue careers in science, technology, engineering, mathematics and agriculture.

Under the new agreement, USDA has expanded access to NASA satellite data, which will help U.S. Forest Service's fire fighters and first responders to better detect wildfires and predict their behavior. Additionally, the satellite data could be used to create soil moisture maps for California to improve weather and water availability forecasting and to provide a drought early-warning system for producers.

- **California's Water Conservation Education Program Campaign:** This past week, Save Our Water, in partnership with the Bay Area Council, released a new [public service announcement](#) featuring Sergio Romo, San Francisco Giants Pitcher, asking residents to keep "saving together" by fixing leaks and limiting outdoor watering. Save Our Water has also partnered with [California ReLeaf](#) to raise awareness of the importance of proper tree care during the drought. In addition, a new section on the Save Our Water website is promoting California Native Plant Society as a key part of Save Our Water's [landscaping tips](#).

Save Our Water's new media campaign asks Californians to share a helping hand by "Saving Together" with a selfie. [Saving Together](#) is about creating a social movement of Californians sharing water-saving tips to encourage and empower others to join the effort. For more tips and tools to help conserve water and keep trees healthy during the drought, please visit Save Our Water's website, which is available in both [English](#) and [Spanish](#), or connect with the program on [Facebook](#), [Twitter](#) or [Instagram](#).

- **Governor's Drought Task Force:** The Task Force continues to take actions that conserve water and coordinate state response to the drought. During the most recent Task Force meeting on July 23, the State Water Board reported that the June water conservation numbers will be announced at the July 29 Board meeting. In addition, the Governor's Office of the Tribal Advisor will hold the next drought webinar tribal consultation meeting on August 19.

## **ONGOING DROUGHT SUPPORT**

- **Emergency Food Aid, Rental and Utility Assistance:** The Department of Social Services (CDSS) Drought Food Assistance Program (DFAP) provides food assistance to affected communities that suffer high levels of unemployment from the drought. To date, over 780,950 boxes have been provided to community food banks in drought-impacted counties, with an average of approximately 13,250 food boxes per week since June 2014. Approximately 692,170 boxes of food have been picked up by 364,066 households.

Food boxes distributions vary by county and occur 1-4 times per month. Over 70% of the food distributions have occurred in the Tulare Basin (Fresno, Kern, Kings and Tulare). There are 8,400 boxes scheduled for delivery for the week ending July 31, to Fresno, Kern, Riverside, San Joaquin and Tulare County.

The Department of Community Services and Development (CSD) allocated an additional \$600,000, under the federally-funded Community Services Block Grant (CSBG), to continue the [Drought Water Assistance Program \(DWAP\)](#) which provides financial assistance to help low-income families pay their water bills. As of July 17, CSD has reported that a total of \$260,258 has been issued to 1,353 households.

CSD is in the process of allocating \$400,000, under CSBG, to continue the Migrant and Seasonal Farmworker (MSFW) drought assistance program, which provides assistance in employment training and placement services to individuals impacted by the drought. This program provides employment training and placement services to migrant and seasonal farmworkers suffering job loss or reduced employment due to the drought. To date, CSD has reported that a total of \$10,000 has been issued to the Center for Employment Training located in Monterey, San Benito and Santa Cruz County.

**Drought Response Funding:** The \$687 million in state drought funding that was appropriated last March through emergency legislation, as well as \$142 million provided in the 2014 Budget Act, continues to advance toward meeting critical needs. To date, \$468 million has been committed, and nearly \$625 million of the emergency funds appropriated in March came from sources dedicated to capital improvements to water systems. Since March, the Department of Water Resources has expedited grant approvals, getting \$21 million immediately allocated to grantees that were pre-approved for certain projects.

As planned in March, the next \$200 million of expedited capital funding was awarded in October, and the remaining \$250 million will be granted by fall 2015. The 2014 Budget Act appropriated an additional \$53.8 million to CAL FIRE over its typical budget to enhance firefighter surge capacity and retain seasonal firefighters beyond the typical fire season.

As a result of continuing drought conditions, emergency legislation was enacted in March 2015 that appropriated over \$1 billion of additional funds for drought-related projects and activities. The Administration's May Revision proposal includes an additional \$2.2 billion for programs that protect and expand local water supplies, improve water conservation, and provide immediate relief to impacted communities.

## **CURRENT DROUGHT CONDITIONS**

- **Fire Activity:** Since the beginning of the year, firefighters from CAL FIRE and the U.S. Forest Service have responded to 4,445 wildfires across the state, burning 74,766 acres. Fire activity across California remains high with over 316 wildfires in just the past week. To date, CAL FIRE has experienced a 52% increase in wildfire activity compared to the 5-year average for the same time period.
- **CAL FIRE Suspends Outdoor Residential Burning:** California's increased fire activity this year, coupled with record-setting drought conditions, require CAL FIRE to take every step possible to prevent new wildfires from starting. To date, CAL FIRE has suspended burn permits in all counties in the State Responsibility Area. This suspension bans all residential outdoor burning of landscape debris including branches and leaves. The department may issue restricted temporary burning permits if there is an essential reason due to public health and safety. For additional information on preparing for and preventing wildfires, please visit [www.ReadyForWildfire.Org](http://www.ReadyForWildfire.Org).
- **Dry Well Reports:** As California enters the fourth consecutive summer of drought, Cal OES continues to monitor and identify communities and local water systems in danger of running out of water. Approximately 2,091 wells statewide have been identified as critical or dry, which affects an estimated 10,455 residents. As of July 22, Cal OES has reported that 1,987 of the 2,091 dry wells are concentrated in the inland regions within the Central Valley.
- **Vulnerable Water Systems:** The State Water Board continues to provide technical and funding assistance to several communities facing drinking water shortages, and is monitoring water systems across the state. Since January 2014, 85 out of the 112 projects approved to receive emergency funding for interim replacement drinking water have been executed. On May 19, the State Water Board adopted Guidelines for administering the latest emergency drought appropriations of \$19 million announced this past March. To date, the State Water Board has received requests for \$3.8 million of those funds.
- **Projected Reservoir Management:** Shasta Reservoir recorded 2,038,000 acre-feet (AF) on July 23 with a 10-day average reduction in storage of 6,500 AF/day. Releases are being held lower than normal to keep cold water in the reservoir for Winter Run Chinook Salmon later in the fall. Shasta Reservoir is projected to reach 1,460,000 AF by the end of September. This is higher than the 1976-77 record low storage of 700,000 AF.

Oroville Reservoir recorded 1,224,000 AF on July 23 with a 10-day average reduction in storage of 6,900 AF/day. Releases are higher than normal to help make up for reduced flows out of Shasta. These higher flows are to keep salt water from coming too far into the Delta and to meet other joint federal-state obligations. Oroville Reservoir is projected to reach 900,000 AF by the end of September. This storage is about the same as the record low 1976-77 storage level.



Folsom Reservoir recorded 316,000 AF on July 23 with a 10-day average reduction in storage of 5,800 AF/day. Releases are higher than normal to help make up for reduced flows out of Shasta. Folsom Reservoir is projected to reach 120,000 AF by the end of September. This is lower than the 1976-77 record low storage of 150,000 AF.

[Reservoir Levels](#) as of July 26 remain low, including: Castaic Lake 38% of capacity (45% of year to date average); Don Pedro 35% of capacity (45% of average); Exchequer 11% of capacity (17% of average); Folsom Lake 31% of capacity (43% of average); Lake Oroville 34% of capacity (45% of average); Lake Perris 36% (45% of average); Millerton Lake 34% of capacity (53% of average); New Melones 15% of capacity (24% of average); Pine Flat 17% of capacity (32% of average); San Luis 27% of capacity (53% of average); Lake Shasta 44% of capacity (61% of average); and Trinity Lake 34% of capacity (43% of average). An update of water levels at other [smaller reservoirs](#) is also available.

- **Weather Outlook:** Dry weather continues this week with temperatures returning to well above average as high pressure strengthens. Increasing monsoon moisture may lead to an increasing chance of mountain thunderstorms by the weekend.

### Local Government

- **Local Emergency Proclamations:** A total of 58 local Emergency Proclamations have been received to date from city, county, and tribal governments, as well as special districts:
  - **25 Counties:** El Dorado, Fresno, Glenn, Humboldt, Inyo, Kern, Kings, Lake, Madera, Mariposa, Merced, Modoc, Plumas, San Bernardino, San Joaquin, San Luis Obispo, Santa Barbara, Shasta, Siskiyou, Sonoma, Sutter, Trinity, Tulare, Tuolumne and Yuba.
  - **12 Cities:** City of Live Oak (Sutter County), City of Lodi (San Joaquin County), City of Manteca (San Joaquin County), City of Montague (Siskiyou County), City of Porterville (Tulare County), City of Portola (Plumas County), City of Ripon (San Joaquin County), City of San Juan Bautista (San Benito County), City of Santa Barbara (Santa Barbara County), City of Rancho Cucamonga (San Bernardino County) and City of West Sacramento (Yolo County) and City of Willits (Mendocino County).
  - **9 Tribes:** Cortina Indian Rancheria (Colusa County), Hoopa Valley Tribe (Humboldt County), Karuk Tribe (Siskiyou/Humboldt Counties), Kashia Band of Pomo Indians of the Stewarts Point Rancheria (Sonoma County), Picayune Rancheria of Chukchansi Indians (Madera County) Sherwood Valley Pomo Indian Tribe (Mendocino County), Tule River Indian Tribe (Tulare County), Yocha Dehe Wintun Nation (Yolo County) and Yurok Tribe (Humboldt County).
  - **12 Special Districts:** Carpinteria Valley Water District (Santa Barbara County), Goleta Water District (Santa Barbara County), Groveland Community Services District (Tuolumne County), Lake Don Pedro Community Services District (Mariposa Stanislaus County), Mariposa Public Utility District (Mariposa County), Meiners Oaks Water District (Ventura County), Montecito Water District (Santa Barbara County), Mountain House Community Service District (San Joaquin County), Nevada Irrigation District (Nevada County), Placer County Water Agency (Placer County), Tuolumne Utilities District (Tuolumne County) and Twain Harte Community Services District (Tuolumne County).

- **Water Agency Conservation Efforts:** The Association of California Water Agencies (AWCA) [has identified](#) several hundred local water agencies that have implemented water conservation actions. These water agencies [are responding to the drought](#) by implementing conservation programs, which include voluntary calls for reduced water usage and mandatory restrictions where water shortages are worst.

ACWA [released](#) a Drought Response Toolkit to assist water agencies as they take action to meet state-mandated water conservation target and communicate information about water use restrictions, enforcement and other issues with their customers, media and other audiences.

- **County Drought Taskforces:** A total of 33 counties have established drought task forces to coordinate local drought response. These counties include: Butte, Colusa, Glenn, Humboldt, Kern, Kings, Lake, Madera, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Orange, Placer, Plumas, Sacramento, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Siskiyou, Stanislaus, Solano, Sutter, Tehama, Trinity, Tulare, Tuolumne, and Yolo.
- **Tribal Taskforce:** A total of 7 tribes have established drought task forces to coordinate tribal drought response. These tribes include: Hoopa Valley Tribe (Humboldt County), Hopland Tribe (Mendocino County), Karuk Tribe (Siskiyou County), La Jolla Band of Luiseno Indians (San Diego County), Sherwood Valley Tribe (Mendocino County), Trinidad Tribe (Humboldt County), and Yurok Tribe (Humboldt and Del Norte County).

#### DROUGHT RELATED WEBSITES FOR MORE INFORMATION

##### [Drought.CA.Gov](#): California's Drought Information Clearinghouse

State's Water Conservation Campaign, [Save Our Water](#)  
Local Government, [Drought Clearinghouse and Toolkit](#)

California Department of Food and Agriculture, [Drought information](#)  
California Department of Water Resources, [Current Water Conditions](#)  
California Data Exchange Center, [Snow Pack/Water Levels](#)

California State Water Resources Control Board, Water Rights, [Drought Info and Actions](#)

California Natural Resources Agency, [Drought Info and Actions](#)

State Water Resources Control Board, Drinking Water, [SWRCB Drinking Water Program](#)

California State Water Project, [Information](#)

[U.S. Drought Monitor](#) for Current Conditions throughout the Region

[U.S. Drought Portal](#), National Integrated Drought Information System (NIDIS)

National Weather Service [Climate Predictor Center](#)

USDA Drought Designations by County [CA County Designations](#)

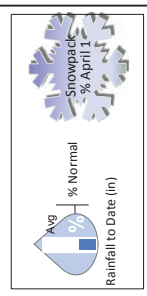
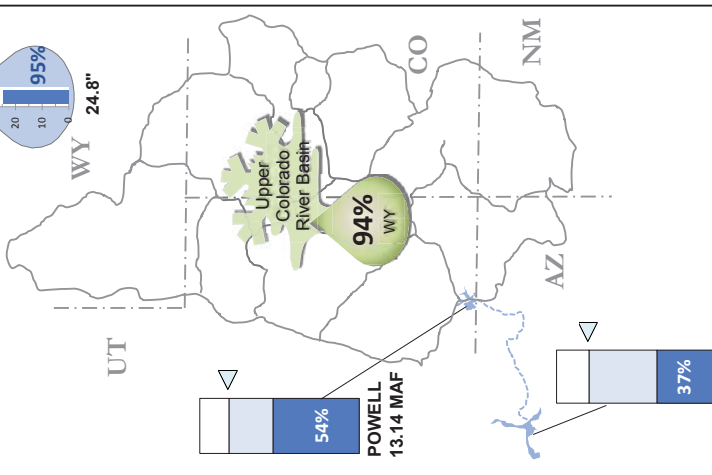
USDA Disaster and Drought Assistance Information [USDA Programs](#)

U.S. Small Business Administration Disaster Assistance Office: [www.sba.gov/disaster](http://www.sba.gov/disaster)

# WATER SUPPLY CONDITIONS CRA

As of: 07/20/2015

**2015 Colorado River**  
**925,000 AF**  
**74% of full CRA**



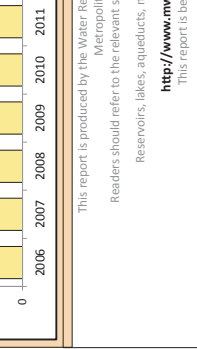
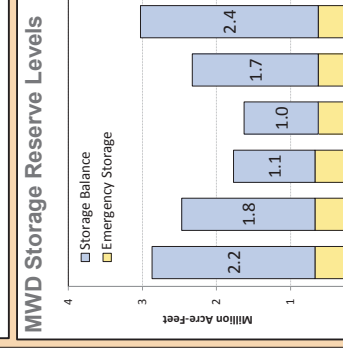
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# HIGHLIGHTS

**Colorado River Basin**  
 - Runoff forecast continues to increase, now at 94% up from the 63% reported out in late April.

**Northern California**  
 - Three times more rain recorded at the 8-Station thus far in July than the entire month of January.  
 - The 5-Station (San Joaquin) has seen more rain so far in July than Oct, Jan, and Mar combined.

**Southern California**  
 - Weekend rain gives Los Angeles and San Diego wettest July ever recorded.



This report is produced by the Water Resource Management group and contains information from various federal, state, and local agencies. Metropolitan cannot guarantee the accuracy or completeness of this information. Readers should refer to the relevant state, federal, and local agencies for additional or for the most up to date water supply information. Reservoirs, lakes, aqueducts, maps, watersheds, and all other visual representations on this report are not drawn to scale.

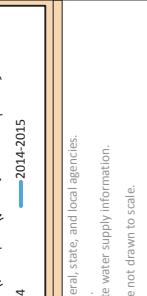
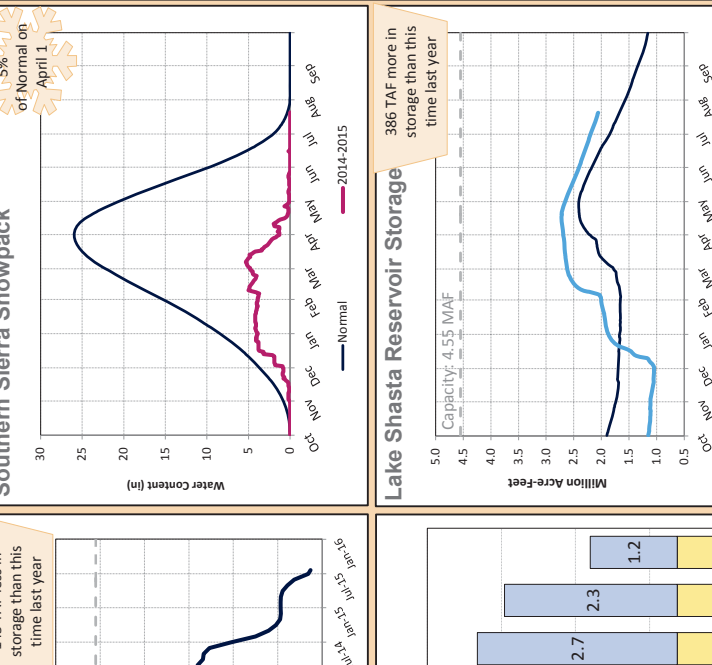
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This report is best printed double sided on legal size paper (8.5" x 14") and folded in quarters

# WATER SUPPLY CONDITIONS SWP

As of: 07/20/2015

**2015 SWP Allocation**  
**382,300 AF**  
**20% of Table A**

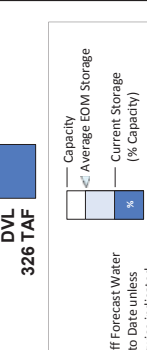
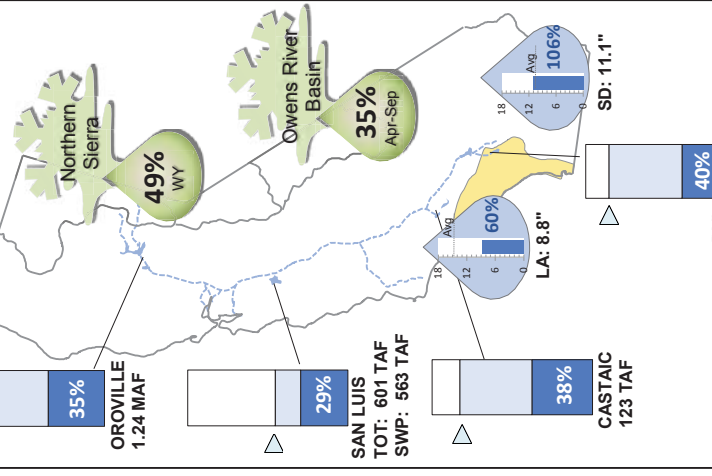


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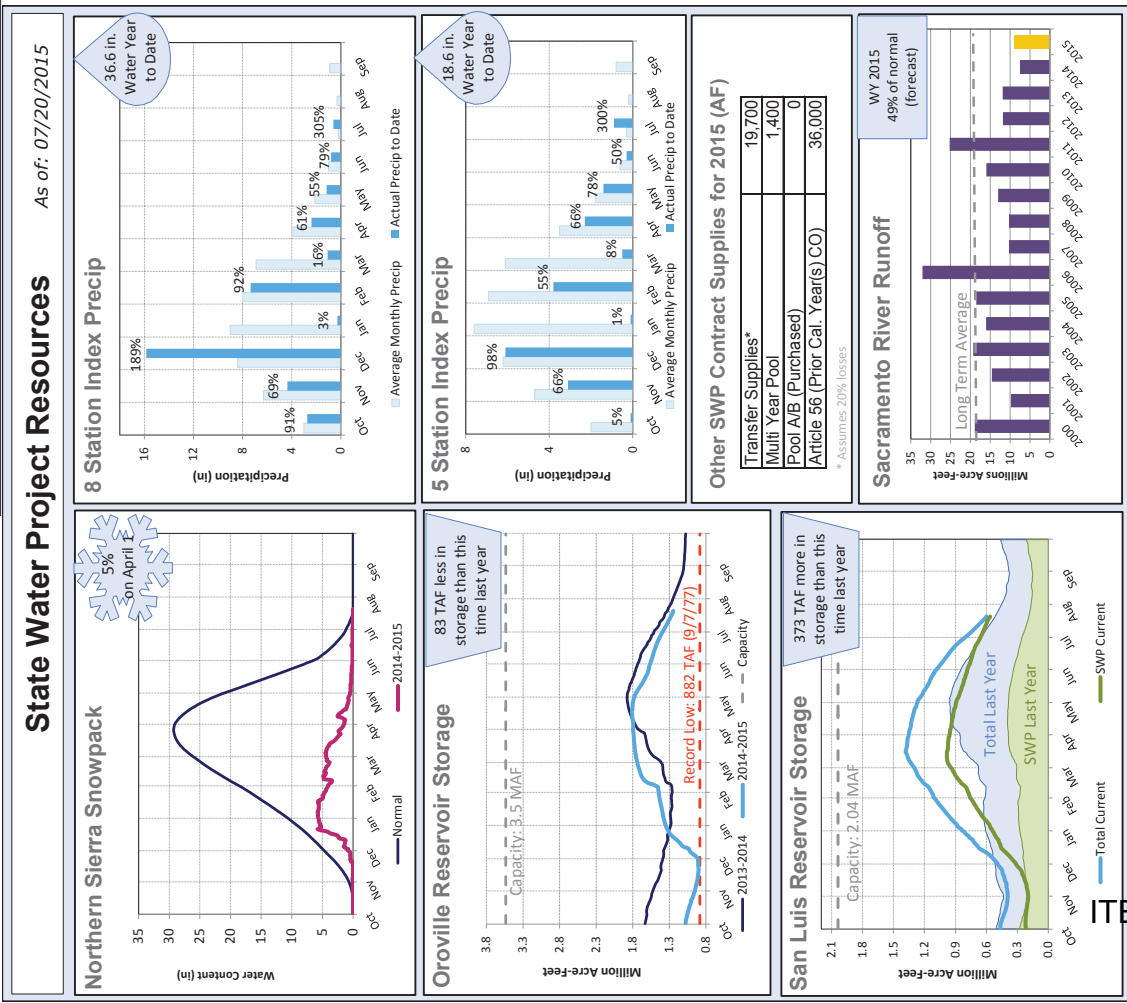
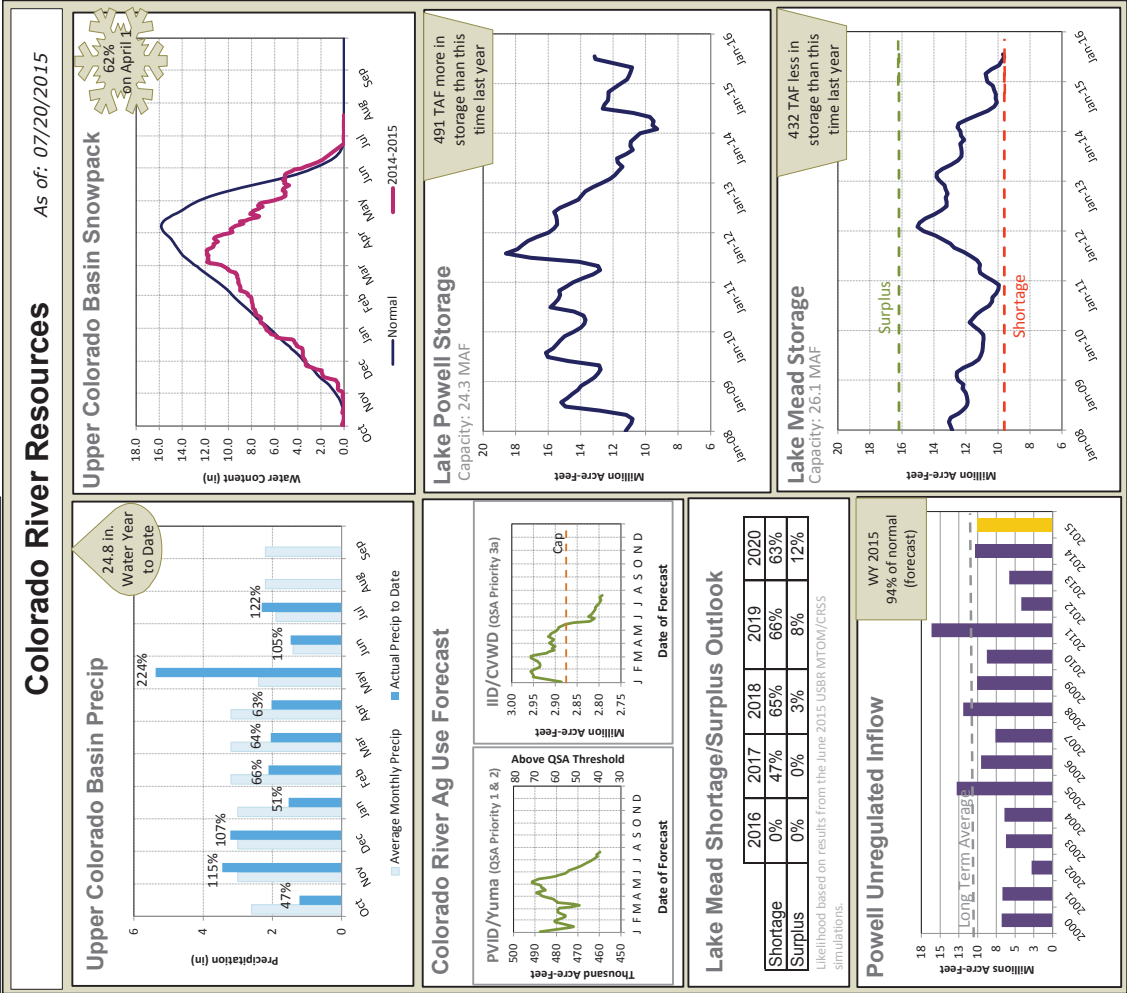
# WATER SUPPLY CONDITIONS CRA

As of: 07/20/2015

**2015 Colorado River**  
**925,000 AF**  
**74% of full CRA**



Turn page for more CRA Data





August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Board President

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**Subject: Board of Directors' Code of Conduct: Review and Comment**

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**SUMMARY:**

On December 9, 2014, Board President Glen Peterson requested a future agenda item for the Board to consider establishing norms of behavior and protocol for conducting the District's business. With input from the Board President, staff assembled the attached draft Board of Directors' Code of Conduct to facilitate the Board's discussion on the topic.

**RECOMMENDATION(S):**

Review and comment on the draft Board of Directors' Code of Conduct.

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**DISCUSSION:**

Many elected bodies adopt "norms" or a "code of conduct" to reflect accepted behaviors of public officials and to document expectations for interactions with the agency's staff and the public. Staff researched and reviewed sample norms and codes of conduct, including those adopted by the West Basin Municipal Water District and the cities of Agoura Hills, Calabasas, Thousand Oaks and Santa Clarita. Although each agency adopted a slightly different approach, a number of common items appeared in the documents. Drawing from those items, staff assembled the attached draft Board of Directors' Code of Conduct to facilitate the Board's discussion on the topic.

Prepared By: David W. Pedersen, General Manager

**ATTACHMENTS:**

[Draft Board of Directors' Code of Conduct](#)

**DRAFT****LAS VIRGENES MUNICIPAL WATER DISTRICT**  
**BOARD OF DIRECTORS' CODE OF CONDUCT**

The Board of Directors of Las Virgenes Municipal Water District adopted the following norms of behavior and protocol (Code of Conduct) for conducting the District's business in an ethical and professional manner. The norms are intended to serve as guidelines for Directors to maintain the credibility of the District and foster public trust.

**General**

- Treat other Directors, staff and the public with courtesy and respect.
- Avoid criticizing individuals in public by focusing on the issues or work products.
- Avoid misrepresenting facts or making assertions that are inaccurate or untrue.
- Refrain from disrupting an opponent's campaign events; moving, removing or vandalizing campaign signs; or removing campaign flyers.
- Avoid promulgating inaccuracies or falsehoods.
- Stay abreast of issues affecting the District and other local agencies.
- Refrain from communications that may constitute a violation of the Ralph M. Brown Act such as discussions among a quorum of Directors, at one time or serially, face-to-face or otherwise.
- Maintain the confidentiality of non-public information.
- Ensure public statements, op-eds or letters to the editor that do not reflect the policy of the majority of the Board are cited as personal opinion.

**Public Meetings**

- Inform other Directors and the General Manager of unexpected issues that may arise at a public meeting.
- Be prepared for Board meetings by reviewing the agenda and supporting materials in advance.
- Respect the Board President's responsibility to run meetings.
- Seek recognition by the Board President before speaking and avoid interrupting other Directors.
- Listen carefully to public speakers, avoid interrupting and do not engage in debate; limit questions to those aimed to understand the speaker's point of view.

## ***DRAFT***

- Make remarks succinct and to the point in an effort to avoid tiring the public or engaging in tedious or repetitious discussion.
- Refrain from private communications with other Directors or the public via electronic communication devices while at the dais.

### **Decision-Making**

- Make decisions based on public input.
- Attempt to persuade other Directors through reasoned debate and accept the majority's decision graciously and as policy of the Board.
- Articulate the reasoning for decisions for the benefit of the public, particularly when the Board is divided on an issue.

### **Business Operations**

- Provide policy direction to the General Manager, and support the General Manager to implement policy through staff.
- Avoid unnecessary individual requests for the General Manager's time or attention to matters that may not be of interest to the majority of the Board.
- Obtain recommendations from the General Manager on District issues.
- Inform the Board Secretary in advance when unavailable for District business.
- Ensure direction to staff is supported by a majority of the Board and voice concerns timely with the direction provided.
- Initiate action to resolve problems cooperatively with other Directors or the General Manager as soon as possible.
- Demonstrate flexibility and cooperation to fill in for another Director at important meetings or functions.
- Direct concerns or complaints about staff to the General Manager.
- Avoid unduly influencing the content of staff reports.
- Forward copies of complaints from the public to the General Manager and allow staff to seek resolution and respond accordingly.
- Share copies of correspondence related to the District's business promptly with other Directors and the General Manager.
- Direct inquiries, questions or requests of staff, and concerns or complaints about staff, to the General Manager, recognizing that employees report to the General Manager.





August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Finance & Administration

**Subject: Updated Las Virgenes Municipal Water District Code: Adoption**

**SUMMARY:**

This item represents the culmination of an 18-month-long update process for the Las Virgenes Municipal Water District Code (Code), intended to modernize its language, eliminate potential inconsistencies, and consolidate related provisions. Through eight "study" sessions, the Board reviewed and commented on proposed updates to the Code as presented by staff and District Legal Counsel. Staff recommends that the Board adopt the updated Code, incorporating changes to the items previously discussed with the Board and two additional items as described below.

**RECOMMENDATION(S):**

Pass, approve, and adopt Resolution No. 2468, adopting the updated Las Virgenes Municipal Water District Code.

**Resolution No. 4468**

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE LAS VIRGENES MUNICIPAL WATER DISTRICT CODE AND REPEALING RESOLUTION NO. 7-90-2046

**FISCAL IMPACT:**

No

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

There is not financial impact associated with this action.

**DISCUSSION:**

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

Beginning in April 2014, the Board systematically reviewed proposed updates to each section of the Code and provided comments to staff and District Legal Counsel. This item presents the Code in its entirety for adoption, incorporating changes to the items previously discussed with the Board and the following two additional items (shown in red on the attached version of Exhibit A):

ITEM 8A



1. Updated Conflict of Interest Disclosure Code: On June 30, 2015, the Los Angeles County Board of Supervisors approved an updated Conflict of Interest Disclosure Code for the District. The key changes consisted of revising the disclosure category descriptions to match those recommended by the County and to add the Finance Manager and Buyer positions to the list of designated positions for disclosure. Staff proposes to incorporate the new Conflict of Interest Disclosure Code in the Las Virgenes Municipal Water District Code at this time.
2. Revisions for Monthly Billing: Numerous section of the Code require minor updates to reflect the District's plan to implement monthly billing effective September 1, 2015. Monthly billing is an important element of the action plan to implement budget-based rates and provide customers with more timely feedback on their water usage. These proposed changes, also recommended for incorporation in the Code at this time, primarily involve replacing the "bimonthly" with "monthly". Also, all costs that are shown on a bimonthly basis are halved to reflect the appropriate amount on a monthly basis, resulting in no change to the cost of District services.

**GOALS:**

Ensure Effective Utilization of the Public's Assets and Money

Prepared By: David W. Pedersen, General Manager

**ATTACHMENTS:**

[Proposed Resolution No. 2468](#)

[Exhibit A - Las Virgenes Municipal Water District Code](#)

**RESOLUTION NO. 2468**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LAS VIRGENES MUNICIPAL WATER DISTRICT  
ADOPTING THE LAS VIRGENES MUNICIPAL WATER DISTRICT CODE AND  
REPEALING RESOLUTION NO. 7-90-2046**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LAS VIRGENES  
MUNICIPAL WATER DISTRICT as follows:**

**1. Purpose.**

This resolution adopts the revised Las Virgenes Municipal Water District Code and repeals the former Las Virgenes Code.

**2. Adoption.**

The Las Virgenes Municipal Water District Code as set forth on Exhibit A attached hereto and hereby incorporated by this reference is hereby adopted. The Code includes the Las Virgenes Municipal Water District Conflict of Interest Disclosure Code as approved by the code reviewing body.

**3. Repeal.**

Resolution No 7-90-2046, including the former Conflict of Interest Disclosure Code, is hereby repealed.

**4. Effective Date.** This resolution is effective immediately, except the revisions changing from bimonthly to monthly billing, which are effective September 1, 2015.

**PASSED, APPROVED AND ADOPTED** on \_\_\_\_\_, 2015.

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

[SEAL]

**ITEM 8A**

# EXHIBIT A

# **LAS VIRGENES MUNICIPAL WATER DISTRICT**

## **CODE**

# LAS VIRGENES MUNICIPAL WATER DISTRICT CODE

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## TITLE 1 - GENERAL PROVISIONS

### CHAPTER 1 - ADOPTION OF CODE

#### **1-1.101 TITLE**

This Code shall be known as the "Las Virgenes Municipal Water District Code." It shall be sufficient to refer to this Code as the Las Virgenes Municipal Water District Code in any prosecution for violation of any provision hereof. It shall also be sufficient to designate any ordinance adding to, amending, or repealing the provisions of this Code as an addition to, or amendment to, or a repeal of, the Las Virgenes Municipal Water District Code, or portion thereof.

Except as otherwise provided in this Code, this Code consists of all regulatory, penal and administrative laws of general application of Las Virgenes Municipal Water District, codified pursuant to the authority set forth in the Municipal Water District Law of 1911 and particularly Section 71281 thereof and pursuant to the authority set forth in Article 2 of Chapter 1, Part 1 of Division 1 of Title 5 of the Government Code of the State of California.

#### **1-1.102 CONSTRUCTION AND INTERPRETATION OF CODE**

All provisions of this Code and all District ordinances and resolutions shall be interpreted to refer to the appropriate or designated officer or office of the District, and whenever an ordinance, uniform code, statute, or other matter, which is adopted by reference refers to any department, officer, employee, inspection, or other function, unless the context requires otherwise, all such references shall be to the appropriate or designated office, officer, agency, employee, or function of the District.

**1-1.103 EFFECTIVE CODE ON PAST ACTIONS AND OBLIGATIONS**

Neither the adoption of this Code nor the repeal of any ordinance or resolution of the District by this Code shall in any manner affect the prosecution for violations of ordinances or resolutions, which violations were committed prior to the effective date of this Code nor be construed as a waiver of any fee or penalty on such effective date due and unpaid under such ordinances or resolutions, nor be construed as affecting any of the provisions of such ordinances or resolutions relating to the collection of any such fees or penalties or the penal provisions applicable to the violation of such ordinances or resolutions, nor to effect the validity of any bond or cash deposit required to be posted, filed, or deposited pursuant to any ordinance or resolution, and all vested rights and obligations pertaining to such ordinances or resolutions shall continue in full force and effect.

**1-1.104 REFERENCES TO SPECIFIC ORDINANCES**

The provisions of this Code shall not in any manner effect deposits or other matters of record which refer to, or are otherwise connected with, ordinances or resolutions which are specifically designated by number or otherwise and which are included within this Code, but such references shall apply to the corresponding provisions set forth in this Code.

**1-1.105 MAINTENANCE OF CODE**

At least three copies of this Code, duly certified by the Secretary, shall be maintained on file in the District offices as the official copies of this Code. Additional copies of this Code shall be distributed to the departments of the District as prescribed by the General Manager.



Duly certified copies of each ordinance making a change in this Code shall be filed in the office of the Secretary in books for such purpose, properly indexed for ready reference.

At least quarterly, the Secretary shall cause the loose-leaf pages of this Code in which changes have been made to be reproduced, including a notation as to the ordinance number and date on which such change is adopted, and distributed so that the loose-leaf copies of this Code, prepared for the use and convenience of the officers and employees of the District and the general public may be brought up to date.

## **CHAPTER 2 - RULES OF CONSTRUCTION**

### **1-2.101 SCOPE**

Unless the provisions of this Code otherwise specifically provide, or the context of this Code indicates to the contrary, the general provisions, rules of construction, and definitions set forth in this chapter shall govern the construction of this Code. The provisions of this Code and all proceedings under it are to be construed with a view to affect its object and to promote justice.

### **1-2.102 STATEMENT AND CONTINUATIONS**

The provisions of this Code insofar as they are substantially the same as existing ordinances or resolutions relating to the same subject matter, shall be construed as restatements and continuations and not as new enactments.

### **1-2.103 TENURE OF OFFICERS**

All persons who, at the time this Code takes effect, hold office under any of the ordinances or resolutions repealed by this Code, which offices are continued by this Code, shall continue to hold such offices in accordance with the tenure originally granted to such persons.

### **1-2.104 EFFECT OF HEADINGS**

Title, Chapter, Article, and Section headings contained in this Code shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any Title, Chapter, Article, or Section of this Code.

**1-2.105 REFERENCES TO ACTS OR OMISSIONS WITHIN THE DISTRICT**

The provisions of this Code shall refer only to the omission or commission of acts within the territorial limits of the District and to the territory outside the District over which the District has jurisdiction or control by virtue of the Constitution of the State or any law, or by reason of ownership or control of property.

**1-2.106 ACTS BY DEPUTIES**

Whenever a power is granted to, or a duty is imposed upon, a public officer or employee, the power may be exercised or the duty may be performed by the deputy of such officer or employee or by a person otherwise duly authorized pursuant to law, ordinance, or resolution unless this Code expressly provides otherwise.

**1-2.107 REFERENCES TO ORDINANCES OR RESOLUTIONS**

Whenever any reference in this Code is made to an ordinance or resolution, the reference shall apply to such ordinance or resolution of the District unless this Code expressly provides otherwise. Whenever any reference is made to any portion of this Code, or to any ordinance or resolution of the District, the reference shall apply to all amendments and additions made to this Code.

**1-2.108 NOTICES**

Whenever a notice is required to be given pursuant to the provisions of this Code, unless different provisions are otherwise specifically set forth in the text of this Code, such notice may be given either by personal delivery thereof to the person to be notified or by deposit in the United States Mail in a sealed envelope, postage prepaid, addressed to such person to be notified at his last known business or residence address as the same appears in the public records of the District or other records pertaining to the matter to which the notice is directed.

Service by mail shall be deemed to have been completed at the time the notice is deposited in the Post Office.

Proof of giving any notice is required to be given pursuant to the provisions of this Code may be made by the certificate of any officer or employee of the District or by the affidavit of any person over the age of 18 years, which affidavit shows service in conformity with the provisions of this Code or other provisions of law applicable to the subject matter concerned.

**1-2.109 SEVERABILITY**

If any section, sub-section, sentence, clause or phrase of this Code is, for any reason, held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining portions of the Code. The Board hereby declares that it would have passed this Code by section, sub-section, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses, or phrases be declared invalid or unconstitutional.

**1-2.110 STATUTE OF LIMITATIONS**

Whenever a limitation or a period of time prescribed in any existing ordinance, resolution, or statute for acquiring a right or buying a remedy, or for any other purpose, has begun to run before this Code goes into effect, the time which has already run shall be deemed a part of the time prescribed as such limitation.

**1-2.111 GENDER**

Use of masculine gender includes feminine gender.

**1-2.112 DEFINITIONS**

For the purposes of this Code, unless otherwise apparent from context, certain words and phrases use in this Code are defined as follows:

- (a) "Board" refers to the Board of Directors of the District.
- (b) "Director" refers to a member of the Board.
- (c) "District" refers to Las Virgenes Municipal Water District.
- (d) "Employee" refers to a District employee.
- (e) "General Manager" refers to the General Manager of the District.
- (f) "Person" refers to any person, firm or corporation.
- (g) "President" refers to the President of the Board.
- (h) "Vice President" refers to the Vice President of the Board.
- (i) "Secretary" refers to the Secretary of the Board.
- (j) "Treasurer" refers to the Treasurer of the Board.
- (k) "State" shall mean the State of California
- (l) "Section" shall mean a section of this code unless other source is specifically mentioned.
- (m) "Quarterly" where used to designate a period of time, shall mean the first three calendar months of any given year or any succeeding period of three calendar months.
- (n) "Writing" includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this Code, such notice, report, statement or record shall be made in writing in the English language unless this Code expressly provides otherwise.

PAGE 8 IS INTENTIONALLY BLANK. TITLE 2 FOLLOWS.

## **TITLE 2 – ADMINISTRATION**

### **CHAPTER 1 – GENERAL**

#### **2-1.101 PURPOSE**

This Title provides Directors and staff with a statement of instructions and policy to implement the Municipal Water District Law of 1911.

#### **2-1.102 SCOPE**

This Title deals with the administration of the District. Provisions for delivery of services and the enforcement of rules and regulations concerning service are contained elsewhere in this Code.

#### **2-1.103 DISTRICT SEAL: ADOPTION AND DESCRIPTION**

A seal, in the form set out in this section, is adopted as the seal of Las Virgenes Municipal Water District. The seal shall be circular and carry the following words and figures: "Las Virgenes Municipal Water District," and within the circle, the words "Incorporated 1958, California."

## CHAPTER 2 – BOARD OF DIRECTORS

### 2-2.101 ELECTION

(a) Directors shall be elected to office in accordance with the Municipal Water District Law of 1911.

(b) The District is divided into five (5) Divisions as shown on the Official Map of Division Boundaries on file in the District offices. One Director represents each division.

(c) Directors shall be elected on the following schedule: with terms commencing at the time stated and every fourth year thereafter:

Director representing Division 1 – December 1961

Division 2 – December 1963

Division 3 – December 1963

Division 4 – December 1961

Division 5 – December 1963

(d) The statement of qualifications of candidates appearing in the official voter materials shall be limited to 200 words and shall be paid by the candidate.

(e) Government Code section 871013 authorizes the District to adopt campaign contribution regulations not in conflict with state law. This section is adopted pursuant to section 871013. Candidates for the office of member of the Board of Directors shall file a written report with the Registrar of Voters of the County of Los Angeles which discloses campaign contributions of \$100.00 or more. This report shall be filed on the same form and at the same time as campaign disclosure statements filed pursuant to state law. The Secretary shall notify the Registrar of Voters that the District has adopted this regulation and shall request the Registrar to provide written notice of this regulation to each candidate.



## **2-2.102 APPOINTMENTS**

When a vacancy occurs on the Board outside the election cycle, the remaining Directors may fill such vacancy by appointment in accordance with law.

## **2-2.103 OATH OF OFFICE**

Persons elected or appointed as Directors shall take the oath of office in the manner and at the time prescribed by law prior to assuming office. The Secretary shall administer the oath.

## **2-2.104 OFFICERS OF THE BOARD**

The Offices of President, Vice President, Secretary and Treasurer shall be appointed by the Board from its members at the first meeting in the month of January of each odd-numbered year.

## **2-2.105 POWERS AND DUTIES OF BOARD OFFICERS**

The following duties are delegated to Officers of the Board beyond those provided for by statute:

- (a) The President serves as presiding officer at Board meetings.
- (b) The Vice-President serves as Parliamentarian and as presiding officer in the absence of the President.
- (c) The Secretary is responsible for the accuracy and availability of the minutes of Board Meetings and the Official Record of all ordinances, resolutions and orders passed or adopted by the Board. The Secretary shall certify to the passage and adoption of all ordinances, resolutions and orders of the Board, to the filing of all documents filed with, or by order of the Board to the official status, capacity and signature of all officers and employees of the District, and to all matters appearing off record in the files and records of the District and of its Board or of any office or officer of the District.

(d) The Treasurer shall receive and deposit monies of the District, certify checks presented for payment of obligations are correct and supporting documents available, and shall invest funds.

## **2-2.106 COMPENSATION**

(a) Each Director shall be paid \$200.00 for each day's attendance ("per diem compensation") at meetings of the Board, and for each day's service rendered as Director by request of the Board, not exceeding a total of ten (10) days in any calendar month. A Director shall be compensated for no more than one authorized meeting per day even if more than one meeting is attended in one day.

(b) Each representative of the District on the Board of Directors of the Metropolitan Water District of Southern California shall be paid \$200.00 for each day's attendance at meetings of the Board of Directors of the Metropolitan Water District of Southern California or committees thereof, and for each day's service rendered as Director, not exceeding a total of ten (10) additional days in any calendar month. The representative shall be compensated for no more than one meeting per day even if more than one meeting is attended in one day.

(c) On the first Board meeting in January of each year, compensation to each Director and each representative of the District on the Metropolitan Water District of Southern California Board of Directors may be increased prospectively up to a maximum of five percent (5%), upon approval by the Board each calendar year following the operative date of the last adjustment.

(d) Directors, other than Directors who have not been reelected to office, and including Directors-elect, may attend general meetings and educational seminars conducted by Association of California Water Agencies (ACWA), the California Association of Sanitation Agencies (CASA), California Water Policy Planning Committee and the Association of Water Agencies of Ventura County (AWA). Directors are also authorized to attend various other meetings and committee meetings if appointed to serve by the Board as the Board's delegate/committee member. Directors may request, verbally or in writing, the Board to authorize

attendance at meetings and seminars conducted by other organizations on subjects related to District operations. At least annually, the Board shall determine the meetings for which Directors shall be compensated.

(e) Directors shall submit claims for meeting compensation. The Secretary of the Board shall authorize payment for meetings and service and shall report such payments at a regular meeting following the month of submittal at which time the Board may ratify or disapprove payment of the claim(s).

(f) Directors shall be entitled to per diem compensation for actual travel associated with authorized meetings or educational seminars as follows:

(1) For travel outside California, up to one day prior to the start of the event and one day following conclusion of the event;

(2) For travel in California but outside Los Angeles, Orange and Ventura Counties, up to one day prior to the start of the event or one day following conclusion of the event; or

(3) For travel in Los Angeles, Orange and Ventura Counties, per diem compensation is not normally provided for travel except under extenuating circumstances as approved by the Board.

## **2-2.107 EXPENSES**

(a) A Director shall be reimbursed for actual, reasonable and necessary expenses for travel, meals, lodging, registration and similar expenses incurred on District business.

(b) The reimbursement rates for lodging shall not exceed the posted rates for a trade conference, but if rooms with the posted rates are not available, the reimbursement rate shall be comparable to the posted rates. The reimbursement rates for travel and meals shall not exceed reasonable and necessary amounts, and shall comply with Internal Revenue Service rules and regulations.

(c) Claims for expense reimbursement shall be submitted to the Secretary for approval. A Director must submit receipts to receive reimbursement, unless obtaining a receipt is impractical.

Alcoholic beverages and other non-essential expenses including, but not limited to, in-room movies, service bar, will not be reimbursed. Expense claims must be submitted within 60 days after the travel is complete or the expense is incurred.

(d) Expenses related to a spouse's attendance shall not be reimbursed and must be promptly reimbursed to the District if incurred on the District's account.

(e) During December, the District shall post on the District website and shall publish in a newspaper of general circulation a notice of availability of records of expense reimbursement in the amount of \$100 or more per item paid to Directors and employees. The record of such expense shall be posted on the official bulletin board during December and January.

#### **2-2.108 MEETINGS: GENERAL**

(a) Meetings of the Board and advisory bodies shall be open to the public.

(b) No action shall be taken by secret ballot.

(c) The definitions contained in the Brown Act shall be used for this Article.

#### **2-2.109 REGULAR AND SPECIAL MEETINGS**

(a) The Board shall hold regular meetings on the second and fourth Tuesday of each month at the hour of 5 o'clock p.m. at the District's headquarters.

(b) The President, Vice President or Secretary may call a special meeting upon a twenty-four hour actual notice to each Director.

(c) An emergency meeting may be called by a majority of the Board on less than twenty-four hour notice and without an agenda to deal with disruption or threatened disruption of service by work stoppage, crippling disaster or other event severely impairing public health or safety.

#### **2-2.110 RECORD OF PROCEEDINGS**

(a) Public meetings shall be digitally recorded and the recordings retained for a period of 5 years, and then erased. Closed Sessions shall not be recorded.

The Secretary shall prepare written minutes of meetings available for public inspection when approved by the Board.

(b) Person attending an open meeting of the Board may record the proceeding on audio or video media unless the Board finds the recording is a persistent disruption of proceedings.

## **2-2.111 RULES OF CONDUCT**

(a) The affirmative vote of at least three Directors is necessary for the Board to take action. The Board shall take action by motion, resolution or ordinance. The vote, including abstentions, shall be recorded in the minutes.

(b) Except as otherwise required by law, and unless waived, proceedings of the Board shall be conducted in accordance with the latest edition of Robert's Rules of Order. Advisory bodies shall adopt rules of order appropriate to their work.

(c) If a group or groups of persons willfully interrupts the meeting so as to make orderly conduct unfeasible and order cannot be restored by the removal of individuals who are interrupting the meeting, the Board may order the meeting room cleared and continue in closed session. The Board may establish a procedure for readmitting individuals not responsible for willfully disturbing the orderly conduct of the meeting.

(d) The Board shall not prohibit public criticism of the policies, procedures, programs or services of the District or of the acts or decisions of the Board. However, no privilege or protection is conferred for expression beyond that otherwise provided by law.

(e) Directors shall not use electronic devices to communicate with other Directors or the audience during Board meetings, and shall step out of the room if a personal communication requires immediate attention.

**2-2.112 AGENDA**

- (a) The General Manager shall prepare the agenda. The President shall approve the agenda before distribution.
- (b) The Secretary shall post an agenda containing a brief, general description of each item of business to be transacted or discussed at the meeting, including the items to be discussed in closed session at least seventy-two hours before a regular meeting, or at least twenty-four hours prior to a special meeting. Meetings to consider new or increased general tax or assessment shall be preceded by at least forty-five days' notice. The posting shall be freely accessible to the public.
- (c) The agenda shall include the opportunity for the public to address the Board prior to taking action on any matter. The agenda for regular and adjourned regular meetings shall include the opportunity for the public to address the Board on matters within the jurisdiction of the District but not on the agenda.
- (d) The agenda shall include an opportunity for a Director to request a matter be included on the agenda for a future meeting. If another Director agrees, the General Manager shall arrange for the matter to be placed on a future agenda as promptly as feasible.
- (e) No action shall be taken on matters not shown on the posted agenda, except members may briefly respond to statements made or questions posed during public comment; request for clarification; provide a reference to staff or other resources for factual information; or request staff to report back to the Board at a subsequent meeting.
- (f) Prior to discussion of a matter on the agenda, the Board may add matters to the agenda upon a majority finding an emergency exists or upon at least a two-thirds vote finding there is a need to take immediate action and the need for action came to the attention of the District subsequent to the posting of the agenda. If only three Directors are present, the finding of the need for action shall be by unanimous vote.

(g) The agenda shall describe matters to be discussed in closed session in substantially the form required by the Brown Act.

## **2-2.113 CLOSED SESSIONS**

(a) The Board may conduct a closed session at a regular or special meeting to consider matters permitted by the Brown Act to be considered in closed session.

(b) When possible, the Board shall avoid taking action in closed session but action may be taken in closed session when necessary to avoid prejudice to the District. Action taken in closed session and the vote, abstention or absence of each Director shall be publicly reported as follows:

(1) Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final, as follows:

a. If the Board's approval renders the agreement final, the Board shall report approval and the substance of the agreement in open session at the public meeting when the closed session is held.

b. If final approval rests with the other party to the negotiations, the District shall disclose the approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the District of its approval.

(2) Approval given to general counsel to defend, or seek or refrain from seeking appellate review or relief, or to enter as an amicus curiae in any form of litigation shall be reported in open session at the public meeting when the closed session is held and disclosed to any person upon inquiry, unless to do so would jeopardize the District's ability to effectuate service of process on one or more unserved parties, or would jeopardize its ability to conclude existing settlement negotiations to its advantage.

(3) Approval given to counsel for a settlement of pending litigation, at any stage prior to or during a judicial or quasi-judicial proceeding shall be reported after the settlement is final, as follows:

a. If the Board accepts a settlement offer signed by the opposing party, the Board shall report acceptance and identify the substance of the agreement in open session at the public meeting when the closed session is held.

b. If final approval rests with some other party to the litigation or with the court, the District shall disclose the approval, and identify the substance of the agreement upon inquiry by any person when the settlement becomes final.

(4) Disposition reached as to claims discussed in closed session shall be reported in the same manner as the settlement of pending litigation.

(5) Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee shall be reported at the public meeting when the closed session is held. Such report shall identify the title of the position and specify any change in compensation. However, a report of dismissal or of non-renewal of an employment contract shall be deferred until the first public meeting following the exhaustion of the employee's administrative remedies.

(6) Approval of an agreement concluding labor negotiations shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation.

(c) Reports required by this section may be made orally or in writing. The Board shall provide to a person who has submitted a written request to the Board within twenty-four hours of the posting of the agenda, or to a person who has made a standing request for documentation as part of the request for notice of meetings, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents finally approved or adopted in the closed session.

(d) After completing a closed session, counsel shall prepare a memorandum stating the purpose of the closed session and the action taken, if any. This memorandum is confidential and shall be filed in the office of the General Manager.



## **CHAPTER 3 – OTHER OFFICERS AND CERTAIN EMPLOYEES**

### **2-3.101 PURPOSE**

This Article deals with officers who report to the Board.

### **2-3.102 GENERAL**

(a) The General Manager, Auditor, Secretary, Treasurer, and General Counsel ultimately report to the Board. The Auditor and General Counsel shall deal with the Board through the General Manager. Directors are encouraged to deal with these officers through the General Manager but the Board may deal directly with these officers as the need arises.

(b) Directors shall not deal with other officers or employees except for brief inquiry or as authorized by the General Manager and Board.

### **2-3.103 GENERAL MANAGER**

(a) General Manager: The General Manager shall be appointed by the Board as the chief administrative officer, and shall be responsible directly to the Board. He shall have full charge and control of the planning, design, construction, operation and maintenance of the water, recycled water and sanitation facilities, and the administration of the business affairs of the District within the program and policies established by the Board.

(b) Planning and Design: The General Manager is responsible to the Board for the planning and design of all District water, recycled water and sanitation facilities and beneficial recycling to ensure that the District systems and facilities are adequate to meet the expected needs. The use of consulting engineers will be recommended by the General Manager to the Board, as required.

(c) Construction, Operation and Maintenance: The General Manager has full responsibility to the Board of Directors for the construction, operation and maintenance of water, recycled water and sanitation facilities and beneficial

recycling to ensure conformance with the programs and policies approved by the Board.

(d) Administration of Business Affairs of the District: The General Manager shall have full power and authority to administer the business affairs of the District within the programs and policies established by the Board, including: purchasing; customer service (billing and collection); accounting; employing promoting, demoting, transferring and discharging employees, and fixing their compensation in accordance with the salary policies and schedules approved by the Board.

(e) Personnel Rules and Regulations: The General Manager shall submit recommended personnel rules and regulations, including salary recommendations, from time to time, to the Board for approval. Such recommendations may be in the form of amendments to Memoranda of Understanding for represented employee groups or new provisions of a Management Handbook for Executive, Managerial, Supervisorial, Professional and Confidential employees. Such recommendations, when approved, shall supersede this title. Current policies, procedures, rules and regulations are as contained in Memoranda of Understanding between the District and the office and General Units of employees and as contained in the Management Handbook which is applicable to Executive, Managerial, Supervisorial, Professional and Confidential Employees and will remain so, until said document is next modified.

(f) Emergency Powers: If an emergency arises which would ordinarily be brought to the attention of the Board but insufficient time exists within which to give notice as required by law, the General Manager is authorized, in his discretion, to take emergency action as he deems appropriate and reasonable.

(g) Agreement and Authorizations: The General Manager may bind this District by contract relating to the following subject matters:

- (1) Limited Service
- (2) Pressure Limits
- (3) Main Extension
- (4) Temporary Service
- (5) Extraterritorial Service

- (6) Interties with other water utilities or suppliers
- (7) Recycled Water Improvement (to a maximum of \$25,000 per agreement)
- (8) Deposit Agreements
- (h) Title Page Acknowledgements: The General Manager may accept the conveyance of real property on behalf of the District by affixing a certificate of acceptance on the deed, map or other instrument of conveyance if the property to be conveyed is to be used in connection with the construction, operation or maintenance of facilities owned or to be acquired by the District as authorized by the Board.
- (i) Collection of Delinquent Accounts: The General Manager is authorized to engage a collection agency to collect all accounts delinquent over three months where District collection efforts have proven unsuccessful.

#### **2-3.104 TREASURER**

The Treasurer shall perform the duties set forth in the Municipal Water District Law of 1911 and other similar duties assigned by law or the Board. The Treasurer shall serve as the in-office auditor of the Board, provided this auditor is not responsible for the outside, independent audit.

#### **2-3.105 SECRETARY**

The Secretary shall be elected by the Board and is responsible for the accuracy and availability of the records of the District.

#### **2-3.106 GENERAL COUNSEL**

General Counsel shall be appointed by the Board, and is responsible to the Board. Counsel shall provide legal advice as requested by the Board, and shall assist the General Manager and department heads on legal problems arising in the administration of their respective duties. Counsel will recommend

appointment of special counsel for litigation as required. The Board will set the compensation of general and special counsel.

**2-3.107 CONSULTANTS**

(a) The General Manager may engage consultants as from time-to-time necessary, in accordance with purchasing procedures.

(b) An independent auditor, also known as an "outside" auditor, shall be appointed by the Board to perform an independent annual audit of the District's financial statements.

## CHAPTER 4 – EMPLOYEES

### **Article 1 - Wages, Hours, Conditions of Employment & Specific Policies**

#### **2-4.101 POSITION AUTHORIZED**

The Board shall, as part of the annual budget approval/adoption process, and from time to time, approve positions necessary to provide for the performance of the District's work. Such budget document shall identify positions by job title.

#### **2-4.102 WAGES**

The Board shall, as part of the annual budgeting process, approve wages for each authorized position and as otherwise needed from time to time.

#### **2-4.103 CONDITIONS OF EMPLOYMENT**

(a) Terms of employments are set forth in Memoranda of Understanding approved by the Board.

(b) Terms of employment for positions or offices not covered by a memorandum of understand shall be set forth in contracts approved by the Board.

#### **2-4.104 HARASSMENT POLICY**

(a) Harassment of an applicant or employee by a supervisor, management employee or co-worker on the basis of race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, sex or age is against the law and will not be tolerated.

(b) The General Manager shall promulgate work place regulations, consistent with State and Federal law, to insure harassment does not occur. The General Manager shall meet and confer with recognized employee organizations

concerning changes in the harassment policy and shall lodge copies of changes with the Board within 30 days of adoption.

#### **2-4.105 WHISTLE BLOWER POLICY**

(a) No employee will be intimidated, restricted, coerced, or discriminated against for filing a written complaint with the District alleging gross mismanagement, significant waste of funds, abuse of authority or substantial and specific danger to public health or safety. No disciplinary action shall be imposed against an employee for filing such a complaint.

(b) The General Manager shall promulgate work place regulations, consistent with State and Federal law, to protect the rights of whistleblowers. The General Manager shall meet and confer with recognized employee organizations concerning changes in the whistleblower policy and shall lodge copies of changes with the Board within 30 days of adoption.

#### **2-4.106 SUBSTANCE ABUSE POLICY**

(a) The District's function is to build, operate and maintain water distribution, water treatment, waste water collection, and waste water treatment systems safely, dependably and efficiently.

(b) The General Manager shall promulgate work place regulations, consistent with State and Federal law, to avoid substance abuse. The General Manager shall meet and confer with recognized employee organizations concerning changes in the substance abuse policy and shall lodge copies of changes with the Board within 30 days of adoption.

#### **2-4.107 NEPOTISM**

(a) The District restricts the hiring or employment of relatives of officers or employees.

- (b) The General Manager shall promulgate work place regulations, consistent with State and Federal law, to avoid nepotism. The General Manager shall meet and confer with recognized employee organizations concerning changes in the nepotism policy and shall lodge copies of changes with the Board within 30 days of adoption.

## **Article 2 - Employer-Employee Relations**

### **2-4.201 GENERAL**

This Article establishes policies and procedures for the administration of employer-employee relations in accordance with state and federal law. The provisions of the Meyers-Milias-Brown Act are hereby incorporated by this reference.

### **2-4.202 REPRESENTATIONAL UNITS**

(a) A petition for certification as recognized employee organization of employees in a proposed unit may be filed by an employee organization with the General Manager.

(b) The General Manager shall determine whether the proposed unit is appropriate by considering the following factors, among others:

- (1) The community of interest of the employees.
- (2) The history of employment relations in the unit.
- (3) The effect of the unit on the efficient operation of the public service and sound employee relations.
- (4) The effect upon existing classification structure.

(c) In establishing units, Managerial, Supervisorial, Professional and Confidential employees shall not be included in a unit with non-professional employees unless a majority of such Managerial, Supervisorial, Professional and Confidential employees vote for inclusion.

(d) The General Manager shall conduct a hearing on each unit after giving interested employee organizations notice thereof.

(e) The General Manager shall determine any dispute concerning the relationship between existing units involving the addition or the deletion of the classification.



#### **2-4.203 RECOGNITION**

(a) Following establishment of an appropriate representational unit, the Board shall conduct a secret ballot election to determine whether the employees within the unit wish to be represented by an employee organization and if they wish to be represented what their choice of representation is.

(b) If a majority of the employees within a unit vote in favor of a particular employee organization representing them, then such organization shall be designated as the recognized employee organization.

(c) A petition alleging that a recognized employee organization is no longer the majority representatives of the employees in the unit, may be filed with the Board by any employee, group of employees or their representatives. Said petition may be filed any time after completion of the recognized employee organization's first year of recognition. If the Board determines that the allegations in the petition are true, then it may order another election.

#### **2-4.204 IMPASSE RESOLUTION**

(a) If management representatives and the representatives of a recognized employee organization reach an impasse, the matter may be submitted by either party to the Board for impasse resolution.

(b) If the Board determines that there has been insufficient effort to resolve the impasse, it may deny the request for impasse resolution and remand the matter to the parties for further consideration.

(c) If the Board determines that further consideration will not result in settlement, it may, in its discretion, refer the matter for mediation or fact-finding, or it may determine the matter itself.

#### **2-4.205 IMPLEMENTATION**

The General Manager shall promulgate regulations, consistent with State and Federal law, to implement this article. The General Manager shall meet and

confer with recognized employee organizations concerning changes in this article and shall lodge copies of changes with the Board within 30 days of adoption.

## **CHAPTER 5 – GOVERNING BOARD, OFFICERS AND EMPLOYEES**

### **Article 1 - Code of Ethics**

#### **2-5.101 DECLARATION OF POLICY**

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a code of ethics for all officers and employees, whether elected or appointed, paid or unpaid.

This article establishes ethical standards of conduct for District officers and employees by setting forth those acts or actions that are incompatible with the best interests of the District and by directing the officers' disclosure of private financial or other interests in matters affecting the District.

#### **2-5.102 RESPONSIBILITIES OF PUBLIC OFFICE**

Public officials and employees are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the United States and State Constitution and to carry out impartially the laws of the nation, State, the Municipal Water District Act of 1911 and the District, thus to foster respect for all governments. They are bound to observe, in their official acts, the highest standards of performance and to discharge faithfully the duties of their office, regardless of personal considerations. Recognizing that the public interests must be their primary concern, their conduct in both their official and private affairs should be above reproach.

**2-5.103 DEDICATED SERVICE**

Officers and employees owe a duty of loyalty to the political objectives expressed by the electorate and the programs developed by the Board to attain those objectives. Appointive officers and employees should adhere to the rules of work and performance established as the standards for their positions by the appropriate authority.

Officers and employees should not exceed their authority or breach the law, or ask others to do so, and owe a duty to cooperate fully with other public officers and employees unless prohibited from so doing by law or by the officially recognized confidentiality of their work.

**2-5.104 FAIR AND EQUAL TREATMENT**

(a) The canvassing of members of the Board, directly or indirectly, to obtain preferential consideration in connection with any appointment to the municipal service, shall disqualify the candidate for appointment except with reference to positions filled by appointment by the Board.

(b) Officers and employees shall not request or permit the use of District-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided for the use of such officer or employee in the conduct of official business.

(c) Officers and employees shall not grant special consideration, treatment or advantage to a customer beyond what is available to every other customer.

**2-5.105 POLITICAL ACTIVITIES**

Officers and employees shall not solicit or participate in soliciting an assessment, subscription of contribution to a political party during working hours on property

owned by the District and shall conform to Government Code Sections 3202 and 3203.

Officers and employees shall not promise appointment to a position with the District.

#### **2-5.106 APPLICABILITY**

An officer or employee having doubt as to the applicability of this article to a particular situation may apply to the Board for an advisory opinion by Legal Counsel. This chapter shall be operative when the application of a statutory provision is discretionary.

#### **2-5.107 EX PARTE COMMUNICATIONS**

A written communication received by an officer or employee shall be made part of the record of decision. A communication concerning only the status of a pending matter shall not be regarded as an *ex parte* communication.

#### **2-5.108 AVOIDANCE OF IMPRESSIONS OF CORRUPTIBILITY**

Officers and employees shall conduct their official and private affairs so as not to give a reasonable basis for the impression that they can be improperly influenced in performance of public duties. Officers and employees should maintain public confidence in their performance of the public trust in the District. They should not be a source of embarrassment to the District and should avoid even the appearance of conflict between their public duties and private interests.

#### **2-5.109 DISCRIMINATION IN APPOINTMENTS**

No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive administrative office

because of such person's race, color, age, religion, sex, national origin, political opinions, affiliations, or functional limitation as defined by applicable State or federal laws, if otherwise qualified for the position or office. This provision shall not be construed to impair administrative discretion in determining the requirements of a position or in a job assignment of a person holding such a position, subject to review by the Board.

## **2-5.110 ALLEGIANCE AND PROPER CONDUCT**

(a) Officers and employees shall not engage in or accept any private employment, or render services for private interest, when such employment or service is incompatible with proper discharge of official duties or would tend to impair independence or judgment or action in the performance of those duties.

(b) Officers and employees shall not disclose confidential information concerning the property, government, or affairs of the District, and shall not use confidential information for personal financial gain.

(c) Officers and employees shall not accept a gift in excess of limits established by state law. Officers and employees shall not accept any gift contingent upon a specific action by the Board.

(d) Officers and employees shall not appear on behalf of business or private interests of another before the Board where such appearance would create a potential of having to abstain from officers participating on that matter or be incompatible with official duties. Officers and employees shall not represent a private interest of another person or entity in any action or proceeding against the interest of the District in any litigation to which the District is a party. A Director may appear before the District on behalf of constituents in the course of duties as a representative of the electorate or in the performance of public or civic obligations.

**2-5.111 FUTURE EMPLOYMENT**

For one year following termination of office holding, former Directors and the General Manager shall not attempt to influence administrators or legislative action by the District as an agent or attorney of another for compensation. This provision does not apply if the former Director or General Manager is acting as the agent or attorney of another public agency for compensation. As used herein, administrative action includes, but is not limited to, quasi-legislation, quasi-judicial decisions, and decisions to purchase or sell property, but does not include solely ministerial actions.

**2-5.112 PENALTIES**

In addition to any other penalties or remedies provided by law, any violation of the provisions of this Chapter shall constitute a cause for suspension, removal from office or employment or other disciplinary action after notice and hearing conducted by the appropriate appointed authority or, in the case of the Board, a majority of such Board.

## Article 2 - Disclosure Code

### 2-5.201 CONFLICTS OF INTEREST DISCLOSURE CODE

The Political Reform Act, Government Code Section 8100 et seq. requires state and local Board of Supervisors, as the code reviewing body for the District, has adopted a standard conflict of interest code for use by the District. Therefore, the provisions of the standard conflict of interest code and any amendments to it duly adopted by the Los Angeles County Board of Supervisors are hereby incorporated by reference and, along with the following disclosure categories and the following list in which members, employees, and consultants are designated, constitute the conflict of interest code of the District.

Individuals holding designated positions shall file statements of economic interests with the District's filing office. Within five days of receipt of the statements for the members of the Board of Directors, the District shall make and retain copies and forward the originals of these statements to the Los Angeles County Board of Supervisors. Statements for all other designated individuals will be retained by the District.

### 2-5.202 CONFLICTS OF INTEREST: DISCLOSURE CATEGORIES

The following categories are established for the purpose of conflicts of interest disclosure:

Category 1. Persons in this category shall disclose all interest in real property within the jurisdiction. Real property shall be deemed to be within the jurisdiction if the property or any part of it is located within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the agency.



Persons are not required to disclose a residence, such as a home or vacation cabin, used exclusively as a personal residence; however, a residence in which a person rents out a room or for which a person claims a business deduction may be reportable.

Category 2. Persons in this category shall disclose all investments and business positions.

Category 3. Persons in this category shall disclose all income (including gifts, loans, and travel payments) and business positions.

Category 4. Persons in this category shall disclose all business positions, investments in, or income (including gifts, loans, and travel payments) received from business entities that manufacture, provide or sell service and/or supplies of a type utilized by the agency and associated with the job assignment of designated positions assigned this disclosure category.

Category 5. Individuals who perform under contract the duties of any designated position shall be required to file Statements of Economic Interests disclosing reportable interest in the categories assigned to that designated position.

In addition, individuals who, under contract, participate in decisions which affect financial interests by providing information, advice, recommendation, or counsel to the agency which could affect financial interest shall be required to file Statements of Economic Interests, unless they fall within the Political Reform Act's exceptions to the definition of consultant. The level of disclosure shall be as determined by the General Manager or his or her designee of the agency.

## 2-5.203 CONFLICTS OF INTEREST: DESIGNATED EMPLOYEES

The following employees are designated to file conflicts of interest disclosure statements for the disclosure categories specified.

<u>DESIGNATED EMPLOYEES</u>	<u>CATEGORY</u>
Board of Directors	1, 2, 3
General Manager	1, 2, 3
District Counsel	1, 2, 3
Executive Assistant/Clerk of the Board	2, 3
Treasurer	2, 3
Director of Facilities and Operations	4
Director of Finance and Administration	4
Finance Manager	4
Buyer	4
Director of Resource Conservation and Public Outreach	4
Consultants/New Positions*	5

\*Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitations.

The General Manager or his or her designee may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of extent of disclosure requirements. The General Manager or his or her designee's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

## **CHAPTER 6 - FINANCE**

### **Article 1 – Budget**

#### **2-6.101 ESTABLISHMENT OF BUDGET**

(a) The General Manager shall present a proposed budget to the Board for consideration prior to the commencement of each fiscal year.

(b) On or by July 1 of each year, the Board shall establish a budget for capital expenditures and operation and maintenance for each department, for the District.

#### **2-6.102 FILING OF BUDGETS**

The Secretary shall file a copy of the budget with the Los Angeles County Auditor, Los Angeles County Board of Supervisors and with the State Controller's office on or by September 1 of each year

#### **2-6.103 IMPLEMENTATION OF BUDGET**

The General Manager shall implement the approved or revised budget, provided, all expenditures for capital improvements shall be approved by the Board before they are undertaken.

#### **2-6.104 ANNUAL AUDIT REPORTS**

Annual audit reports shall be prepared by a certified public accountant, public accountant or the Los Angeles County Auditor and filed no later than six months after the end of each fiscal year with the State Controller.

The General Manager shall maintain books of account in accordance with accepted accounting principles showing the status of all monies received and

disbursed. Such general and special fund accounts shall be maintained as are necessary to accomplish this purpose.

## **Article 2 – Bonds, Depositories and Checks**

### **2-6.201 BONDS**

The District shall furnish a bond for the Treasurer in the penal sum of \$50,000.  
The District shall pay premiums.

### **2-6.202 DEPOSITORIES**

The Board shall, from time to time, designate depositories to have custody of the funds of the District contained in the following accounts:

General Fund

Interest and Redemption

Bond Construction

LVMWD/TSD Joint Venture Operating Fund

LVMWD/TSD Joint Venture Construction Fund

Payroll Account

Deferred Compensation

Other

### **2-6.203 APPROVAL OF WARRANTS AND SIGNATURE OF CHECKS**

The Board shall approve all warrants and authorized issuance of checks in payment thereof.

### **2-6.204 CHECK REGISTER**

(a) A check register showing the check number, payee, amount, the fund upon which it is drawn and the purpose of each check, a prepared by the Treasurer, will be sent to the Board members no later than Thursday before each Regular Board Meeting. Invoices and other supporting documents will be

available with the checks at the Board Meetings for inspection by any Director if desired. Checks will be disbursed following approval by the Board.

(b) Checks in payment of utility bills, postage, payroll, payroll taxes, credit union collections, petty cash, emergency repairs and invoices subject to discount and interfund transfers may be disbursed prior to Board approval. Such items shall be set forth on a supplemental check register or included on the next regular check register and presented to the Board dependent on timing of actual check delivery.

## Article 3 - Claims

### 2-6.301 GENERAL

This Article applies to claims filed against this District for money or damages not exempted by Government Code Section 905 and which are not governed by other statutes or regulations.

### 2-6.302 FILING REQUIRED

A claim not covered by Government Claims Act as set forth in the Government Code shall be presented in accordance with this Article.

### 2-6.303 PRESENTATION

A claim, or amendment thereto, shall be presented to the District by delivering it to the Secretary or by mailing it to the Secretary at the District's offices.

### 2-6.304 CONTENTS

A claim presented pursuant to this Article shall be presented by the claimant or by a person acting on his behalf and shall show:

- (a) The name and post office address of the claimant;
- (b) Post office address to which the person presenting the claim desires notice to be sent;
- (c) The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted;
- (d) The general description of the indebtedness, obligation, injury, damage or loss incurred so far as may be known at the time of presentation of the claim.

(e) The name or names of the public employee or employees causing the injury, damage or loss if known;

(f) The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed; and

(g) The signature of the claimant or some person on his behalf.

#### **2-6.305 DEADLINE**

A claim filed pursuant to this Article relating to a cause of action for death or for injury to person or to personal property or growing crop shall be presented not later than six months after accrual of cause of action. A claim relating to any other cause of action shall be presented not later than one year after the accrual of the cause of action.

#### **2-6.306 LATE CLAIM**

An application may be made to the District for leave to present a late claim when a claim required to be presented within a period of less than six months after the accrual of the cause of action, is not presented within the required time. Government Code Section 911.4(b) and Section 911.6 through 912.2 inclusive, and Sections 946.4 and 946.6 shall govern the application. The time specified in this Article shall be the time specified in Government Code Section 911.2 within the meaning of Sections 911.6 and 946.6.

#### **2-6.307 TIME FOR ACTION BY BOARD**

The Board shall act on the claim or application to file late claim within 45 days after the claim or application has been presented to the District.



**2-6.308 NOTICE OF REJECTION OF CLAIM**

Written notice of action taken pursuant to this Article rejecting an application or a claim in whole or in part shall be given to the person who presented the claim.

**2-6.309 CLAIM AS PREREQUISITE TO SUIT**

(a) No suit for money or damages may be brought against the District on a cause of action for which a claim is required until the written claim therefore has been presented to the District and has been acted upon by the Board.

(b) No suit may be brought against the District on any cause of action for which a claim is required unless such suit is commenced within six months after the date the claim is acted upon by the Board, or is deemed to have been rejected by the Board.

**2-6.310 CLAIMS UNDER \$10,000**

The General Manager may allow compromise or settle a claim against the District if the amount to be paid pursuant to such allowance, compromise or settlement does not exceed \$10,000. The General Manager shall advise the Board when there has been allowance, settlement or compromise on such claim.

**2-6.311 JUDICIAL REVIEW OF CERTAIN DECISIONS**

The provisions of Code of Civil Procedure Section 1094.6 shall be applicable to the judicial review of the decisions of the Board of Directors.

**2-6.312 SMALL CLAIMS COURT ACTIONS**

(a) The General Manager may commence actions within the jurisdiction of the small claims court to recover damages to District property.

(b) The General Manager may defend small claims court actions on behalf of the District.

## Article 4 - Purchasing

### 2-6.401 PURPOSE AND SCOPE

(a) This Article provides direction regarding the procurement of supplies, equipment, works of improvement, professional services, and other goods and services to ensure the District will receive high quality goods and services at a fair price. The following terms are defined for the purposes of this Article:

(1) "Formal bidding" means the solicitation of bids after approval of written specifications by the Board and pursuant to publication of a Notice Inviting Bids at least once a week for two successive weeks in a newspaper of general circulation, the last publication to be made not less than two weeks nor more than six weeks prior to the opening of bids.

(2) "Informal bidding" means the solicitation of written quotations without specific Board authorization, after approval of written specifications by the General Manager and pursuant to written notice to potential bidders as determined by the General Manager.

(3) "Request for proposal" means the solicitation of a written scope, schedule and cost of the work to be accomplished by a professional.

(4) "Goods" means a tangible product, not including a work of improvement.

(5) "Service" means an intangible product.

(6) "Work of improvement" means the construction of works, structures, and equipment, the furnishing of labor, and the acquisition of real or personal property for works.

(7) "Designated qualified vendor" means a vendor selected for the purchase of certain items or classes of items as a result of an informal bid process which results in the receipt of at least three written quotations.

## **2-6.402 EMERGENCIES**

(a) Works of improvement, professional services or goods and services, necessary for emergency repair or replacement of public facilities of the District, damaged by unanticipated calamity may be procured without formal bids, informal bids, or requests for proposal, if this Section is followed.

(b) When a meeting of the Board can be commenced in a timely manner to authorize emergency action, by 4/5's vote, the Board shall be requested to authorize procurement of works of improvement, professional services, or goods and services without formal bids, informal bids, or requests for proposal. Such authorization shall be based on substantial evidence set forth in the minutes of the meeting that the emergency will not permit delay and action is necessary to respond to the emergency. Until the emergency subsides or the work is complete, at each subsequent regular meeting the Board shall determine by 4/5's vote whether to continue to terminate the authorization for emergency.

(c) When a meeting of the Board cannot be commenced in a timely manner to authorize emergency action, the General Manager may authorize procurement of works of improvement, professional services, or goods or services without formal bids, informal bids, or requests for proposal. The General Manager shall report to the Board within 7 days of the emergency or at the next regular meeting scheduled within 14 days after the procurement. The report shall describe the emergency and present evidence that the emergency did not permit delay and action was necessary to respond to the emergency. Until the emergency subsides or the work is complete, at each subsequent regular meeting following the General Manager's action, the Board shall determine by 4/5's vote whether the need for emergency action continues.

## **2-6.403 WORKS OF IMPROVEMENT**

(a) The District shall procure works of improvement in accordance with Public Contract Code, Section § 20640, et seq.

(b) Works of improvement estimated to cost less than \$35,000 may be procured through the informal bid process. If the work is included in the current year budget, the General Manager may solicit informal bids without prior Board approval. If the work is not included in the current year budget, Board approval shall be obtained before informal bids are solicited.

(c) Works of improvement estimated to cost \$35,000 or more shall be procured through the formal bid process. The General Manager may solicit formal bids only with prior Board approval.

#### **2-6.404 PREQUALIFICATION OF BIDDERS**

(a) The General Manager may designate works of improvement that require specialized skills which cost in excess of five million (\$5,000,000) to be subject to prequalification of bidders.

(b) To become a prequalified bidder, a contractor must submit to the District a prequalification application consisting of a standardized questionnaire, financial statement, and statement of experience as part of the pre-qualification bidding packet.

(c) The questionnaires and financial statements submitted by prospective contractors are not public records and are not subject to public inspection. Records of the names of contractors applying for prequalification status are public records and subject to disclosure. Documents submitted by a prospective contractor will be submitted under penalty of perjury.

(d) The District will rate prospective contractors in accordance with a rating system based on (1) Public Contract Code § 20101 and (2) the model guidelines and standardized questionnaire created by the Department of Industrial Regulations, as modified by the District to address the needs of the particular project, or projects, to which they are to be applied.

(e) The District will devise the questions, process, and scoring for the rating system, to best evaluate a contractor's ability to successfully complete a particular project. This information will be provided as part of the pre-qualification bidding packet. The rating system will be applied uniformly and

objectively to prospective contractors, which have submitted properly completed documents in accordance with this policy. The District may determine only a certain number of the top scoring pass-rated contractors shall be considered prequalified for a specific project. This determination shall be made prior to issuing the Notice Inviting Prequalification for the specific project.

(f) When the District uses this prequalification process, the only contractors eligible to submit a bid are prequalified contractors. Further, such contractors shall submit bids only naming a prequalified subcontractor when subcontractors are prequalified. A bid received listing an unqualified subcontractor will be disqualified as nonresponsive. No bid shall be accepted for the project from unqualified contractors.

(g) A contractor's prequalification status will immediately terminate if: (1) The contractor fails to give the District written notice of change in the information previously provided within 10 days before a bid opening; (2) the contractor's license is suspended or terminated by the California State Licensing Board; (3) the contractor is convicted of a crime of moral turpitude; (4) the contractor's application contains materially false information; or (5) the contractor's control over a public works contract, whether within the District's jurisdiction or otherwise is terminated for cause.

(h) The District shall give written notice to each contractor of the prequalification determination for that contractor. A contractor may appeal a rating of "not qualified", including a decision to revoke a previous qualified rating. There is no appeal from a finding that a contractor is not prequalified because of a failure to submit required information or failure to submit required information in a timely manner.

(1) Contractor may appeal the decision as follows:

a. By giving written notice of appeal to the General Manager no later than ten days after receipt of the not qualified rating.

b. The notice of appeal shall contain at least the following:

(i) The name, address and telephone number of the person making the appeal.

(ii) A description of the determination which is the subject of the appeal, and the date of the Notice of Determination; or

(iii) A brief description of the grounds for the appeal.

(2) The District will provide the contractor with a written statement of the basis for the not qualified determination and supporting evidence received from others or adduced as a result of investigation.

(3) Within 14 days of sending the response to the contractor, the General Manager shall hear the appeal. The hearing shall be an informal one. The contractor may rebut evidence which is the basis for the determination and present evidence why the contractor is qualified.

(4) The General Manager or designee may affirm the earlier determination or reverse the determination and assign an alternate rating. This decision will be in writing containing a summary of the facts that led to the decision. The decision of the General Manager is final. A contractor shall have no right to appeal the decision to the Board.

a. The General Manager may cancel the prequalification process at any time during the prequalification process, even after receiving and scoring applications. If the prequalification process is cancelled, the normal competitive bidding rules will apply. The District assumes no liability for the cost a prospective contractor may have incurred by submitting an application for prequalification, and the submittal of a prequalification application is a waiver to claim any such cost or losses due to cancellation of the process.

## **2-6.405 PROFESSIONAL SERVICES**

(a) The District shall procure professional services, such as legal, medical, engineering, architectural, financial, human resources, labor relations, and educational, in accordance with the procedures recommended by the ethics of the discipline involved.

(b) If the professional service is estimated to cost less than \$35,000, and it is included in the current year budget, the General Manager may enter into contracts with qualified professionals without prior Board approval.

(c) If the professional service is estimated to cost \$35,000 or more, or it is not included in the current year budget, the General Manager may request proposals from qualified professionals only with prior Board approval.

## **2-6.406 GOODS AND SERVICES**

(a) The District shall procure goods and services, other than works of improvement and professional services, as mentioned above, pursuant to this section.

(b) Goods and services included in the current year budget and estimated to cost less than \$35,000 shall be purchased without further Board action following informal bidding procedures.

(c) Goods and services included in the current year budget and estimated to cost \$35,000 or more shall be purchased by the formal bidding process. The General Manager may solicit formal bids for these items only with prior Board approval.

## **2-6.407 EXCEPTIONS**

(a) The General Manager may approve changes to contracts ("change orders") for the procurement of supplies, equipment, contracts for professional services, and other goods and services provided;

(1) The change order is within the scope of the approved contract by the Board, the cost of the changed work does not exceed the adopted budget; and,

(2) The cumulative change orders are within 10% of the original contract amount; and

(3) Other parameters set by the Board are followed.

(b) The General Manager may approve change orders for works of improvement provided the changed work is within the scope of the project approved by the Board, the cost of the changed work does not exceed the budget for the work approved by the Board, and:



- (1) For contracts less than or equal to \$1,000,000:
  - a. a single change order does not exceed \$50,000;
  - b. the total of all change orders does not exceed \$100,000;
- (2) For contracts greater than \$1,000,000:
  - a. a single change order does not exceed 5% of the original amount awarded by the Board;
  - b. the total of all change orders do not exceed 10% of the original amount awarded by the Board; and
- (3) For contracts regardless of amount:
  - a. a time extension up to 25% of the time stated in the contract; and
  - b. a deduction change order within the foregoing parameters, but a deduction change order shall not offset the above amounts.
- (c) The General Manager shall file a written notice with the clerk when a change order is approved by the General Manager pursuant to this sub-section. The clerk shall distribute to the Board as an information item at the next Board meeting.
- (d) Bidding shall not be required for goods or services in the following circumstances:
  - (1) Goods and services included in the current year budget and that have an estimated value less than \$2,500.
  - (2) A vendor is the sole source for the goods or services as determined by the General Manager.
  - (3) If the vendor has been selected during the past twelve consecutive months as the designated qualified vendor for the items, or classes of items, to be purchased.
- (e) The procurement procedures set forth in this Article do not apply if the cost of goods or services is established by Federal, State or local regulation, such as is the case with utility services and the supplies and appurtenant equipment.

**2-6.408 MISCELLANEOUS**

- a) Goods and services shall be procured from the responsive vendor who provides the greatest value as determined by the criteria specified in the Notice Inviting Bids, the written specifications, or the request for proposal.
- b) The procedures, personnel, and system of forms to be used by District employees in the procurement of goods and services shall be determined by the General Manager and set forth in clean and concise written form consistent with the provisions of this Article. The directive shall be made available to employees and shall become the process for the procurement of goods and services.

## Article 5 - Investment Policy

### 2-6.501 INVESTMENT

The District shall invest surplus money in a manner providing maximum security while meeting the cash flow demands and conforming to statutes governing the investment of public funds. This investment policy governs investments except funds related to debt issues controlled by specific provisions of the issuance documents, and deferred compensation program money is directed by individual employees participating in the deferred compensation program.

### 2-6.502 BASIC POLICY AND STATEMENT OF OBJECTIVES

(a) Investments shall be made with judgment and care under circumstances the prevailing that persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.

(b) The standard of prudence to be used by the investment officials shall be the prudent person standard and shall be applied in the context of managing an overall portfolio. Investment officers who act in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of the personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

(c) Everyone involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or impair their ability to make impartial investment decisions. Each employee involved in the investment process will receive a copy of this investment policy and certify that they have read the policy.

(d) The primary objectives in priority order of investment activities are:

**Safety:** Safety of principal is the foremost objective of the investment program. Investments of the District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.

**Liquidity:** The District's investment portfolio will remain sufficiently liquid to enable the District to meet all operating requirements that might be reasonably anticipated.

**Return on Investment:** The District's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the District's investment risk constraints and the cash flow characteristics of the portfolio.

### **2-6.503 PRUDENT PERSON**

As in investment standard, any investment shall be made as if it is one that would be purchased by a prudent person using the same discretion and intelligence that a person would use in managing his own affairs and certainly not for speculation.

### **2-6.504 CRITERIA FOR INVESTMENT**

The following criteria will be used in evaluating financial institutions which are eligible for deposits:

- (a) Must be federally insured and have total assets of at least \$10 billion and a net worth ratio of a least three percent.
- (b) Collateral shall be deposited in accordance with the Government Code, consisting of one of the following:
  - (1) Collateral comprised of mortgages/trust deeds must be provided which at all times is in an amount in value at least fifty percent in excess of the amount deposited.

(2) Collateral comprised of eligible securities other than mortgages/trust deeds must be provided which at all times is in an amount in value at least ten percent in excess of the amount deposited.

(c) The Treasurer may waive the first \$250,000 of collateral security if the institution is insured pursuant to Federal law.

#### **2-6.505 TERM OF INVESTMENT**

The District will match investments with anticipated cash flow requirements with a maximum allowed maturity of five years.

#### **2-6.506 DELEGATION OF AUTHORITY**

(a) The Treasurer is responsible for the investments. Daily management responsibility for the investment program is delegated to the Director of Finance and Administration who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include reference to safekeeping, wire transfer agreements, banking service contracts and collateral/depository agreements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions.

(b) No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Director of Finance and Administration. The Director of Finance and Administration shall establish a system of controls to regulate the activities of subordinate officials.

#### **2-6.507 AUTHORIZED INVESTMENTS**

(a) The following investments are authorized:

(1) United States Treasury Bills, Bonds and Notes, or those mutual funds for which the full faith and credit of the United States is pledged for

payment of principal and interest. There is no limit to the amount of the investment portfolio that may be invested in U. S. Treasury Notes.

(2) Obligations issued by the United States Government Agencies, such as the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank Board (FHLB), the Federal National Mortgage Association (FNMA), and the Student Loan Marketing Association (SLMA), and mutual funds that consist of these obligations. There is no limit to the amount of the investment portfolio that may be invested in Federal Agencies.

(3) Time deposits, non-negotiable and collateralized in accordance with the Government Code in those U.S. banks and savings and loan associations that meet the requirements as evaluated by a nationally recognized statistical rating organization (NSRO) as designated by the Securities and Exchange Commission, for the qualitative and quantitative analysis of financial institutions. The issuer firm should have been in existence for at least five years. The District may waive the first \$100,000 of collateral security for such deposits if the institution is insured pursuant to federal law. To secure such deposits, an institution shall maintain in the collateral pool securities having a market value of at least 10% in excess of the total amount deposited. Real estate mortgages may not be accepted as collateral. The maximum term for deposits shall be one year. In general, the issuer must have a minimum tier one risk-based capital ratio of 6% as determined by the FDIC and their operation must have been profitable during their last reporting period. No more than 25% of the market value of the portfolio may be vested in time deposits.

(4) Repurchase agreements with banks and dealers with which the District has entered into a master repurchase contract that specifies terms and conditions of repurchase agreements. The transactions shall be limited to primary dealers and the top twenty-five U.S. banking institutions according to asset size. The maturity of repurchase agreements shall not exceed thirty days. The market value of the securities used as collateral for repurchase agreements shall be monitored daily by the investment staff and will not be allowed to fall below 100% of the value of the repurchase agreement. In order to conform

with provisions of the Federal Bankruptcy Code, which provides for the liquidation of securities held as collateral for repurchase agreements, the only securities acceptable as collateral shall be certificates of deposit, eligible banker's acceptances, or securities that are either direct obligations of, or that are fully guaranteed as to principal and interest by the United States or any agency of the United States. A perfected security interest shall always be maintained in the securities, subject to a repurchase agreement. No more than 10% of the market value of the portfolio may be invested in reverse repurchase agreements.

(5) Local Agency Investment Fund (LAIF) established by the State Treasurer for the benefit of local agencies up to the maximum amount permitted by law.

(6) Local government investment pools or mutual funds in private sector that adhere to the Government Code parameters for eligible investments. These are similar to LAIF in function and practice but are not administered through the state.

(7) Bonds, notes issued by local agencies, state of California, and any of the other 49 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, Board, agency, or authority of the local agency, such as Las Virgenes Municipal Water District. The maturity of such bonds or notes should not exceed five years from the date of purchase. The long-term ratings of such bonds should have at least AA- by Standard and Poor's (S&P) or Aa3 by Moody's, or the short-term ratings should have at least A-1 by S&P, and P-1 by Moody's. There is no limit to the amount of the investment portfolio that may be invested in municipal bonds.

(b) Ineligible investments include, but are not limited to, common stocks and corporate bonds, inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages and mutual funds. The use of derivatives, options, futures or buying on margin is also specifically prohibited. Securities that could result in zero interest accrual if held to maturity are ineligible. Security transactions shall be conducted on delivery-versus-payment basis. Securities purchased or acquired by the District shall be held in safekeeping by a third party

only pursuant to a custodial agreement as required by Government Code §53601.

## **2-6.508 REPORTING REQUIREMENTS**

(a) The District shall maintain a complete and timely record of investment transactions.

(b) The Director of Finance and Administration shall prepare and the Treasurer shall submit a monthly investment report of funds directly controlled and managed by the District including a detailed listing of all investment transactions opened and closed during a report period or, if none, a statement to that effect. The report shall be submitted monthly to each Director. The report shall include the rating for each banker's acceptance and commercial paper.

(c) Each calendar quarter, the Director of Finance and Administration shall submit an investment report approved by the Treasurer showing a description of the portfolio, the type of investments, the issuers, maturity dates, par values and current market values of each component of the portfolio. The report will include the source of the portfolio valuation. This report shall be submitted to each Director.

(d) Each investment report shall be submitted within thirty days following the end of the period covered by the report and must also include certification by the General Manager that investment actions executed since the last report are in compliance with the investment policy or state areas of noncompliance; and the District will meet its expenditure obligations for the next six months or state why sufficient money shall, or may, not be available as required by law.

## **2-6.509 AUTHORIZED FINANCIAL DEALS AND INSTITUTIONS**

(a) The Director of Finance and Administration will maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment services in California. These may



include “primary” dealers or regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule). No public deposit shall be made except in a qualified public depository as established by state laws.

(b) Financial institutions, brokers and dealers who desire to become qualified bidders for investment transactions must supply the District with the following:

- Audited financial statements
- Proof of National Association of Security Dealers (NASD) certification
- Proof of California registration

(c) Each financial institution must certify to the District in writing that it has received and read a copy of the District’s Investment Policy and that it will comply with that policy in its investment recommendations to the District.

(d) A current audited financial statement is required to be on file for each financial institution, brokers and dealers through which the District invests.

## **2-6.510 REVIEW AND REVISION**

From time-to-time, the Board shall review the investment policy, including the delegation of authority to invest funds, to sell or exchange securities, or to add new investment instruments in the future.

## **CHAPTER 7 - DISTRICT POLICIES**

### **Article 1 - Services**

#### **2-7.101 GENERAL**

The District shall, to the extent practicable, provide potable water service, sanitation service and recycled water service to District inhabitants and property owners consistent with the requirements of the Municipal Water District Law of 1911 and other State and Federal laws, rules and regulations.

#### **2-7.102 DISTRIBUTION AND SALE OF WATER**

The Board has fixed the rates at which water shall be sold, and the regulations governing classes of service and the conditions of service. All water rates and regulations are set forth in this Code.

The District shall encourage water conservation to the maximum extent feasible including the promotion of expanded use of recycled water.

#### **2-7.103 COLLECTION AND TREATMENT OF SEWAGE**

The Board has determined the necessity of constructing and operating facilities for the collection, treatment and disposal of sewage. Sewer rates and regulations covering sewage treatment are set forth in this Code.

#### **2-7.104 DISTRIBUTION AND SALE OF RECYCLED WATER**

The Board has determined the necessity of constructing and operating facilities for the distribution and sale of recycled water. Recycled water service rules and regulations are set forth in this Code.

## Article 2 - Rates and Charges

### 2-7.201 GENERAL

At least annually, the Board shall review and amend or confirm the rates, fees and charges for potable water service, sewerage service and recycled water service. Adoption of the annual budget with rate assumptions included therein may constitute such review.

### 2-7.202 OPERATING COSTS

As near as practicable, the Board shall establish service charges at a level sufficient to recover the cost of operating and maintaining the service.

### 2-7.203 CAPITAL IMPROVEMENT COSTS

As near as practicable, the Board shall establish connection and facilities charges sufficient to recover the cost of constructing capital improvements required to provide service.

## Article 3 - Environmental

### 2-7.301 GENERAL

(a) District projects shall be undertaken with due regard for the environmental consequences. This article implements the regulations adopted by the Secretary of Resources (hereinafter "State Guidelines") to be followed by local agencies to implement the California Environmental Quality Act (CEQA). The State Guidelines are incorporated by this reference.

(b) This article applies to discretionary activities directly undertaken by the District, discretionary activities financed in whole or in part by the District, and private activities, which require discretionary approval from the District.

### 2-7.302 PROCESS: GENERAL

(a) The District shall consider environmental documents prepared for a project before taking action on the project.

(b) As a "lead agency", the District shall decide whether to prepare environmental documents and which environmental document to prepare, as follows:

(1) The General Manager will first determine whether the activity is a project. The activity is not a project if the District lacks discretion to disapprove or modify the proposed activity. Nothing further is required if the activity is not a project.

(2) If the activity is a project, the General Manager will next determine if the project is exempt. A notice of categorical exemption will be filed if the activity is exempt.

(3) If the project is not exempt, the General Manager will prepare an initial study to determine whether the project may have a significant effect on the environment.

(4) If the initial study discloses the project is not expected to have a significant effect on the environment, the General Manager will prepare a negative declaration.

(5) If the initial study discloses project is expected to have a significant effect on the environment, the General Manager will prepare an environmental impact report (EIR).

(c) When another agency is the lead agency, the District may be a "responsible agency". As a responsible agency, the General Manager will comment on the environmental documents prepared by the lead agency and use the environmental documents prepared by the lead agency during the District's decision-making process.

(d) The Board shall: consider approve the negative declaration prior to approving a project; review and consider the final environmental documents, including making findings of significant environmental impact and findings of overriding considerations, prior to approving a project.

## **2-7.303 LEAD AGENCY PROCESS**

(a) Where a project is to be carried out or approved by more than one public agency, one public agency shall be responsible for preparing an EIR or negative declaration for the project. This agency is the lead agency. The determination of which agency will be the lead agency shall be governed by the criteria set forth in the State Guidelines.

(b) The determination of the lead agency of whether to prepare an EIR or a negative declaration shall be final and conclusive on all persons, including responsible agencies: the decision is challenged under CEQA; circumstances or conditions change as, or a responsible agency becomes a lead agency.

(c) An agency which will carry out a project but which is not the lead agency is a responsible agency. The decision-making body of each responsible agency shall consider the lead agency's EIR or negative declaration prior to acting upon or approving the project. The responsible agency shall assume the role of the lead agency only when conditions set forth in the State Guidelines exist.

(d) If there is a dispute over which of several agencies should be the lead agency for a project, the disputing agencies shall resolve the dispute in accordance with the State Guidelines.

## **2-7.304 ACTIVITIES NOT SUBJECT TO CEQA REVIEW**

(a) The following activities are not "projects" within the meaning of CEQA and this article:

(1) A project involving only feasibility or planning studies for possible future actions which the District has not approved, adopted, or funded does not require the preparation of an EIR or Negative Declaration but does require consideration of environmental factors.

(b) The following activities are exempt from the requirements of CEQA:

(1) Approval of individual utility service connections and disconnections.

(2) Leasing of District owned, existing property where the use of the premises is not significantly changed.

(3) Construction of a pipeline of less than one mile in length within a public street or highway or any other public right-of-way or the maintenance, repairs, restoration, reconditioning, relocation, replacement, removal or demolition of an existing pipeline. For the purposes of this subsection, "pipeline" includes subsurface facilities but does not include any surface facility related to the operation of the underground facility.

(Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.)

a. Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the

governor pursuant to the California Emergency Services Act commencing with Government Code Section 8550.

- b. Emergency repairs to public service facilities necessary to maintain service.
- c. Specific actions necessary to prevent or mitigate an emergency.
- d. CEQA does not apply to projects which are rejected or disapproved.
- e. The establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges for the purpose of: Meeting operating expenses, including employee wage rates and fringe benefits; Purchasing or leasing supplies, equipment, or material; Meeting financial reserve needs and requirements, or Obtaining funds for capital projects, necessary to maintain service within existing service areas.

(Rate increases to fund capital projects for the expansion of a system are subject to CEQA. The District shall incorporate written findings in the record of any proceeding in which an exemption under this section is claimed setting forth with specificity the basis for the claim of exemption.)

(c) The following categorical exemptions are set forth in the State Guidelines:

Class 1: Consists of operation, repair, maintenance or minor alteration of existing facilities involving negligible or no expansion of use.

Class 2: Consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Class 3: Consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in

small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

Class 4: Consists of minor public or private alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature, scenic trees except for forestry and agricultural purposes.

Class 5: Consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

Class 6: Consists of basic data collection, research experimental management, and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource.

Class 9: Consists of activities limited entirely to inspection, to check for performance of an operation, or quality, health, or safety of a project.

Class 11: Consists of construction, or replacement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities, including but not limited to: On-premise signs; Small parking lots; Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use.

Class 12: Consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or area wide concern. However, even if the surplus property to be sold is located in any of those areas, its sale is exempt if: The property does not have significant values for wildlife habitat or other environmental purposes, and Any of the following conditions exists:



- a. The property is of such size or shape that it is incapable of independent development or use; or
- b. The property to be sold would qualify for an exemption under any other class of categorical exemption in these guidelines; or
- c. The use of the property and adjacent property has not changed since the time of purchase by the public agency.

Class 13: Consists of the acquisition of lands for fish and wildlife conservation purposes including preservation of fish and wildlife habitat, establishing ecological reserves under Fish and Game Code Section 1580, and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

Class 15: Consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Class 19: Consists of only the following annexations:

- a. Annexations to the District of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing government agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
- b. Annexations of individual small parcels of the size for facilities exempted by State Guidelines Section 15103, New Construction of Small Structures.

Class 20: Consists of changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised.

Class 23: Consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. Facilities included within this exemption include, but are not limited to, racetracks, stadiums, convention centers, auditoriums, amphitheaters, planetariums, swimming pools, and amusement parks.

Class 25: Consists of transfers to ownership of interests in land in order to preserve open space.

Class 27: Consists of the leasing of a newly constructed or previously unoccupied privately owned facility by a local or state agency where the local governing authority determined that the building was exempt from CEQA. To be exempt under this section, the proposed use of the facility:

- a. Shall be in conformance with existing state plans and policies and with general, community, and specific plans for which an EIR or Negative Declaration has been prepared.
- b. Shall be substantially the same as that originally proposed at the time the building permit was issued.
- c. Shall not result in a traffic increase or greater than 10% front access road capacity.
- d. Shall include the provision of adequate employee and visitor parking facilities.

(A categorical exemption shall not be used for any activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.)

## **2-7.305 INITIAL STUDY**

(a) Unless an activity is not subject to review or an exemption applies (or unless the District can determine the project will clearly have a significant effect, and an EIR is ordered) during the first step in the CEQA process, the General Manager shall prepare an initial study to determine if the project may have a significant effect on the environment.

(b) If the project is to be carried out by a private person or private organization, the person or organization carrying out the project shall submit data and information, which will enable the District to prepare the initial study.

(c) As soon as the District has determined that an initial study will be required for the project, the District shall consult informally with all responsible agencies and trustee agencies responsible for resources affected by the project to obtain the recommendations of those agencies as to whether an EIR or a negative declaration should be prepared.

## **2-7.306 DETERMINING SIGNIFICANT EFFECT**

(a) In evaluating the significance of the environmental effects of a project, the General Manager shall consider both primary or direct and secondary or indirect consequences. Social and economic changes resulting from a project by themselves shall not be treated as significant effects on the environment. If physical changes cause or result from adverse economic or social changes, the economic or social changes may be used as the basis for determining that the physical changes are significant.

(b) The General Manager shall find that a project may have a significant effect on the environment and require an EIR where any of the following conditions occur:

(1) The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

(2) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

(3) The project has possible environmental effects, which are individually limited but cumulatively considerable. As used in the subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

(4) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

## **2-7.307      NEGATIVE DECLARATION**

(a) A Negative Declaration shall be prepared for a project which could potentially have a significant effect on the environment, but which the General Manager finds on the basis of an Initial Study will not have a significant effect on the environment.

(b) Before completing a Negative Declaration, General Manager shall consult with responsible agencies. This consultation may take place during the public review period provided herein.

(c) A Negative Declaration shall include:

(1) A brief description of the project; including a commonly used name for the project if any;

(2) The location of the project and the name of the project proponent;

(3) A finding that the project will not have a significant effect on the environment;

(4) An attached copy of the Initial Study documenting reasons to support the finding;

(5) Mitigation measures, if any, included in the project to avoid potentially significant effects.

(d) Notice of the preparation of a Negative Declaration shall be provided to the public twenty-one (21) days prior to consideration by the Board. Notice shall be given to all organizations and individuals who have previously requested such notice and shall be given by at least one of the following procedures as selected by the General Manager:

(1) Publication, no fewer times than required by Section 6061 of the Government Code, by the Agency in a newspaper of general circulation in the area affected by the proposed project.

(2) Posting of notice by the Agency on and off site in the area where the project is to be located.

(3) Direct mail notice shall be given to owners of property contiguous to the project as such owners are shown on the latest equalized assessment roll.

The noticed review period shall be long enough to provide members of the public with sufficient time to respond to the proposed finding before the Negative Declaration is approved.

(e) The Board may approve the Negative Declaration if it finds on the basis of the initial study and comments received there is no substantial evidence the project will have a significant effect on the environment. The Board shall then consider the Negative Declaration together with comments received during the public review process prior to approving the project,

(g) After the negative declaration is approved, the secretary shall file a Notice of Determination with the County Clerk of the County or Counties in which the project will be located. If the project requires a discretionary approval from a state agency, the Notice of Determination also shall be filed with the Secretary for Resources.

## 2-7.308 ENVIRONMENTAL IMPACT REPORT

(a) an Environmental Impact Report shall be prepared If the General Manager determines there is substantial evidence the project may have a significant effect on the environment.

(b) The draft and final EIR shall be prepared in accordance with CEQA and the State Guidelines.

(c) The Board shall certify the final EIR has been completed in compliance with CEQA and the Board has reviewed and considered the information contained in the EIR prior to approving the project.

(d) The Board shall not approve or carry out a project for which an EIR has been completed which identifies one or more significant effects of the project unless the Board makes one or more written findings for each of those significant effects, accompanied by a statement of the facts supporting each finding. The possible findings are:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects as identified in the final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and now the District. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

The findings shall not be made if the District has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

(e) The District shall not approve or carry out a project as proposed unless the significant environmental effects have been reduced to an acceptable level. Mitigation measures and a program to monitor the mitigation measures shall be

described in the findings. As used in this Section, the term “acceptable level” means that:

(1) All significant environmental effects that can feasibly be avoided have been eliminated or substantially lessened as determined through findings as described in subsection (a), and

(2) Any remaining, unavoidable significant effects have been found acceptable under the following section.

(f) Where the decision of the Board allows the occurrence of significant effects which are identified in the final EIR but are not mitigated, the Board must state in writing the reasons to support its action based on the final EIR or other information in the record. This statement may be necessary if the Board also makes findings. If the Board makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination.

(g) The District shall file a Notice of Determination following each project approval for which an EIR was considered.

(h) The District shall include the final EIR as part of the regular project report, which is used in the existing project review and budgetary process if such a report is used. The District shall retain one or more copies of the final EIR as public records for a reasonable period of time. The District shall require the applicant to file a copy of the certified, final EIR with each responsible agency. When the Board has approved a project after requiring measures to mitigate or avoid significant environmental impacts, the General Manager monitor compliance with such measures by periodic review of the final EIR.

## **2-7.309 CONSULTATION**

(a) The General Manager shall respond to consultation by lead agencies to assist lead agencies in preparing environmental documents.

(1) Where the general manger disagrees with the lead agency's proposal to prepare a negative declaration for a project, the General Manager should identify the significant environmental effects could result from the project

and recommend an EIR be prepared or the project be modified to eliminate the significant effects.

(2) As soon as possible, but not longer than 45 days after receiving a notice of preparation from the lead agency, the General Manager shall send a written reply by certified mail which specifies the environmental information germane to the District's statutory responsibilities over the proposed project.

(b) The general manger shall comment on draft EIRs and Negative Declarations for projects which the District would later be asked to approve. The comments may deal with any aspect of the project or its environmental effects.

(c) If the General Manager believes the final EIR or Negative Declaration prepared by the lead agency is not adequate for use by the District, the District must take the issue to court within 30 days after the lead agency files a Notice of Determination, or Prepare a subsequent EIR if permissible under the State Guidelines.

(d) Prior to reaching a decision on the project, the Board must consider the environmental effects of the project as shown in the EIR or Negative Declaration.

(e) When an EIR has been prepared for a project, the Board shall not approve the project as proposed if the Board finds feasible alternatives or feasible mitigation measures within its powers that would substantially lessen a significant effect the project would have on the environment. When considering alternatives and mitigation measures as a responsible agency, the Board is more limited than when acting as a lead agency. The District has responsibility for mitigating or avoiding only the environmental effects of those activities which the Board decided to carry out, finance, or approve.

(f) The Board shall make the findings required by the State Guidelines for each significant effect of the project and shall make the required findings if necessary.

(g) The secretary should file a notice of determination in the same manner as a lead agency except the notice does not need to state the EIR or Negative Declaration complies with CEQA. The notice should state the Board considered the EIR or negative declaration as prepared by the lead agency.



**2-7.310 TIME LIMITS**

- (a) The District shall determine whether an application for a permit or other entitlement for use is complete within 30 days from the receipt of the application. If no written determination of the completeness of the application is made within that period, the application will be deemed complete on the 30th day.
- (b) When the District acts as the lead agency, the District shall determine within 45 days after accepting an application as complete, whether it intends to prepare an EIR or a negative declaration.
- (c) When the District acts as a responsible agency, the District shall provide a response to a notice of preparation to the lead agency within 45 days after receipt of the notice.
- (d) When the District acts as the lead agency, the District shall convene a meeting with agency representatives to discuss the scope and content of the environmental information a responsible agency will need in the EIR within 30 days after receiving a request for the meeting. The meeting may be requested by the lead agency, a responsible agency, a trustee agency, or by the project applicant.
- (e) The public review period for a draft EIR should not be less than 30 days nor longer than 90 days, except in unusual circumstances.
- (f) The public review period for a Negative Declaration shall be a reasonable period of time sufficient to allow members of the public to respond to the proposed finding before the Negative Declaration is approved. The General Manager shall allow other public agencies and members of the public at least 14 days within which to comment upon any Negative Declaration which the District proposes to adopt
- (g) When a draft EIR or Negative Declaration is submitted to the State Clearinghouse for review, the normal review period of 45 days for draft EIRs and 30 days for Negative Declarations. The State Clearinghouse may set shorter review periods when requested by the lead agency due to exceptional circumstances.

(h) With a private project, the Negative Declaration must be completed and ready for approval within 105 days from the date when the lead agency accepted the application as complete.

(i) With a private project, the lead agency shall complete and certify the final EIR within one year after the date when the lead agency accepted the application as complete.

(j) An unreasonable delay by an applicant in providing information requested by the lead agency for the preparation of a Negative Declaration or an EIR shall suspend the running of the time periods described herein for the period of the unreasonable delay.

(k) At the request of an applicant, the lead agency may waive the one year time limit for completing and certifying a final EIR or the 105 day period for completing a Negative Declaration if:

(1) The project will be subject to CEQA and to the National Environmental Policy Act.

(2) Additional time will be required to prepare a combined EIR-EIS or combined Negative Declaration-finding of no significant impact as provided herein, and

(3) The time required to prepare the combined document will be shorter than the time required to prepare the documents separately.

The time limits for taking final action on a permit for a development project may also be waived where a combined EIR-EIS will be prepared.

The time limits for processing permits for development projects under Government Code Section 65950-65960 shall not apply if federal statutes or regulations require time schedules, which exceed the state time limits.

**2-7.311 PROJECTS WITH SHORT TIME PERIODS FOR APPROVAL**

(a) An application for a project is not received for filing under a permit statute or ordinance until such time as the environmental documentation required by CEQA has been completed and the following conditions are met:

(1) The enabling legislation for a program, other than Chapter 4.5 (commencing with Section 65920) or Division 1 of Title 7 of the Government Code, requires the District to take action on an application within a specified period of time that is six months or less, and

(2) The enabling legislation provides that the project will become approved by operation of law if the District fails to take any action within such specified period, and

(3) The project involves the issuance of a lease, permit, license, certificate, or other entitlement for use.

(b) In any case described in this section, the environmental document shall be completed or certified and the decision on the application shall be made within one year from the date on which an application requesting approval of such project has been received and accepted as complete for CEQA processing by such agency. This one-year time limit may be extended once for a period not to exceed 90 days upon consent of the District and the applicant.

## Article 4 - Records Inspection

### 2-7.401 PURPOSE AND SCOPE

This Article provides criteria and procedures for the public inspection of District records. This article may be cited as the District's "Regulations for the Public Inspection of District Records."

### 2-7.402 DEFINITIONS

As used in this Article:

(a) "Public Records" includes any writing containing information relating to the conduct of District's business prepared, owned, used, or retained by the District regardless of physical form or characteristics.

(b) "Writing" means any handwriting, typewriting, printing, Photostatting, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents.

### 2-7.403 GENERAL

District records are open to inspection at all time during the office hours of the District and every citizen has a right to inspect any District records, except as hereinafter provided.

**2-7.404 EXCEPTIONS**

Nothing in this Article shall be construed to require disclosure of records that are:

- (a) Preliminary drafts, notes, or intra or inter agency memoranda which are not retained by the District in the ordinary course of business, provided, that the public interest in withholding such records clearly outweighs the public interest in disclosure;
- (b) Records pertaining to pending litigation to which the District is a party or to claims made pursuant to Division 3.6 (commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled;
- (c) Personnel, medical or similar files, the disclosure of which would constitute and unwarranted invasion of personal privacy;
- (d) Geological and geophysical data, plant production data and similar information relating to utility systems development which are obtained in confidence from any person;
- (e) Test questions, scoring keys, and other examination data used to administer examinations for employment;
- (f) The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the District relative to the acquisition of property, or to prospective supply and construction contracts, until such time as all property has been acquired or all of the contract agreement obtained, provided, however, the law of eminent domain shall not be affected by this provision;
- (g) Records the disclosure of which is exempted or prohibited pursuant to provisions of Federal or State Law, including, but not limited to, provisions of the Evidence Code relating to privilege;
- (h) Other records the disclosure of which is not required by law.

**2-7.405 ADDITIONAL PUBLIC RECORDS**

Notwithstanding the foregoing:

- (a) Every employment contract between the District and any public official or public employee is a public record.
- (b) An itemized statement of the total expenditures and disbursements of the District provided for in Article VI of the California Constitution shall be open for inspection.

**2-7.406 JUSTIFICATION FOR WITHHOLDING OF RECORDS**

The District shall justify withholding any records by demonstrating that the record in question is exempt under the express provisions of this Article or that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

**2-7.407 COPIES OF RECORDS**

- (a) A person may receive a copy of any identifiable District record. Upon request, an exact copy shall be provided in a form determined by the District. Officers, agents and employees of the District are not required to comply with this section when acting within the course and scope of District employment or office holding.
- (b) A request for a copy of an identifiable public record or information produced there from shall be accompanied by payment of a fee in the amount of \$.20 per page, or in the case of blue line records, the amount of \$3.00 for the first sheet and \$1.50 for each additional sheet of the same project. A certified copy of such record shall require an additional fee of \$2.00.

(c) The General Manager may require any person who desires to obtain a copy of a District record to deposit an amount equal to the estimated fees for copying. That portion of the deposit which is not required to cover the costs of such fees and charges will be refunded to the person desiring to obtain the information if such deposit is insufficient to cover the costs of such fees and charges, an additional deposit will be required.

#### **2-7.408 PUBLIC COUNTER FILES**

(a) The General Manager shall maintain a duplicate copy of all approved minutes, the agenda for the next scheduled Board meeting and any written material distributed to members of the Board for discussion or consideration at the next scheduled Board meeting, at the public counter located in the District's offices, provided, any writing exempt from public exposure pursuant to the Public Record Act shall not be maintained at the public counter, provided, further, writings which are public records and which are discussed during a public meeting but which were not previously available shall be made available prior to the commencement of, and during, their discussion at such meeting and shall be made available for public inspection immediately or as soon thereafter as practicable.

(b) No charge will be imposed upon any person for the use of the records described in this section, unless a copy thereof is requested in which case the charges set forth herein shall be imposed.

(c) The General Manager shall also maintain a record of all requests for inspection from the public that are declined for reasons set forth in this Article.

#### **2-7.409 INSPECTION BY DIRECTORS**

Notwithstanding any other provision in this Article to the contrary, all records of the District, including records excluded from public inspection by virtue of the provisions hereof, shall be made available for inspection by any member of the Board of Directors at all reasonable times. No fee or charge shall be imposed

upon any member of the Board of Directors for obtaining a copy of such record or for any search relating to the location of such record.

**2-7.410 OTHER LAW**

This Article is adopted for the purpose of implementing the provisions contained in Chapter 3.5 (commencing with Section 62050) of Title 1 of the Government Code. Nothing herein contained shall be deemed to abridge or otherwise modify said provisions.



## Article 5 - Retention of Records

### 2-7.501 PURPOSE AND SCOPE

This article provides criteria and procedures for the retention or destruction of District records. This Article may be cited as the District's "Regulations for the Retention of District Records."

### 2-7.502 RETENTION OF ORIGINAL RECORDS

The following original records shall be maintained in perpetuity of the District's files:

- (a) The Certificate of Incorporation of the District;
- (b) Any certification of annexation proceedings;
- (c) Any certificate of the Secretary of State reciting the filing of annexation papers by the District in his office;
- (d) Any certification by the Secretary of State that detachment papers have been received and that he has excluded area from the District;
- (e) Resolutions and Ordinances;
- (f) Minutes of Meetings of the Board of Directors;
- (g) Certificate of Assessed Valuation prepared by the Auditor of each County in which property taxable by the District lies;
- (h) Documents received from Tax Assessors detailing District taxes collected;
- (i) Ballot arguments pro or contra on bond issues;
- (j) Results of bond propositions received from the canvassing bodies;
- (k) Results of elections for the office of member of Board of Directors received from the canvassing body;
- (l) Records of securities acquired with surplus District moneys;
- (m) Receipts for securities from banks;
- (n) Documents received relating to claims brought against the District;

- (o) Documents received pursuant to eminent domain proceedings brought by the District;
- (p) Records that are determined by the Board of Directors to be of significant and lasting historical, administrative, legal, fiscal or research value; and
- (q) Records required by law to be filed and preserved.

### **2-7.503 RETENTION OF DUPLICATE ORIGINAL RECORDS**

The following original records, or a microfilmed copy of such original record; shall be maintained in perpetuity in the District's files:

- (a) Financial records summarizing the financial status of the District other than reports prepared pursuant to Article 9 (commencing with Section 53891) of Part 1 of Division 2 of the Government Code;
- (b) Records affecting title to land or liens thereon;
- (c) Oaths of Office and related materials depicting the authenticity of the appointment of any Director or officer of the District;
- (d) Paid vouchers with attached documents, summary of collections, registers of demands issued and journals of warrants paid, provided the original thereof has been maintained in the District's files for a period of five years;
- (e) Reports of the District in correspondence not covered in any other section of this article; and
- (f) Records received pursuant to State statute which are not expressly required by law to be filed and preserved.

### **2-7.504 RETENTION OF RECORDS FOR TIME CERTAIN**

The following original records may be destroyed after the passage of time, as indicated, without the maintenance of a microfilm copy thereof;

- (a) Unaccepted bids or proposals for construction may be destroyed without microfilming after two years;

- (b) Work orders or in-house records of time spent on various District work assignments may be destroyed without microfilming after two years;
- (c) Records created for a specific event or action may be destroyed without microfilming after five years following the end of the fiscal year in which the event or action was completed, unless there is pending litigation involving the records;
- (d) Canceled checks for the payment of bond interest and redemption may be destroyed by an executive officer without microfilming after ten years;
- (e) Tapes and recordings of minutes of the Board of Directors may be erased after six months; and
- (f) Any record, paper or document which is more than two years old and which was prepared or received in any manner other than pursuant to State statute.

## **2-7.505 RETENTION OF OTHER RECORDS**

The following records may be destroyed at any time, without the maintenance of a microfilm copy thereof:

- (a) All duplicates, the original or a permanent photographic record of which is on file;
- (b) Rough drafts, notes and working papers accumulated in the preparation of a communication, study or other document, unless of a formal nature contributing significantly to the preparation of the document representing the work of any department of the District, including but not limited to meter books after the contents thereof have been transferred to other records;
- (c) Cards, listings, non-permanent indices, other papers used for controlling work and transitory files including letters of transmittal, suspense letters, and tracer letters;
- (d) Canceled coupon sheets from registered bonds; and
- (e) Shorthand note books, telephone messages and inter-departmental notes.

**2-7.506 OTHER LAWS**

Provisions of this Article are intended to implement the provisions of Chapter 7 (commencing with Section 60200) of Division 2, Title 6 of the Government Code. Nothing herein contained shall be deemed to abridge or amend said provisions.

**2-7.507 RECORD REVIEW**

(a) A records retention manual describing various District records and stating when the original or duplicate of such records may be destroyed is attached hereto and hereby incorporated by reference. The General Manager shall retain or destroy District records at the times set forth in the manual and in accordance with the procedures set forth in this section.

(b) At least annually, the General Manager shall designate records proposed to be destroyed, pursuant to this section, to the Secretary and District Counsel at least ten (10) days prior to the proposed destruction date. The Secretary and District Counsel shall examine the list to determine whether the records proposed for destruction in accordance with the records retention manual. The General Manager may destroy the records described on the list unless the Secretary or District Counsel objects.

(c) At least annually, the Secretary shall report in writing to the Board at a public meeting whether District records are being retained in accordance with the policies established by the Board. The secretary shall also recommend necessary and appropriate changes in the retention schedule for categories of records. The report and recommendations of the Secretary and the action of the Board with respect to the report and recommendations shall become part of the permanent record of the meeting at which the report and recommendations are presented to the Board.

PAGES 87 THROUGH 92 ARE INTENTIONALLY BLANK. TITLE 3 FOLLOWS.

**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.

(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) 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 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
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 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:

(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 the prescribed fee 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.

(d) 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 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.

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 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.

**3-4.102 READINESS TO SERVE CHARGE**

A potable water customer shall pay the following bi-monthly 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	<del>1/1/2015</del>
3/4"	\$ 28.77	\$ 30.21	\$ <del>15.8731.73</del>
3/4" x 1"	28.77	30.21	<del>15.8731.73</del>
1"	42.37	44.49	<del>23.3646.72</del>
1-1/2"	76.35	80.17	<del>42.0984.18</del>
2"	117.60	123.48	<del>64.83129.6</del>
3"	225.75	237.04	<del>124.45248.90</del>
4"	348.60	366.03	<del>192.17384.34</del>
6"	675.75	722.14	<del>379.13758.25</del>
8"	1,096.20	1,151.01	<del>604.291.20</del>
10"	1,571.85	1,650.45	<del>8.57</del> <del>866.491.73</del> <del>2.98</del>

**3-4.103****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 bi-monthly 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 bi-monthly billing period. Tier allotments, stated in billing units, for single-family class of customers are as follows:

	Single Family
Tier 1	First <del>816</del>
Tier 2	Next <del>2651</del>
Tier 3	Next <del>67133</del>
Tier 4	Over <del>100200</del>

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

	Multi-Family per dwelling unit
Tier 1	First <del>612</del>
Tier 2	Next <del>12</del>
Tier 3	Next <del>510</del>
Tier 4	Over <del>1224</del>

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 <sup>1</sup>	1/1/2014 <sup>2</sup>	1/1/2015 <sup>3</sup>
Tier 1	\$ 1.98	\$ 2.19	\$ <del>2.312-23</del>
Tier 2	2.37	2.60	<del>2.802-72</del>
Tier 3	3.29	3.56	<del>3.813-73</del>

Tier 4	4.68	5.02	<del>5.345.26</del>
Notes:			
1. For tiers 1-4, includes \$0.11 MWD pass through.			
2. For tiers 1-4, includes \$0.11 MWD pass through added to 1/1/13 rates.			
<del>3. No pass through included.</del>			

(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 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.

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

- (a) Detector Check Valve - The ~~bi~~monthly charge for private fire protection service shall be \$~~7.50~~~~15.00~~.
- (b) Detector Meter - The ~~bi~~monthly charge for fire protection service shall be \$~~7.50~~~~15.00~~.
- (c) No Meter - The ~~bi~~monthly charge for fire protection service shall be \$~~7.50~~~~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 ~~bi~~monthly 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 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 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.

(4) Fountains and other decorative water features shall recirculate water.

(5) Drinking water shall be served only upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased.

(b) Customers shall use the following irrigation practices:

(1) Irrigation shall occur after 5:00 p.m. and before 10:00 a.m. No irrigation is permitted during and within 48 hours after measurable rainfall.

(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.

(4) Limit the number of watering days, if and as determined by the Board, except that watering is permitted at any time with a hand-held hose equipped with an automatic shut-off, a faucet filled bucket of five gallons or less, or a drip irrigation system.

### **3-4.405 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 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 \$100.

(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 \$200.

(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 \$500.

(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 to promote water conservation.
- (h) Customers may appeal enforcement fines to the General Manager.

### **3-4.407 WATER SHORTAGE RESPONSE – DROUGHTS AND EMERGENCIES**

The Water Shortage Contingency Plan establishes four stages of escalating response to a water shortage caused by droughts and emergencies. Each stage may be triggered by a declaration from federal or state authorities, Metropolitan Water District, or the District to address events that result in a water shortage. The Water Shortage Contingency Plan is incorporated by reference.

#### (a) Stage 1 – Water Shortage Alert

Stage 1 is a condition resulting in a 0 to 10% water shortage necessitating a voluntary water use reduction. The District will initiate a public information campaign to increase awareness of water conservation measures specified in Section 3-4.404. Customers are expected to perform voluntary water use reductions and adhere to on-going water conservation measures.

#### (b) Stage 2 – Water Shortage Warning

Stage 2 is a condition resulting in a 10 to 20% water shortage necessitating a higher level of voluntary water use reduction. The District will expand the public information campaign and step up enforcement of water conservation measures. Customers are expected to re-double voluntary water use reductions and strictly adhere to water conservation measures.

#### (c) Stage 3 – Water Shortage Emergency

Stage 3 is a condition resulting in a 20 to 50% water shortage necessitating mandatory water use reductions. Depending on the severity of the shortage, the District will intensify the public information campaign and expand enforcement of water conservation measures. Additionally, the Board will:

(1) Restrict outdoor watering days based on the severity of the water shortage condition, specifying the maximum number of outdoor watering days and/or watering schedule;

(2) Implement water allocations based on property size with a surcharge for use above the allocation amount using the Water Shortage Response Plan contained in the District's 2010 Urban Water Management Plan. The allocation amount is set by Metropolitan Water District's determination of Regional Water Shortage Level in accordance with its Water Supply Allocation Plan; and

(3) Set the surcharge amount for water usage in excess of established allocation amounts.

(d) Stage 4 – Critical Water Shortage Emergency

Stage 4 is a condition resulting in a 50% or higher water shortage necessitating prohibition of outdoor water use for irrigation, pools, and fountains. The District will implement crisis communications and activate its Emergency Operations Center. Customers shall be required to terminate all outdoor use except as necessary to protect public health and safety. Additionally, the Board will:

(1) Determine reduction target based on the water shortage and/or water supply conditions; and

(2) Authorize the General Manager to implement the appropriate actions necessary to achieve the reduction target.

PAGES 155 THROUGH 158 ARE INTENTIONALLY BLANK. TITLE 4 FOLLOWS.

**TITLE 4 - RECYCLED WATER SERVICE****CHAPTER 1 - GENERAL****Article 1 - Purpose and Scope****4-1.101 PURPOSE**

The District shall provide recycled water whenever feasible to conserve potable water

**4-1.102 SCOPE**

This title provides the terms for service of recycled water. This Title supplements and does not replace 17 California Code of Regulations ("CCR") and 22 CCR. If this Title is inconsistent with the CCR, then the CCR prevails. If this Title is silent, the CCR is incorporated by this reference.

## Article 2 - Definitions

### 4-1.201 GENERAL

The terms set forth in this Article are defined for the purposes of this title unless otherwise apparent from context.

### 4-1.202 AIR-GAP SEPARATION

"Air-Gap Separation" is a physical break between a supply pipe and a receiving vessel.

### 4-1.203 APPLICANT

"Applicant" is any person, firm, corporation, association, or agency who requests recycled water service.

### 4-1.204 APPROVED REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE

"Reduced Pressure Principle Backflow Prevention Device (RP)" is a backflow preventer incorporating not less than two check valves, an automatically operated differential relief valve located between the two check valves, a tightly closing shut-off valve on each side of the check valve assembly, and equipped with necessary test cocks for testing.

### 4-1.205 AUXILIARY WATER SUPPLY

"Auxiliary Water Supply" means any water supply on or available to the premises other than the District's potable water and recycled water supplies.

**4-1.206 CROSS-CONNECTION**

"Cross-connection" means any unprotected connection between any part of a water system used or intended to supply water for drinking purposes and any source or system containing recycled water or any other auxiliary water supply that is not or cannot be approved as safe, wholesome, and potable for human consumption.

**4-1.207 CUSTOMER**

"Customer" means any person, firm, corporation, association, or agency receiving recycled water service from the District.

**4-1.208 DUAL PLUMBED SYSTEM**

"Dual Plumbed System" or "Dual Plumbed" means a system that utilizes separate piping systems for recycled water and potable water within a facility and where the recycled water is used for either of the following purposes:

- (a) To serve plumbing outlets (excluding fire suppression systems) within a building; or
- (b) Outdoor landscape irrigation at individual residences.

**4-1.209 OFF-SITE FACILITIES**

"Off-site Facilities" means facilities under the control of the District, upstream of and including the District's meter and the meter box including recycled water pipelines, reservoirs, pumping stations, manholes, valve connections, treatment facilities, and other appurtenances and property.

**4-1.210 ON-SITE FACILITIES**

“On-site Facilities” means facilities under the control of the customer downstream of the District’s meter and meter box including but not limited to residential or commercial landscape irrigation systems, agricultural irrigation systems, and backflow devices on the potable water service to prevent cross-connection from auxiliary water supplies.

**4-1.211 ON-SITE RECYCLED WATER SUPERVISOR**

“On-site Recycled Water Supervisor” means a qualified person designated by a recycled water customer and approved by the District that is knowledgeable in the construction and operation of irrigation systems and in the application of the guidelines, criteria, standards, and rules and regulations governing the proper use of recycled water.

**4-1.212 POTABLE WATER**

“Potable Water” means water furnished to the customer for domestic purposes.

**4-1.213 RECYCLED WATER**

“Recycled Water” means water which, as a result of tertiary treatment of domestic and industrial wastewater, is suitable for a direct beneficial use or a controlled use that otherwise would not occur.

**4-1.214 RECYCLED WATER SERVICE**

“Recycled water service” means the delivery of recycled water.



**4-1.215 SERVICE CONNECTION**

“Service Connection” means the piping necessary to conduct water from the District’s water main to the particular property designated in the application for water service including the meter, meter box, valves and piping equipment within the meter box.

**4-1.216 UNIT**

“Unit” is 100 cubic feet of water.

## CHAPTER 2 - COMMENCEMENT OF SERVICE

### Article 1 - Applications

#### 4-2.101 GENERAL

No person shall connect to recycled water system without a permit issued by the District.

Persons desiring or required to obtain service shall make application for a permit by providing such information as the General Manager deems appropriate to evaluate the request including but not limited to:

- (a) Applicant's and on-site recycled water Supervisor's name;
- (b) Identity of property to be served;
- (c) Owner of property to be served;
- (d) Design area;
- (e) On-site irrigation piping plan map and
- (f) Anticipated land use requiring irrigation.

#### 4-2.102 APPLICATION PROCEDURE

(a) An application for a permit shall be made in writing, signed by the owner of the property to be served. 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.

\_\_\_\_\_  
Name and Title"

(b) The applicant shall comply with laws and, regulations, concerning recycled water service, including but not limited to this Title.

(c) The General Manager shall review the application and make such investigation as necessary. The General Manager may prescribe requirements in writing to the applicant as to the facilities necessary to be constructed, the manner of connection, the financial requirements and the use of the service, including the availability of adequate on-site recycled water facilities to ensure initial and future continued compliance with the District's regulations and any other applicable requirements.

#### **4-2.103 PERMIT**

(a) The General Manager shall issue a recycled water permit upon application or state the reasons for disapproval. The permit shall entitle the applicant to receive recycled water service upon the terms and conditions of this Title.

(b) The permit shall include the following:

(1) Name and address of applicant;

(2) A drawing of the proposed on-site facilities showing the location and size of all valves, pipes, outlets, and appurtenances;

(3) A statement that no changes in the proposed on-site facilities will be undertaken without application and approval of an amended permit; and

(4) A statement recognizing potential penalties for violation of District rules and regulations.

#### **4-2.104 MANDATORY SERVICE**

When the Board determines, service can be feasibly provided to a particular parcel for particular uses, the General Manager shall require the use of recycled water in lieu of potable water for those uses. As used herein, the term "feasible" means recycled water is available for delivery to the property in compliance with federal, state and local laws, ordinances and regulations and such recycled water can be delivered to the property at an overall cost to the user which does not exceed the overall cost of potable water service.

## Article 2 - Fees/Deposits

### 4-2.201 GENERAL

Applicants for recycled water service shall pay for the construction of facilities necessary to deliver recycled water to the applicant's property and to distribute recycled water upon the applicant's property. However, the District shall reimburse the applicant for a portion of the cost of such facilities as set forth in this Article.

### 4-2.202 FINANCIAL PARTICIPATION BY DISTRICT

(a) The District will build recycled water facilities, including everything up to and including a recycled water meter and backflow protection on the potable service if the cost of construction is less than \$5,500/AF/year of usage

(b) The District may reimburse a developer for costs incurred to extend a recycled water system to a maximum of 50 percent of Conservation Fund Fees paid by the developer, after first deducting District costs incurred for the recycled water system

(c) The District may reimburse an existing customer the cost of portions of an extension of the recycled water distribution system installed to receive service from a District recycled water pipeline, as follows: The District shall pay for the installation of off-site facilities to serve the customer or reimburse on half the Water Conservation Fund fees paid for potable service to the property, whichever is less. The District shall pay for the off-site facilities, without limitation based on the amount of Water Conservation Fund fees when an existing potable irrigation service is connected to the District recycled water system during the installation of the District's system.

(d) Recycled water customers shall pay for recycled water facilities, not paid for by the District.

## CHAPTER 3 - CONDITIONS OF SERVICE

### Article 1 - General

#### 4-3.101 GENERAL

Service will be provided to property to existing recycled water distribution lines. Service will be provided to property not contiguous to existing distribution lines if the distribution line is extended to the applicant's property as provided below.

#### 4-3.102 PERMITTED USES

(a) Recycled water may be used for residential and common area landscape irrigation, agricultural irrigation, industrial process water, dual-plumbed buildings and recreational impoundment. Each use must be approved by the District on a case-by-case basis in accordance with Title 22 of the California Code of Regulations. The District may impose conditions and prior approval from regulatory agencies.

(b) Recycled water may be used for residential irrigation if: The design and construction of the irrigation system is approved by the District and

(c) Recycled water may be used for common area landscape irrigation if the use is controlled by the District, or another party other than the customer, through a surveillance program of areas under irrigation, and the design and construction of the irrigation system is approved by the District.

#### 4-3.103 OTHER LIMITATIONS

Customers shall accept such conditions of pressure and service as are provided by the distribution system at the location of the service connection and to hold the District harmless from damage arising from low pressure or high pressure conditions or from interruptions of service.

#### **4-3.104 SIZE, LOCATION, AND INSTALLATION OF SERVICE LINE**

(a) The District shall determine the size of the service lines, the service connections, and the meters and determine the kind and size of backflow protection devices. The service lines shall be installed to a curb or property line of the customer's property, abutting upon a public street, highway, alley, easement, lane or road (other than a freeway) in which is the installed recycled water mains of the District.

(b) (1) A service connection shall not be used to supply adjoining property of a different owner without the permission of the District.

(2) When property with a service connection is subdivided, such connection shall serve the lot or parcel it directly or first enters. Additional mains or recycled water service lines will be required for other parcels in the subdivided area.

(3) Recycled water must pass through a meter.

(4) Every service installed by the District shall be equipped with a curb stop or wheel valve on the inlet side of the meter; such valve or curb stop being intended exclusively for the use of the District in controlling the recycled water supply through the service line. If the curb stop or wheel valve is damaged by the customer's use to an extent requiring replacement, such replacement shall be at the customer's expense.

#### **4-3.105 RELOCATION OF RECYCLED WATER SERVICE LINE**

Should a service line installed be of the wrong size or installed at a wrong location, the cost of relocation shall be paid by the customer. Services provided prior to final street improvements are temporary and the costs for repairs or changes shall be paid by the customer.

**4-3.106 SCHEDULING RECYCLED WATER**

The General Manager may control and schedule the use of recycled water as necessary for the maintenance of an acceptable working pressure and providing for reasonable safeguards to public health.

**4-3.107 EMERGENCY CONNECTIONS TO RECYCLED WATER SYSTEM**

The General Manager may approve a temporary connection to the potable water system. If an emergency exists and recycled water is not available.

**4-3.108 CLASSES OF SERVICE**

The classes of service for water delivered by the District are:

- (a) Las Virgenes Valley Zone, which includes all recycled water customers receiving water that does not require pumping above a hydraulic gradient of 795'. As used in this Title, Hydraulic Gradient, or H.G., shall mean the maximum water elevation represented by the pressure in a water system, or the maximum surface elevation of the water in the reservoir serving the system.
- (b) Western Zone, which includes all recycled water customers receiving water that requires pumping to elevation 1225'.
- (c) Calabasas Zone, which includes recycled water customers receiving water that requires pumping to elevation 1525'.

## Article 2 - Extension of Facilities

### 4-3.201 GENERAL

Off-site and on-site recycled water facilities shall be designed and constructed according to the standards as adopted and revised by the Board from time to time. The recycled water system shall be separate and independent of any potable water system.

### 4-3.202 ON-SITE RECYCLED WATER FACILITIES

(a) On-site recycled water facility shall be provided by the property owner who shall retain title to such facilities.

(c) Plans and specifications for on-site facilities shall be submitted to the District for approval prior to construction.

(d) Prior to commencement of service record drawings shall be provided and approved and the installed system shall be tested under active conditions to ensure the operation in accordance with this Title.

(e) If the District has determined that recycled water will be supplied in the future, on-site facilities shall nevertheless be designed to use recycled water. Provisions shall be made to allow for connection to the District's off-site recycled water facilities when available. In the interim, potable domestic water will be supplied to the on-site facilities through a temporary connection

### 4-3.203 OFF-SITE RECYCLED WATER FACILITIES

(a) Plans and specifications for off-site facilities shall be submitted to and approved by the District in advance of construction. Off-site recycled water distribution facilities required to serve the customer's property shall be provided by property owner unless the District determines it is a District benefit to construct these capital facilities.



(b) The District may require the construction of off-site facilities including reservoirs, pumping facilities, and treatment capacity, within the area described in the application for service or outside of such area, larger than the size determined by the District to be required for providing adequate service to the property described in the application submitted to the District. In such cases, the District will reimbursement the property owner on a pro rata basis for the difference between the cost of the required facilities and the cost of the facilities to serve the property described in the application for service. The terms, extent, and provisions of such reimbursement agreement shall be determined from time to time by the District in its discretion.

Interest shall not be paid on the reimbursement. The period of time in which reimbursement will be made will be determined by the District, based on the amount necessary to be advanced by the property owner in addition to other normal charges, the probability of receipt of payment and of the anticipated course of development of the particular portion of the District in which the facilities are proposed to be constructed. The amount advanced for facilities available to lands outside the area described in the application for service shall be taken into account when development occurs for which such facilities are constructed and the District may impose and charge additional connection charges, initial charges, and costs, if necessary, to cause equitable reimbursement in any such instances.

(c) The District shall provide recycled water to the point of connection of the off-site facilities to on-site facility when title to all facilities in the required systems and any necessary easements have been conveyed to the District.

#### **4-3.204 CONVERSIONS OF EXISTING FACILITIES FOR RECYCLED WATER**

Where an existing water system is converted to a recycled water facility, the facilities to be converted shall be investigated and measures necessary to bring the system into full compliance with this Title shall be installed before recycled

water service commences. No existing potable water facilities shall be connected to or incorporated into the recycled water system without District approval.

**CHAPTER - 4 CONTINUATION OF SERVICE**

**Article 1 - Rates: Time/Manner of Payment**

**4-4.101 GENERAL**

A recycled water customer shall receive recycled water service in compliance with this chapter.

**4-4.102 READINESS TO SERVE CHARGE**

A customer obtaining permanent service for property shall pay a readiness to serve charge set forth below based upon the size of the meter serving the property.

Size of Meter	Readiness to Serve Charge
3/4" - 12"	No Charge

**4-4.103 COMMODITY CHARGES**

(a) Each recycled water 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) Tier allotments in billing units for recycled water customers shall be determined by multiplying the base tier allotments by the meter capacity ratio for the recycled water meter serving the property.

Base Tier Allotments	
Tier 1	First 16
Tier 2	Next 51
Tier 3	Next 133
Tier 4	Over 200

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) Recycled Water rates will increase each year, commencing January 1, 2013, through January 1, 2015, using the Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers (CPI-U); Los Angeles, Riverside-Orange Counties, CA; Commodity and Service Group All Items. Use CPI percent change for 12-month period ending in October of the previous year. Current rates are as follows:

Tier	Current	
	Las Virgenes Valley	Western System/ Calabasas
Tier 1	<del>\$1,091.04</del>	<del>\$1,331.27</del>
Tier 2	<del>\$1,421.36</del>	<del>\$1,661.59</del>
Tier 3	<del>\$2,262.16</del>	<del>\$2,512.39</del>
Tier 4	<del>\$3,513.36</del>	<del>\$3,753.59</del>

**4-4.104 RECYCLED WATER 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 Recycled 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 for recycled water delivered through temporary meters shall be 150% of the Tier 4 recycled water rates 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 recycled water usage.

## Article 2 - Usage

### 4-4.201 FACILITIES OPERATION: OFF-SITE RECYCLED WATER FACILITIES

Operation and surveillance of off-site recycled water system facilities shall be under the management and control of the District. No other persons except authorized employees of the District may enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the off-site recycled water facilities.

### 4-4.202 FACILITIES OPERATIONS: ON-SITE FACILITIES

(a) The operation and maintenance of on-site recycled water distribution facilities are the responsibility of the property owner.

(b) The operation and maintenance of on-site recycled water system facilities, serving common area irrigation shall be under the management of an "on-site Recycled Water Supervisor" designated by the property owner and approved by the District.

(c) The General Manager shall monitor and inspect the entire recycled water system, including on-site and off-site facilities, and for these purposes shall have the right to enter upon the customer's premises during reasonable hours. Where necessary, keys and/or combinations shall be issued to the District to provide such access.

(d) The property owner shall have the following responsibilities in relation to operation of on-site facilities:

(1) Ensure operations personnel are trained and familiarized with the use of recycled water.

(2) Furnish operations personnel with maintenance instructions, irrigation schedules, and record drawings to ensure proper operation in accordance with the on-site facilities design and this Title.

(3) Prepare and submit to the District one (1) set of record drawings on Mylar or in digital format.

(4) Notify the District of proposed changes, modifications or additions to the on-site facilities, which changes shall be approved by the District and shall be designed and constructed in accordance with the requirements of this title.

(5) Ensure the recycled water facilities remain in accordance with this Title.

(6) Operate and control the system to prevent direct human consumption of recycled water and to control and limit runoff

(7) Be responsible for subsequent uses of the recycled water.

(8) Operation and control measures to be utilized in this regard shall include, where appropriate, but not be limited to the following:

a. On-site facilities shall be operated to prevent or minimize discharge into areas not under control of the customer. Part circle sprinklers shall be used adjacent to sidewalks, roadways, and property lines to confine the discharge from sprinklers to the design area.

b. The operation of the on-site facilities shall be during the periods of minimal use of the service area. Consideration shall be given to allow a maximum dry-out time before the design area will be used by the public.

c. Recycled water shall be applied at a rate that does not exceed the infiltration rate of the soil. Where varying soil types are present, the design and operation of the on-site facilities shall be compatible with the lowest infiltration rate present.

d. To prevent runoff and ponding, automatic systems shall be utilized and programmed to prevent or minimize the ponding and runoff of recycled water. The sprinkler system shall not be allowed to operate for a time longer than the landscape's water requirement. If runoff occurs before the landscape's water requirements are met, the automatic controls shall be reprogrammed to lessen watering cycles to meet the requirements. This method of operation is intended to control and limit runoff.

e. To report to the District any and all failures in their system that causes an unauthorized discharge of recycled water.

(9) To comply with any and all applicable Federal, State and local statutes, ordinances, regulations, contracts, these Rules and regulations, and all

requirements prescribed by the General Manager and the Board. In the event of violation, all charges and penalties shall be applied and collected.

#### **4-4.203 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.

#### **4-4.204 METER TESTING**

(a) If the recycled water meter fails to register or registers inaccurately, the customer shall be charged with an average daily consumption at the same season shown by the reading of the meter when in use and registering accurately.

(b) A customer may demand the District test the meter and costs shall be charged to the customer in the same manner as for testing a potable water meter.



### **Article 3 - Protective Measures**

#### **4-4.301 CROSS-CONNECTION PREVENTION: GENERAL**

These regulations are intended to protect the District's potable water supply and are not intended for protection of users from the hazards of cross-connections within their own premises.

The District shall provide backflow prevention devices on the potable water service to the premises. Such devices shall be owned and maintained by the District and located on the premises of the property served and shall not be on the District's portion of the system.

#### **4-4.302 CROSS CONNECTION PREVENTION: WHERE PROTECTION IS REQUIRED**

(a) On-site recycled water systems are a separate and controlled non-potable system. Under normal conditions, protective devices will be required on the District's potable water service. Under no circumstances will the District tolerate an actual or potential cross-connection between the District's potable water supply and the customer's on-site non-potable water facilities.

(b) The District will require cross-connection control on the District's potable water supply in all cases and shall review each service on a case-by-case basis. The District will require a backflow prevention device on its potable water supply at its discretion, and specifically:

- (1) When recycled water is used on individually owned and controlled premises;
- (2) When the recycled water system has additional pressure and
- (3) When determined this is a risk of cross-connection.

**4-4.303 INSPECTION OF PROTECTIVE DEVICES**

The District shall inspect backflow prevention devices at least once a year, or more often in those instances where successive inspections indicate repeated failure. All inspections and testing shall be performed by a tester certified by the local health department. These devices shall be repaired, overhauled, or replaced at the expense of the water user whenever they are found to be defective. Records of all such tests, repairs and overhauls shall be maintained by a list and made available to the local health department. Nothing contained herein shall relieve a potable water customer from the duty to install and maintain backflow prevention devices under Title 3 of this Code.

**4-4.304 MARKING SAFE AND UNSAFE WATER LINES**

Where the premises contain dual or multiple water systems and piping, the exposed portions for recycled water pipelines shall be painted, banded or marked at sufficient intervals. All outlets from secondary or other potentially contaminated systems shall be posted as being contaminated and unsafe for drinking purposes.

**4-4.305 ON-SITE RECYCLED WATER SUPERVISOR**

The District, which in turn will notify the local and State Water Resources Control Board, shall be kept informed of the identity of the person responsible for the water piping on all premises concerned with these regulations. At each premise where it is necessary in the opinion of the regulatory agency and/or the District, a Water Supervisor shall be designated. This Water Supervisor shall be responsible for the installation and the use of pipelines and equipment and for the prevention of cross-connections.

In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the local health officer and the District shall be

promptly advised by the person responsible for the water system so that appropriate measures may be taken to overcome the contamination or pollution.

PAGES 182 THROUGH 185 ARE INTENTIONALLY BLANK. TITLE 5 FOLLOWS.

**TITLE 5 - SANITATION****CHAPTER 1 - GENERAL****Article 1 - Purpose and Scope****5-1.101 PURPOSE**

This Title sets the terms for sanitation service.

**5-1.102 SCOPE**

(a) This title shall apply to the collection, treatment, and disposal of all wastes delivered directly or indirectly through collector sewers, into the trunk sewers of the District.

(b) The District operates and maintains trunk sewers and treatment and disposal works. In most cases, a sanitation customer is connected to the District's trunk sewer through a collector sewer owned, operated and maintained by the Los Angeles County Consolidated Sewer Maintenance District. Accordingly, the regulations of the Sewer Maintenance District insofar as they do not conflict with the provisions set forth herein, are hereby adopted by this reference.

## Article 2 - Definitions

### 5-1.201 GENERAL

The definitions in this Article shall govern the construction of this title, unless otherwise apparent from the context.

### 5-1.202 ADMINISTRATIVE AUTHORITY

"Administrative Authority" is the individual official, Board, department or agency, established and authorized by a state, county, city or other political subdivision to administer and enforce the provisions of a plumbing code or a Sanitary Sewer and Industrial Waste Ordinance.

### 5-1.203 APPLICANT

"Applicant" is a person requesting sanitation service from the District.

### 5-1.204 BIOCHEMICAL OXYGEN DEMAND or B.O.D.

"Biochemical Oxygen Demand" or "B.O.D." is the demand of the waste discharge as determined by standard methods.

### 5-1.205 CLASSES OF SERVICE

- (a) **Single Family Class** – A single family residential dwelling or a multi-family residential dwelling unit served by a dedicated water meter.
- (b) **Multi Family Class** – A multi-family residential dwelling complex served by a single water meter.
- (c) **Class 1** - "Class 1 Discharger" or "Class 1" refers to any nonresidential discharger who discharges sewage containing not more than 235 mg/L B.O.D. and 282 mg/L S.S. on an average daily basis. Light industrial users and

commercial users, such as schools and offices, are presumed to be Class 1 Dischargers; however, dischargers in this class must demonstrate that the discharge does not and will not exceed the stated limits. In relation to the single family class customer, a Class 1 Discharger has a strength factor of 62 percent.

(d) **Class 2** - "Class 2 Discharger" or "Class 2" refers to any nonresidential discharger who discharges sewage containing more than 235 mg/L B.O.D. and 282 mg/L S.S. but less than 635 mg/L B.O.D. and 415 mg/L S.S. on an average daily basis. Moderate industrial users and commercial users such as shopping centers and gas stations are presumed to be Class 2 Dischargers; however, dischargers in this class must demonstrate that the discharge does not and will not exceed the stated limits. In relation to the single family class customer, a Class 1 Discharger has a strength factor of 106 percent.

(e) **Class 3** - "Class 3 Discharger" or "Class 3" refers to any nonresidential discharger who discharges sewage containing more than 635 mg/L B.O.D. and 415 mg/L S.S. but less than 1000 mg/L B.O.D. and 700 mg/L S.S. on an average daily basis. Moderately heavy industrial users and commercial users such as restaurants, markets and mortuaries are presumed to be Class 3 Dischargers; however, dischargers in this class must demonstrate that the discharge does not and will not exceed the stated limits. In relation to the single family class customer, a Class 1 Discharger has a strength factor of 160 percent.

(f) **Class 4** - "Class 4 Discharger" or "Class 4" refers to any industrial waste permittee or others discharging wastes who discharge sewage containing more than 1000 mg/L B.O.D. and 700 mg/L S.S. on an average daily basis and/or sewage quality or flow or other factors of waste discharge that will adversely affect the sewage transmission lines, treatment or disposal processes. Industrial users are in this category.

## 5-1.206 COLLECTOR SEWER

"Collector Sewer" or "branch sewer" means a public sewer or system of public sewers which receives sewage from a relatively small area and discharges into a

trunk sewer. Normally, a collector sewer is not owned and maintained by the District.

**5-1.207 CUSTOMER**

"Customer" means a person receiving sanitation service from the District.

**5-1.208 DOMESTIC SEWAGE**

"Domestic Sewage" means the liquid and waterborne wastes derived from, or equivalent to, that of a single family residential dwelling unit and which are of such a character as to permit satisfactory disposal, without special treatment, into the service lateral.

**5-1.209 EQUIVALENT RESIDENTIAL UNIT OR ERU**

"Equivalent Residential Unit" or "ERU" refers to a residential unit of any size, or 25 plumbing fixture units, as defined in the Uniform Plumbing Code, discharging into the sewer.

**5-1.210 IMPROVEMENT DISTRICT**

"Improvement District" means a sanitation improvement district of the District.

**5-1.211 INDUSTRIAL WASTE**

"Industrial Waste" means waste substances, liquid or solid, except domestic sewage and including, but not limited to, radioactive wastes and explosives, noxious, toxic, or corrosive gases or liquids when present in the sewage system. Class 2, 3, 4 and 5 dischargers are presumed to deposit industrial wastes.



**5-1.212 INDUSTRIAL WASTE CONNECTION**

"Industrial Waste Connection" is the connection between an industrial waste source and a trunk or collector sewer and includes a manhole, or other acceptable testing means, on the lateral so that the District or administrative authority can sample the discharge to the trunk sewer or collector sewer.

**5-1.213 LATERAL SEWER**

"Lateral Sewer" is a sewer which discharges into a branch or other sewer and which has no other common sewer tributary to it.

**5-1.214 MAINTENANCE DISTRICT**

"Maintenance District" means the Consolidated Sewer Maintenance District of Los Angeles County.

**5-1.215 SANITATION SERVICE**

"Sanitation Service" means the collection and treatment of sewage and the disposal of effluent and sludge by the District.

**5-1.216 SUSPENDED SOLIDS (S.S.)**

"Suspended Solids" or "S.S." refers to the results of a standard Total Nonfilterable Residue Dried at 103-105 C test as described in Standard Methods.

**5-1.217 SEWAGE UNIT**

"Sewage Unit" refers to one ERU

**5-1.218 TRUNK SEWER**

"Trunk Sewer" means a public sewer, owned and maintained by the District, to which one or more collector sewers are tributary.

**5-1.219 SEWER CONNECTION**

"Sewer Connection" means the connection between a lateral and collector or trunk.

## CHAPTER 2 - COMMENCEMENT OF SERVICE

### Article 1 - Application

#### 5-2.101      **APPLICATION: GENERAL**

An applicant for sanitation service or for a change in the amount or type of such service shall make request on forms provided by the District, and pay all fees prior to obtaining a permit from the administrative authority.

#### 5-2.102      **APPLICATION: CONTENTS**

Applicants for sanitation service shall provide the following information:

- (a) location of property from which sewage will flow;
- (b) owner of property;
- (c) strength of sewage to be discharged;
- (d) duration of discharge;
- (e) quantity of discharge;
- (f) type of user (residential, commercial or industrial);
- (g) nature of business if commercial or industrial; and
- (h) plumbing plans of the proposed facility, commercial or industrial.

#### 5-2.103      **APPLICATION: INDUSTRIAL WASTE CONNECTIONS**

Applicants for sanitation service who propose to discharge into a collector sewer owned by the Maintenance District shall also make application to the Maintenance District and present satisfactory evidence to the District such application has been accepted or the requirements waived by the Maintenance District.

**5-2.104 CERTIFICATION AND RECERTIFICATION OF CLASS**

(a) The General Manager shall review applications for sanitation service and determine which class of discharge applies to the applicant.

(b) A non-residential discharger or applicant who contends the General Manager's determination of Class does not accurately reflect the quantity or quality of water reaching the sewer may request the General Manager to review the determination by presenting evidence to support such contention. The General Manager may change the classification assigned to the discharger if the discharger can show that the sewage differs significantly and substantially from the sewage for the Class.

## Article 2 - Fees and Deposits

### 5-2.201 FEES: GENERAL

Applicants for sanitation service shall pay the fees set forth in this Article as a condition for obtaining sanitation service.

### 5-2.202 EXISTING LATERAL CONNECTION

An applicant for service to property or where sewage units are added to an existing lateral sewer which is already connected to the trunk sewer directly or through a collector sewer or otherwise, shall pay: (1) a sewage connection fee, (2) the miscellaneous fees, if any, and (3) make the deposits set forth below.

### 5-2.203 EXISTING COLLECTOR OR TRUNK SEWER

An applicant for service to property which fronts upon an existing collector or trunk sewer but which is not connected to the collector or trunk sewer shall pay: (1) annexation fees, if the property is not within an improvement district; (2) a pro rate share of the cost of the trunk sewer, if a main extension refund agreement exists with respect to such trunk sewer; (3) a sewage connection fee; (4) miscellaneous fees, if any; (5) make the deposits, all as set forth below, and (6) construct the necessary lateral sewer.

### 5-2.204 SERVICE FROM NEW SEWER

(a) An applicant shall pay connection fees and the cost of sanitation system improvements necessary to serve the applicant's property, provided: if the sanitation system improvements are identified in the sewage system capital improvement plan, the improvements shall be constructed by the District using connection fees to pay for the cost of design and construction, including debt service. Sanitation system improvements are identified in the current sanitation

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 trunk sewer extension to serve the applicant's property, the applicant may enter into a sewer extension refund agreement.

#### **5-2.205 ANNEXATION FEES TO IMPROVEMENT DISTRICTS**

Annexation fees to improvement districts, and terms and conditions of such annexation, are set annually by the Board.

#### **5-2.206 SEWAGE CONNECTION FEES: SEWAGE UNITS**

Each property to be connected to the sewer system shall pay a sewer connection fee based upon the anticipated sewage flow to be contributed by the property as follows:

(a) Single family residential dwelling shall be deemed to contribute one sewage unit.

(b) Each dwelling unit of an apartment, condominium, town house, trailer park, mobile home park, or similar installation for permanent or semi-permanent residential service shall be deemed to contribute one sewage unit.

(c) Commercial, industrial, institutional, governmental, and other non-residential developments are deemed to have one sewage unit for each 25 plumbing fixture units, as defined in the Uniform Plumbing Code, which discharge into the sewer system. Fractional amounts will be rounded to the next whole number.

**5-2.207 SEWER CAPACITY FEE: U-1 AND D**

- (a) The owner of lands within Sanitation Improvement District No. U-1 and D shall pay a capacity fee of \$7,000 per sewerage unit.
- (b) U-1 and D sewer capacity fees shall be deposited in a separate capital facilities account, entitled "U-1 and D deferred capacity fee account" to avoid commingling of the fees with other revenue and funds of the District, except for temporary investments and shall be expended solely for the purpose of planning, designing and constructing the sanitation facilities described in the sanitation system capital improvement plan for the Las Virgenes Municipal Water District - Triunfo Sanitation District Joint Venture designated to serve Sanitation Improvement District No. U-1 and D.
- (c) U-1 and D sewer capacity fees shall be transferred from the U-1 and D deferred capacity fee account to the District sanitation construction fund when the above-described funds are appropriated to perform the work, the work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.
- (d) Upon written request, the sewer capacity fee 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.

**5-2.208 SEWER CAPACITY FEE: U-2**

- (a) The owner of lands within Sanitation Improvement District U-2 shall pay a sewer capacity fee of \$7,000 per sewerage unit.
- (b) U-2 sewer capacity fees shall be deposited in a separate capital facilities account, entitled "U-2 deferred capacity fees account" to avoid commingling of the fees with other revenue and funds of the District, except for temporary investments and shall be expended solely for the purpose of planning, designing and constructing the sanitation facilities described in the sanitation system capital improvement plan for the Las Virgenes Municipal Water District - Triunfo Sanitation District Joint Venture designated to serve Sanitation Improvement

District U-2; and for the purpose of acquiring capacity in the sewage system operated by the City of Los Angeles, and conducting sewage to the point of discharge to the City.

(c) U-2 sewer capacity fee shall be transferred from the U-2 deferred capacity fees account to the District sanitation construction fund when the above-described funds are appropriated to perform the work, the work is performed, when a certificate of occupancy is issued, or on the date of final inspection, whichever occurs first.

(d) Upon written request, the sewer capacity fee 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.

#### **5-2.209 SEWAGE CONNECTION FEES: U-3 AND ID-B**

(a) The owner of lands within Sanitation Improvement District No. U-3 shall pay a connection fee of \$3,900 per sewerage unit.

(b) The owner of lands within Sanitation Improvement District No. B shall pay a connection fee of \$3,900 per sewerage unit.

(c) U-3 connection fees shall be deposited in a separate capital facilities account, entitled "U-3 connection fee account", to avoid commingling of the fees with other revenue and funds of the District, except for temporary investments and shall be expended solely for the purpose of planning, designing and constructing the sanitation facilities described in the sanitation system capital improvement plan for Sanitation Improvement District No. U-3.

(d) ID-B connection fees shall be deposited in a separate capital facilities account, entitled "ID-B connection fee account", to avoid commingling of the fees with other revenue and funds of the District, except for temporary investments and shall be expended solely for the purpose of planning, designing and constructing the sanitation facilities described in the sanitation system capital improvement plan and for Sanitation Improvement District No. B.

(e) U-3 and ID-B connection fees shall be transferred from the U-3 and ID-B connection fee account to the construction fund when the above-described work



funds are appropriated to perform the work, the work is performed, when a certificate of occupancy is issued or on the date of final inspection, whichever occurs first.

(f) Sewer service to owners of land within Sanitation Improvement District Nos. U-3 and B is provided through the City of Los Angeles. The applicant for such service shall obtain the consent of the City of Los Angeles for a District outlet to the City of Los Angeles sanitation system and pay a connection fee deposit as shown herein for each sewerage unit depending upon the sanitation improvement District within which the property is located.

(g) Upon written request, the sewer connection 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.

#### **5-2.210 SEWAGE CONNECTION FEES: ADDED FEES**

(a) When the number of sewage units connected to a particular lateral permanently increases, the property owner shall pay an additional sewage connection fee based upon the number of ERU's added to the system.

(b) Upon discovery of an unauthorized sewer connection by the District, the property owner shall pay a sewage connection fee at the rate existing as of the date of the connection. Unless the property owner presents clear and convincing evidence as to the date of the unauthorized connection, it shall be presumed that the connection was made as of the date of discovery.

(c) From time to time, interim agreements are entered into between the City of Los Angeles and the District to provide for sewage disposal from certain areas within Sanitation Improvement Districts U-3 and B. The District cannot approve sewer plans for property within Sanitation Improvements Districts U-3 or B until an outlet is assured. The applicant shall obtain the consent of the City of Los Angeles for a District outlet and when such assurances have been obtained, the applicant shall pay the connection charge to the District for each sewerage unit sought to be connected.

**5-2.211 CONNECTION FEES: CHANGES IN AMOUNT**

Sewer connection fees may be changed at any time in accordance with this Code and state law. An applicant shall pay the connection fees existent when service commences regardless of when the connection fees are deposited or paid, except those connection fees paid after June 22, 1978 and before March 26, 1990. As used herein, "service commences" for a new or additional ERU when the applicant's property can be connected to the trunk or collector sewer and monthly sewage service charges are paid.

**5-2.212 ASSURANCES OF SERVICE**

When an applicant desires assurances that sanitation 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.

**5-2.213 TRANSFER OF RIGHT TO RECEIVE SERVICE**

If the number of sewage units applicable to the temporary facilities is more than the number of sewage units applicable to the permanent facilities, then no additional sewage connection fees shall be assessed and connection charges applicable to such excess sewage fees shall be refunded to the property owner at the rate existent as of the date of connection to the temporary facilities.

When the right to service is transferred from temporary to permanent facilities and the number of sewage units applicable to the temporary facilities is less than the number of sewage units to be provided to the permanent facility, then the property owner shall, in addition to the other fees and charges set forth herein, pay an additional sewage connection fee(s) based upon the number of additional

sewage units, or portions thereof, at the rate existent as of the date of the transfer.

#### **5-2.214 TRANSFER OF RIGHT: CONDITIONS**

A property owner who has the right to receive sanitation service for temporary facilities on a particular parcel of land may transfer that right to permanent facilities located on another parcel of land, if the following are met:

- (a) The property owner has paid fees and charges for service to the temporary facilities.
- (b) The property owner has paid expenses incurred by the District in providing service to the new site including but not limited to expenses incurred in providing additional materials, inspection or coring, if required.
- (c) The property owner demonstrates service to the temporary facilities has been discontinued, sealed and capped and later service to the temporary site will not occur unless a subsequent application for service is made and applicable rates, fees and charges are paid.

#### **5-2.215 MISCELLANEOUS**

An applicant shall also pay the following miscellaneous fees:

- (a) If a collector sewer is constructed pursuant to a "private contract" or pursuant to the ordinances and regulations of the Maintenance District, the project proponent shall pay to the District the cost of reviewing the plans and specifications for the sewer improvements.
- (b) Sewer connection installation and inspection charges shall be paid whenever a connection to a collector or trunk sewer is required.
- (c) The District's testing costs, if any, of industrial waste which must be tested prior to discharge,

(d) The anticipated amount of the miscellaneous fees described above shall be deposited prior to commencement of work by the District. Refund of any excess deposit shall be made upon completion of the work.

#### **5-2.216 CONNECTION 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 unless the applicant provided an irrevocable letter of credit of bond in an amount equal to the fees paid.

#### **5-2.217 DEPOSITS: MISCELLANEOUS**

(a) 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 work is undertaken by the District. The amount of deposit may be increased by the General Manager if it appears the deposit is inadequate. If the applicant fails to increase the amount of deposit when requested by the General Manager in writing to do so, work 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. 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.

## **CHAPTER 3 - CONDITIONS OF SERVICE**

### **Article 1 - General**

#### **5-3.101 LANDS ELIGIBLE: GENERAL**

The following lands are eligible for sewer service:

- (a) Lands lying within the boundaries of a sanitation improvement district.
- (b) Lands lying outside of the District, but within the boundaries of another governmental agency, may be eligible to discharge sewage into District trunk sewers, pursuant to contract with the governmental agency which provides the governmental agency contribute equitably to the improvement district costs.

#### **5-3.102 LANDS ELIGIBLE: ANNEXATION TO AN IMPROVEMENT DISTRICT**

Territory within the District may be annexed to and become a part of an improvement district, subject to the terms and conditions of such annexation as determined by the Board.

#### **5-3.103 LANDS ELIGIBLE: CONTRACT WITH ANOTHER AGENCY**

From time to time, agreements are entered into between the City of Los Angeles and the District, for sewage disposal from within U-2, U-3 or B of the District. The District shall not approve sewer plans for property within I.D. U-3 or B until an outlet is assured. The applicant for a sewage connection within U-3 or B shall obtain the consent of the City of Los Angeles for a District outlet to provide sewer service for such applicant. When such assurance has been obtained, applicant shall pay the appropriate connection fee to the District for each sewage unit sought to be connected.

## **Article 2 - Expansion of Facilities**

### **5-3.201 SYSTEM EXPANSION: GENERAL**

(a) The applicant shall construct pipelines and appurtenances necessary to connect the applicant's sewage disposal system to the trunk sewer. If the applicant's property fronts upon a trunk sewer or a collector sewer connected to a trunk sewer, a lateral connection can be made without the extension of facilities. If the applicant's property does not front upon a trunk sewer or a collector sewer connected to a trunk sewer, the applicant shall provide for the construction of a trunk sewer extension or a collector sewer extension to connect to a trunk sewer.

(b) Pipelines and appurtenances connected to the trunk sewer shall be constructed in accordance with District requirements.

### **5-3.202 FINANCING SYSTEM EXPANSION: TRUNK SEWERS**

(a) If an applicant is required to construct a trunk sewer and the trunk sewer is a part of an improvement plan adopted by an improvement district, the District shall pay for the cost of design and construction if improvement district bond funds are available for such purpose and if the Board determines it is in the best interest of the improvement district to construct such facilities with bond funds.

(b) If an applicant is required to construct a trunk sewer without the use of bond funds and if the trunk sewer will be capable of servicing more than one parcel of land, the District may enter into a main extension refund agreement with the applicant whereby the applicant shall bear the entire cost of the design and construction of the facilities and the District shall collect a pro rata share of the cost of such facilities from other applicant's for service to other property fronting the trunk sewer and remit the same to the original applicant when so collected.

(c) If the applicant is required to provide for the construction of a trunk sewer without the use of improvement district bond funds and if the trunk sewer

will be capable of serving more than one parcel of land, the District may allow the formation of an assessment district in lieu of entering into a main extension refund agreement.

**5-3.203 FINANCING SYSTEM EXTENSIONS: COLLECTOR SEWERS**

An applicant who is required to provide for the construction of a collector sewer shall finance the cost of such facilities without District participation. Such construction will be administered by the administrative authority.

**5-3.204 DESIGN AND CONSTRUCTION STANDARDS: GENERAL**

Pipelines and appurtenances which are constructed to deposit industrial waste or domestic sewage into the District's trunk sewers shall not be connected to the District's trunk sewers unless said pipelines and appurtenances are designed and constructed in accordance with applicable District standards and administrative authority standards.

**5-3.205 DESIGN & CONSTRUCTION STANDARDS: LATERAL CONNECTIONS TO A TRUNK SEWER**

(a) Laterals shall be installed as shown on the District's standard specifications. No additional laterals shall be attached to any sewer connection, nor shall laterals be extended to collect other sewage discharges without prior approval of the District and the local sewerage authority. a person making an unauthorized lateral extension or additions shall be subject to immediate disconnection, in addition to the liability incurred for other expenses and charges.

(b) A gas trap shall be installed in each lateral connection attached to a trunk sewer, between the sewer and a vents installed on the property, and the trap shall be maintained at the expense of the owner of the lateral.

(c) Sewer connections shall be made only at points on trunk sewers approved by the General Manager. Such connections shall be installed by the

District at the applicant's expense and in accordance with the standard specifications of the District and of the agency having jurisdiction of the street containing the trunk sewers.

(d) The applicant shall excavate in accordance with the District's standard specifications, and notify the District at least forty-eight hours in advance of the commencement of the excavation. The District shall also be notified of the completion of the lateral attachment to the connection so inspection may be made prior to backfill of the trench for the lateral sewer.

**5-3.206 DESIGN AND CONSTRUCTION STANDARDS: COLLECTOR CONNECTIONS TO A TRUNK SEWER**

(a) Collector sewers shall be connected to District trunk sewers only at locations and in the manner specified by the General Manager. Collector sewer connections shall be constructed in accordance with District specifications.

(b) Plans and specifications of collector sewers and connections to trunk sewers, shall be prepared by a registered Civil Engineer, and be submitted to the District prior to construction. The connection shall remain plugged until said acceptance.

(c) The District shall inspect the actual work of making a collector sewer connection, and must be given at least forty-eight hours' notice prior to commencement of such work. The District must be notified of the completion of such work so inspection may be made prior to acceptance by the District.

(d) The collector sewer, up to the point where it joins the connection at the trunk sewer, shall be dedicated to the appropriate governmental agency. No additional collector sewers shall be connected to collector sewer connection or collector sewer system without prior approval of the District.

(e) The collector sewer connection shall be dedicated to the District.



**5-3.207 DESIGN AND CONSTRUCTION STANDARDS: ADDITIONAL REQUIREMENTS FOR INDUSTRIAL WASTE CONNECTIONS**

- (a) Industrial waste connections shall be made on trunk sewers or collector sewers only at locations and in the manner specified by the General Manager and Administrative Authority.
- (b) Plans and specifications shall be prepared, submitted, reviewed and certified for in the same manner as for collector connections to a trunk sewer.
- (c) Industrial waste systems and laterals must, for the purpose of control, be separated from domestic systems and laterals.

**CHAPTER 4 - CONTINUATION OF SERVICE**

**Article 1 - Rates: Time and Manner of Payment**

**5-4.101 GENERAL**

Sanitation service shall continue to be provided by the District if the customer pays the rates, fees and charges set forth herein and otherwise complies with this Chapter.

**5-4.102 RESIDENTIAL SERVICE CHARGES**

(a) Each customer assigned to the Single and Multi-Family Class shall pay a bi-monthly service charge to offset the cost of collection, treatment, and disposal of sewage and administrative cost.

(b) Service charge shall be based on the average winter water use from December 1 to March 31 for Single Family Class.

(c) Service charge applies for all billing periods until changed by (b) above.

~~(d) — The 10% discount based on bimonthly potable water use is rescinded.~~

	Winter Water Use (hcf)	1/1/2013	FY 13/14	FY 14/15
Single-Family	<del>5.010</del> or less	\$ 74.31	\$ 74.31	\$ <del>37.9075.80</del>
	<del>5.511</del>	80.02	80.02	<del>40.8281.63</del>
	<del>6.012</del>	85.73	85.73	<del>43.7387.45</del>
	<del>6.513</del>	91.44	91.44	<del>46.6493.27</del>
	<del>7.014</del>	97.15	97.15	<del>49.5599.10</del>
	<del>7.515</del>	102.86	102.86	<del>52.46104.92</del>
	<del>8.016</del> or more	108.56	108.56	<del>55.37110.74</del>
Multi-Family	n/a	\$ 68.59	\$ 68.59	\$ <del>34.9969.97</del>

### 5-4.103 NON-RESIDENTIAL SERVICE CHARGES

(a) Each non-residential sewer customer shall pay a ~~bi~~-monthly account charge to offset the cost of administering the customer's account as follows:

Commencing with meter reads on or after:				
		1/1/2013	FY 13/14	<del>1/1/2016</del> <del>FY 14/15</del>
Account Service Charge		\$17.21	\$17.21	<del>\$8.78</del> <del>17.56</del>

(b) The ~~bi~~-monthly service charge for non-residential developments shall be based upon the quality and quantity of water reaching the sewer. The rate charged will be computed as follows commencing with meter reads on or after:

Sewer Charge Per 100 Cubic Feet of Water Delivered In Excess of:					
	Minimum <del>Bi</del> - Monthly Sewer Charge per ERU	<del>1529.5</del> HCF/ERU Class 1	<del>917.3</del> HCF/ERU Class 2	<del>611.4</del> HCF/ERU Class 3	Class 4
1/1/2013	\$91.35	\$3.10	\$5.29	\$8.02	As Determined By the General Manager
1/1/2014	\$91.35	\$3.10	\$5.29	\$8.02	
1/1/2015	<del>\$46.59</del> <del>93.18</del>	\$3.16	\$5.39	\$8.18	

### 5-4.104 SEWER SERVICE CHARGES: CLASS 5

Industrial waste permittees, or others discharging wastes with a high B.O.D., suspended solids content, quality or flow or other factors of waste discharge that affect the sewage transmission, the sewers, treatment or disposal, will be charged in proportion to the relative strength of the waste, as determined by appropriate examination procedures. All costs of such tests shall be borne by the permittee.

**5-4.105 SEWER SERVICE CHARGES: BILLING**

(a) Sewer service charges shall be billed, due, payable, delinquent and/or discontinued in a manner similar to and at the time or times of regular water accounts of the District.

(b) In the case of a sewer connection where water is not being supplied directly by the District, billings of sewer service charges shall be billed, due, payable and delinquent in the same manner as water accounts, but service charges shall continue to accrue until the sewer connection is physically removed. Such sewer connections, where water is not supplied by the District, shall become subject to removal and disconnection 45 days following the date of delinquency of any unpaid sewer service charge. Sewer connections which have been removed shall not be reinstalled until all delinquent charges have been paid to the District along with costs of removal and reinstallation including District overhead, with a minimum charge of \$25.00.

**5-4.106 SEWER SERVICE CHARGES: BILLING: PRORATION**

Bills for sewer service for periods of time less than ~~onetwo~~ months shall be prorated on the basis of a ~~60~~ 30 day ~~bi-~~monthly billing period.

**5-4.107 SEWER SERVICE CHARGES: BILLING: PREVIOUSLY UNAUTHORIZED CONNECTIONS**

In addition to the other charges specified herein, upon discovery of an unauthorized sewer connection, the property owner shall pay to the District sewer service charges accruing from the date of connection to the date of discovery and thereafter. For the purposes of this section, the date of connection shall be the date determined pursuant to Chapter 2, Article 2. The amount of accrued monthly sewer service charges shall be based on the sewer service rates existing as of the date of discovery.

## Article 2 - Usage

### 5-4.201      **USAGE: GENERAL**

(a) No connection shall be made or permitted to the trunk sewers which will admit wastes which do not comply to the discharge and waste requirements of this title.

(b) No person shall knowingly discharge or deposit or allow discharge or deposit into trunk sewers of solids or fluids which create nuisances, such as offensive odors, are a menace to public health, or are detrimental to the functioning of said trunk sewer or to the treatment and disposal facilities and processes of the District.

(c.) The Director of Operations shall be consulted prior to the discharge or deposit of wastes other than those of a sanitary nature derived from the ordinary living processes, or of such character so as to permit satisfactory disposal without special treatment.

### 5-4.202      **USAGE: PROHIBITED DISCHARGES AND WASTES**

The following discharges and wastes are prohibited from introduction into the trunk sewers:

(a) Brines, including brines produced in the regeneration of water softeners shall not be discharged into the trunk sewers without a permit from the Director of Operations.

(b) Uncontaminated cooling water shall not be discharged into the trunk sewers.

(c) No persons shall discharge or cause to be discharged any rainwater, storm water, groundwater, street drainage, subsurface drainage, yard drainage, including evaporative type air cooler discharge water, and to any sewage facility which is directly or indirectly connected to the sewage facilities of the District.

**5-4.203 USAGE: DISCHARGES REQUIRING SPECIAL PERMITS: GENERAL**

(a) No person shall discharge or cause to be discharged rainwater, storm water, groundwater, street drainage, subsurface drainage, yard drainage, including evaporative type air cooler discharge water, to a sewage pipe directly or indirectly connected to the sewage pipes of the District.

(b) Swimming pool waste water discharges are limited to the hours of twelve midnight to six a.m., and are further subject to the limitations contained in the permit.

(c) Cesspool or septic tank pump trucks discharging into District facilities are subject to the limitations contained in such permit. The contents of cesspools or septic tanks located outside the boundaries of Sanitation Improvement Districts No. U-1 or U-2 shall not be accepted for discharge into District facilities. At the discretion of the Director of Operations, industrial waste permits and County Health Department Permits shall first be obtained by applicant.

(d) A person discharging, or proposing to discharge industrial wastes to the trunk sewers shall obtain a permit therefor from the County Engineer if the Director of Operations determines a permit is required under the regulations of the County of Los Angeles.

**5-4.204 INDUSTRIAL WASTES: LIMITATIONS**

Each request for a permit to discharge industrial wastes to the trunk sewer shall be reviewed and approved of the Director of Operations. In addition to limitations on industrial wastes imposed by the County Engineer, the following general limitations shall apply industrial wastes discharged to the trunk sewers:

(a) Material which will settle out in the sewers, such as sand or metal filings, shall not be discharged to the sewers. Waste waters containing such materials must be passed through sand traps or other suitable structures, properly designed and maintained by the permittee, before discharge to the sewer.

- (b) Oils and greases shall not be discharged to the sewer system in concentrations greater than 100 mg/l.
- (c) Unreasonable or unnecessarily large amounts of suspended solids shall not be discharged into the sewer.
- (d) Pollutants, including oxygen demanding pollutants (BOD etc.) shall not be discharged into the sewer at flow rates or concentrations that will cause interference with the Water Reclamation Facility or enhance the formation of excessive sulfides in the collection system.
- (e) Wastes of strong odors, such as mercaptans, shall not be discharged into the sewer.
- (f) Dissolved sulfides in wastes discharged into the sewer shall not exceed a concentration of 0.1 pH.
- (g) Acids shall not be discharged into the sewer unless neutralized to a pH value of 6 or above. Highly alkaline wastes will usually be accepted, except where they may cause incrustation of sewers. Nitric acid requires special consideration; the Director of Operations shall be consulted prior to making such discharges.
- (h) Pollutants which result in the presence of toxic gases, vapors or fumes in quantities that could endanger worker health and safety in the collection system or Water Reclamation system shall not be discharged.
- (i) Contaminated cooling water blow down, or bleed, from cooling towers or other evaporative coolers and when cooling is done by using only heat exchange, without utilizing evaporative cooling, the waste water shall not be discharged to the sewer.
- (j) Industries shall segregate sewage and industrial wastes from roof and yard run-off. Roof and yard run-off shall not be discharged to the sewer.
- (k) The temperatures of discharges shall not exceed 140 degrees Fahrenheit (60 degrees Celsius). Where the quantity of discharge represents a significant portion of the flow in a particular sewer, it may be necessary to lower the temperature further.
- (l) Chemical solutions containing nitric acid or salts thereof in concentrations above 5% by weight, and volumes in excess of 300 gallons shall not be

discharged into the sewer. Industries desiring to dispose of such wastes may consult the District as to permissible disposal methods.

(m) Wastes containing boron, fluorides, chlorides and sodium or potassium or other dissolved solids which will cause the effluent of the District's treatment facilities to exceed the requirements of the Regional Water Quality Control Board shall not be discharged into the District's sewers.

(n) Pollutants that could create a fire or explosion hazard in the sewers or treatment facility shall not be discharged. This includes, but is not limited to, discharges with a closed cup flash point of less than 140 degrees Fahrenheit (60 degrees Celsius) using test methods specified in 40 CFR261.21.

#### 5-4.205 LOCAL LIMITS

No person shall discharge or cause to be discharged wastewater containing in excess of the following instantaneous maximum allowable discharge limits:

0.05 mg/L	arsenic	(As)
0.005 mg/L	beryllium	(Be)
0.02 mg/L	cadmium	(Cd)
0.07 mg/L	chromium	(Cr)
0.30 mg/L	copper	(Cu)
0.02 mg/L	cyanide	(Cn)
0.20 mg/L	lead	(Pb)
0.002 mg/L	mercury	(Hg)
0.50 mg/L	nickel	(Ni)
0.08 mg/L	silver	(Ag)
0.50 mg/L	zinc	(Zn)
0.02 mg/L	selenium	(Se)
100 mg/L	oil and grease	
140 deg. F	temperature	
1.5 mg/L	boron	(B)
1.2 mg/L	fluoride	(F)



325 mg/L	sulfate	(SO <sub>4</sub> )
175 mg/L	chloride	(Cl <sup>-</sup> )
1000 mg/L	total dissolved solids	
0.1 mg/L	sulfide	(H <sub>2</sub> S)

The discharge concentration of any pollutant not specifically listed shall not exceed the Maximum Contaminant Level (MCL) for the pollutant as established by the State Water Resources Control Board for drinking water.

### **Article 3 - Protective Measures**

#### **5-4.301 GENERAL**

Each customer shall comply with this Article to collection, treatment and disposal processes are not damaged.

#### **5-4.302 DEFINITIONS**

The following terms are defined for the purposes of this Article unless otherwise apparent from context:

(a) "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 38 U.S.C. Sections 1251 et seq.

(b) "Administrator" or "Regional Administrator" means the appropriate Environmental Protection Agency Regional Administrator.

(c) "Interference" means inhibition or disruption of the District's sewer system, treatment process or operations which contributes to a violation of any requirement of its National Pollution Discharge Elimination System (NPDES) permit. The term includes prevention of sewage sludge use or disposal by the District's facilities in accordance with Section 405 of the Act, or any criteria guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of the Solid Waste Disposal Act) applicable to the method of disposal or use employed by the District's treatment facilities.

(d) "Indirect Discharge" means the discharge or introduction of non-domestic pollutants from any source regulated under Section 307(b) or (c) of the Act, into the District's treatment facilities.

(e) "New Source" means any source, the construction of which is commenced after the publication of proposed regulations prescribing a Section 307(c) categorical Pretreatment Standard which will be applicable to such

source, if such Standard is thereafter promulgated within one hundred twenty (120) days of the proposal in the Federal Register. Where the Standard is promulgated later than 120 days after the proposal, New Source means any source, the construction of which is commenced after the date of promulgation of the Standard.

(f) "Publicly Owned Treatment Works" or "POTW" means a treatment works as defined by Section 212 of the act, which is owned by a state or municipality (as defined by Section 502(4) of the Act). This definition includes any sewers that convey waste water to such a treatment works, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment. The term also means the municipality as defined in Section 502(4) of the act, which has jurisdiction over the indirect discharges to and the discharges from such treatment works.

#### **5-4.303 NATIONAL CATEGORICAL PRETREATMENT STANDARDS**

Upon promulgation of the Categorical Pre-treatment Standards for a particular industry sub-category, the Federal Standard, if more stringent than the limitations imposed under this ordinance for sources in that sub-category, shall immediately supersede the limitations imposed under this ordinance. The Director of Operations shall notify all effected Users of the applicable requirements under the General Pretreatment Regulations, Solid Waste Disposal Act, and the Act.

#### **5-4.304 PRETREATMENT COMPLIANCE SCHEDULE**

If additional pretreatment and/or operation and maintenance will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatment shall be utilized. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

The following conditions shall apply to the schedule:

- (a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and so forth.
- (b) No increment referred to in Paragraph 1 shall exceed nine (9) months.
- (c) Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Director of Operations including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the Director of Operations.

#### **5-4.305 REPORTING REQUIREMENTS FOR PERMITTEE**

- (a) Compliance, Date of Report

Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of a New Source, following commencement of the introduction of waste water into POTW, any user subject to pretreatment Standards and Requirements shall submit to the Director of Operations a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and minimum daily flow for those process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis

and, if not, what additional operation and maintenance and/or Pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the user, and certified to by a qualified professional.

(b) Periodic Compliance Reports

(1) Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a New Source, after commencement of the discharge into the POTW, shall submit to the Manager of Water Reclamation Operations during the month of June and December, unless required more frequently in the Pretreatment Standard or by the Director of Operations, the report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a report of all daily flows which during the reported period exceeded the average daily flow reported in the paragraph above. At the discretion of the Director of Operations and in consideration of such factors as local high or low flow rates, holidays, budget cycles and so forth, the Director of Operations may agree to alter the monitoring which the above reports are to be submitted.

(2) The Director of Operations may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by subparagraph (a) of this paragraph shall indicate the mass of pollutants regulated by Pretreatment Standards in the effluent by the users. These reports shall contain the results of sampling and analysis of the discharge, including the flow and nature and concentration, or production and, where requested by the Director of Operations, mass of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standards. All analysis shall be performed in accordance with the procedures established by the Administrator pursuant to Section 304(g)

of Act and contained in 40 CFR, Part 136 amendments thereto or with any other test procedures approved by the Administrator. Samplings shall be performed in accordance with the techniques approved by the Administrator.

**5-4.306 PUBLIC NOTIFICATION OF VIOLATIONS**

The District shall annually publish, in the largest daily newspaper within the jurisdiction, a list of users which are not in compliance with any Pretreatment Requirements or Standards at least once during the twelve (12) previous months. The notification shall also summarize any enforcement action taken against the user during the same twelve (12) months.

**5-4.307 STATE REQUIREMENTS**

State requirements and limitations on discharges apply in any case where they are more stringent than Categorical Standards or this ordinance provided such requirements are adopted as set forth herein.

**5-4.308 MORE STRINGENT LIMITATIONS**

The District may establish more stringent limitations or requirements on discharges to the waste water disposal system if necessary to comply with the objectives as set forth in this ordinance.

PAGES 220 THROUGH 222 ARE INTENTIONALLY BLANK. TITLE 6 FOLLOWS.

## **TITLE 6 – IMPLEMENTATION**

### **CHAPTER 1 - GENERAL**

#### **6-1.101 SCOPE**

This Title applies to potable water service, recycled water service and sanitation service

#### **6-1.102 GENERAL**

(a) The General Manager may refuse to approve service to a person who has violated this Code. The applicant shall, upon request, be provided with a written statement setting forth the reasons for such refusal

(b) An applicant or customer, as the case may be, may appeal any decision of the General Manager to the Board by filing a written request for the Board to review the General Manager's action. The request shall set forth the reasons why the applicant contends the General Manager's action is not warranted.

(c) The Board shall consider requests for review filed pursuant to this section. The Board may act upon the request on the basis of the applicant's submittal or the Board may hold a public hearing, which will be conducted, as near as practicable, in accordance with the provisions of the California Administrative Procedures Act.

(d) Upon presentation of official identification, agents of the District shall be allowed free access at reasonable hours to inspect or perform duties relating to District facilities on premises supplied with District potable or recycled water or receiving sanitation service. The General Manager may terminate service where a customer refuses reasonable admittance to, or hinders or prevents inspection of District facilities by an authorized agent of the District.



## 6-1.103 TERMINATION OF POTABLE WATER SERVICE

(a) When a customer has failed to comply with the rules and regulations governing water service, other than the payment of charges, deposits or penalties, the General Manager, or his designee, shall notify the customer that service will be terminated unless the customer forthwith complies with such rules and regulations or presents an adequate reason for failure to do so.

(1) Such notice shall be in substantially the following form:

PLEASE TAKE NOTICE that your water service will be shut off after five days from the date of this notice unless you (list violation to be cured). Prior to the termination date, if you believe that the termination is not justified, you may present your position, orally or in writing, to the District's General Manager, or his designee, between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday, at the District's headquarters located at 4232 Las Virgenes Road, Calabasas, California. If you request the opportunity to present your position, your request will be reviewed and the District will either cancel or confirm the termination.

(2) Service shall be terminated as specified in the Notice of Termination unless the information presented by the customer indicates that termination is inappropriate. Service shall not be terminated earlier than five days after the aforementioned Notice of Termination is mailed.

(b) Service may be terminated for nonpayment of a delinquent account only if notice of the delinquency and the impending termination is mailed to the customer at least 19 days after the bill is rendered and at least 15 days prior to the proposed termination and a reasonable good faith effort is made to contact an adult person residing at the premises by telephone or in person at least 48 hours prior to the termination. The termination notice shall also be sent at least 10 days prior to the termination date to all tenants in a multi-unit location if the owner or manager is the customer of record.

(1) The notice of termination shall include the following:

- a. Name and address of delinquent customer
- b. The amount of delinquency.

- c. The date by which payment or arrangement for payment is required to avoid termination.
- d. The procedure for the customer to initiate a complaint or investigate service or charges.
- e. The procedure to request amortization of unpaid charges.
- f. The procedure to obtain information on the availability of financial assistance.
- g. The telephone number of a District representative who can provide added information.
- h. In the case of service to a multi-unit residential structure, mobile home park where the owner or manager is the customer of record, the notice to actual users shall also state that the actual users may become customers without payment of the delinquent amount provided the actual users from the meter agree to comply with rules and regulations or one or more actual user is willing and able to assume responsibility for the entire amount or there is a physical means, legally available to selectively terminate service to actual users who have violated this Code.

(2) A customer may initiate a complaint or request an investigation within 5 days of receipt of a disputed bill or request an extension of time to pay a bill within 13 days of mailing of the termination notice. The General Manager, or his designee, shall review the complaint or request and determine whether the customer shall be permitted to amortize the unpaid balance over a reasonable period of time, not to exceed 12 months.

(c) Service shall not be terminated for nonpayment:

- (1) During the pendency of an investigation by the General Manager of a customer dispute or complaint.
- (2) When the customer has been granted an extension; or
- (3) When a licensed physician certifies that termination of service will be life threatening to the customers;
- (4) When the customer is financially unable to pay for service within the normal payment period and the customer is willing to enter into an

agreement to amortize payment of the delinquency over a period not to exceed 12 months.

(d) Delinquent charges or penalties for water service accumulated by a tenant in the tenant's name shall be collected from the tenant and not from any subsequent tenant. If a tenant fails to pay such charges or penalties the District may refuse to provide service to a subsequent tenant. The General Manager may require the property owner be the customer on subsequent accounts.

#### **6-1.104 TERMINATION OF SANITATION SERVICE**

(a) The General Manager may terminate sanitation service and/or potable water service to a sanitation customer who violates Title 5 provided the procedures set forth in this Chapter are followed with respect to such termination.

(b) The General Manager may disconnect the user or subdivision sewer system from the sewer mains within the District. Upon disconnection, the General Manager shall estimate the cost of disconnection and reconnection. Such user shall deposit delinquent charges payable to the District, and the estimated cost of reconnection, prior to reconnection to the system. The District shall refund any part of the deposit remaining after payment of the charges and costs of reconnection.

#### **6-1.105 TERMINATION OF RECYCLED WATER SERVICE**

(a) Recycled water service may be terminated for failure to follow rules and regulations set forth in this Code and by reason of circumstances beyond the control of the District, and in order to protect facilities of the District, or for the protection of the public health, safety and welfare of the residents and property of the District.

(b) The District may suspend recycled water service if the District's reclamation plant does not produce recycled water meeting the requirements of regulatory agencies, including those prescribed by the Title 22 of the California

Code of Regulation. In such case, service will be renewed when recycled water again meets the requirements of regulatory agencies.

#### **6-1.106 RESTORATION OF SERVICE**

(a) When sanitation, potable water or recycled service is terminated for failure to comply with rules and regulations of this code (other than payment fees and charges) service shall not be restored to the former customer or to the property of the former customer until the assurances satisfactory to the General Manager are provided that compliance with rules and regulations will occur and the District is reimbursed for costs incurred to terminate and restore service.

(b) When sanitation, potable or recycled water service is terminated for failure to pay rates, fees or charges, service shall not be restored to the former customer unless arrearages which resulted in termination and costs incurred to terminate and restore service are paid to the District.

#### **6-1.107 CIVIL REMEDIES**

The District may invoke the civil remedies in addition to the administrative and penal remedies set forth in this Code.

#### **6-1.108 JUDICIAL REMEDIES**

(a) When authorized by the Board, District Counsel shall commence an action to collect delinquent fees and charges. When so authorized, Counsel shall record a lien against the customer's property in accordance with the Municipal Water District Act of 1911.

(b) Use of District water, recycled water or sanitation service contrary to this Code is unlawful and a public nuisance. The Board may order the District Counsel to commence actions or proceedings for the abatement of the nuisance.

(c) Violation of Title 5, Chapter 4, Articles 2 and 3 of this Code shall be punishable by a civil fine of not more than \$25,000.00 per day. Any other

violations of Title 5 are found, determined and declared to be an infraction.

Every person convicted of an infraction shall be punished as follows:

- (1) Upon first conviction by a fine not exceeding \$100.00;
  - (2) Upon second conviction within a period of one year by a fine not exceeding \$200.00;
  - (3) Upon a third or any subsequent conviction within a period of one year by a fine not exceeding \$500.
- (d) Infractions under this Code shall be enforced by District Counsel.



August 11, 2015 LVMWD Regular Board Meeting

TO: Board of Directors

FROM: Finance & Administration

**Subject: Long-Term Water Use Efficiency: Establishment of Administrative Penalties for Unsustainable Potable Water Use**

**SUMMARY:**

The on-going statewide drought is a stark reminder of the importance of adopting, implementing and enforcing policies to promote long-term water use efficiency. Incentive and educational programs offered by the District serve as the most effective means to encourage customers to install water-saving devices; make behavioral changes to save water; and utilize native, drought tolerant plantings for outdoor landscaping.

Nevertheless, a policy is required to discourage wasteful or unsustainable water use, recognizing that water is scarce resource and must be put to reasonable and beneficial use. As a result, staff recommends that the Board find that unsustainable water use is a violation of the District's rules and regulations and subject to escalating administrative penalties for unsustainable water use.

**RECOMMENDATION(S):**

Approve, pass and adopt Resolution No. 2469, finding that unsustainable water is a violation of the District's rules and regulations and subject to escalating administrative penalties.

**Resolution No. 2469**

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO ESTABLISHING MONETARY PENALTIES FOR UNSUSTAINABLE WATER USE

**FISCAL IMPACT:**

Yes

**ITEM BUDGETED:**

No

**FINANCIAL IMPACT:**

The administrative penalties may temporarily generate revenue while customers adjust their usage to eliminate unsustainable water use. However, any penalty revenue is expected to decline quickly. The District's intent is to collect little or no penalty revenue by driving a long-term water use efficiency ethic among customers. The adopted Fiscal Year 2015-16 Budget does not project any revenue generated from penalties and, therefore, the District does not rely on any such revenue to cover operating expenses. Staff proposes that any revenue generated from penalties be used to re-build potable water reserves.

**DISCUSSION:**

Background:

ITEM 8B

Water is a scarce resource that requires active management to ensure adequate supplies. It is a declared policy of the State of California to conserve water supplies by ensuring that water is only put to reasonable and beneficial uses. Wasteful or unsustainable water use serves no beneficial purpose and contributes to urban runoff that can pollute local waterways. Additionally, the District must comply with the State's SB x7-7 (20x2020), requiring a 20% reduction in urban water usage by 2020.

#### Water Budgets as the Efficiency Standard:

The District is currently preparing water budgets for each customer of the District as part of its transition to budget-based rates. Water budgets are established using a scientific process to determine the amount of water necessary to support a customer's specific needs based on State-adopted efficiency standards. Considerations for determining water budgets include the following: (1) indoor needs based on the number of people in the household, (2) outdoor needs based on the square footage of irrigated area and weather (evapotranspiration) data, and (3) special needs such as those for horses or medical purposes.

#### Unsustainable Water Use:

Staff proposes that unsustainable water use be defined as those amounts of water used in excess of twice a customer's water budget. This approach recognizes that customers may have some inefficient usage (i.e. usage from 101% to 200% of a water budget) and reserves the application of administrative penalties for the cases of significant water wasting.

#### Administrative Penalties:

The following escalating, administrative penalty structure is proposed:

- 1st offense – a written warning
- 2nd offense – a penalty of \$2.50 per unit of water used in excess of twice the customer's established water budget.
- 3rd+ offense(s) – a penalty of \$5.00 per unit of water used in excess of twice the customer's established water budget.

#### Due Process for Customers:

Customers who receive penalties, including the written warning will have an opportunity to appeal within 15 days of receiving notice of the penalty and may defer payment of the disputed amount pending a decision on the appeal. Appeals may be granted, waiving the penalty, if the excessive water is caused by: (1) a failure of the District's water system or a billing error; (2) the water was needed for a health or safety reason; or (3) if a leak occurred on the property during the billing cycle.

#### **GOALS:**

Provide Safe and Quality Water with Reliable Services

Prepared By: Donald Patterson, Director of Finance and Administration

#### **ATTACHMENTS:**

[Proposed Resolution No. 2469](#)

**RESOLUTION NO. 2469****A RESOLUTION OF THE BOARD OF DIRECTORS OF  
LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING  
RESOLUTION NO. 2468 (LAS VIRGENES CODE)  
AS IT RELATES TO ESTABLISHING MONETARY PENALTIES FOR  
UNSUSTAINABLE WATER USE**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT as follows:**

**1. Purpose.**

This resolution amends Resolution No. 2468 (Las Virgenes Code) to establish penalties for water use that substantially exceeds a water budget.

**2. Findings.**

The Board finds, determines, and declares as follows:

(a) Water is a scarce resource that requires active management to ensure adequate supply. It is a declared policy of the State of California to conserve water supplies by ensuring that water is only put to reasonable and beneficial uses. Based on this policy, the District finds that it is reasonable and necessary for the District to adopt, implement and enforce a water conservation program to reduce the quantity of water used by consumers within the District to ensure that there is sufficient water for human consumption, sanitation and fire protection.

(b) Through this water conservation program, the District will establish a water budget for each customer that will provide a sufficient amount of potable water to meet the customer's needs, considering indoor and outdoor uses and adjustments for applicable special situations. The District has determined that potable water use in excess of a water budget is a discretionary and nonessential.

(c) California Water Code Section 106 declares that the use of water for domestic purposes is the highest use of water and the next highest use is for irrigation. California Water Code Section 375 authorizes the District to adopt and enforce a water conservation program to reduce the quantity of water used by persons within its jurisdiction for the purposes of preserving water supplies. California Water Code Section 377 authorizes the District to establish penalties by resolution for overuse of water including the establishment of volumetric penalties.



(d) These penalties are to be established and enforced separately from the District water rates. The proceeds collected from these penalties shall not be used for the ordinary operating expenses of the District. Accordingly, the District intends these charges to be penalties as defined by the California Constitution.

### **3. Amendment.**

Section 3-4-202 of Resolution No. 2466 (Las Virgenes Code) is hereby amended and reenacted to read as follows:

#### **“3-4.202 PENALTIES FOR UNSUSTAINABLE WATER USE**

(a) 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.

(b) A water budget shall be established for each customer of the District, and customers shall be notified of the basis for calculating their water budgets. Water use exceeding twice a customer's water budget is a waste of water, a violation of the District's rules and regulations, and shall be subject to escalating administrative penalties.

(b) For the first penalty, the customer shall receive a written warning from the District including the amount of the exceedance, the penalty that would have been levied absent the provision of a warning and notice that further exceedances will result in monetary penalties as described herein.

(c) For the second penalty, the amount shall be \$2.50 for each billing unit, or portion thereof, of water use exceeding twice the customer's water budget. , the customer shall also receive a written warning from the District showing the amount of the penalty that will be levied on the same quantity of water in the event of a third exceedance.

(d) For the third penalty, and for each subsequent penalty that a customer receives for a property, the amount shall be \$5.00 for each billing unit, or portion thereof, of water use exceeding twice the property's water budget.

(e) Penalties shall be collected on the customer's water bill. Any penalties shall be the responsibility of the customer of record for the property where the violation

occurred and shall be paid in addition to the fees the District imposes for the cost of water service to the property. Non-payment of penalties imposed pursuant to this section shall be subject to the same remedies as available to the District for the non-payment of fees for water service. The receipt of a water bill with any applicable penalties shall serve as notice of violation.

(f) Penalties, including the written warning, may be appealed. A customer who wishes to appeal the imposition of a penalty shall: (1) pay all amounts stated on the bill except for the disputed penalties; and (2) submit a completed Appeal Request Form to the District within 15 calendar days of the date of the appellant’s water bill for the billing cycle in which the penalty was imposed.

(g) An appeal will be granted if the District finds that competent evidence supports a reasonable conclusion that: (1) the excessive water use was the result of a malfunction of the District’s water system or a billing error by the District; (2) the water was needed for health or safety reasons; or (3) a leak occurred on the property during the subject billing cycle.

(h) The District will respond to appeals within 30 calendar days of receipt. The District may require additional documentation prior to making a decision on an appeal. In the event an appeal is denied, the appellant shall pay the District within 10 days of denial of the appeal.”

**4. Other.**

This provision shall be effective starting January 1, 2016. Except as provided herein, Resolution No. 2466 is hereby reaffirmed and readopted.

**PASSED, APPROVED AND ADOPTED** on \_\_\_\_\_, 2015.

\_\_\_\_\_  
Glen Peterson, President

ATTEST:

\_\_\_\_\_  
Charles Caspary, Secretary

[Seal]

APPROVED AS TO FORM:

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District Counsel