

**RULES AND REGULATIONS OF THE
JUNIPER RIVIERA COUNTY WATER DISTRICT**

REVIEWED AND UPDATED JANUARY 2007

ADMINISTRATION

SECTION

BOARD OF DIRECTORS POWERS

The District is governed by the Board of Directors, consisting of Five (5) members of the community. The Board of Directors are required to reside within the District boundaries and be registered voters within the District.

The Board of Directors functions are to establish and follow District policy and regulations, impose upon the General Manager, his/her duties, and through regulation, resolution, and motion conduct the business of the District, as per the direction of the California Government Code.

BOARD OF DIRECTORS MEETINGS

The regular Board of Directors of the Juniper Riviera County Water District shall meet on the last Thursday of every month, at 6:00 p.m., at the District Office, or other location to be determined by the Board. The Board may at its discretion, change the day and time of the meeting to meet the needs of the District when deemed necessary.

All meetings and the public notification of District Board meetings shall be guided by the Ralph M. Brown Act.

Each year, at the January Board of Directors meeting, the Board of Directors shall elect its Board Officers (President and Vice President).

At the May meeting of each year the Board of Directors shall approve the collection of revenues for the District's Bond Debt and the District's Stand-By Fee assessment, from all property owners within the District.

At the June meeting of each year the Board of Directors will consider the approval of the annual Performance Evaluation of the General Manager and consider the approval/disapproval of the General Manager's employment contract with the District.

GENERAL MANAGER DUTIES

The General Manager operates through the direction of the Board of Directors of the District and is responsible for and guided in the day to day operations of the District, through the California Water Code, District's Rules and Regulations, and the District's Operations Manual.

GENERAL MANAGER DUTIES (cont.)

The General Managers specific duties are contained in the California Water Code, Section 30581. The General Manager will additionally adhere to the direction by the Board of Directors and be guided by the Operations Manual of the District. The General Manager is also the duly appointed Secretary to the Board of Directors for the purpose of Certification, Board Officer Elections, Oath of Office administration and other official duties as set forth in the California Government Code.

RULES, REGULATIONS, AND OPERATION MANUALS

The General Manager annually, shall review and update where necessary, the Rules and Regulations, the District Operations Manual and the Emergency Response Manual. All changes requiring Board review and approval shall be presented to the Board at a regular meeting of the Board of Directors.

A copy of the Rules and Regulations, the Operations Manual, and the Emergency Response Manual will be given to new Board Directors and new employees.

EMERGENCY OPERATIONS

The Board of Directors shall be guided by the Ralph M. Brown Act when meeting for the purposes of acting upon an emergency within the District. An emergency is defined as: any activity or occurrence that threatens the welfare, safety of the District's inhabitants and the integrity of the water distribution system. Emergencies can include but are not limited to the following occurrences: Fire, Flood, Earthquake, long-term Power Outage, Contaminated Water, Distribution Line Break or long-term Facility Mechanical Failure.

The President of the Board of Directors has the authority to call an "Emergency meeting of the Board of Directors", without immediate notifications to the public. Additionally, funding for emergency responses and or repairs will be discussed and approved at such meetings. The District's General Manager will be guided by the direction of the Board of Directors and the rules and regulations for the District.

The District's response to all disasters and emergencies will be guided by the direction of Federal, State, and County officials. The District will also use as a guideline for responses to emergency situations within the District, the Districts Emergency Response Manuals.

DISTRICT EXPENDITURE POLICIES

The District and the Board of Directors method of funding projects, procuring services and purchasing equipment will be guided by the laws of the State of California.

Obtaining bids for planned large projects, purchases of equipment, and or services attached to large expenditures shall meet the spending limits imposed by law and the process for accepting bids for those expenditures shall meet legal processes.

Expenditures cont.

For expenditures exceeding Twenty-Two Thousand Dollars (\$22,000), not related to an existing retained service, the Board of Directors shall seek three bids (3) bids for item(s) for which funds will be expended. The Board of Directors after reviewing the three bids, at it's discretion will select the bid that will most benefit the District and it's constiuents

The General Manager for the purposes of maintenance for and purchases involving day to day operations of the District's General Manager may enter into service contracts or may make purchases not to exceed five thousand dollars (\$5,000) for any single expenditure, without Board approval. However, the General Manager shall report to the Board of Directors, any expenditure that exceeds five hundred dollars (\$500), that is not assigned as a day to day operational expenditure (electric bills, vehicle maintenance, office purchases, etc).

For expenditures over the imposed limit for the General Manager, the General Manager shall receive the approval of the Board of Directors.

STAND-BY ASSESSMENTS LATE CHARGES AND INTEREST (add to existing policy)

Should a property owner become delinquent is paying Stand-By fees as required annually, a six-percent (6%) penalty will be applied to the unpaid balance. Additonally, the District will collect tweleve perecnt (12%) interest on the unpaid balance annually, prorated on a monthly basis for each month delinquent. The delinquent balance have the penalty assessment and the interest attached compounded on an annual basis.

ADDED

**RULES AND REGULATIONS
OF THE
JUNIPER RIVIERA COUNTY WATER DISTRICT**

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**RULES AND REGULATIONS
OF
THE JUNIPER RIVIERA COUNTY WATER DISTRICT**

**SECTION 1
ADMINISTRATION AND OPERATIONS**

**1.
BOARD OF DIRECTORS POWERS**

The District is governed by the Board of Directors, consisting of five (5) members of the community. Each Board Director is an elected or appointed public official. The Board of Directors (Board) are required to own property within the boundaries of the District and be registered voters within the District.

The Board of Directors functions are to conduct the business of the District as regulated by California State Government Codes, including the California Water Code. The Board of Directors have the power to establish rules, regulations and law, through the process of resolution, motion and vote.

The Board of Directors impose upon the General Manager of the District, his/her duties and responsibilities according to District rules and regulations, and the California Government Code.

**2.
BOARD OF DIRECTOR MEETINGS**

The regular Board of Directors meeting for the Juniper Riviera County Water District, shall meet on the last Thursday of every month, at 7:00 p.m. at the District office. The Board of Directors may at its discretion, change the location, date and time of a Board meeting, to meet the needs of the District, when deemed necessary.

Notification of public Board of Directors meetings shall be made according to the law contained in the Ralph M. Brown Act of the California State Government Code.

- a. each year at the December Board of Directors meeting the Board of Directors shall elect its Officers (President and Vice President) for the Board of Directors.
- b. each year at the May meeting of the Board of Directors, the Board shall approve the collection of revenues for the District's Bond Debt and the District's Stand-By fee assessment. The collection of the revenue coming from all owners of property within the District boundaries. The Board at the May meeting, will discuss the Performance Evaluation and Employment Contract of the District's General Manager. The Board will prepare the evaluation for discussion and delivery to the General Manager at the June meeting.
- c. at the June meeting of each year, the Board will vote on the fiscal budget for the new fiscal year beginning July 1 of every year. The Board at the same meeting will meet and present to the General Manager it's performance evaluation of the General Manager, and vote on the employment contract for the General Manager.

3.

GENERAL MANAGER DUTIES

- a. the General Manager of the District will be guided and directed by the Board of Directors. The General Manager shall also be guided in the day to day operations by Federal, State, and County law, in addition to the Rules and Regulations of the District. The General Manager's duties are also outlined in the District's Operations Manual.
- b. the General Managers specific legal duties are contained in the California Water Code, Section 30581. The General Manager is also the duly appointed (Board of Directors) Secretary to the Board of Directors. As Board Secretary, the General Manager shall perform the duties of Certification of Documents, conduct Board Officer Elections, administer the Oath of Office to new Board Directors and those newly appointed to the Board, and any others duties as set forth in the California Government Code.

4.

OTHER DUTIES

- a. the General Manager is responsible for the distribution of water and it's quality, within the District.
- b. each year in the month of May prior to the regular meeting of the Board a committee shall be formed, that includes the membership of two Board Directors and the General Manager for the purpose of drafting a fiscal budget for the operations of the District, in the coming year.
- c. the General Manager, annually shall review and update the Rules and Regulations, the Operations Manual, and Emergency Response Manual. All changes requiring review and or approval, shall be presented to the Board at a regular meeting of the Board of Directors.
- d. a copy of the Rules and Regulations, Operations Manual, the Emergency Response Manual and the Ralph M. Brown Act will be given to new Board Directors and new office staff employees.

SECTION 2

DISTRICT EXPENDITURE POLICY

1.

SPENDING GUIDELINES

The District and the Board of Directors methods of funding projects, procuring services and purchasing equipment will be guided by the laws of the State of California Government Code and the District's Rules and Regulations.

Obtaining bids for planned large projects, purchases of equipment, and or services attached to large expenditures shall meet the spending limits imposed by law, where the bid process is required.

- a. for expenditures exceeding Thirty-Two Thousand Dollars (\$32,000), not related to an existing retained service, the Board shall seek a minimum of three (3) bids for services, for construction work to be performed, and purchases of equipment. The Board after receiving the minimum of three bids will select the bid and work to be performed, that is in the best interest of the property owners, customers and the District, being mindful of selecting a bid that is fiscally responsible.
- b. expenditures by the General Manager for the operations of the District, i.e.. maintenance, repairs, office equipment and other purposes, will be restricted to Five Thousand Dollars (\$5,000) for any one-time procurement.
- c. any expenditures that is not a day to day operational expense, i.e.. electric bill, telephone bill, payroll, etc., that is over TwoThousand Dollars, (\$2,000) will require approval of the Board. All expenditures for the prior month and current month will be reported to the Board at the next regularly scheduled meeting of the Board of Directors. The General Manager will inform the Board President, prior to large expenditures up to the \$2,000 limit, of his/her intent to disburse those funds and their purpose.

SECTION 3

DISTRICT REVENUES, CHARGES AND COLLECTIONS

The District is required to fix charges and collect revenues by the California Government Code and by Rules and Regulations established by the District. Customers shall have an application on file.

1.

CHARGES TO BE COLLECTED

- a. Water Rents- Water Rates for water consumed including a Service Charge for meter use, to be billed and collected monthly.
- b. Water Meter Purchase and Installation- cost of purchase and District installation of water meters for customer water consumption.
- c. Stand-By Assessments on Property- amount established by the California Water Code, charged annually by the District. The charge has a limit established by State law.
- d. Public Debt- Loans and Bond debt incurred by the District through voter approved consensus.
- e. Fines- Revenues approved by the Board by way of fines levied against others for violation(s) of the Rules and Regulations.
- f. Penalty and Interest- levied against balances due for delinquent charges.

2.

WATER RENTS COLLECTION

- a. should a water rent (sales) account be delinquent for more than ninety (90) days, the District at it's discretion can remove the water meter from the property, place a lien on the parcel, charge a penalty and affix interest, and require the owner to pay the full price for the sale and installation of a new meter at the current rate, on the property involved.

3.

WATER METER SALES AND INSTALLATION COLLECTION

- a. new water meter connections and service require payment in full of the current minimum cost of \$6,250.00.
- b. the owner of the parcel is to make application in person at the District office as per Rules and Regulation Section 5.1, a-f.
- c. revenues received from meter sales, at this time will be placed in a special account, for uses determined by the Board of Directors.

4.

STAND-BY FEE COLLECTION

- a. Stand-By Fee assessments are to be billed prior to July 1st of each year and to be collected no later than July 21st day of the same year.

- b. delinquent Stand-By Fees will be assessed a six percent (6%) penalty and a maximum of twelve percent (12%) interest annually, compounded monthly and prorated for each month the balance is past due.
- c. a parcel that has delinquent Stand-By fees due the District is subject to a lien and meter removal as stated in Section 1-6. sub-section-a. 1.
- d. only when the debt has been satisfied, will the District release the lien on the parcel affected.

5.

COLLECTION RESOLUTIONS BY BOARD

- a. public Debt and Stand-By Fee Assessments collections require the Board to pass resolutions annually, during the month of May. Public Debt collection (Bond payments) requires notification to the County of San Bernardino Assessors Office, of the amount to be collected on the County Tax Rolls, to be paid by individual property owners located in the District boundaries.

6. DISCONNECTION FOR NON PAYMENT OR VIOLATIONS OF RULES AND REGULATIONS

- a. water service may be disconnected or fines may be imposed if water service bills become over 60 days delinquent, or for any violation of the District's Rules & Regulations or Ordinances. Fines are established by the Board of Directors, at their discretion and may be levied by the Board for infractions of the District's Rules and Regulations, committed by property owners and others.

7.

PENALTIES AND INTEREST

- a. penalties and interest are collected on delinquent balances owed the District. The current penalty for any water sales delinquent balance, is ten percent (10%). The current penalty affixed to delinquent Stand-By fees is six percent (6%). Additionally, interest is charged to delinquent Stand-By fee balances. The interest to be collected is a maximum twelve percent (12%) annually, prorated monthly.

8.

DEPOSITS AND WATER RENT RESPONSIBILITY

- a. all new water users are required to apply for water service from an existing meter. A minimum deposit of fifty dollars (\$50.00) will be collected at the time of application.
- b. the deposit will be returned to the customer when water service has been terminated and all accounts are paid. Unpaid accounts will be satisfied with the deposit balance. No interest will be attached to the returned deposit.
- c. the owner of the property where water is supplied and used is responsible for the payment of all water rents, regardless of whom the occupant(s) of their property may be.

SECTION 4

EMERGENCY OPERATIONS

1.

EMERGENCY DEFINITION

- a. “any activity, event, or occurrence that threatens the well-being, health and safety of the public, and/or the integrity of the District’s water distribution system”.
- b. emergencies can include but are not limited to: Fire, Earthquake, Flood, Terrorists Acts, long-term Power Outage, Distribution Line Breach, Major Water Contamination and long-term Facility Mechanical Failure.

2.

DISTRICT RESPONSE

The Board President when informed of an emergency situation as defined, has the power to immediately, without public notice, schedule an “Emergency Meeting” (Ralph M. Brown Act) of the Board of Directors, to act in response, to the emergency. At such a meeting, the Board, at its discretion, may abandon expenditure limits and processes to meet the fiscal demands of the emergency. The Board at such a meeting will evaluate the impact of the emergency on the District’s facilities and it’s inhabitants, and act accordingly.

- a. the District and Board will refer to the District’s “Emergency Response Manual” and/or the District’s Emergency Response to “Water Contamination Manual” for guidance and direction.
- b. all District employees will respond to the District office or other designated location to assist in the District’s response to the emergency, upon notification of the General Manager or Board President.
- c. in addition to the District’s own response to an emergency, the Board of Directors and District employees will be guided by Federal, State, County and local jurisdictions, in any response to the emergency.

SECTION 5

DISTRIBUTION SYSTEM AND PROVIDING WATER SERVICE

Water service will be supplied to any property, provided that the property owner has requested and obtained a "Will Serve" letter from the District and has met the requirements of Section 3-2 of the Rules and Regulations.

1.

WATER METER SALES AND INSTALLATION REQUIREMENTS

- a. a request by the property owner for and issuance of a "will serve" letter from the District, is required prior to an application for a new water service connection.
- b. application for purchase of a water meter requires a valid, current building permit from the County of San Bernardino, a plot plan of the home position on the parcel, the desired location of the meter, a previously issued "Will Service Letter" from the District, and payment of the current cost of \$4,700 for the meter and installation.
 1. a building or modular home placement permit for a permanent residence only will be accepted. Motor Vehicles are not to be considered as a permanent residence.
- c. the owner of the parcel is to make application in person at the District office.
- d. the applicant is required to read the rules and regulations pertaining to meter purchase and installation and sign the application form acknowledging receipt and understanding of the rules and regulations.
- e. the District will install the meter at it's earliest convenience.
- f. "blanket" will serve letters issued for several parcels, issued at one time, are to be approved by the Board of Directors, taking into consideration, the status of the District's water supply and distribution system, for delivery of water to multiple dwellings being built.

2.

SERVICE SIZE

- a. all new water service installations will be 3/4" in size. For sizes more than 3/4" the District will charge the applicant the appropriate amount for the increase in the installation of the larger size.

3.

METER INSTALLATION

- a. residential meter installations are the only installations allowed within the District boundaries. Water will not be distributed to a property where it is to sold from, used for commercial purposes, or distributed outside the District boundaries.

4.

SEPARATE SERVICES

- a. each dwelling or building under separate ownership must be provided with a separate service connection. Two or more dwellings under one ownership and on the same lot or parcel of land shall not be supplied through the same service connection except when the building(s) are considered an accessory to the primary dwelling and meet the definition of one of the following uses:

1. Dependent Housing
 2. Caretaker Housing
 3. Guest Housing
- b. a second permanent dwelling unit is allowed on one service connection, as described above and when the building conforms with the San Bernardino County Development Code, Sections 8.12.04, 8.04.05, .07 and .08

5.

ADDITIONAL DWELLING PERMIT

- a. verification in the form of a County permit allowing the use of an additional dwelling will be supplied to the District prior to a single connection being put in use for the extra dwelling on a parcel. Failure of a property owner to comply with this provision of the Rules and Regulations, can result in fines and civil actions.

6.

COST FOR ADDITIONAL METER

- a. if an additional water meter service is requested the parcel owner will be charged the same amount for the meter sale and installation, as contained in Section 5-1b.
In all cases the Board of Directors will determine if the additional meter placement on a parcel is in the best interest of the District, and will approve/disapprove the installation.

7.

PROHIBITION OF SHARING WATER CONNECTIONS FOR HUMAN CONSUMPTION

- a. no service connection, from any parcel, will be used to supply water to any adjoining property, to be physically consumed by humans. No pipe, hose, or other water transporting device may be used across any street, alley, utility easement or parcel to distribute water from one parcel to another, for human consumption.

8.

WATER FOR CONSTRUCTION/PROHIBITION

- a. Water use from any District facility for the grading of any parcel located within the District boundaries is strictly forbidden. Water for grading for the purposes of grading for a new structure shall be completed with water imported from another source.
- b. violation of the prohibition will result in a fine levied against the property owner.
- c. water use for the minor grading for landscaping purposes and other home improvements are permitted if there is a permanent residential structure on the property.

9.

CURB COCK VALVE

- a. every service connection installed by the District shall be equipped with a curb cock or wheel valve on the inlet side of the meter. Such valve or curb cock on the inlet side is intended for the exclusive use of the District in controlling the water supply through the service connection.
- b. the property owner and or agents of the owner, nor tenants of the property, will not alter the position of the valve or its configuration without the express permission of the District.

- c. any alteration or damage to the valves at the meter are subject to fine and other sanctions against the property owner.
- d. the “gate” valve on the property side of the meter is for the use of the property owner to shut water off to the residence when necessary.

10.

PRESSURE CONDITIONS

- a. pressure conditions at all meter service connections will be accepted “as is” by the property owner. Property owners within the District shall “hold harmless” the District for any damages arising from water pressure related incidents or damages.
- b. the property owner is responsible for placing water pressure reducing valves or devices on the pipes coming from District meters, to any dwelling, to reduce the risk of damage.

11.

DISTRIBUTION PIPE EXTENSIONS

- a. upon a property owners application for water service, where the service to be installed requires an extension or increase in the size of the existing water distribution pipes or other District facilities, the party requesting shall submit to the District an application for water service that includes the following:
 - b. the legal description of the property
 - c. a plot map of the proposed water service installation
 - d. all additional information (engineering reports, Permit, etc.) required to extend the existing line or increase the size of any District facility for the service.

12.

EXTENSION IMPACT AND COST

- a. the General Manager of the District will investigate the increase in size of the installation and will determine what impact the installation will have on adding properties and on other District facilities. The General Manager shall also determine the estimated cost increase for the project and prepare a report for the Board of Directors and the property owner, detailing the installation process and the cost to be incurred by the property owner.
- b. all costs associated with the increase in the extension of the distribution system and installation of new water service are the sole responsibility of the property owner.

13.

IMPROVEMENTS AND DISTRICT PROPERTY

- a. all pipelines and facilities installed by the District under this section are the property of the District, only. Prior to any mainline extension to a parcel within the District, the property owner requesting the extension shall provide the District with the following documents where required:
 - b. all deeds of easement and rights of way related to pipeline/distribution path
 - c. all legal documents necessarily executed by the applicant granting access easement and vesting title to the District for property(s) involved in the project.

14.

EXTENSION AND FACILITY CONSTRUCTION

- a. the District shall specify the size, type, and quality of the material to be used in extending or increasing the existing water pipeline and shall also specify the location of said pipeline. The actual construction of and installation shall be done by the District and be guided by the District's contracted engineer.
- b. the cost estimates will be given to the property owner for the construction of an extension to the system, and will be given to the property owner prior to the project being started.
- c. any adjustments to the original estimate will be supplied to the property owner, within 14 days of the District being notified of cost changes. The property owner will be held responsible for those changes in the cost of the extension.
- d. the District reserves the right to determine the economic or engineering feasibility of any mainline extension and the District will not be required to make those extensions which the District determines to be unfeasible, negative or uncertain from economic or engineering standpoints. The decision of the District shall be final.
- e. the District may also require, as a condition of authorizing or making mainline extensions, that the street grades be brought up to standards established by the District or other authorized public entity.
- f. the cost for other appurtenances (fire hydrants, standpipes, etc.) will also be considered in the cost of a mainline extension.

15.

EXTENSION CONSTRUCTION COST REFUND

- a. mainline extensions paid for by a property owner, that will, in the future, supply water to currently unimproved parcels within the District boundaries, shall receive a refund of the cost of the extension, proportionate to the new users of the extension on a shared cost basis.
- b. the partial cost refund will only be paid back to the original payer of the extension, as individual residences (users) are improved on parcels adjacent to the extension.
- c. a contract will be entered into between the District and the property owner procuring the mainline extension. The contract will contain, but is not limited to the following:
 1. the official description of the property; a plot map showing all parcels adjacent to or that may become involved or benefit in the extension.
 2. the location of the extension and description of the desired path of the extension
 3. a ten (10) year period of time for the District to redistribute the cost of the mainline extension to the original payer of the extension. The rebate of funds to come from future development of the other parcels identified as benefiting from then extension.
 - a. the funds to be redistributed will be refunded on an annual basis, with no interest.
 - b. monies not collected from adjacent parcels described above, that were not developed within the 10 year period, will not be refunded after the expiration of the ten year contract. The remaining balance of funds from the original cost of the extension will become the property of the District.

16.

MULTI-DWELLING EXEMPTION

- a. a developer of several parcels is bound by the Rules and Regulations of the District pertaining to mainline extensions and purchases of new water services.
For property owners who have purchased water meters prior to the year 2003, an exemption exists. The building of a residence on those parcels do not require a building permit as per section 5.1 a-f of the Rules and Regulations.

17.

DEVELOPMENT OUTSIDE THE DISTRICT

- a. for property located outside of the District boundaries, the owner/developer, will be subject to the cost incurred by the District for any extension. Additionally, for property located outside of the District, the owner shall make application to the Local Agency Formation Commission for formal annexation into the District proper. The cost of that process will also be the responsibility of the property owner. Board approval is required for the activities in this section.
- b. all costs associated with this process will be paid in full, at each step of the process, prior to the District proceeding with further activities associated with the development or construction.

18.

SYSTEM DEMANDS AND DEVELOPMENT

- a. should a development of numerous parcels be requested of the District for water distribution, the District will determine the immediate and future demand on the District's water supply and distribution capabilities. Upon the initiation of such an application the following will take place:
- b. the District will conduct a feasibility study to determine the impact on the District
 1. the study to be funded by the requesting developer
- c. the District will determine the possible costs involved in building additional facilities to meet the demand of the proposed project.
- d. identify all parcels affected by the proposed project.
- e. identify the fire-flow requirements and storage facilities needed to meet fire-flow and daily consumption requirements.
- f. the Board will determine what portion if not all of the costs are to be borne by the developer.
- g. all construction to be done by a contractor chosen by the District according to Rules and Regulations contained herein.

19.

DISTRICT RIGHTS AND DEVELOPMENT

- a. the District retains the right, in the interest of the District, to approve or disapprove any and all development within it's boundaries, based upon water availability, water uses and will consider all legal issues related any development. The Board's decision will be final.

20.

CROSS CONNECTIONS

- a. Cross Connection policies related to the Districts water distribution system are under the regulations set forth by the State of California Government Code and other regulatory entities.
- b. no water service connection on any property within the District, is allowed to be "cross-connected" with any other water source, i.e.. private well, private storage vessels.
- c. all parcels that have a residence located on them shall have backflow devices on all outside water valve bibs.
 1. for those connections listed above the District maintains the right, per the California Water Code to enter any property and conduct an inspection of the back-flow device(s) for working order or defect, or inspect for an illegal cross-connection.
 2. should access be denied for inspection of a cross connection or a back-flow valve, the District will immediately terminate water service to the property.
 - a. upon inspection and discovery of an illegal connection or faulty valve, the owner of the property will be advised to disconnect the cross-connection or replace the backflow valve immediately, and advised to terminate use of the cross-connection for the future.
 3. should a property owner fail to meet the requirements of the District related to cross-connections and backflow device functions, the District may fine the property owner and will immediately disconnect (remove the meter) the District's service to the property. The property owner will be liable to pay for all costs associated (legal and otherwise) related to the cross connection violation.
 4. all costs associated with the testing, examination of a backflow-device, and or meter removal is the responsibility of the property owner.

20.

CROSS CONNECTIONS

- a. Cross Connection policies related to the Districts water distribution system are under the regulations set forth by the State of California Government Code and other regulatory entities.
- b. no water service connection on any property within the District, is allowed to be "cross-connected" with any other water source, i.e.. private well, private storage vessels.
- c. all parcels that have a residence located on them shall have backflow devices on all outside water valve bibs.
 1. for those connections listed above the District maintains the right, per the California Water Code to enter any property and conduct an inspection of the back-flow device(s) for working order or defect, or inspect for an illegal cross-connection.
 2. should access be denied for inspection of a cross connection or a back-flow valve, the District will immediately terminate water service to the property.
 - a. upon inspection and discovery of an illegal connection or faulty valve, the owner of the property will be advised to disconnect the cross-connection or replace the backflow valve immediately, and advised to terminate use of the cross-connection for the future.
 3. should a property owner fail to meet the requirements of the District related to cross-connections and backflow device functions, the District may fine the property owner and will immediately disconnect (remove the meter) the District's service to the property. The property owner will be liable to pay for all costs associated (legal and otherwise) related to the cross connection violation.
 4. all costs associated with the testing, examination of a backflow-device, and or meter removal is the responsibility of the property owner.

SECTION 6
DISTRICT PROPERTY

1.

WATER DISTRIBUTION FACILITIES

- a. all water distribution facilities, be they above ground, underground, located on public streets or on private property are the property of the District. The District maintains its rights under California Government Code, and specifically the California Water Code to inspect, repair and replace it's property when necessary.
- b. the District claims right to enter all property within the District, to adhere to requirements as set forth in Federal, State and local law, related to the integrity of the health and safety of the Districts water supply.
- c. the District reserves the right to shut off service to any property for the non-payment of a bill, for health and safety concerns, and in case of emergencies.

2.

FACILITY MARKING

- a. all District property, where necessary will be marked and or color coded for identification.

3.

SECURITY OF DISTRICT PROPERTY

- a. all District property that contains wells, pump stations and or operating equipment shall be securely fenced. The area of the facility and the specific location shall carry signs that state the location is District property and warnings of trespassing and unauthorized entrance to area is unlawful.
- b. District property will be inspected frequently and noted.

4.

DISTRICT EASEMENT RIGHTS

- a. the District also maintains rights of ownership and access to easements for the purpose of maintenance, repair and improvement to the distribution system, adjacent to and on all properties within the District boundaries.

**SECTION 7
GENERAL PROVISIONS**

1.

CUSTOMER COMPLAINTS AND THREATS OF LEGAL ACTIONS

- a. should a property owner or customer wish to make a complaint against an employee of the District or against a provision of the Rule and Regulations, or Board policy, the person wishing to make the complaint shall be encouraged to make the complaint in writing or in person at the District office.
- b. upon receiving a written complaint against an employee, related to on-duty conduct, the General Manager, shall cause an investigation to be conducted regarding the complained of activity and shall cause a report to be generated detailing the findings of the inquiry. The report will be reported to the Board of Directors during a Closed session meeting. The Board at that time will make a determination to proceed further on the matter or terminate the investigation.
- c. a letter will be sent to the complaining party expressing the findings of the Board and action taken.
- d. all property owners and customers shall have the right to address the Board of Directors, at a regular meeting to discuss a policy complaint or District action and seek remedy, provided no legal action against the District is pending or has been filed. If legal action is pending or has been filed, the District may be guided by the District's Counsel on how to respond to the complainant.
 - 1. if a customer or property owner wishes to address the Board regarding a dispute with the District, i.e., erroneous billing, fine, removal of a meter, water turnoff, etc., the person addressing the Board will be limited to time constraints as established by the Board.

2.

THREAT OF LEGAL ACTION OR CLAIM AGAINST THE DISTRICT

- a. letters and any communications received by the District that contains language related to any threat of legal action being taken against the District, **shall be immediately forwarded** to the District's Counsel, for his/her review.
- b. when such communication is received, the General Manager shall cause a Closed meeting to be placed on the next meeting agenda, for Board discussion and or action related to the legal threat.
 - 1. during a closed session for the discussion of a legal claim against the District, the Board will make all attempts to have the District's legal representative present at the meeting or have a conference call arrangement with legal counsel, in place, for the same meeting.
 - 2. all communications between the District and it's legal counsel will be held in the strictest confidence.

3. **BOARD MEETING ATTENDANCE**

- a. attendance at Board meetings by employees and Board Directors are very important to the operations and all functions related to the District.
- b. Board Directors and Employees who fail to attend more than three (3) consecutive Board meetings or fail to attend at least six Board meetings in any calendar year, are subject to removal and or censure from the Board of Directors or subject to employment termination.
 1. due to health reasons, in missing meetings, the Board of Directors at it's discretion, and for the good of the District can extend the meeting attendance limit for an employee or Board member.

4.

EMPLOYEE PERFORMANCE EVALUATIONS AND RELATIONS

- a. all employees of the District shall be given a performance evaluation annually, during the month of June.
- b. the evaluations will be distributed to employees and to Board Directors, prior to the June meeting of the Board of Directors. Each evaluation will be confidential and not subject to review by the public. Performance evaluation discussion will be confidential and subject to California State Government Code provisions.
- c. during Board discussions related to wage increase/decrease the performance evaluations of affected employees will be considered as part of the wage increase/decrease discussion of the Board.
- d. all employees of the District will be given an opportunity to respond to any negative comments, contained in an individuals performance evaluation. The repines shall be in writing and will become a part of the performance evaluation. All correspondence related to an employees performance evaluation will be held in the strictest confidence, per California Law.
- e. The District shall adhere to all Federal, State, and local laws related to the workplace environment and the health and safety of all employees.

5.

REQUESTS FOR PUBLIC RECORDS

- a. for all inquiries, the General Manager and any other employee receiving the request will comply with the District's Public Records Act policy.
- b. documents that are not to be considered as documents or writings that are available to the public are:
 1. preliminary drafts, notes, or inter-agency memoranda, which are not retained by the District in the ordinary course of business;

2. records pertaining to pending litigation to which the District is party or claims made to the District pursuant to Government Code Section 810 et. seq., until said pending litigation or claims have been finally adjudicated or otherwise settled. This regulation also covers documents, that in the opinion of the District's Counsel, that may become involved in a threat of civil action against the District. In those cases, records will be released through legal discovery on the advice of the District's Counsel;
3. Personnel, medical, or similar files and records, where disclosure of such public records would constitute an unwarranted invasion of privacy;
4. Geological or geophysical data obtained in confidence from any person;
5. The contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the District relative to the acquisition of property or to prospective public supply and construction contract agreements obtained, provided, however, that the District use of the law of eminent domain shall not be affected;
6. Memorandums submitted to the District by it's legal counsel pursuant to Sections 54956.9 until the pending litigation has been finally adjudicated or otherwise settled; and
7. records, the disclosure of which is exempted or prohibited from production or inspection pursuant to the provision of the Federal or State law, including but not limited to, provisions of the California evidence Code relating to privilege.
8. all requests for public records will be processed within five (5) business days of receiving the request. All persons making a request for public documents shall receive written notice of approval of the request or disapproval of the request within ten (10) business days of the request.
9. phone numbers of customers will not be given out to the public.

6.

DISTRICT AUDITS

- a. audits of the District's financial records and business will be completed no later than October 30th of each year.
 1. financial audits will be completed by an outside, Certified Public Accountant according to Federal, State and County laws and regulations.
 2. only due to an emergency situation, as determined by the Board, can an audit be delayed beyond the due date in subsection 1, above.
- b. the General Manager of the District is required to conduct periodic audits of all financial transactions, including, but not limited to: check endorsements, bank deposits, disbursements, revenue collections, business accounts, equipment and office inventories.
 1. inconsistencies and or deficiencies in any area of an audits review, will be immediately corrected, and reported to the Board of Directors as soon as practicable.