

UPDATED VERSION – November 2008

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Title 1 GENERAL PROVISIONS

Chapters:

- 1.01 ESTABLISHMENT OF MANUAL
- 1.03 DEFINITIONS
- 1.05 MISSION STATEMENT AND GOALS

Chapter 1.01 ESTABLISHMENT OF MANUAL

(Amended August 15, 2005)

Sections:

- 1.01.010 Purpose
- 1.01.020 Title, Citation and Reference
- 1.01.030 Validity of Policy
- 1.01.040 Scope of Authority Conferred
- 1.01.050 Interpretation and Use

1.01.010 Purpose. It is the intent of the Board of Directors of the Rio Linda/Elverta Community Water District (District) to maintain a Policy Manual. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Policy Manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1.01.020 Title, Citation and Reference. This Manual shall be known as the "Rio Linda/Elverta Community Water District Policy Manual", and may be cited as and referred to herein as "Policy Manual". It shall be sufficient in the conduct of official activity of the District, its departments and officials to refer to this manual and its sections as numbered in lieu of referring to the ordinance, resolution or order establishing the policy contained and compiled herein. It shall be deemed sufficient when amending, repealing or adding to any policy contained herein to refer to this Policy Manual or to sections herein.

1.01.030 Validity of Policy. If any policy or portion of a policy contained within this Policy Manual conflicts with any rules, regulations or legislation having authority over the District, said rules, regulations or legislation shall control. Any District policy not contained herein shall not be invalid solely because it is not contained in this Policy Manual.

Policies found to be invalid and policies not contained herein may be brought to the Board's attention by the Board Secretary, the General Manager, any Board member, or any other person, and may be scheduled for review and action on the agenda pursuant to the procedures in Section 1.01.060.

1.01.040 Scope of Authority Conferred. The Board may adopt, amend, or repeal policies or regulations contained within this Policy Manual. This Policy Manual does not confer additional authority or limit the existing authority of the Board, any commission, department, or official to administer or enforce any regulation contained herein.

1.01.050 Interpretation and Use. Interpretation and use of this manual should be made only in conjunction with the underlying law permitting the establishment of the policy contained herein.

1.01.060 Adoption/Amendment of Policies. Consideration by the Board of Directors to adopt a new policy or to amend or repeal an existing policy may be initiated by submitting a written draft of the proposed action to the General Manager, the Board Secretary, or the Board President, and requesting that the item be included for consideration on the agenda at the next regular Board meeting.

Adoption of a new policy, or the repeal or amendment of an existing policy shall be accomplished at a regular Board meeting and shall require a majority affirmative vote of the entire Board.

Before considering any policy action, copies of the proposed action and associated documents shall be included in the agenda information packet distributed to Directors and made available to the public at least three (3) days prior to any meeting at which the action(s) are to be considered.

Notwithstanding the preceding sentence, the Board may add items to its agenda to consider a policy action if such action complies with the Ralph M. Brown Act (*Government Code* §54950 *et seq.*)

Chapter 1.03 DEFINITIONS

(Amended August 15, 2005)

Sections:

- 1.03.010 GENERAL**
- 1.03.020 Board, or Board of Directors**
- 1.03.030 County**
- 1.03.040 District**
- 1.03.050 Employee**

- 1.03.130 Manager, or General Manager**
- 1.03.150 Oath**
- 1.03.155 Officer**
- 1.03.190 Secretary, or Secretary of the Board**
- 1.03.195 State**
- 1.03.230 Water Works**
- 1.03.235 Water Works System, or Water System**

1.03.010 General. For purposes of this Policy Manual, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter, unless otherwise indicated in this Policy Manual. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and in the feminine gender the masculine. Words used in the present tense include the past and the future tenses and vice versa, unless manifestly inapplicable.

1.03.020 Board, or Board of Directors. For purposes of this Policy Manual, "Board" or "Board of Directors" shall mean the Board of Directors of the Rio Linda/Elverta Community Water District.

1.03.030 County. For purposes of this Policy Manual "County" shall mean the County of Sacramento.

1.03.040 District. For purposes of this Policy Manual, "District" shall mean the Rio Linda/Elverta Community Water District.

1.03.050 Employee. For purposes of this Policy Manual, "Employee" shall mean an employee of the Rio Linda/Elverta Community Water District, excepting officers of the District unless otherwise indicated.

1.03.130 Manager, or General Manager. For purposes of this Policy Manual, "Manager" or "General Manager" shall mean the General Manager of the Rio Linda/Elverta Community Water District.

1.03.150 Oath. For purposes of this Policy Manual "Oath" includes an affirmation or declaration in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

1.03.155 Officer. For purposes of this Policy Manual, "officer" includes members of the Board, the General Manager, the Secretary of the Board, the Auditor, the General Counsel of the District, other legal counsel retained by the Board, and other persons designated by the Board.

1.03.190 Secretary or Secretary of the Board. For purposes of this Policy Manual, "Secretary" or "Secretary of the Board" shall mean the General Manager of the Rio Linda/Elverta Community Water District unless otherwise specified by the Board of Directors.

1.03.195 State. For purposes of this Policy Manual "State" shall mean the State of California.

1.03.230 Water Works. For purposes of this Policy Manual, "water works" shall mean facilities necessary to the supply, pumping, storage, treatment and distribution of water.

1.03.235 Water Works System or Water System. For purposes of this Policy Manual, "water works system" or "water system" shall mean the water works and all facilities and equipment necessary for the administration and operation thereof.

Chapter 1.05

MISSION STATEMENT AND GOALS

(Amended August 15, 2005)

Sections:

- 1.05.010 Purpose**
- 1.05.020 Mission Statement**
- 1.05.030 Goals**

1.05.10 Purpose. The purpose of the District mission statement and related goals are to provide general guidelines within which District policy shall be developed and implemented.

1.05.020 Mission Statement. The mission of the Rio Linda/Elverta Community Water District is to provide, in a manner responsive to District customers, a water supply that is adequate, safe, and potable (according to state and federal standards) and that meets both current and future needs.

1.05.030 Goals. The goals of the District are as follows:

A. Supply water to existing and future customers in a cost-effective manner while operating the District in a financially sound manner;

B. Construct a distribution system serving the entire District which is adequately sized and looped;

- C. Maintain existing wells and storage in a manner that meets generally accepted water works standards and develop new wells and storage to meet peak flow demands and emergency needs;
- D. Establish a responsive and cordial relationship with customers that include effective communications and notification regarding the affairs and operations of the District;
- E. Complete and maintain a long-range plan for the water system;
- F. Develop and maintain written policies, procedures, and specifications;
- G. Establish a fiscally sound equipment replacement fund;
- H. Participate in interagency cooperation in a manner that encourages respect between the agencies, including such cooperative activities as development of alternative water supplies, cooperative purchasing, mutual aid agreements and water system;
- I. Develop and implement an effective water conservation program;

Title 2

ADMINISTRATION AND PERSONNEL

Chapters:

- 2.01 BOARD OF DIRECTORS**
- 2.05 APPOINTED OFFICERS**
- 2.10 GENERAL MANAGER**
- 2.15 CLASSIFICATION PLAN**
- 2.20 COMPENSATION OF OFFICERS AND EMPLOYEES**
- 2.25 PERSONNEL RULES**
- 2.30 CONFLICT OF INTEREST CODE**

Chapter 2.01

BOARD OF DIRECTORS

(Amended August 15, 2005)

- 2.01.000 DIRECTORS**
- 2.01.005 Governing Body of the District**
- 2.01.010 Number of directors: Qualifications**
- 2.01.020 Terms of Office**
- 2.01.025 Taking Office; Oath**
- 2.01.030 Determination of Vacancy**
- 2.01.040 Vacancies: Manner of filling**
- 2.01.050 Compensation of Directors**
- 2.01.055 Election of President and Vice President**
- 2.01.060 Duties of President and Vice President**
- 2.01.065 Committees and Other Assignments**
- 2.01.070 Requests for Information**
- 2.01.075 Attendance at Meetings**
- 2.01.080 Ralph M. Brown Act**

2.01.085 Code of Ethics

2.01.000 DIRECTORS

2.01.005 Governing body of the District. *(See Ca Water Code §30575 and §30576)* The Board is the governing body of the District. Directors are responsible for monitoring the District's progress in financing and attaining its goals and objectives, while pursuing its mission. The powers of the District enumerated in California Water Code Division 12 shall, except as therein otherwise provided, be exercised by the Board.

2.01.010 Number of Directors: Qualifications. *(See Ca Water Code §30500)* The District shall have a board of five Directors each of whom whether elected or appointed, shall be a voter in the District.

2.01.020 Terms of Office. *(See Ca Water Code §30502)* The term of office of each Director other than Directors first elected or Directors appointed to fill an unexpired term shall be four years.

2.01.025 Taking Office; Oath. *(See Ca Election Code §10554)* Directors elected to office take office at noon on the first Friday in December next following the General District Election. Prior to taking office, each Director shall take and subscribe the official oath and file it with the Secretary *(Ca Water Code §30509)*.

2.01.030 Determination of Vacancy. *(See Ca Gov Code §1770; Ca Water Code §30508)* An office of a Director of the Board shall be deemed to become vacant when one or more events as specified in California Government Code Sections 1770 et seq. or California Water Code Sections 30500 et seq. have occurred.

2.01.040 Vacancies: Manner of filling. *(See Ca Gov Code §1780)* All vacancies occurring in the office of Director shall be filled pursuant to California Water Code Section 30504 and California Government Code Section 1780.

2.01.050 Compensation of Directors. *(See Ca Water Code §30507 and Resolution 2002-12 adopted November 18, 2002)* Each director shall receive compensation in an amount determined by resolution of the Board not to exceed one hundred dollars (\$100) for each day's attendance at meetings of the Board or for each day's service rendered as a Director by request of the Board, not exceeding a total of six days in any calendar month, together with any expenses incurred in the performance of his/her duties required or authorized by the Board.

2.01.055 Election of President and Vice President. *(See Ca Gov Code §30520)* At its regular meeting in December the Board shall elect one of its members as President and one of its members as Vice President who shall hold office thereafter until their successors are elected and qualify. The election of the President and Vice President shall be by voice vote cast separately for each office with the member with the highest number of votes being deemed elected.

2.01.060 Duties of President and Vice President. *(See Ca Water Code §30578)* The President shall preside at all meetings of the Board and act as Chairperson of the Board, shall appoint all committee members as specified in section 2.01.080, shall sign all contracts on behalf of the District, and shall perform all other duties necessary or incidental to his/her office as authorized or imposed by the Board. In the absence of the President or because of the President's inability to act, the Vice President shall take his/her place and perform the duties of the President.

2.01.065 Committees and Other Assignments. The Board President shall appoint such standing and/or ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The President of the Board shall make all appointments of Directors to ad hoc and

standing Committees. In addition, the President of the Board may designate Board members to represent the Board as needed.

(a) The duties of a standing committee shall be determined at the time of appointment. Standing committees shall only be dissolved by majority vote of the Board.

(b) The duties of an ad hoc committee shall be determined at the time of appointment and the committee shall be considered dissolved when its final report has been made.

(c) If the Board President or the Board has created a standing committee, then the members of such committee shall be appointed for the year no later than the Board's regular meeting in January.

(d) All meetings of standing committees shall conform to all open meeting laws (e.g., Ralph M. Brown Act) that pertain to regular meetings of the Board.

2.01.070 Requests for Information. Requests for information by Board members regarding District operations should be made through the General Manager or other designated District staff. The General Manager shall designate management or supervisory personnel to respond to inquiries in his/her absence.

2.01.075 Attendance at Meetings. Board members are expected to attend all regular and special meetings of the Board, including closed sessions, unless there is good cause for the absence or the absence is pre-approved by the President. A request for absence, except emergency absence, shall be submitted to the Board President in writing as soon as the Board Member becomes aware that he/she may be absent. Absences shall conform to the requirement of Government Code Section 1063 or other applicable law.

2.01.080 Ralph M. Brown Act. The Board as a whole and each Director shall comply with the Ralph M. Brown Act.

2.01.085 Code of Ethics. The Board of Directors is committed to providing excellence in legislative leadership that result in the provision of the highest quality of services to its constituents. The following rules should be observed in order to assist in the governance of the behavior between and among members of the Board of Directors.

(a) Directors shall thoroughly prepare themselves to discuss agenda items. Information may be requested pursuant to Section 2.01.090 or exchanged between Directors before meetings in a manner consistent with the Ralph M. Brown Act.

(b) The dignity, style, values and opinions of each Director should be respected.

(c) Responsiveness and attentive listening in communication is encouraged.

(d) The needs of the District's constituents should be the priority of the Board of Directors.

(e) When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and route their questions through appropriate channels and to responsible management personnel.

(f) The primary responsibility of the Board of Directors is the formulation and evaluation of policy and strategy to give direction and guidance to District staff. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

(g) Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

(h) Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

(i) Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action Directors should commit to supporting said action and not to create barriers to the implementation of said action.

(j) The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

(k) Directors should develop a working relationship with the General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly.

(l) Directors should practice the following procedures while working with the General Manager, District staff, and District constituents;

(1) In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

(2) In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager or delegated District staff.

(3) In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

(4) When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

2.01.100 BOARD PROCEEDINGS

2.01.110 Regular Meetings. The regular meeting of the Board of Directors shall be held on the second Monday of each month at 7:00 p.m. at the Depot/Visitor Center at 6730 Front Street, Rio Linda.

2.01.120 Ralph M. Brown Act. The Board shall hold its meetings in the manner required by the Ralph M. Brown Act. (*See Ca Gov Code 54950 et. seq*)

2.01.130 Meetings to be Informal; Robert's Rules of Order. It is the intent of the Board that meetings shall remain as informal as reasonably possible consistent with the business needs of the District. Failure to comply with these rules shall not invalidate an otherwise lawful action of the Board. Nevertheless, whenever the President, or a majority of the Board, deems it necessary for the orderly conduct of business, formal proceedings may be initiated. In such case, the meeting shall be conducted pursuant to Robert's Rules of Order except as otherwise provided in this Chapter.

2.01.140 Posting Notice. Notices and other items required to be posted by law or Board direction shall be posted on bulletin board at 810 Oak Lane and in the window of the District Office, and on the District's website.

2.08.150 Agendas. The Secretary shall prepare the agenda for the meeting containing a brief description of each agenda item and post it at least 72 hours prior to the regular Board meeting after consultation with the President. If a Board member twenty-four (24) hours prior to the posting of the agenda requests a matter be placed on an agenda, the Secretary may include an item on the agenda to permit discussion of the matter, subject to approval by the President. Agendas for special Board meetings shall be posted at least twenty-four (24) hours prior to the meeting. The Board by majority vote, or as otherwise provided by law, may modify the agenda prior to proceeding to the consideration of the first matter. All matters shall be considered by the Board in the order listed on the agenda as posted or modified, to the extent of time available. No action may be taken on any matter which did not appear on the posted agenda except as permitted by State law. Agenda items not considered or completed at a meeting for lack of time become agenda items at the following meetings in accordance with the forgoing policies.

2.01.160 Public Comment. An item shall be placed on each regular meeting agenda labeled "Public Comment" to provide citizens with an opportunity to express views on matters not otherwise on the agenda. Whether on this agenda item or on another item, such public expression shall be subject to the rules provided herein. No person may address the Board without the permission of the presiding

officer, or a majority of the quorum, or as otherwise required by law. Except as required by law, the presiding officer may not recognize anyone other than a Board member or member of the Board staff until Board members have discussed the agenda item under consideration. A person addressing the Board shall begin by offering his name and address. Each speaker shall limit his remarks to two (2) minutes, except as otherwise specifically provided for in these rules, or except as time is extended by the presiding officer with the consent of a majority. Each speaker shall avoid repetition of the remarks of prior speaker's and speak only to the agenda item under consideration. Following each speaker's remarks, each Board member shall be given the opportunity to comment further and to address questions to the speaker.

2.01.170 Form of Action. The Board may act through the enactment of an ordinance whenever appropriate. A resolution shall be adopted to amend, repeal or otherwise modify the Policy Manual. Other actions may be taken in the form of a minute order.

2.01.175 Ordinances. An ordinance may be adopted at a special or regular meeting. An ordinance shall take effect immediately upon adoption, and the Secretary shall post the full text of said ordinance in the District office and publish a summary of the ordinance in a newspaper printed, published and circulated in the District at least five (5) days prior to and within fifteen (15) days after adoption of the ordinance. The latter posting and publishing shall also include the names of those directors voting for and against the ordinance.

2.01.180 Quorum; Vote Required. The majority of the Board shall constitute a quorum for the transaction of business. No ordinance, resolution, or motion shall be passed or become effective without the affirmative votes of at least a majority of the full Board. An abstention shall be recorded as an abstention and shall have the effect of a non-vote.

2.01.200 CONDUCT OF HEARINGS

2.01.205 Purpose. This procedure is a guide in conducting a dignified and functional hearing.

2.01.210 Questioning through President. During the course of the hearing a person or Board member should direct any question regarding the matter to the President. No direct questioning of witnesses should be allowed.

2.01.220 Staff Reports. Staff reports will first be heard upon the matter before the Board. The staff shall submit a report describing the physical situation and other facts bearing on the case.

2.01.230 Appearance of Applicant. The applicant will then be given an opportunity to present statements amplifying the written application or providing supplemental information. The applicant may appear in his own behalf or by a representative.

2.01.235 Appearance in Support of Applicant. Anyone else wishing to do so may then speak in support of the proposal. Supporters may appear in their own behalf or by a representative.

2.01.240 Written Communication regarding Proposal. The Secretary will then either read or introduce into the record as a whole communications received concerning the proposal.

2.01.245 Appearance in Opposition to Proposal. Anyone wishing to be heard may next speak in opposition to the proposal. Opponents may also appear in their own behalf or by a representative.

2.01.250 Applicant's Rebuttal. The applicant or representative will be afforded the opportunity to offer statements in rebuttal to opposition statements.

2.01.260 Staff Summary, Alternatives and Recommendation. The staff will then present summary, alternatives and necessary recommendations.

2.01.270 Close Hearing. The public portion of the hearing will then be closed and no further testimony taken.

2.01.280 Board Discussion and Action. After the public portion of the hearing is closed and the matter is before the Board, the Board shall proceed with discussion and then: (a) defer taking action on the matter and then continue it until another time and place for further discussion and appropriate action; or (b) vote upon the matter by either granting or denying it as presented or granting it subject to conditions.

2.01.290 Request for Stenographic Report. Any person interested in an application or Board initiated action may request the Secretary in advance of the hearing to provide for the recording of all testimony in a stenographic report. Such person shall make the request in writing to the Secretary and shall agree to pay all costs involved in taking and preparation of the stenographic report.

2.01.300 PRESS RELATIONS POLICY

2.01.305 Purpose. The purpose of this policy is to provide for an orderly presentation to the press of factual information about District activities and Board action.

2.01.310 Press Relations. The General Manager is hereby designated as the official of the District to represent the District to the press. Employees of the District shall refer all press inquiries to the General Manager. Board members and other District officials are encouraged to refer press inquires regarding District activities and Board actions at meetings to the General Manager or the President of the Board. Individual Board members should take care not to represent their own opinions as those of the Board or the District, even when those opinions coincide with formal Board action.

2.01.315 Press Releases. Press releases regarding the District shall be approved by the General Manager and the President of the Board. Whenever possible, all members of the Board shall be given an opportunity to review proposed press releases.

Chapter 2.05 APPOINTED OFFICERS

(Resolution 1996-02-01)

Sections:

2.05.010 Appointment of District Officers

2.05.020 Director not Eligible

2.05.030 Compensation and Tenure

2.05.040 Bond

2.05.100 Duties of Auditor
2.05.200 Duties of Counsel

2.05.010 Appointment of District Officers. The Board shall appoint by majority vote, and enter into contracts for services for, a general manager, auditor, and general counsel to carry out the duties required by law and other duties required by the board. Persons appointed as officers shall serve at the pleasure of the Board. *(See Ca Water Code §§30540,30541,30544; Ca Gov Code 53060)*

2.05.020 Director not eligible. A director shall not be the general manager, general counsel, or auditor. *(See Ca Water Code §30541)*

2.05.030 Compensation. The general manager, general counsel, and auditor shall each receive the compensation determined by the board.*(See Ca Water Code §30542)*

2.05.040 Bond. The District shall insure against losses caused by an employee or officer of the district in lieu of providing a bond or bonds in such amounts as shall be determined by the Board. *(See Ca Gov Code §53226.3)*

2.05.100 Duties of Auditor. The Auditor shall (a) audit the books of the District annually in a manner consistent with law and the rules of the American Institute of Certified Public Accountants; (b) advise the General Manager; (c) provide such other accounting related services as the Board may desire; (d) attend meetings of the Board when requested by the Board; and (e) upon receipt of an inquiry from a member of the Board regarding District financial matters, respond in writing to the entire Board with a copy to the General Manager and to the Counsel. *(See Ca Gov. Code §53060; Ca Water Code §30540)*

2.05.200 Duties of Counsel. District Counsel (a) shall provide legal advice to the Board and other officers of the District; (b) shall represent the District in legal matters before the courts; (c) shall perform such other duties as appropriately requested by the Board or the General Manager; (d) shall review all contracts and ordinances of the District prior to approval by the Board; (e) may, and when requested shall, attend meetings of the Board and its committees; (f) upon receipt of an inquiry from a member of the Board regarding District matters (exclusive of matters personal to the Director), shall respond in writing to the entire Board with a copy to the General Manager. *(See Ca Gov. Code §53060; Ca Water Code §31088)*

Chapter 2.10
GENERAL MANAGER
(Resolution 1996-02-01)

Sections:

- 2.10.001 EMPLOYMENT**
- 2.10.100 MANAGER-BOARD RELATIONS**
- 2.10.105 Attendance at Meetings**
- 2.10.110 Matters before the Board**
- 2.10.115 Direction from the Board**
- 2.10.120 Requests for Information**
- 2.10.200 DUTIES OF THE MANAGER**
- 2.10.205 General Manager and District Secretary**
- 2.10.210 Full Charge and Control of Water System**

- 2.10.215 Employ and Discharge Employees**
- 2.10.220 Prescribe Duties of Employees**
- 2.10.230 Fiscal Agent**
- 2.10.235 Agent of the Board**
- 2.10.240 Representative of the Board**
- 2.10.245 District's Public Relations Officer**
- 2.10.250 Purchasing Agent**
- 2.10.290 Additional Duties**

2.10.001 EMPLOYMENT. The Board of Directors shall employ by contract a person specially trained, experienced, and competent to perform the duties of the General Manager. Said contract shall provide for terms of employment, compensation, and other benefits, including provisions for termination of employment, in a manner consistent with this Chapter. The General Manager shall serve at the pleasure of the Board. *(See Ca Gov Code §53060)*

2.10.100 MANAGER-BOARD RELATIONS The relationship between the Board and the General Manager shall be governed by the following policies:

2.10.105 Attendance at Meetings. The General Manager shall attend all meetings of the Board and committees thereof except those closed sessions involving matters related to the employment or termination of the Manager.

2.10.110 Matters before the Board. The Board shall permit the General Manager to address all matters coming before the Board and, to such extent reasonably possible, the General Manager shall prepare written reports on all matters coming before the Board.

2.10.115 Direction from the Board. The General Manager shall receive direction from the Board only through a vote taken by the Board in public meeting except as provided by the Ralph M. Brown Act.

2.10.120 Requests for Information. Requests for information by members of the Board regarding the operations of the District shall be made through the General Manager or other appropriate appointed officer. When the General Manager is not available, members of the Board may pass requests for information regarding operations of the District to the General Manager through employees and assistants of the General Manager. Such employees and assistants shall as soon as possible thereafter advise the General Manager of any such request. The General Manager shall furnish requested information as soon as reasonably possible. Board members shall not attempt to give direction to employees.

2.10.200 DUTIES OF THE GENERAL MANAGER

2.10.200 General Manager. The General Manager shall perform the duties of General Manager of the District and the Duties of Secretary as provided by law and by policy statements and direction given to the General Manager by the Board.

2.05.205 Duties as Secretary. As Secretary, the General Manager shall: (a) serve as the secretary of the Board; (b) maintain minutes of meetings and record all hearings and official actions;

and (c) serve as custodian of district records. (See Ca Water Code §§30540,30570,30590; Ca Gov Code §§6200, 6250 et seq.)

2.10.210 Full Charge and Control of Water System. The General Manager shall have full charge and control of the maintenance, operation, and construction of the water-works system of the district. (See Ca Water Code §30580)

2.10.215 Employ and Discharge Employees. The General Manager shall have full power and authority to employ and discharge all employees and assistants at pleasure. (See Ca Water Code §30580)

2.10.220 Prescribe Duties and Fix Compensation of Employees. The General Manager shall prescribe the duties of employees and assistants; and fix and alter the compensation of employees and assistants subject to approval by the board. (See Ca Water Code §30580)

2.10.230 Fiscal Officer. The General Manager, as chief fiscal officer, shall (a) prepare the annual budget for Board consideration and adoption, and maintain proper budgetary control through the establishment and maintenance of a budgetary accounting system in a manner consistent with state law; and (b) prior to the issuance of checks to pay demands made against the District, review and approve such demands as required under the Government Code.

2.10.235 Agent of the Board. The General Manager shall act as agent of the Board of Directors in relationships with other consultants, contractors, engineers, legal counsel, accountants, and auditors employed and retained by the District.

2.10.240 Representative of the District. The General Manager shall act as representative of the District in working with county, regional, state and federal agencies concerned with water and wastewater operations and construction projects.

2.10.245 District's Public Relations Officer. The General Manager shall act as the District's public relations officer, endeavoring to keep the community informed of the District's efforts to operate and maintain an efficient program.

2.10.250 Purchasing Agent. The General Manager shall act as the purchasing agent of the District. Pursuant to direction given by the Board, the General Manager shall execute such purchase orders as may be necessary to implement the annual budget of the District.

2.10.290 Additional Duties of General Manager. The general manager shall also: (a) perform other duties imposed by the board; and (b) report to the board in accordance with the rules and regulations as it adopts. (See Ca Water Code §30581)

Chapter 2.15

CLASSIFICATION PLAN

(Resolution 1996-09-01)

Sections:

- 2.15.010 Purpose of Classification Plan**
- 2.15.020 Definitions**
- 2.15.030 Composition of the Classification Plan**

2.10.040 Use of Classes

2.10.050 Adoption and Amendment of Classification Plan

2.15.010 Purpose of Classification Plan Every position of employment with the Rio Linda/Elverta Community Water District shall be assigned an appropriate classification based on the duties and responsibilities of such position. The purpose of the classification plan is to standardize titles, each of which is indicative of a definite range of duties and responsibilities, and has the same meaning throughout the organization.

2.15.020 Definitions. For purposes of this Chapter, certain terms, phrases, words and their derivatives shall be construed as specified in this section:

(1) "class" shall mean a group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, job description, and pay rate;

(2) "classification" shall mean the act of grouping positions in classes with regard to (1) duties and responsibilities, (2) requirements for experience, ability, education and knowledge, (3) tests of fitness, and (4) range of pay;

(3) "job description" shall mean a written description of a class consisting of a class title, a general statement of level or work, and of the distinguishing features of work, examples of duties, and the desirable qualifications for the class.

2.15.030 Composition of the Classification Plan. The classification plan shall consist of a grouping by classes of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions. Each such class shall have a job description which will include: a concise, descriptive title; a general description of the duties and responsibilities of positions in the class; an itemization of the duties of positions in the class; a statement of desirable qualifications for someone in the position; a statement of the minimum required qualifications for filling such positions; and such other information as may be deemed necessary or desirable.

2.15.040 Use of Classes. Class titles are to be used in all personnel, accounting, budget, appropriation and financial records. No person will be appointed to or employed in a position under a title not included in the classification plan. Class job descriptions are to be interpreted in their entirety and in relation to others in the classification plan. Particular phrases or examples are not to be isolated. Job descriptions are deemed to be generally descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

2.15.50 Adoption and Amendment of Classification Plan. The classification plan may be amended from time-to-time only as recommended by the General Manager and approved by resolution of the Board of Directors.

WATER UTILITY WORKER

GENERAL STATEMENT OF DUTIES:

Assists with the operation and maintenance of the District water treatment, water collection and distribution system; reads water meters; operates tools, light trucks, and light construction machinery.

SUPERVISION RECEIVED:

Works under the immediate supervision of the Water Utility Supervisor or Water Utility Operator.

SUPERVISION EXERCISED:

Supervision ordinarily is not a responsibility of this class.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Assists operators with maintenance and operation of the District water system; performs required labor involved in construction and maintenance projects as part of a crew, including pavement cutting, ditch digging, main and pipe repair, laying and backfilling; installs and maintains pumps, valves, mains, services, meters, and related water distribution facilities and appurtenances.

Reads water meters; turns services off and on; meets with customers to identify service locations and resolve service problems.

Operates and performs regular routine maintenance on equipment used in water system, including vehicles, pumps, and other equipment.

Performs other related duties as required.

PERIPHERAL DUTIES:

Serves on various employee or other committees as assigned.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Two years experience in construction and maintenance related to utility facilities; possession of a current California Department of Health Water Treatment Operator Grade I or Water Distribution Operator Grade I certificate or the ability to obtain one within one year from employment; possession of a valid California driver's license or the ability to obtain one within one (1) month of employment; graduation from high school; or any equivalent combination of experience, training, and certification.

Necessary Knowledge, Skills and Abilities:

Familiarity with the use of a variety of construction tools, equipment, and machinery; ability to perform routine maintenance on light vehicles; ability to work harmoniously with other employees; ability to use

tact and judgment when dealing with the public; ability to lift heavy objects and perform sustained manual work.

SPECIAL REQUIREMENTS :

Must be bondable.
Must possess a valid driver's license.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Motorized vehicles and equipment, including pickup truck, utility truck, tamper, saws, pumps, compressors, sanders, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, hand-held computer.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to stand and talk or hear. The employee is occasionally required to walk; sit; climb or balance; stoop, kneel, crouch, or crawl; and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in outside weather conditions. The employee frequently works near moving mechanical parts and is frequently exposed to wet and/or humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock. The noise level in the work environment is usually loud.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

WATER UTILITY OPERATOR

GENERAL STATEMENT OF DUTIES:

Operates and maintains the District water system including the well, treatment, storage, and distribution facilities; prepares reports for regulatory agencies; and performs chemical tests for water quality.

SUPERVISION RECEIVED:

Works under the general supervision of the Water Utility Supervisor who reviews work for conformance to established standards and procedures.

SUPERVISION EXERCISED:

Supervision ordinarily is not a responsibility of this class; may supervise trainees, part-time or temporary staff as assigned.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Operates District water system; makes necessary tests for water quality and adjusts chemical systems as indicated; performs systematic checks electrical system, pumps, tanks and other system components; maintains operating records as required by law; keeps water system facilities in a clean, neat, and orderly fashion.

Installs and maintains pumps, valves, mains, services, meters, and related water distribution facilities and appurtenances.

Operates and maintains equipment used in water system construction, including backhoe/front end loader, jackhammer, dump truck, tamper, etc.

Reads water meters; turns services off and on; meets with customers to identify service locations and resolve service problems.

Maintains inventory of chemicals at wells and assures the safe handling of caustic and toxic materials.

Performs routine water quality testing; gathers information for reports needed for regulatory agencies and assures conformance of operations to regulatory standards.

Conducts tours of the District utility system and responds to citizen inquiries regarding water quality or problems with pressure or volume.

Performs other related duties as required.

PERIPHERAL DUTIES:

Performs required labor involved in construction and maintenance projects as part of a crew, including pavement cutting, ditch digging, main and pipe repair, laying and backfilling.

Operates and performs regular routine maintenance on equipment used in water system, including vehicles and other equipment.

Serves on various employee or other committees as assigned.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Two years experience in the operation and maintenance of a water utility or four years experience in pipeline or other underground construction; possession of a current California Department of Health Water Distribution Operator Grade III certificate or the ability to obtain one within one year of employment; possession of a valid Class C California driver's license or the ability to obtain one within one (1) month of employment; graduation from high school; or any equivalent combination of experience, training and certification.

Necessary Knowledge, Skills and Abilities:

Familiarity with proper practices in the construction, maintenance and operation of a water utility; familiarity with federal and state regulations regarding water quality control and distribution of potable water; familiarity with pumps, telemetry, and other related water system equipment; ability to operate equipment such as a backhoe, tamper, etc.; ability to work harmoniously with other employees; ability to make decisions independently in accordance with established policy and to use initiative and judgment in carrying out tasks and responsibilities with only general instruction and guidance; ability to use tact and judgment when dealing with the public; ability to lift heavy objects and perform sustained manual work.

SPECIAL REQUIREMENTS :

Must be bondable.
Must possess a valid driver's license.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Motorized vehicles and equipment, including dump truck, pickup truck, utility truck, backhoe, tamper, saws, pumps, compressors, sanders, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, hand-held computer,

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to stand and talk or hear. The employee is occasionally required to walk; sit; climb or balance; stoop, kneel, crouch, or crawl; and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in outside weather conditions. The employee frequently works near moving mechanical parts and is frequently exposed to wet and/or humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock. The noise level in the work environment is usually loud.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

WATER UTILITY SUPERVISOR

GENERAL STATEMENT OF DUTIES:

Performs a variety of supervisory, construction, technical, operations, and maintenance work in the operation, repair, maintenance, replacement and construction of the District water system.

SUPERVISION RECEIVED:

Works under the general direction of the General Manager who reviews work for effectiveness in conformance to established policy.

SUPERVISION EXERCISED:

Exercises direct supervision over Water Utility Operators and Maintenance Workers.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Plans, schedules, implements and oversees construction, maintenance, and operation activities in order to assure quality water service for District customers; standardizes department policies and procedures to improve efficiency and effectiveness of operations.

Reviews project and development plans of others for compliance with District regulations and standards and inspects work for compliance with approved plans.

Designs and assures the operation of the water quality sampling program and the proper reporting related thereto in order to conform county, state, and federal regulations; maintains operations records and prepares reports based on those records to be submitted to state and federal regulatory agencies.

Interacts with representatives of the State Department of Health Services regarding compliance issues involving the water system and permits related thereto.

Supervises, instructs and assists assigned crews in installing and relocating water lines, valves, fire hydrants and meters, and maintaining the existing water supply system.

Responds to or assures the proper response to complaints regarding water quality, leaks, pressure loss or no water; explains findings to property owners if necessary.

Trains, supervises and disciplines subordinate employees performing the duties of maintenance, construction and operation of the District water system.

Supervises the use of and assumes responsibility for all materials, supplies and equipment used in the maintenance, construction and operation of the District water system; requisitions such materials, supplies and equipment as needed and budgeted; insures that all necessary materials, supplies and equipment are available by maintaining an inventory of parts and materials and obtaining necessary parts, tools and supplies from the store room.

Analyzes annual operating costs and makes recommendations for department budget.

Oversees the safety of Utility Operators and Workers by instructing individuals in proper safety procedures and monitoring work in progress and performs the duties of District Safety Officer.

Develops and maintains a procedure manual for all departmental operations.

Performs the duties of Utility Operator as needed and related duties as required.

PERIPHERAL DUTIES:

Operates a variety of power construction and maintenance equipment used in the water, sewer and street department.

Assists the General Manager with the development of a capital improvement and replacement program for the District and the development of short term and long range plans.

Serves on various employee, regional association, or other committees as assigned.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Seven years experience in the operation and maintenance of a water utility at a responsible level; possession of a current California Department of Health Water Treatment Operator Grade II certificate and a California Department of Health Water Distribution Operator certificate Grade III; possession of a valid Class C California driver's license or the ability to obtain one within one (1) month of employment; graduation from high school; or any equivalent combination of experience, training and certification.

Necessary Knowledge, Skills and Abilities:

Thorough knowledge of equipment, facilities, materials, regulations, methods and procedures used in the construction and maintenance of public water systems; ability to guide, direct and motivate employees; ability to operate and maintain various equipment used in water maintenance and repair such as backhoe, dump trucks, etc.; ability to organize and supervise the activities of various crews performing construction and maintenance work; ability to communicate effectively, verbally and in writing; ability to make decisions independently in accordance with generally accepted construction practices and established policy and to use initiative and judgment in carrying out tasks and responsibilities with only general instruction and guidance; ability to use tact and judgment when dealing with the public; ability to lift heavy objects and perform sustained manual work.

SPECIAL REQUIREMENTS :

- Must be bondable.
- Must possess a valid driver's license.
- Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Motorized vehicles and equipment, including dump truck, pickup truck, utility truck, backhoe, tamper, saws, pumps, compressors, sanders, generators, common hand and power tools, shovels, wrenches, detection devices, mobile radio, phone, hand-held computer, personal computer (including word processing, spreadsheet, database and other software), copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to stand and talk or hear. The employee is occasionally required to walk; sit; climb or balance; stoop, kneel, crouch, or crawl; and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in outside weather conditions. The employee frequently works near moving mechanical parts and is frequently exposed to wet and/or humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock. The noise level in the work environment is usually loud.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

SECRETARY/RECEPTIONIST

GENERAL STATEMENT OF DUTIES:

Performs a variety of routine and complex clerical, secretarial, data processing, accounts receivable, bookkeeping, reception and administrative work associated with the operation of the District Office.

SUPERVISION RECEIVED:

Works under the supervision of the Administrative Supervisor.

SUPERVISION EXERCISED:

Supervision ordinarily is not a responsibility of this class; may supervise part-time or temporary staff as assigned.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Receives and stamps incoming mail, reviews mail with the General Manager and distributes as directed; processes outgoing mail.

Provides assistance to the General Manager in meeting management; copies, assembles and distributes Board agenda packets and background materials; prepares draft minutes of meetings from tapes.

Maintains District filing system and filing indices and District library; maintains agenda packet binders, minute books, ordinance books and resolution books; updates policy and procedure books as directed.

Develops and maintains office forms and procedures.

Assists Administrative Supervisor with administrative and accounting tasks; assists Water Utility Supervisor with administrative and reporting tasks.

Answers central telephone system and mobile radio base station.

Receives the public and answers questions; responds to inquiries from employees, citizens and others and refers, when necessary, to appropriate persons.

Serves as cashier including receipting of utility payments and various other payments, and posting monies to appropriate accounts.

PERIPHERAL DUTIES:

Provides backup to the Accounting Technician.

Composes, types, and edits correspondence, reports, memoranda, and other material requiring judgment as to content, accuracy, and completeness.

Prepares and maintains office supply inventory.

Serves on or provides support for various employees, regional association, or other committees as assigned.

Assists in the development of notices, flyers, brochures, newsletters, media releases, news articles, and other informational materials about programs and services.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Three years of experience in a responsible secretarial position with exposure to legal or governmental documents and graduation from a senior high school with a course work emphasis on business skills; completion of community college or business school secretarial training may be substituted for one year of experience; or any satisfactory combination of experience, training and skills.

Necessary Knowledge, Skills and Abilities:

Knowledge of standard office practices and of business English, spelling, composition, and math; excellent typing skills; computer experience with word processing and spreadsheets; ability to make decision independently in accordance with established policy; ability to use tact and judgment in dealing with the public.

SPECIAL REQUIREMENTS :

Must be bondable.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Personal computer, including accounting, billing, word processing and spreadsheet software; typewriter, 10-key calculator, phone, copy machine, fax machine and mail processing equipment.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. A physical examination by a licensed physician selected by the District will be required prior to employment to determine if the applicant can meet the physical demands of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to operate, finger, handle, or feel objects, tools, or controls; and reach with hands, wrists, and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately noisy.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

ACCOUNTING TECHNICIAN

GENERAL STATEMENT OF DUTIES:

Performs routine clerical, accounting, and administrative support work in utility billing, data processing, accounts receivable, and general administration.

SUPERVISION RECEIVED:

Works under the general supervision of the Administrative Supervisor according to a relatively fixed work routine.

SUPERVISION EXERCISED:

Supervision ordinarily is not a responsibility of this class; may supervise part-time or temporary staff as assigned.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Processes work orders for utility disconnections, reconnections, new orders, and other public works service requests.

Processes meter reading data; prepares and mails utility bills; maintains current customer account files; assists in reconciling utility billing activity with the general ledger.

Receives telephone calls and citizen visits concerning utility billings or services; handles questions and matters of a more technical nature; responds to citizen complaints.

Pursues collection of delinquent utility accounts, including preparation and mailing of final notices, shut-off and turn-on orders, establishing and monitoring payment schedules, customer follow-up account research, preparing liens and write-offs when appropriate.

Maintains a daily cash balance; balances cash on hand against receipts; prepares and balances deposits; makes a listing of deposits by accounts; examines receipts for accuracy and completeness; follows up on collection of NSF checks.

Prepares periodic utility, financial, statistical or operational reports as assigned.

Does related work as required.

PERIPHERAL DUTIES:

Provides clerical support to other staff as required.

Receives the public and answers questions; responds to inquiries from employees, customers and others and refers, when necessary, to appropriate persons.

Processes outgoing mail.

Composes, inputs, and edits a variety of correspondence, reports, memoranda, and other material requiring judgment as to content, accuracy, and completeness.

Serves on various employee or other committees as assigned.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Graduation from an high school with specialized course work in general office practices such as typing, accounting, data processing; and five years of increasingly responsible receivables related experience including collections (completion of community college or business school bookkeeping or data processing training may be substituted for one year of experience); or any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

Working knowledge of computers and electronic data processing; working knowledge of modern office practices and procedures and computers and data processing; skill in to operating listed tools and equipment; ability to perform arithmetic computations accurately and quickly; ability to communicate effectively and tactfully verbally and in writing; ability to establish successful working relationships; ability to work under pressure and/or frequent interruptions.

SPECIAL REQUIREMENTS :

Must be bondable.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Personal computer, including accounting, billing, word processing and spreadsheet software; typewriter, 10-key calculator, phone, copy machine, fax machine and mail processing equipment.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. A physical examination by a licensed physician selected by the District will be required prior to employment to determine if the applicant can meet the physical demands of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to operate, finger, handle, or feel objects, tools, or controls; and reach with hands, wrists, and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately noisy.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

ADMINISTRATIVE SUPERVISOR/CONSERVATION COORDINATOR

GENERAL STATEMENT OF DUTIES:

Performs routine supervisory and complex accounting, administrative, and data processing work in maintaining the fiscal records and systems of the District, billing of utility services, supporting the administration of the District's standard operating policies and procedures, and providing administrative support to the General Manager; organizes and directs the District's conservation program.

SUPERVISION RECEIVED:

Works under the general direction of the General Manager who reviews work for effectiveness in conformance to established policy.

SUPERVISION EXERCISED:

Exercises direct supervision over Accounting Technicians and Secretary/Receptionists.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Maintains District accounting system; inputs data into financial accounting system; makes journal entries to balance and close monthly books in general ledger, revenue and expense accounts; reconciles general ledger and subsidiary accounts; reconciles bank accounts.

Performs accounts payable functions: processes invoices for payment; matches invoice with purchase order; checks all invoices for accuracy; verifies account codes for proper assignment of budget expenditure; prepares automated and manual checks for signature; mails checks; prepares list of checks for Board approval.

Supervises the operation of the water billing system; reviews water billings for correctness and accuracy and re-figures bills which have been issued to customers improperly; receives telephone calls and citizen visits concerning water bills; handles questions and matters of a more technical nature; responds to citizen complaints; pursues collection of delinquent utility accounts, including customer follow-up account research, preparing liens and write-offs for approval, appearing in court to testify in behalf of District, when appropriate.

Assures the reconciliation of daily cash balance and balancing cash on hand against receipts; reviews deposits for accuracy.

Maintains employee payroll and leave records; compiles payroll data such as hours worked; determines taxes, insurance, and retirement to be withheld and/or paid by the District on behalf of employee; prepares paychecks for signature; enters payroll information into general ledger; prepares payroll tax deposits and reports, group insurance payments and reports, retirement system payments and reports, and similar information.

Prepares periodic financial, statistical or operational reports and a variety of studies, reports and related information as assigned.

Meets with General Manager to develop clerical support work schedules and expedites workflow in order to provide support for all administrative functions of the District.

Trains, supervises and disciplines subordinate employees performing the clerical and accounting duties in the District Office.

Organizes and conducts the District conservation program pursuant to generally accepted standards; carries out water audits on site; calculates water budgets for customers; assists customers in development of irrigation practices.

Develops and maintains a procedures manual for all departmental operations.

Performs the duties of Accounting Technician and Secretary/Receptionist as needed and related duties as required.

PERIPHERAL DUTIES:

Interacts with vendors on invoices and questions regarding payments.

Answers payroll and leave related questions from employees.

Assists the General Manager in the development of the annual budget and the capital improvement and replacement program and the development of short term and long range plans.

As needed or as directed, composes, types, and edits a variety of correspondence, reports, memoranda, and other material requiring judgment as to content, accuracy, and completeness.

Serves on various employees, regional association, or other committees as assigned.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Five years experience as a bookkeeper with full responsibility for payables, receivables, payroll, and general ledger in a water utility or local governmental setting; completion of high school or college courses in accounting principals and computer use; graduation from high school; possession of a bachelor's degree in accounting may be substituted for up to two years of experience; possession of certification as a Water Conservation Practitioner from the American Water Works Association or the ability to obtain certification within one year of employment; possession of a valid California Driver's License or the ability to obtain one within one (1) month from employment.

Necessary Knowledge, Skills and Abilities:

Thorough knowledge of double entry and fund accounting theory, principles and practices, auditing theory and practices, internal control procedures, and bookkeeping and accounting procedures and systems; working knowledge of computers and electronic data processing, including LAN, accounting, word processing and spreadsheet software; working knowledge of modern office practices and procedures; knowledge of water conservation practices and landscape irrigation auditing; ability to perform arithmetic computations accurately and quickly; ability to communicate effectively verbally and in writing; ability to maintain effective accounting procedures, ability to carry out assigned projects to their completion without supervision; ability to establish successful working relationships; ability to work under pressure and/or frequent interruptions; ability to work with angry or difficult customers.

SPECIAL REQUIREMENTS :

Must be bondable.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Personal computer, including accounting, billing, word processing and spreadsheet software; typewriter, 10-key calculator, phone, copy machine, fax machine and mail processing equipment.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. A physical examination by a licensed physician selected by the District will be required prior to employment to determine if the applicant can meet the physical demands of the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to operate, finger, handle, or feel objects, tools, or controls; and reach with hands, wrists, and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately noisy.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

GENERAL MANAGER/DISTRICT SECRETARY

GENERAL STATEMENT OF DUTIES:

As the statutory chief executive officer, performs high level administrative, technical and professional work in directing and supervising the administration and operations of the District.

SUPERVISION RECEIVED:

Works under the broad policy guidance of the Board receiving direction only through a vote taken by the Board.

SUPERVISION EXERCISED:

Exercises supervision over all District employees either directly or through subordinate supervisors.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Has full charge and control of the administration, maintenance, operation, and construction of the water-works system of the district; manages and supervises all operations of the District to achieve goals within available resources.

Prescribes the duties of District employees and fixes and alters the compensation of employees subject to approval by the board; plans and organizes workloads and staff assignments; trains, motivates and evaluates immediate subordinates; reviews progress and directs changes as needed.

Provides leadership and direction in the development of short and long range plans; Provides professional advice to the Board of Directors; gathers, interprets, and prepares data for studies, reports and recommendations; communicates official plans, policies and procedures to staff and the general public.

Advises the Board of financial conditions and current and future District needs; as chief fiscal officer, (a) prepares the annual budget for Board consideration and adoption, and maintains proper budgetary control through the establishment and maintenance of a budgetary accounting system in a manner consistent with state law; and (b) prior to the issuance of checks to pay demands made against the District, reviews and approves such demands as required under the Government Code.

Acts as agent of the Board of Directors in relationships with other consultants, contractors, engineers, legal counsel, accountants, and auditors employed and retained by the District.

Acts as representative of the District in working with county, regional, state and federal agencies concerned with water and construction projects.

Acts as the District's public relations officer, endeavoring to keep the community informed of the District's efforts to operate and maintain an efficient program.

Acts as the purchasing agent of the District, developing specifications for purchases and assuring conformance to District purchasing policy.

Serves as custodian of official District records and public documents; performs certification and recording for the District as required on legal documents and other records requiring such certification;

seals and attests by signature to ordinances, resolutions, and contracts, easements, deeds, bonds or other documents requiring District certification.

Attends all meetings of the Board and committees; addresses all matters coming before the Board and, to such extent reasonably possible, prepares written reports on all matters coming before the Board; oversees an accurate recording of the proceedings, preparation of the minutes proper legislative terminology, recording, indexing and filing for the public record; distributes information as requested.

Prepares or supervises the preparation of agendas, materials, minutes and records of meetings.

Oversees the compilation of resolutions and ordinances into the District policy manual.

Prepares and advertises meeting agendas, bid and other advertisements, and legal notices of public hearings and special meetings.

Performs the duties of Administrative Supervisor and Water Utility Supervisor as needed.

PERIPHERAL DUTIES:

Attends local, regional and national meetings, seminars and workshops related to duties and responsibilities.

Accepts claims for damages and other legal papers served on the District.
Assures the proper response to complaints regarding water quality, leaks, pressure loss or no water and to complaints regarding billings; explains findings to property owners if necessary; makes adjustments to billings when appropriate.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

Graduation from an accredited four-year college or university with a degree in public administration, political science, business management or a closely related field; seven (7) years of experience as a manager or assistant manager in a California governmental agency operating a water utility (a masters degree or registration as a professional engineer may be substituted for two years of experience); possession of a current California Department of Health Water Treatment Operator Grade II (or higher) certificate or the ability to obtain one within one year of employment; possession of a valid Class C California driver's license or the ability to obtain one within one (1) month of employment.

Necessary Knowledge, Skills and Abilities:

Considerable knowledge of modern policies and practices of public administration; working knowledge of utility law, finance, human resources, and management; skill in preparing and administering public agency budgets; skill in planning, directing and administering governmental programs; ability to prepare and analyze comprehensive reports; ability to carry out assigned projects to their completion; ability to communicate effectively verbally and in writing; ability to establish and maintain effective working relationships with employees, officials and the public; some knowledge of civil engineering principles, practices and methods as applicable to a water utility setting; working knowledge of applicable laws, standards and regulations relating to construction, inspection, safety and traffic control; skill in reading and interpreting construction drawings, plans and specifications.

SPECIAL REQUIREMENTS :

Must be bondable.
Must pass a drug screening test.

TOOLS AND EQUIPMENT USED:

Requires frequent use of personal computer (including a local area network, data base, word-processing and spreadsheet programs), calculator, telephone, copy machine, fax machine, motor vehicle and mobile radio.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed mostly in office settings. Some outdoor work is required in the inspection of various construction sites or facilities. Hand-eye coordination is necessary to operate computers and various pieces of office equipment.

While performing the duties of this job, the employee is occasionally required to stand; walk; use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to sit; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and smell.

The employee must occasionally lift and/or move up to 25 pounds.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock, and vibration.

The noise level in the work environment is usually quiet to moderate.

SELECTION GUIDELINES:

Formal application, rating of education and experience; oral interview and reference check; job related tests may be required; driving records will be evaluated; drug screening is mandatory, as is a physical to determine capability to meet the physical demands of the job.

GENERAL

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Anything contained within this job description which conflicts with state law or Chapter 2.10 of the Policy Manual is invalid.

Chapter 2.20

COMPENSATION OF OFFICERS AND EMPLOYEES

(Resolution 1996-09-02)

Sections:

- 2.20.100 COMPENSATION OF DIRECTORS**
- 2.20.110 Compensation for Board Meetings**
- 2.20.120 Compensation for Other Activities**
- 2.20.130 Expenses**
- 2.20.140 Limitation**
- 2.20.200 COMPENSATION OF OTHER OFFICERS**
- 2.20.210 Compensation Determined By Contract**
- 2.20.300 EMPLOYEE SALARY AND WAGE PLAN**
- 2.20.310 Employee Salary and Wage Plan**
- 2.20.320 Administration of Employee Salary and Wage Plan**
- 2.20.330 Salary and Wage Ranges; Range Assignments**
- 2.20.340 Steps**
- 2.20.350 Payment of Wages and Salaries**
- 2.20.360 Overtime**
- 2.20.370 Standby Duty and Pay**
- 2.20.390 Termination Pay**
- 2.20.400 Deductions from Pay**
- 2.20.410 Travel Expenses**
- 2.20.500 BENEFIT PROGRAM**
- 2.20.510 Benefit Program Defined**
- 2.20.520 Contracts for Benefit Program Prevail**
- 2.20.530 Classes of Employees for Purposes of the Benefit Program**
- 2.20.540 Payment of Premiums on Group Insurance**
- 2.20.550 Eligibility for Group Insurance Coverage**
- 2.20.560 Public Employees Retirement System**
- 2.20.570 Deferred Compensation Program**
- 2.20.580 Benefit Program Subject to Review**

2.20.100 COMPENSATION OF DIRECTORS

(Amended by Resolution 2003-05 adopted on July 21, 2003)

2.20.110 Compensation for Board Meetings. Each Director shall receive compensation in accordance with Section 2.01.050 of the Administration and Personnel Policy for each day's attendance at regular and special meetings of the Board of Directors.

2.20.120 Compensation for attendance at District-related Functions. Each Director shall receive compensation in accordance with Section 2.01.050 of the Administration and Personnel Policy for each day's attendance at approved conferences, meetings and seminars subject to the policies and limitations contained in this Chapter 2.20. Such compensation shall not include travel days, unless the Director was in attendance at the approved function on the day of travel.

2.20.130 Policy on Director Travel. Individual Board members may attend any meeting, conference or seminar of their choosing, but shall only officially represent the District and receive compensation and/or travel reimbursement for approved travel. Approved travel shall consist of attendance at meetings, conferences and seminars as identified in Section 2.20.140, or which the

Board of Directors has approved by majority vote at a regular or special meeting. Directors attending a meeting, conference or seminar shall provide information regarding their attendance at the next regular Board meeting.

2.20.140 Pre-Approved Travel for assigned District Representatives. The Board President shall appoint one Director to be the primary representative and one Director as the alternate to the following organizations: Sacramento Groundwater Authority (SGA), Regional Water Authority (RWA), California Special Districts Association (CSDA), Association of California Water Agencies (ACWA) and/or ACWA/Joint Powers Insurance Authority (ACWA/JPIA) and such other ad hoc or special committees approved by a majority of the Board of Directors. The Primary representative, or the alternate when the primary representative is not able to be present and requests that the alternate attend, may attend the “regular meetings” of the assigned organization and receive compensation and travel reimbursement without prior approval of the Board of Directors. A “regular meeting” shall only include those recurring scheduled business meetings of the organization on which the District representative sits on the governing board, or the twice-annual general membership conferences held by statewide organizations. All other meetings, conferences and seminars shall require prior Board approval if the Director wishes to be compensated for attendance and/or receive travel reimbursement.

2.20.150 Limitations on Director Reimbursement. The District will pay for reasonable expenses incurred by a Director that is directly related to attendance at a function authorized under Section 2.20.130. Reimbursement for mileage for use of a private vehicle shall be limited to travel destinations in excess of 50-miles from the District. Overnight lodging reimbursement shall be limited to destinations in excess of 75-miles from the District. Exceptions to this Section shall require prior approval by a majority of the Board of Directors. Payment of travel-related expenses shall only be made in accordance with the provisions of Section 2.20.410 of this Chapter.

2.20.160 Limitation on Board Compensation. Compensation to any individual Director under the provisions of Sections 2.20.110 and 2.20.120 shall not exceed six (6) days in any calendar month.

2.20.200 COMPENSATION OF OTHER OFFICERS

2.20.210 Compensation Determined by Contract. The compensation of the General Manager, General Counsel and the Auditor shall be as determined by a written contract or agreement for services.

2.20.300 EMPLOYEE SALARY AND WAGE PLAN

2.20.310 Employee Salary and Wage Plan. The employee salary and wage plan established herein is to provide pay ranges and steps associated with time intervals for performance review which shall not be less frequently than once per year. Each class in the classification plan shall be assigned a pay range. All persons employed by the District shall be compensated in accordance with the compensation plan then in effect.

2.20.320 Administration of Employee Salary and Wage Plan. Except for those employees affected by a contract, employment agreement, or memorandum of understanding, at least once each year the General Manager shall recommend to the Board of Directors an appropriate compensation

plan. Application and use of the compensation plan shall be administered by the General Manager in accordance with the provisions of the plan.

2.20.330 Salary and Wage Ranges; Range Assignments. The fifty (50) range, seven (7) step salary and wage ranges attached hereto are the salary and wage plan for the District. The classes in the classification plan are assigned to the ranges indicated.

2.20.340 Steps. An employee when first appointed to a position in a class shall be assigned to a step on the appropriate pay range based upon qualifications for the position. Upon satisfactory completion of the employee's probationary period, the employee shall be advanced one step. Thereafter, following a satisfactory evaluation of the employee's performance on the anniversary date of his or her appointment to the position, the employee shall be advanced one step until reaching the highest step on the range.

2.20.350 Payment of Wages and Salaries. Except for employees being terminated, all wages and salaries shall be paid on the 15th and last day of each month; except that when said date falls on Saturday, Sunday or a holiday, payment shall be made on the last working day preceding the usual date. Part-time and temporary employees shall be paid the hourly wage indicated on the salary and wage plan. Full-time regular employees shall be paid the semi-monthly salary indicated on the salary and wage plan; except that if a full-time regular employee was not in pay status for part of the semi-monthly pay period, said employee shall be paid hourly for hours worked in that period. Employees leaving the job normally will be paid on the regular payday following the date of termination and only upon written clearance from the supervisor that all the Rio Linda Water District's tools, clothing, keys, equipment, etc., have been returned.

2.20.360 Overtime. All employees (other than officers and supervisory employees) are eligible for overtime pay. No overtime pay, however, shall be made unless the additional work time shall have been authorized in writing, by both the employee's supervisor and by the General Manager. Overtime pay shall be as follows:

(A) For all time worked in excess of a work day (8 hours) and in excess of a work week (40 hours), an employee shall be paid one and-one-half times the employee's ordinary hourly rate of pay.

(B) For all time worked on a regularly scheduled paid holiday, an employee shall be paid one-and-one-half times the employee's ordinary hourly rate of pay in addition to the employee's ordinary salary paid for the holiday.

(C) Employees not on standby pursuant to 2.20.370 herein below who are called to work on their day off or called back to work after they have left the job, will receive no less than a minimum of two (2) hours overtime pay; employees on standby shall receive no less than fifteen (15) minutes overtime pay per call-out.

(D) Notwithstanding any other provision herein, under unusual circumstances Supervisory employees may be paid overtime at straight time when approved by the General Manager. When such overtime is paid, it shall be reported to the Board.

(Amended by Resolution 1999-04-01 on April 11, 1999)

2.20.370 Standby Duty and Pay.

(A) Compensation for assuming standby duty shall be \$175.00 per week, Amended by Resolution 2005-09.

(B) To provide for and take care of problems and emergencies that occur outside regular work hours, certain employees shall be assigned to standby duty. Employees on standby duty are subject to call whenever needed. They shall keep themselves available for call and shall answer the after-hours emergency cellular telephone. They shall keep said phone in a location in which they can readily

answer it at all times. In addition, the supervisor responsible for their work shall be informed of the normal telephone number by which they can be reached.

(C) Assignment, distribution and rotation of standby duty will be made equally among the employees who have been previously qualified and certified for standby duty, and the District will give reasonable consideration to the desires of the employees when making up the standby duty list. Substitutions and switching of duty assignments will be permitted so long as there is no inconvenience to other employees or the District. Standby duty lasts for seven (7) consecutive days commencing at 7:00 a.m. each Tuesday.

2.20.390 Termination Pay. At the time an employee terminates employment with the Rio Linda/Elverta Community Water District, the employee shall be compensated for all accumulated paid personal leave and overtime. In addition, where it is deemed appropriate, the General Manager may provide for up to two weeks of severance pay at the employee's then current rate of pay.

2.20.400 Deductions from Pay. Deductions from employee's pay shall be made in accordance with prevailing laws, contracts, memorandums of understanding, and administrative rules and procedures established by the General Manager.

2.20.410 Eligible Travel Related Expenses. Employees and Directors traveling on District related business shall be eligible for reimbursement of travel expenses. Eligible travel related expenses shall include, but not be limited to, the following:

- Transportation on public carriers such as airplanes, trains, buses and taxi cabs;
- Private vehicle use and commercially available rental vehicles;
- Overnight lodging at commercial establishments;
- Meals at restaurants and other food service establishments;
- Conference and seminar fees and charges;
- Business related telephone calls, faxes, postage, copy charges and related incidentals;
- Tolls and parking fees
- Such other expenses approved by a majority of the Board of Directors.

2.20.420 Limitation on Reimbursable Expenses. Reimbursement for travel related expenses shall be for actual costs subject to the following limitations:

- Reimbursement for meals not covered as part of the event or hotel registration fee shall be limited to the following amounts: Breakfast - \$12.00; Lunch - \$15.00; Dinner - \$25.00;
- Use of a personal vehicle: The current Internal Revenue Service (IRS) mileage rate for business travel shall be the only personal vehicle use expense eligible for reimbursement;
- Air and train travel shall be in an amount not to exceed the standard or coach fare;
- Entertainment or non-business related events or expenses not provided as part of the conference fee shall not be eligible for reimbursement;
- Alcoholic beverages are not eligible for reimbursement;
- Meals and/or lodging provided in a private home are not eligible for reimbursement;
- Travel related expenses for a spouse or companion shall not be eligible for reimbursement;
- Rental vehicle reimbursement shall not exceed the midsize vehicle rate.

2.20.430 Reimbursement Claim Required. Employees and Directors authorized to travel for District related business shall complete a claim form and provide supporting receipts in order to receive reimbursement. No reimbursement shall be made, unless a completed and signed claim form with corresponding receipts is submitted to the District office within ninety-days of travel.

2.20.440 Use of District Credit Card and Travel Advances. On approval of the General Manager a travel advance, or District credit card may be issued to an Employee or Director for travel. Travel advances shall not exceed an amount up to the estimated balance of expenses associated with

the travel. Within ten (10) days of return from the function, the Employee or Director shall submit a claim with corresponding receipts for the travel. The General Manager shall reconcile the expenditures against District reimbursement policy and determine if any balance is due the District. The Employee or Director will reimburse the District within ten (10) days, or the balance will be taken from any compensation owed to the Employee or Director.

(Sections 2.20.410 – 2.20.440 were amended by Resolution 2003-05 adopted on July 21, 2003)

2.20.500 BENEFIT PROGRAM

2.20.510 Benefit Program Defined. The District's benefit program consists of the following:

- (A) a group insurance program including health insurance, dental insurance, vision insurance, long term disability insurance and life insurance; and
- (B) a retirement program includes participation in the California Public Employees Retirement System (PERS) and a deferred compensation program.

2.20.520 Contracts for Benefit Program Prevail. Notwithstanding any other provision herein, where a conflict exists between this policy manual and a lawful contract for an element of the benefit program, the provisions of the contract shall prevail.

2.20.530 Classes of Employees for Purposes of the Benefit Program. Two classes of employees are hereby created for purposes of the benefit program as follows: (1) supervisory employees, including all employees in job classifications which involve the regular supervision of other employees; and (2) non-supervisory employees, including all employees other than supervisory employees.

2.20.540 Payment of Premiums on Group Insurance. The District shall pay the premiums on group insurance programs for coverage of the employee there under. For dependant coverage as permitted under each particular insurance contract, for dependants enrolled the District shall pay all the premiums for dependants.

2.20.541 Retiree Group Medical Plan Coverage. Retirees who have attained the age of fifty (50) and have at least five (5) years of service with the District shall be eligible for paid group medical plan coverage. Such paid coverage shall only be available to the eligible retiree and eligible dependent(s) in accordance with the terms of the medical plan provider. The District shall pay the cost of the eligible retiree and eligible dependent(s) medical plan premium, plus any additional costs for administrative fees and/or contingency reserve fund assessments.

Employees hired by the District on, or after, May 1, 2004 shall be subject to the following vesting schedule for District paid retiree and eligible dependent medical insurance premiums:

<u>Service</u>	<u>District Share</u>	<u>Retiree Share</u>
0 – 9.9 Years	0 %	100 %
10 Years	50 %	50 %
11 Years	55 %	45 %
12 Years	60 %	40 %
13 Years	65 %	35 %
14 Years	70 %	30 %

15 Years	75 %	25 %
16 Years	80 %	20 %
17 Years	85 %	15 %
18 Years	90 %	10 %
19 Years	95 %	5 %
20 or more years	100 %	0 %

(Amended by Resolution 2004-01 adopted March 15, 2004)

2.20.550 Eligibility for Group Insurance Coverage. Only regular employees shall be eligible for group insurance coverage. Such regular employees shall become eligible for coverage indicated in each insurance coverage contract, or upon the beginning of their first full month of employment in the absence of a contract provision. Eligibility for dependent coverage shall be as described in each insurance coverage contract.

2.20.560 Public Employees Retirement System. Employees will be enrolled in the California Public Employees Retirement System as required by the District's contract and law. The District will pay all contributions required of it as the employer. The District shall pay 100% of the normal member contribution as Employer Paid Member Contributions (EPMC), which consists of seven percent (7%) of gross wages. Other contributions on behalf of or by an employee may be made pursuant to law and special agreements.

(Amended by Resolution 2003-08 adopted November 17, 2003 retro-active to November 1, 2001)

2.20.570 Deferred Compensation Program. The District has entered into a deferred compensation program for employees who wish to participate. Employees may contribute to the program as permitted by law and the contract.

2.20.580 Benefit Program Subject to Review. The Board reserves the right to review and revise the scope of coverage and payment of costs of the elements of the benefit program.

Chapter 2.25 PERSONNEL RULES

(Res No. 1996-09-03)

Sections:

- 2.25.000 GENERAL PROVISIONS**
- 2.25.005 Purpose**
- 2.25.010 Adoption and Amendment**
- 2.25.015 Personnel Policy**
- 2.25.020 Employment Constitutes Acceptance**
- 2.25.050 DEFINITIONS**
- 2.25.150 EMPLOYMENT**
- 2.25.154 Employment Policy**
- 2.25.158 Citizenship**
- 2.25.162 Recruitment**

2.25.166 Application
2.25.170 Selection Process
2.25.174 Ineligibility or Disqualification
2.25.178 Categories for Appointment
2.25.182 Probationary Period
2.25.186 Object of Probationary Period
2.25.190 Probationary Employee Performance Reports
2.25.194 Rejection of Probationary Employee
2.25.198 Reappointments
2.25.199 Continued Employment
2.25.200 TERMINATION OF EMPLOYMENT
2.25.205 Resignation or Retirement
2.25.210 Lack of Work or funds
2.25.250 HOURS OF WORK
2.25.253 Work Week
2.25.256 Normal Work Week
2.25.259 Attendance
2.25.262 Paid Holidays
2.25.300 VACATION AND SICK LEAVE
2.25.305 Vacation Leave: Purpose
2.25.310 Vacation Leave: Accrual
2.25.315 Vacation Leave: Scheduling
2.25.320 Vacation Leave: Payment on Termination
2.25.330 Sick Leave: Purpose
2.25.335 Sick Leave: Accrual
2.25.340 Sick Leave: Use
2.25.350 Family Sick Leave
2.25.400 FAMILY AND MEDICAL LEAVE
2.25.405 Purpose
2.25.410 Eligibility
2.25.415 Leave Benefit
2.25.420 Employee Obligations
2.25.450 OTHER LEAVES OF ABSENCE
2.25.455 Leave of Absence without Pay
2.25.460 Absence without Leave
2.25.465 Leave for Death outside Immediate Family
2.25.470 Voting Leave
2.25.475 Jury Duty
2.25.480 Workers' Compensation
2.25.485 Worker's Compensation Hearing
2.25.500 DISCIPLINARY ACTION
2.25.505 Disciplinary Policy Statement
2.25.510 Causes for Disciplinary Action
2.25.515 Administration of Disciplinary Action
2.25.520 Effect of Certain Disciplinary Actions
2.25.525 Right of Appeal
2.25.530 Hearing
2.25.535 Representation
2.25.540 Notice to Witnesses
2.25.545 Failure of Employee to Appear at Hearing
2.25.550 Decisions
2.25.555 Confidential Information
2.25.600 GRIEVANCE PROCEDURE
2.25.605 Purpose
2.25.610 Matter Subject to Grievance Procedure
2.25.615 Informal Grievance Procedures

- 2.25.620 Formal Grievance Procedures
- 2.25.625 Conduct of Grievance Procedure
- 2.25.630 Grievance Against General Manager
- 2.25.650 EMPLOYER-EMPLOYEE RELATIONS
- 2.25.655 Statement of Purpose
- 2.25.660 Meet and Confer Matters
- 2.25.665 Rules for the Establishment of Procedures
- 2.25.670 Individual Employees
- 2.25.900 MISCELLANEOUS
- 2.25.905 Outside Employment
- 2.25.910 Gratuity
- 2.25.915 Conflicts of Interest
- 2.25.920 Records
- 2.25.925 Residence
- 2.25.930 In-Service Training
- 2.25.935 Political Activity

2.25.000 GENERAL PROVISIONS

2.25.005 Purpose. The purpose of these Rules is to facilitate effective operation of the organization and to provide for a fair and equitable system of personnel management. These rules set forth in detail those procedures which insure equal treatment for applicants and employees, and define the obligations, rights, privileges, benefits and prohibitions placed upon all employees. These are intended to indicate the customary and the most reasonable methods whereby the aims of the personnel program of the Rio Linda/Elverta Community Water District can be carried out in all departments under the direction of the General Manager of Rio Linda/Elverta Community Water District.

2.25.010 Adoption and Amendment. The following personnel Rules were adopted by Resolution No.1996-09-03 of the Board of Directors of the Rio Linda/Elverta Community Water District upon the recommendation of the General Manager. These rules may be amended only by the adoption of a resolution of the Board of Directors upon the recommendation of the General Manager.

2.25.015 Personnel Policy. The following statements are hereby declared to be the personnel policy of the Rio Linda/Elverta Community Water District and these Rules shall be administered and interpreted in terms of this policy:

- (a) It is the duty of the General Manager to supervise all personnel and administer these rules.
- (b) Since employment and promotion by the Rio Linda/Elverta Community Water District shall be based on merit and fitness, these rules shall be administered in such a manner as to systematically work toward the elimination of discrimination by breaking down barriers of habit, attitude, and training which prevent the recognition of individual merit.
- (c) The California Fair Employment Practices Act shall govern all employment practices of Rio Linda/Elverta Community Water District.
- (d) Tenure of employees covered by these rules shall be subject to good behavior, satisfactory work performance, necessity for the performance of work and the availability of funds.
- (e) Conduct by employees, the General Manager, or members of the Board which constitutes harassment or sexual harassment shall not be tolerated.
- (f) Members of the Board of Directors shall not as individuals direct the actions of any employee nor interfere with the responsibilities of the General Manager as provided herein.

2.25.020 Employment Constitutes Acceptance. In accepting employment with Rio Linda/Elverta Community Water District, each employee agrees to be governed by and to comply with these personnel Rules, administrative rules and procedures established by the General Manager

pursuant hereto, and regulations and directives of the department or program in which employee is employed. All employees holding a position with Rio Linda/Elverta Community Water District on the effective date of these Rules shall thereafter be subject in all respects to the provisions herein.

2.25.050 DEFINITIONS

2.25.053 Appeal. An application for review of an alleged grievance submitted or instituted by an employee to higher authority.

2.25.054 Applicant. An individual who has completed and submitted an application for employment with the Rio Linda/Elverta Community Water District.

2.25.055 Appointment. The offer to and acceptance by a person of a position either on a regular or temporary basis.

2.25.056 Appointing Authority. The General Manager or a subordinate to whom the authority to make an appointment has been delegated.

2.25.057 Certification. Endorsement as being eligible for appointment to a vacant position.

2.25.060 Demotion. Assignment of an employee from one class to another which has a lower maximum rate of pay.

2.25.061 Department. The primary organizational unit of Rio Linda/Elverta Community Water District which is under the immediate charge of an employee who reports directly to the General Manager.

2.25.064 Discharge. The ending of employment of an employee by the Rio Linda/Elverta Community Water District for cause.

2.25.068 Employee. An individual who is legally employed by the Rio Linda/Elverta Community Water District and is compensated through the Rio Linda/Elverta Community Water District's payroll for his service. Individuals or groups compensated on a fee basis are not included.

2.25.069 Employer. The Rio Linda/Elverta Community Water District and all its departments, programs, and subsidiaries which have employees.

2.25.070 Examination. The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.

2.25.071 Exempt Service. Those positions in the classification plan not covered by these rules including: General Manager.

2.25.073 Harassment. Harassment includes verbal harassment, physical harassment and visual harassment. Harassment includes, but is not limited to, by epithets, derogatory comments, jokes, derogatory posters, drawings, cartoons, physical interference or other personally offensive and unwelcome behavior based on a persons age, sex, ancestry, color, marital status, medical condition, national origin, physical handicap, race or religion that results in the loss of tangible job benefits or creates a hostile, obnoxious or intimidating work atmosphere.

2.25.075 Immediate Family. Includes wife, husband, son, daughter, mother, father, brother, or sister of employee, and other persons residing with the employee as may be determined by the General Manager.

2.25.079 Layoff. The involuntary non-disciplinary termination of an employee from a position.

2.25.080 Leave. An approved type of absence from work as provided for by these rules.

2.25.088 Probationary Period. The working test consisting of an trial period of employment beginning and ending as specified in these rules.

2.25.089 Promotion. Assignment of an employee from one class to another which has a higher maximum rate of pay.

2.25.091 Regular Appointment. An appointment without time limitation or special restrictions as to continued employment to a position authorized to be filled and made as prescribed by these rules.

2.25.092 Regular Employee. An employee who has received and accepted a regular appointment.

2.25.093 Sexual Harassment. Sexual harassment is sexual behavior that is unwelcome and personally offensive. Acts of sexual harassment include, but are not limited to, unwelcome sexual activity of another person, and other verbal or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- (c) Such conduct is offered in order to receive special treatment or in exchange for or in consideration of any personal action;
- (d) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

2.25.095 Suspension. An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee.

2.25.097 Transfer. Assignment of an employee from one position to another position with Rio Linda/Elverta Community Water District not involving a demotion or promotion.

2.25.099 Work Day. Scheduled number of hours that any employee is required to work per day.

2.25.150 EMPLOYMENT

2.25.154 Employment Policy. The stated employment policy of this organization is to hire, promote, and retain the best qualified personnel available. The best qualified personnel shall mean those persons who can most effectively perform in the position. Applicants are to be evaluated only in terms of those factors which affect their ability to perform on the job. Employees are to be evaluated only in terms of their effectiveness in the position.

2.25.158 Citizenship. Employment is open to qualified men and women who are citizens of the United States, or to qualified non-citizens who are legally employable residents of the State of California.

2.25.162 Recruitment. Individuals shall be recruited from a geographic area as wide as is necessary to assure obtaining well qualified candidates for the various types of positions. Such various media of publicity shall be used as might be expected to bring notice of vacancies to as many qualified persons as possible.

2.25.166 Application. All candidates for employment shall file an application with the District Office on an application form prescribed by the General Manager. Such an application should have attached to it a resume prepared by the applicant.

2.25.170 Selection Process. The selection process shall include personal interviews and may include such recognized techniques as achievement tests, aptitude tests, performance tests, evaluation of previous work performance, psychological evaluation, work samples, physical agility tests, review and investigation of personal background and references, drug screening and fingerprinting. Subsequent to appointment, but before beginning work, all applicants shall provide the Rio Linda/Elverta Community Water District with the results of a pre-employment medical examination performed by a doctor selected by the Rio Linda/Elverta Community Water District. Upon recommendation of the examining physician, the employee may be refused employment. Selection techniques will be impartial and shall relate to those areas which will adequately and fairly indicate the relative ability and quality of candidates under consideration to execute the duties and responsibilities of the position to which they seek to be appointed. Upon completion of the selection process, the General Manager shall make appointments from those candidates who, on the basis of their performance in the selection process, appear most qualified for the position under consideration. The appointment shall become effective when the selected applicant has signed all papers required by the Rio Linda/Elverta Community Water District, and those papers bear the appropriate signatures confirming the appointment.

2.25.174 Ineligibility or Disqualification. The General Manager may withdraw anyone from consideration whose appointment will be deemed contrary to the best interest of the Rio Linda/Elverta Community Water District. Reasons for disqualifications may include but shall not be limited to the following deficiencies:

- (a) Lack of any of the requirements established for the position for which application has been made.
- (b) Physical or mental disabilities such as to render the applicant unfit to perform the duties of the position to which appointment is being sought.
- (c) Use of intoxicating beverages to excess.
- (d) Unlawful use of habit forming drugs.
- (e) Conviction of a felony or conviction of a misdemeanor involving moral turpitude.
- (f) Infamous or notoriously disgraceful conduct.
- (g) Dismissal from any position for any cause which would be cause for dismissal by the Rio Linda/Elverta Community Water District.
- (h) Resignation from any position to avoid dismissal.
- (i) Deception or fraud in making the application.
- (j) Request by applicant that his name be withdrawn from consideration.
- (k) Failure to reply within reasonable time to communication concerning availability for employment.
- (l) Failure to accept appointment within two days after notification

or to report for duty within the time prescribed in the offer of employment.

(m) Positive results from the pre-employment drug screening.

Applicants disqualified shall be notified immediately. All records related to disqualifications shall be maintained for a period of at least two years.

2.25.178 Categories for Appointment. The following categories of appointment may be made by the General Manager in conformity with the rules established:

(a) Regular Full-Time Employees. A regular full-time employee works full time on a continuing indefinite basis. Such employees are subject to all Rules and receive all benefits and rights as provided by the Rules.

(b) Regular Part-Time Employees. A regular part-time employee works less than 37-1/2 hours per week, but works on a regularly scheduled basis. Such employees are subject to all Rules and receive all benefits and rights as provided by the rules. Those rights or benefits shall be in proportion to their work hours which financial or other numerical calculations are involved.

(c) Temporary Employees. Temporary employees are appointed in the same manner and are subject to the same procedures as permanent employees, except that they will be laid off at the close of the job for which they have been employed and may not be eligible for benefits.

(d) Emergency Employees. In order to prevent stoppage of business, appointment of employees on a temporary basis may be authorized by the General Manager for not more than 60 days.

2.25.182 Probationary Period. All appointments shall be tentative and subject to a probationary period fixed by the general manager at the time of appointment of not less than six (6) months nor more than (18) months. The probationary period may not be extended beyond the length of time initially established.

2.25.186 Objective of Probationary Period. The probationary period shall be regarded as part of the selection process. It shall be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to the position, and for rejecting a probationary employee whose performance does not meet acceptable standards of work.

2.25.190 Probationary Employee Performance Reports. A performance report of each probationary employee shall be made by the employee's supervisor according to the rules established by the General Manager. The employee performance valuation report shall be filed by the supervisor with the General Manager upon the completion of the employee's first, third, and sixth month of employment. Thereafter, they shall be filed every three months until the end of the probationary period.

2.25.194 Rejection of Probationary Employee. During the probationary period, an employee may be suspended, demoted, or terminated at any time by the supervisor without cause and without the right to appeal or to submit a grievance. The noticing requirements of Section 2.25.515 herein shall apply to the cause, and if so, what that cause is. Unless the employee responds pursuant to 2.25.515, said notice shall not become a permanent part of the employee's record.

2.25.198 Reappointments. Reappointment of any former employee shall be considered new employment.

2.25.199 Continued Employment. Continued employment with Rio Linda/Elverta Community Water District shall be subject to good behavior, satisfactory work performance, and availability of funds.

2.25.200 TERMINATION OF EMPLOYMENT

2.25.201

2.25.205 Resignation or Retirement. An employee wishing to leave the services of the Rio Linda/Elverta Community Water District in good standing either by resignation or retirement shall give the supervisor at least two weeks notice.

2.25.210 Lack of Work or Funds. An employee's position may be terminated by the General Manager because of changes of duties or organization, abolishment of position, shortage of work or funds, or completion of work. In cases involving regular employees only, notice of such termination will be given to the employee at least four weeks prior to the effective date of termination, unless employee agrees to a different termination period. Such termination shall not be subject to appeal, but the employee shall be given first consideration for any other vacant position with Rio Linda/Elverta Community Water District for which employee is qualified.

2.25.250 HOURS OF WORK

2.25.253 Work Week. The work week shall begin at 4:00 P.M. on each Sunday. Scheduling of working hours during each week shall be done by the supervisor for each employee, subject to the approval of the General Manager.

2.25.256 Normal Work Week. The General Manager is hereby directed to establish pursuant to this Section a normal work week of forty (40) hours per week for all full time employees. For part time employees, the work week shall be calculated as a percentage of forty (40) hours per week.

2.25.259 Attendance. An employee shall be in attendance at scheduled working hours in accordance with these rules and general departmental or program regulations. All employees shall keep daily attendance records which shall be approved by the supervisor and submitted for payroll as specified by the General Manager.

2.25.262 Paid Holidays.

(A) Notwithstanding 2.25.259 above, employees shall not be required to be in attendance on paid holidays. Paid holidays are authorized as follows:

New Year's Day.....	January 1st
Martin Luther King, Jr.....	3rd Monday of January
Lincoln's Birthday.....	February 12th
Washington's Birthday.....	3rd Monday of February
Memorial Day.....	Last Monday of May
Independence Day.....	July 4th
Labor Day.....	1st Monday of September
Veteran's Day.....	November 11th
Thanksgiving Day.....	4th Thursday of November
Friday after Thanksgiving.....	Friday after Thanksgiving
Christmas Eve, ½ day PM.....	December 24th
Christmas Day.....	December 25th
New Year's Eve, ½ day PM.....	December 31st

Except for Christmas Eve and New Year's Eve, when an authorized paid holiday falls on a Saturday, the preceding Friday shall be observed as an authorized paid holiday and when an authorized paid holiday falls on a Sunday the following Monday shall be observed as an authorized paid holiday.

(B) Upon prior approval of the employee's supervisor or the General Manager, a regular employee may take one "personal holiday" per calendar year. This personal holiday shall be with pay.

2.25.300 VACATION AND SICK LEAVE

2.25.305 Vacation Leave: Purpose. Vacation leave are days away from work provided by the District to employees with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee.

2.25.310 Vacation Leave: Accrual.

(A) During the first five years of employment, regular full-time employees shall accrue 3.33 hours of vacation leave per pay period.

(B) Beginning in the sixth year of employment and thereafter, regular full-time employees shall accrue 5 hours of vacation leave per pay period.

(C) Supervisory employees as defined in Section 2.20.530 shall accrue an additional 1.67 hours of vacation leave per pay period.

(D) No employee may accrue more than 400 hours of vacation leave.

(E) No employee may accrue vacation leave during such time as the employee is not receiving wages from the District.

2.25.315 Vacation Leave: Scheduling. Vacation schedules should be arranged as far in advance as possible. An employee should obtain the approval of the General Manager at least one month prior to using vacation leave. A vacation schedule covering the following twelve months will be maintained, and scheduling conflicts will be resolved on the basis of the order of requests received. The District reserves the right to schedule vacations in accordance with its operating needs. No employee shall take vacation leave during the first six months of employment.

2.25.320 Vacation Leave: Payment on Termination. At termination of employment for any reason, the District shall pay the employee for accumulated vacation time at the employee's hourly rate of pay.

2.25.330 Sick Leave: Purpose. Sick leave is granted to provide financial security to employees by providing for salary continuation when the employee is unable to work because of illness, injury, or quarantine due to exposure to a contagious disease. In addition, it is granted to allow the employee to maintain his or her health by providing paid leave so that the employee can visit medical practitioners during normal working hours, subject to advance approval. Sick leave is not a privilege which an employee may use at his or her discretion.

2.25.335 Sick Leave: Accrual.

(A) Regular full-time employees shall accrue sick leave at a rate of 4 hours per pay period.

(B) Supervisory employees as defined in Section 2.20.530 shall accrue one additional hour of sick leave per pay period.

(C) No employee may accrue sick leave during such time as the employee is not receiving wages from the District.

2.25.340 Sick Leave: Use. Sick leave with pay shall be granted regular full-time employees in accordance with the following provisions:

(A) Sick leave may be used for all sickness or injury causing disability which requires the employee's absence from work except the following:

1. Disability arising from any sickness or injury purposely self-inflicted or caused by the willful misconduct of the employee.
2. Sickness or disability while on a leave of absence without pay.

It shall be the responsibility of each employee absent from work due to such disability to notify the supervisor responsible for his or her work performance as soon as possible on the first day of absence. A statement from a medical doctor verifying the reason for absence due to illness or injury may be required by the District.

(B) Subject to advanced approval by the employee's supervisor, sick leave may be taken to visit a medical practitioner.

(D) All sick leave must be taken in increments of one hour.

(E) Upon retirement or termination the District will pay an employee, at the regular hourly rate, for all sick leave accrued up to thirty days (240 hours). For all sick leave accrued in excess of thirty days the payment will be made at the rate of one-third the regular rate of pay up to a maximum of one thousand (\$1000) dollars.

2.25.350 Family Sick Leave.

(A) Compassionate leave with pay for one days absence may be authorized by the General Manager for a regular employee to provide care for a member of his or her immediate family, who is seriously ill or seriously injured and who requires constant care, attention or observation of symptoms, and no one else except the employee is available to provide such care.

(B) Additional leave with pay for this purpose may be authorized only when the attending physician has certified in writing that such care is necessary and can be provided only by the employee.

(C) Compassionate leave with pay will not be authorized for:

1. Absence to provide care for those suffering from the common cold, headache, intestinal upset, and other similar incidents of minor medical distress, upset or discomfort.

2. An absence for the purpose of supervising or caring for well children while another member of the family is ill, resting, or away from home.

3. An absence to accompany another member of the family, including children, to a routine medical or dental appointment.

(D) Compassionate leave with pay for funerals of members of the immediate family will be allowed when prior authorization has been granted by the General Manager. The maximum time off with pay that will be authorized is five (5) days. The General Manager is empowered to grant additional time off for funeral attendance under appropriate circumstances, if so requested.

2.25.400 FAMILY AND MEDICAL LEAVE

2.25.405 Purpose. The purpose of this policy is to provide for family and medical leave to the extent reasonably possible consistent with the objective of providing a stable organization. Unless specifically in conflict the Family and Medical Leave Act of 1993 or other law, the provisions of this policy shall determine an employee's eligibility for family and medical leave.

2.25.410 Eligibility. To be eligible for family or medical leave, an employee must have: (1) been employed by the District for at least 12 months; (2) worked for the District at least 1,250 hours during the 12 months immediately preceding the commencement of leave; and (3) either be employed at a worksite where the District employs at least fifty (50) employees within seventy-five (75) miles of the worksite or obtained an exemption from this requirement from the General Manager based upon a determination that the leave proposed will not in a significant way negatively impact upon the ability of the District to operate.

2.25.415 Leave Benefit.

(A) Eligible employees will be provided with up to 12 weeks of unpaid leave each year to care for a newborn, adopted, or foster child or for a seriously ill child, parent, or spouse. In addition, employees who are unable to perform the functions of their position because of a serious health condition will also be entitled to 12 weeks of unpaid leave. "Serious health condition" is defined as an illness, injury, impairment, or physical or mental condition that entails (1) inpatient care in a hospital, hospice, or residential medical care facility or (2) continuing treatment by a health care provider.

(B) To be eligible for leave, the employee will first be required to use applicable accrued paid leaves permitted by the District, including vacation leave and sick leave for the first part of the leave permitted pursuant to (A). Paid leave may not be added to the end of the unpaid leave without the General Manager's prior approval. If a husband and wife are both employed by the District, the total number of workweeks of leave to which both may be entitled shall be limited to 12 weeks if leave is taken for the birth, adoption, or foster placement of a child or for the purpose of caring for a seriously ill parent.

(C) Employees on leave who were previously covered by the District's benefit program shall continue to be covered at the level and under the conditions that coverage would have been provided if the employee were continuing to work.

(D) At the end of the leave the employee will be reinstated to their previous position or to an equivalent job with equivalent pay, benefits, and working conditions. However, the employee will not accrue seniority or employment benefits during the leave period. The District may also require the employee to obtain medical certification that they are able to resume work.

2.25.420 Employee Obligations.

(A) If an employee requests leave for the birth, adoption, or the foster placement of a child, and the need for leave is foreseeable, the employee must provide his or her division manager with at least 30 days' notice. However, if the date of the birth, adoption, or foster placement requires that leave begin in less than 30 days, the employee must provide the division manager with as much notice as practicable. If the employee requests leave because of a serious health condition, the employee must provide the division manager with 30 days' notice or with as much notice as practicable.

(B) Employees seeking leave on account of a serious health condition must provide the division manager with medical certification regarding their condition. The General Manager may require employees to obtain, at the District's expense, a second opinion. If the second opinion differs from the first, the General Manager may require a third opinion from a mutually agreed on health care provider.

(C) For most leaves, employees will not be permitted to take their leave intermittently or on a reduced-leave schedule without the General Manager's approval. However, intermittent leave or a reduced-leave schedule may, if medically necessary, be taken by the employee because of a serious health condition. An employee who seeks intermittent leave or leave on reduced-leave schedule because of planned medical treatment may be required to transfer temporarily to a different position, with equivalent working conditions, that accommodates recurring periods of leave better than the employee's regular job.

2.25.450 OTHER LEAVES OF ABSENCE

2.25.455 Leave of Absence Without Pay. Leave of absence without pay may be granted in cases of emergency or where such absence would not be contrary to the best interests of the Rio Linda/Elverta Community Water District. Such leave is not a right but a privilege. Employees on authorized leave of absence without pay may not extend such leave without the written approval of the General Manager. Leave of absence without pay for one week or less may be granted by a supervisor, depending upon the merit of the individual case. Leaves of absence without pay in excess of one week duration may be granted by the General Manager depending upon the merit of the case, but such leaves may not exceed six months.

2.25.460 Absence Without Leave. Absence without leave shall be considered to be without pay, and reductions in the employee's pay shall be made accordingly. Absence without leave for more

than three consecutive days may result in termination of employment. Such termination shall not be subject to appeal.

2.25.465 Leave for Death Outside the Immediate Family. Leave without pay may be granted to a regular employee by the supervisor in the event of death to family members other than one of the immediate family, such leave granted in accordance with Section 2.25.455.

2.25.470 Voting Leave. Time off with pay to vote at any general, direct primary, or presidential primary election shall be granted as provided in the State of California Elections Code, and provided that notice the employee desires such time off shall be given in accordance with the provisions of said code.

2.25.475 Jury Duty. Employees required to report for jury duty shall be granted a leave of absence with pay from their assigned duties until released by the Court, provided the employee remits to the Rio Linda/Elverta Community Water District within thirty days from the termination of his jury service all fees received for such duties other than mileage and subsistence allowance.

2.25.480 Workers' Compensation. Any employee who is absent from work by reason of an injury or illness covered by the Rio Linda/Elverta Community Water District's Workers' Compensation insurance policy shall continue in pay status under the following provisions:

A. The difference between the amount granted pursuant to such Workers' Compensation insurance for lost pay due to injury and the employee's regular rate of pay shall be paid to the employee for a period of one week.

B. Beyond the initial one week, the amount granted pursuant to such Workers' Compensation insurance plus the amount granted as Social Security benefits plus the amount granted by any employer-paid disability insurance or disability retirement all shall be subtracted from the employee's rate of pay and the difference shall be paid to the employee from accumulated paid sick and vacation leave until these accumulations have been depleted.

C. Any employee who depletes accumulated paid leave in order to maintain pay status while absent from work by reason of an injury or illness covered by Workers' Compensation insurance shall be removed from pay status. An employee may then be placed on medical leave of absence for up to two months. No further leave may be granted.

2.25.485 Worker's Compensation Exams and Hearings. Employees who have been injured in the course and scope of their employment with the Rio Linda/Elverta Community Water District and who are required as a result of such injury to be absent from duty to take physical examinations required by the Rio Linda/Elverta Community Water District's Workers' Compensation insurer or the Industrial Accident Commission or to attend hearings of the Industrial Accident Commission may be granted leave with pay for such absences by the General Manager when he determines such absences are in the best interest of the Rio Linda/Elverta Community Water District and only if the employee is in pay status at the time of the scheduled examination or hearing.

2.25.500 DISCIPLINARY ACTION

2.25.505 Disciplinary Policy Statement. Whenever an employee's performance, attitude, work habits, or personal conduct at any time falls below a desirable level, supervisors are expected to inform employees promptly and specifically of such lapses, and give counsel and assistance. If appropriate and justified, a reasonable period of time for improvement may be allowed before initiating disciplinary

action. In some instances, an incident may justify severe disciplinary action; the action to be taken depends on the seriousness of the incident and the whole pattern of the employee's past performance and conduct. Any instance of disciplinary action shall be documented in the employee's personnel file. As used in this chapter "disciplinary action" shall mean discharge, demotion, reduction in salary, reprimand, disciplinary probation, or suspension.

2.25.510 Causes for Disciplinary Action Causes for disciplinary action against any employee may include, but shall not be limited to, the following:

- (a) Failure to meet prescribed standards of work, morality, and ethics to an extent that makes an employee unsuitable for employment.
- (b) Theft or malicious destruction of the Rio Linda/Elverta Community Water District's property or the property of customers of the District.
- (c) Incompetency, inefficiency, or repeated negligence in the performance of duty.
- (d) Insubordination.
- (e) Conviction of a criminal offense.

- (f) Notoriously disgraceful personal conduct.

- (g) Unauthorized absences or abuse of leave privileges.

- (h) Acceptance or receipt of any gift whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence the employee or could reasonably be expected to influence him, in the performance of job duties or could reasonably be regarded as a reward for any action on his part.
- (i) Falsification of records or use of position for personal advantage.

- (j) Drunkenness on duty.

- (k) Unlawful use, sale or possession of narcotics or other proscribed drugs.
- (l) Violation of any provisions of these Rules or departmental rules.

- (m) Engaging in harassment or sexual harassment.

- (n) Other behavior during which is of such a nature that causes discredit to the Rio Linda/Elverta Community Water District.

2.25.515 Administration of Disciplinary Action. The General Manager or a supervisor may take disciplinary action against an employee under his control for one or more of the causes for discipline specified in this chapter by notifying the employee in writing from two (2) to ten (10) days prior to the proposed action of the following:

- (a) The nature of the proposed disciplinary action.

- (b) A statement of reasons for the proposed action.
- (c) A statement that all documents or materials upon which the proposed disciplinary action based are available for employee's review and, if requested, employee will be provided with a copy of said material.
- (d) A statement indicating the proposed effective date for the disciplinary action and that the employee may respond orally or in writing prior to that date.

The General Manager or supervisor shall review any responses from the employee. If no response is received or the response is deemed inadequate to alter the proposed action, then the disciplinary action may be carried out. If the proposed action is to be suspension or discharge, the employee may be relieved of duty while continuing to receive pay and other benefits until the disciplinary action is effective.

Disciplinary action against regular employees is valid only if a written notice is served on the employee either personally or by Certified Mail and said written notice includes:

- (a) A statement of the nature of the disciplinary action.
- (b) The effective date of the penalty.
- (c) A statement of the causes therefore.
- (d) A statement in ordinary language of the admissions upon which the causes are based.
- (e) A statement advising the employee of his right of appeal from such action, if any.

If the notice is from a supervisor, a copy shall be filed with the General Manager within two calendar days after it is served upon the employee.

2.25.520 Effect of Certain Disciplinary Actions

(A) Oral Reprimand - Employees receiving a written reprimand may have it noted in their departmental record by the supervisor.

(B) Written Reprimand - Employees receiving a written reprimand shall have a copy of their reprimand filed in their personnel file.

(C) Disciplinary Probation Period - Employees placed on disciplinary probation shall not use paid personal leave or earn time for salary review while on such probation and the rules governing regular probationary periods shall govern.

(D) Suspension - Employees suspended from employment shall forfeit all rights, privileges, and salary while on such suspension with the exception of group insurance benefits.

(E) Discharge - Employees terminated for disciplinary reasons shall be paid salary accumulated to the effective date of termination only.

2.25.525 Right of Appeal. Unless otherwise specifically stated in these rules, any regular employee shall have the right of appeal to the Board of Directors for any disciplinary action taken pursuant to the provisions of this chapter. Such appeal must be filed with the District's General Counsel within ten (10) working days after receipt of written notice of such disciplinary action; failure to file an appeal within such time constitutes the waiver of the right of appeal. The appeal must be in writing, must be verified before a Notary Public, must be made under penalty of perjury, and must state specifically the reasons upon which it is based. District General Counsel shall cause such an appeal to be investigated and shall submit a report to the Board of Directors. Neither the provisions of this section or this chapter shall apply to reductions in force or reductions in pay which are part of a general plan to reduce staffing levels or adjust salaries and wages.

2.25.530 Hearing. The Board of Directors shall conduct a hearing on an appeal filed in accordance with this chapter within thirty (30) days after the appeal is filed with District counsel. The Board may continue the hearing either for the convenience of the District or upon written application of the appellant, for a period not to exceed an additional thirty (30) days. Written notice of the time and place of the hearing and any continuance thereof shall be given the appellant and the General Manager. Such hearings shall be conducted in accordance with the provisions of Section 11513 of the Government Code of the State of California, except that the appellant and other persons may be examined as provided in Section 19580 of the Government Code and the parties may submit all proper and confident evidence against or in support of the causes of the disciplinary action, but it shall be a rebuttable presumption that the statement of the causes is true.

2.25.535 Representation. The appellant may appear in person or be represented by a person of his choice.

2.25.540 Notice to Witnesses. The Board of Directors shall issue notices for the appearances of witnesses for the appellant upon written request and at his cost, said cost to be prepaid.

2.25.545 Failure of Employee to Appear at Hearing. Failure of the appellant or his representative to appear at the hearing shall be deemed a withdrawal of his appeal and the disciplinary action shall be final.

2.25.550 Decisions. The Board of Directors shall render a written decision within 15 days after concluding the hearing. The Board's decision shall be final and conclusive. A copy of such decision shall be forwarded to appellant. If a disciplinary taken against the employee is reversed or modified by the Board, the employee may be compensated in whole or in part, for the time lost as determined by the Board.

2.25.555 Confidential Information. In the interest of preventing undue embarrassment and subsequent loss of ability to perform work effectively, the following policy will prevail regarding the release of information to the public on personnel actions:

- (a) No information will be released without prior approval of the General Manager;
- (b) No information will be released until final action has been determined and taken;
- (c) Even after final disposition of the matter, no details will be released other than the exact nature of the action taken;
- (d) If the employee or his representative makes detailed information available to others, then the General Manager may make any information on the employee available to the public as he deems to be in the best interest of the District.

2.25.600 GRIEVANCE PROCEDURES

2.25.605 Purpose. Grievance procedures serve to (1) promote improved employer-employee relations, (2) afford employees individually a systematic means of obtaining further considerations of problems after every other reasonable effort has failed to resolve them through discussions, (3) to provide that grievances shall be settled as near as possible to the point of origin, and (4) to provide that grievances shall be heard and settled as informally as possible.

2.25.610 Matters Subject to Grievance Procedures. Any employee shall have the right to present a grievance regarding wages, hours, and working conditions except that matters subject to the provisions of Section 2.25.500 (disciplinary actions) shall not be subject to the grievance procedure.

2.25.615 Informal Grievance Procedures. The employee should first attempt to resolve a grievance or complaint through discussion with his immediate supervisor with out undue delay. If after such discussion the employee does not believe the problem has been satisfactorily resolved, he shall have the right to discuss it with his supervisor's immediate supervisor, if any. Every effort should be made to find an acceptable solution through informal means at the most immediate level of supervision. If the employee is not in agreement with the decision reached through such discussion, he shall then have the right to file a formal grievance in writing.

2.25.620 Formal Grievance Procedures. Formal grievance procedures after the exhaustion of the informal grievance procedure shall proceed as follows:

(A) Department Review - Grievance shall be presented in writing to the employee's supervisor who shall discuss the grievance with the employee and with other appropriate persons. The supervisor shall render a decision in writing and return it to the employee within fifteen (15) calendar days after receiving the grievance. If the employee does not agree with the decision reached, or if no answer has been received within fifteen (15) calendar days, the grievance may be submitted in writing to the General Manager. Failure of the employee to take further action within ten (10) calendar days after receipt of the decision, or within a total of twenty-five (25) calendar days if no decision is rendered, will constitute withdrawal of the grievance.

(B) General Manager Review - Upon receiving the grievance, the General Manager shall discuss the grievance with the employee and with all other appropriate persons. The General Manager may designate a fact finding committee or an officer not in the normal line of supervision to advise him concerning the grievance. The decision of the General Manager shall be final and shall be rendered within thirty (30) calendar days from receipt of the grievance.

2.25.625 Conduct of the Grievance Procedure. The time limits specified hereinabove may be extended to a definite date by written mutual agreement of the employee and the reviewer concerned. The employee may request assistance of another person of his own choosing in preparing and presenting his grievance at any level of review in the "Formal Grievance Procedures." An employee shall be free from reprisal for using the grievance procedure.

2.25.630 Grievance Against General Manager. When an employee has a grievance against the General Manager, the procedures described hereinabove shall be used except that the duties of "supervisor" shall be performed by the General Manager and the duties of "general manager" shall be performed by the District's General Counsel.

2.25.650 EMPLOYER-EMPLOYEE RELATIONS

2.25.655 Statement of Purpose. This chapter implements Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500 et seq.) captioned "Local Public Employee Organizations", by providing orderly procedures for the administration of employer-employee relations between the District and its employee organizations. However nothing contained herein shall be deemed to supersede the provisions of State law, District ordinances, or other chapters of these Rules which establish and regulate the personnel system or which provide for other methods of

administering employer-employee relations. This chapter is, instead, to strengthen the merit system through the establishment of uniform and orderly methods of communications between employee organizations, employees, and the District.

2.25.660 Meet and Confer Matters. It is the purpose of this chapter to provide for the establishment of procedures for meeting and conferring in good faith with individual employees or recognized employee organizations regarding matters that directly affect and primarily involve wages, hours and other terms and conditions of employment of employees in appropriate units and that are not preempted by federal and state law. However, nothing herein shall be construed to restrict any legal or inherent exclusive District rights with respect to matters of general legislative or managerial policy, which include among others: the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work, lack of funds, or for other legitimate reasons; maintain the efficiency of District operations; determine the methods, means, and personnel by which District operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.

2.25.665 Rules for the Establishment of Procedures. The Board of Directors shall establish rules regarding the recognition of employee organizations, the determination of appropriate units, and meet-and-confer procedures upon receipt from an organization requesting to represent one or more District employees.

2.25.670 Individual Employees. Employees who are not represented by a recognized employee organization shall be entitled to represent themselves in meet-and-confer process with regard to the preparation of the employee compensation plan as follows:

(a) During the week following the regular October meeting the Board of Directors, the General Manager shall submit to the employees the recommended compensation plan previously submitted to the Board in closed session pursuant to Section 2.20.320 of this policy manual;

(b) Employees shall submit requests for revisions in the proposed compensation plan in writing to the General Manager within ten (10) days after receipt of the recommended compensation plan;

(c) The General Manager shall meet-and-confer with all employees not represented by a recognized employee organization regarding such requests;

(d) At the regular meeting of the Board of Directors in the month of November, the General Manager shall submit in closed session the results of the meet-and-confer process and in open session the Board shall discuss and adopt a compensation plan for the coming fiscal year. Prior to the revision of these rules by the Board of Directors, the General Manager shall submit copies of proposed revisions previously reviewed by the Board of Directors to the employees not represented by an employee organization. Employee may submit suggested changes to the proposed revisions within ten (10) days after receipt thereof. The General Manager shall meet-and-confer with all of the employees not represented by an employee organization on the suggested changes and shall report to the Board of Directors in closed session on the results of the meet-and-confer process.

2.25.900 MISCELLANEOUS

2.25.905 Outside Employment. Any full-time employee engaging in a regular outside employment shall notify the General Manager. The employee shall submit a statement naming the employer, address and telephone number, and hours of work. No employee should engage in outside work or employment which will conflict with his or her duties and responsibilities to the District.

2.25.910 Gratuity. No officer or employee of the District shall solicit or accept any gratuity for services rendered.

2.25.915 Conflicts of Interest. No employee shall engage in any business transaction or shall have a financial interest, direct or indirect, which is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or reaction in the performance of those duties.

2.25.920 Records. Personnel records, except for examinations, performance and evaluation reports, personnel histories, and such other records as may be specified in these rules or by order of the General Manager, shall be public records open to public inspection in accordance with procedures prescribed by the General Manager.

2.25.925 Residence. Water system maintenance employees shall reside within 30 minutes of the District boundaries so that they may respond to emergency situations in a timely manner. Any employee not residing as required herein at the time of employment shall establish such residence within the probationary period.

2.25.930 In-Service Training. The General Manager may authorize the payment of costs for job related training courses for employees if the budget provides funds therefore. The General Manager may establish rules for the use of said funds.

2.25.935 Political Activity. No employee of the District shall take an active part in any political campaign during working hours or use his or her job title or position in connection with any political activity at any time.

Chapter 2.30 CONFLICT OF INTEREST CODE

(Res No. 1996-09-04)

Sections:

- 2.30.010 Conflict of Interest Code**
- 2.30.020 FPPC Standard Code Provisions**
- 2.30.030 Disclosure Category 1**
- 2.30.040 Disclosure Category 2**
- 2.20.090 Designated Positions**

2.30.010 Conflict of Interest Code. The provisions of this chapter constitute the conflict of interest code of the Rio Linda/Elverta Community Water District.

2.30.020 FPPC Standard Code Provisions. The terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference within this conflict of interest code.

2.30.030 Disclosure Category 1. Officers and employees included in disclosure category 1 shall report the following information as required:

- (A) Interests in real property, other than a principal place of residence.
- (B) Investments and business positions in any business entity or income from any source if the business entity or source of income manufactures or sells supplies, machinery or equipment of the type utilized by the District.
- (C) Investments and business positions in any business entity or income from any source if the business entity or source of income is a contractor or subcontractor engaged in the performance of work or services of the type utilized by the District.
- (D) Investments and business positions in any business entity or income from any source if the business entity or source of income has an office or owns real property located within the District.

2.30.040 Disclosure Category 2. Officers, employees, and consultants included in disclosure category 1 shall report as required either:

- (A) The same information required in disclosure category 1; OR
- (B) The General Manager of the District may determine in writing that a particular consultant, 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 the disclosure requirements described in this section; such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements; such determination shall be a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

2.20.090 Designated Positions. Persons holding the following positions shall meet the disclosure requirements indicated as provided by law and this code:

<u>Position</u>	<u>Disclosure Category</u>
Director (Board Member)	1
General Manager	1
General Counsel	2
Auditor	2
Consultant	2

Title 3 FINANCE

Chapters:

- 3.01 GENERAL PROVISIONS**
- 3.03 DEFINITIONS**
- 3.05 ACCOUNTING**
- 3.07 BUDGET**
- 3.09 DEPOSIT AND INVESTMENT**
- 3.11 PAYMENT OF CLAIMS**
- 3.21 RISK CONTROL**

Chapter 3.01 GENERAL PROVISIONS *(Resolution 1996-11-02)*

Sections:

3.01.010 Purpose

3.01.010 Purpose. The purpose of this Chapter is to provide for implementation of the financial provisions of the County Water District Law and the Government Code of the State of California.

Chapter 3.03 DEFINITIONS *(Resolution 1996-11-02)*

Sections:

- 3.03.010 General**
- 3.03.100 DEFINITIONS**
- 3.03.104 Budget**
- 3.03.108 Budget Document**
- 3.03.112 Fiscal Year**
- 3.03.116 Fund**
- 3.03.120 Reserves**

3.03.010 General. As used in this Chapter certain terms, phrases, words and their derivatives shall be construed as specified in this Chapter.

3.03.100 DEFINITIONS

3.03.104 Budget. A plan of financial operation embodying an estimate of proposed expenditures for a fiscal year and the proposed means of financing them.

3.03.108 Budget Document. The instrument used by the General Manager to present the proposed plan of financial operations of the District to the Board of Directors. It includes the proposed Budget and all supporting statements, details, schedules, statistics, messages, summaries and other information deemed appropriate by the General Manager.

3.03.112 Fiscal Year. The twelve-month period of time to which the annual Budget applies, which shall be from July 1st through June 30th.

3.03.116 Fund. An independent accounting entity with a self-balancing set of accounts segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with specific regulations, restrictions or limitations.

3.03.120 Reserves. An account which records a portion of the fund balance which is segregated for some future use and which has not been appropriated for expenditure within the Budget.

Chapter 3.05 ACCOUNTING

(Resolution 1996-11-02)

Sections:

3.05.100 Funds

3.05.110 Water Enterprise Fund

3.05.120 Project Funds

3.05.130 Special Holding Funds

3.05.100 Funds. All monies received and/or expended by the District shall be accounted for and recorded in ledgers for those funds provided for in this Chapter.

3.05.110 Water Enterprise Fund. All revenues and expenditures for the maintenance, operation and improvement of the District water fund shall be accounted for in this fund.

3.05.120 Project Funds. The General Manager and District Auditor may create special funds for accounting of revenues and expenditures related to specific construction projects.

3.05.130 Special Holding Funds. The General Manager and District Auditor may create special funds for accounting purposes to hold monies which have been expended from a regular budgeted fund, but for one reason or another are still in the possession of the District. All such funds shall be

reported in the monthly Budget report.

Chapter 3.07 BUDGET

(Resolution 1996-11-02)

Sections:

3.07.100 Presentation and Review

3.07.200 Public Hearing

3.07.300 Adoption

3.07.100 Presentation and Review. The General Manager shall present the Budget document to the Board of Directors including the proposed Budget for the following year.

3.07.200 Public Hearing. On or before the regular Board meeting in July, the Board of Directors shall hold a public hearing on the proposed Budget. Copies of the Budget document shall be available to the public for a cost of one dollar each.

3.07.300 Adoption. During or before the regular Board meeting in August, the Board of Directors shall make any changes it deems desirable to the proposed Budget and shall adopt by resolution the Budget as finally determined. The resolution shall include all adopted revenue and expenditure figures.

3.07.400 Budget. The Budget for the current period follows marked "Schedule A."

EXHIBIT A - BUDGET FOR JULY 1, 2000 - JUNE 30, 2001 FISCAL YEAR

RESOURCES:

FROM RESERVES:

Debt Service Reserve	\$2,856,369
Cash Flow Reserve	\$360,000
Contingency Reserve	\$72,000
Self-Insurance Reserve	\$10,000
Capital Reserve	\$340,000

REVENUE:

Water Service Rates	\$702,688
Account Service Charges	\$28,750
Other Water Service Fees	\$17,060
Miscellaneous Revenue	\$2,000
Property Related Income	\$38,400
Property Taxes & Related	\$42,000
Development Fees	\$10,000
Miscellaneous Non-Operating	\$1,500
Earnings on Monies	\$230,000

TOTAL RESOURCES	\$4,710,767
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APPROPRIATIONS:

EXPENDITURES:

Officers and Employees	\$513,550
Contractual Services	\$87,250
Field Operations	\$196,950
Office Operations	\$52,880
Debt Service	\$467,480
Equipment/Facilities Replacement	\$30,500
Capital Acquisition	\$80,000
Other Expenditures	\$1,000

TO RESERVES:

Debt Service Reserve	\$2,776,369
Development Fee Reserve	\$10,000
Cash Flow Reserve	\$360,000
Contingency Reserve	\$72,000
Self-Insurance Reserve	\$10,000
Capital Reserve	\$52,788

TOTAL APPROPRIATIONS	\$4,710,767
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Chapter 3.09
DEPOSIT AND INVESTMENT OF DISTRICT FUNDS
(Resolution 1996-11-02)

Sections:

- 3.09.100 Signature Designations**
- 3.09.110 Transfers Between Depositories**
- 3.09.120 Depositories**
- 3.09.130 Authorization to Execute Forms**

3.09.100 Signature Designations. All checks or other withdrawal instruments drawn against District funds shall be signed by two persons, one from each of "A" and "B" as follows:

A.. Members of the Board of Directors.

B. General Manager
or
Administrative Supervisor

3.09.110 Transfers Between Depositories. Authorization to withdraw monies from one depository for purposes of direct transfer to another depository may be granted to the depositories by any single person authorized to sign checks pursuant to Section 3.09.100hereinabove.

3.09.120 Depositories. The following are designated as depositories for District funds:

A. California Bank & Trust 1331 Broadway, Sacramento, is hereby designated as a depository of the District in which shall be deposited all monies of the District, excepting monies deposited in or to be deposited in other depositories for investment as designated herein below.

B. Pursuant to Chapter 730 of the Statutes of 1976 (§16429.1 of the Government Code), the deposit of District monies in the Local Agency Investment Fund in the State Treasury is hereby authorized in accordance with the provisions of investment provided therefore.

C. The investment of certain monies resulting from the issuance of Water Revenue Refunding Bonds Series 2003, Bank of New York Western Trust Company, 550 Kearney Street, San Francisco is hereby authorized.

(Information in Sections 3.09.120 A & C updated to reflect current depositories as of January 1, 2005)

3.09.130 Authorization to Execute Forms. The President of the Board of Directors, all other directors, and the General Manager/Secretary are hereby authorized to execute such forms, resolutions, signature cards, and other documents as are required by the depositories designated hereinabove in order to carry out the provisions of this resolution as if each such form, resolution, or card has been individually approved by the Board of Directors.

Chapter 3.11
PAYMENT OF CLAIMS
(Resolution 1996-11-02)

Sections:

- 3.11.100 Claims and Demands**
- 3.11.110 Claims Excepted from the Tort Claims Act**
- 3.11.200 Salaries and Wages**

3.11.100 Claims and Demands. All claims and demands against the District shall be submitted to the General Manager who shall review them to determine if, under Division 3.6 of Title 1 of the Government Code, they may be paid in the form in which they are submitted. If approved by the General Manager any claim or demand which does not conform to the adopted Budget shall be submitted to the Board of Directors for approval or rejection prior to the drawing of a check. If a demand is certified by the General Manager as conforming to the adopted Budget it shall be deemed to have been authorized by the Board and a check may be drawn in payment. A list of such checks shall then be presented to the Board of Directors for ratification at the first meeting after the delivery of the checks.

3.11.110 Claims Excepted from the Tort Claims Act.

(a) Claims for money or damages which are excepted by Section 905 of the Government Code from the requirements of Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of Division 3.6 of Title 1 of the Government Code, and which are not governed by any other statutes or regulations expressly relating thereto, shall be governed by the procedure prescribed in this section.

(b) A claim must be presented and acted upon as required herein as a prerequisite to suit thereon. Any action brought against the District on such a claim shall be subject to the provisions of Section 945.6.

(c) The procedure for submission of a claim pursuant hereto shall be the same as that required for a claim not excepted by Section 905 of the Government Code.

3.11.200 Salaries and Wages. Salaries and wages shall be paid to officers and employees of the District semimonthly. Payroll checks shall be treated as budgeted demand checks.

Chapter 3.21
RISK CONTROL
(Resolution 1996-11-02)

Sections:

- 3.21.100 General Statement Regarding Risk**
- 3.21.104 Statement of Risk Management Program Goals and Objectives**
- 3.21.108 General Statement of Risk Management Policies**
- 3.21.120 General Statement of Risk Management Responsibilities of District Employees**
- 3.21.124 General Manager as Risk Manager; Duties**
- 3.21.128 Risk Management Duties of District Counsel**
- 3.21.132 District Safety and Health Committee: Membership and Duties**
- 3.21.136 Risk Management Duties of All Employees**
- 3.21.140 Loss Control Considerations For Members of the Board of Directors**
- 3.21.200 Contract Guidelines: Purpose**

- 3.21.204 Consulting Contracts: Written Contracts**
- 3.21.208 Minor Construction Contracts: Contract Form**
- 3.21.212 Consulting and Minor Construction Contracts: Risk Minimization**
- 3.21.220 Major Construction Contracts: Written Contract**
- 3.21.224 Major Construction Contracts: Risk Minimization**
- 3.21.500 Employee Injury and Illness Protection Program: Purpose**
- 3.21.504 General Health and Safety Policies**
- 3.21.508 General Health and Safety: Employee Requirements**
- 3.21.512 Personal Protective Safety Equipment**
- 3.21.516 Employee Safety and Health Training**
- 3.21.605 Accident Policy**
- 3.21.610 Employee Injury**
- 3.21.615 Accidents Involving District Owned Vehicles**
- 3.35.620 Drug Testing Following An Accident**
- 3.21.900 Administrative Directives**

3.21.100 General Statement Regarding Risk. The District recognizes that through its services and statutory obligations the District will be unavoidably exposed to a variety of risks of loss from occurrences involving damage to property, loss of income, extra expenses, liability to others, and injury to employees. The District is self-insured through a risk sharing pool with other similar water agencies. Both minor and significant losses represent cash and/or other asset losses to the District. It is the objective of the Board of Directors to limit these losses in order to protect District ratepayers from inordinate rate increases to replace said assets.

3.21.104 Statement of Risk Management Program Goals and Objectives. The goals and objectives of the District's Risk Management Program are to:

1. To protect the District against the financial consequences of accidental losses which may be catastrophic in nature.
2. To protect the District's assets.
3. To safeguard that all exposures to financial loss are discovered and treated.
4. To reduce other financial losses by using efficient reduction procedures.
5. To ensure a safe environment for employees and for members of the public who come into contact with these employees as services are provided.
6. To minimize the possible interruption of vital public services.
7. To reduce the cost of accidents, including insurance premiums, through effective safety programs and practices.
8. To periodically reassess the District's various exposures to loss, ability to bear financial loss, and the adequacy of its risk avoidance, prevention, reduction, retention and transfer programs.
9. To minimize the long term costs of all risk management activities, through cost effective loss control, claims handling, and risk financing.

3.21.108 General Statement of Risk Management Policies. The general Risk Management policies of the District are that:

1. The District will provide safe working conditions for its employees. Under no circumstances will the risk of serious injury or death of employees be considered an acceptable risk.
2. The designated Risk Manager shall have responsibility and authority to administer the District's risk management program, including insurance procurement.

The Risk Manager shall be assisted by any staff or consultants retained to provide risk management assistance.

3. The costs of risk shall be minimized through the sound application of risk avoidance, prevention, reduction, retention and transfer techniques.

4. The Risk Manager will periodically assess, subject to governing body appropriations, the District's exposures to risk and the effectiveness of existing risk management programs, and make recommendations for improvements.

5. Procurement of all District insurance will be administered by the Association of California Water Agencies Joint Powers Insurance Authority (JPIA) with District participation of JPIA policy development through membership on the Board of Directors of the JPIA.

6. Self insured retentions and reserves shall be maintained and budgeted within a separate fund. No expenditures for self insurance shall be included in the current budget of the District.

7. Administrative policies, procedures and guidelines will be established to avoid, prevent, reduce, retain or transfer risks.

3.21.120 General Statement of Risk Management Responsibilities of District Employees.

The success of a risk management program depends on support from key individuals such as the Board of Directors and the General Manager. It is also essential that all employees be actively involved with the day-to-day aspects of safety, loss control and risk reduction.

3.21.124 General Manager as Risk Manager; Duties. The General Manager serves as the District's designated Risk Manager. The Risk Manager shall perform, and shall designate an employee as Safety Officer to assist in the performance of, the following risk management duties:

1. To implement the Risk Management Program and measure program effectiveness and performance.

2. Allocate risk management costs on an equitable basis to all departments.

3. Oversee the assignment and investigation of claims.

4. Monitor the risk management and loss control program and report results.

5. Develop risk management administrative policies, procedures and programs, and communicate them to all appropriate parties.

6. To periodically assess, subject to Board appropriations, the District's exposures to risk and the effectiveness of existing risk management programs, and make recommendations for improvements.

7. To see that claims by the District against others are filed and settled.

8. To maintain current records on insurance, property valuations, vehicle and equipment schedules, insurance registers, claims, and loss experience.

9. To serve as a primary reception point for all claims for damages filed with the District.

10. To stamp, record, file and distribute all Claims for Damages.

11. To file and maintain records of all Claims, Insurance Policies, Contracts, etc. related to Risk Management.

12. To keep a file of all reported complaints and requests for District service.

13. To assure that equipment, facilities and programs have safety measures built into them, and that appropriate OSHA and Consumer Safety Product Commission guidelines are considered.

14. To maintain and promote safe and healthful working conditions, including establish a training program.

3.21.128 Risk Management Duties of District Counsel. The risk management duties of the District Counsel are:

1. To coordinate with legal counsel assigned to claims by the JPIA.
2. To review all agreements, contracts, deeds, easements, and other legal documents for form and compliance to the insurance, hold harmless, and indemnification standards of the District.
3. To resolve and/or defend claims and suits, as required, in consultation with the JPIA.

3.21.132 District Safety and Health Committee: Membership and Duties. The Safety and Health Committee shall include the Risk Manager, Safety Officer, and District Counsel. The risk management duties of the committee are:

1. To review all incident reports and make recommendations regarding health and safety issues.
2. To promote health and safe working conditions and practices.
3. To assist in risk identification.
4. To organize and conduct in April of each year an inspection of all District facilities.

3.21.136 Risk Management Duties of All Employees. The risk management duties of all employees are:

1. To promote safety among co-workers and ensure that good communications on all risk and safety matters are achieved.
2. To aid new employees by pointing out job safety practices.
3. To apply the principles of accident prevention in their daily work, and care for and use proper safety devices and protective equipment as required by their employment.
4. To become familiar with and observe safe work procedures during the course of their work activities.
5. To promptly report to their immediate supervisor any work related accident, injury or occupational illness, regardless of the degree of severity, prior to the end of the work shift.
6. To cooperate with and assist in investigation of accidents to identify correctable causes and to prevent their recurrence.
7. To promptly report to their immediate supervisor all unsafe actions, practices, or conditions they observe.
8. To keep work areas clean and orderly at all times.
9. To obey safety rules and follow established work procedures.
10. To avoid horseplay and refrain from distracting others.
11. To dress in attire, including any safety gear, suited for the jobs they are expected to perform.
12. To lift and handle materials properly.

3.21.140 Loss Control Considerations for Members of the Board of Directors. Elected officials, like employees, may incur liability for the District and may be held liable for what they both say and do, either individually or collectively. There may be either case law or statutory responsibility for certain behaviors on the part of elected officials. The following is a description of the most common legal areas of concern:

1. There are a number of conflict-of-interest prohibitions outlined in State statutes. Whether legally mandated or not, Directors should not vote on a matter where the Director's financial interest is especially affected.

2. During the pendency of any quasi-judicial proceeding, no member of the Board should engage in ex-parte (outside the hearing) communications with proponents or opponents about a matter in the proceeding.

3. Board members have a legal obligation to become familiar with the Ralph M. Brown Act and to not participate in meetings in violation thereof.

4. There are a number of risk reduction checklists that governing body members should use when considering legislative actions. Legislators, administrators and legal counsel who draft ordinances and other proposed legislative actions should review the proposed ordinance, etc. against the appropriate checklists.

Equal Protection Checklist:

1. Does the action treat different groups of people differently?
2. If so, what standard will the classification be judged?
3. Is the classification justifiable under the appropriate standard?
4. Will an ordinance or policy which is neutral on its face have a discriminatory impact when applied?
5. Does the Board of Directors have a sufficient basis in fact in support of the action and/or classification?

Substantive Due Process Checklist:

1. Does the District have a legitimate goal in pursuing its proposed course of action?
2. What is the nature of the "right" being affected by the District's decision?
3. Is it a right which is deemed to be fundamental? If so, does the District have a compelling interest for taking the action?
4. If a fundamental right is involved, is there another, less drastic way for the District to achieve its goal which will create less interference with the constitutional right?
5. If it is an economic, social or business regulation, is there a rational relationship between the regulation and the governmental goal?
6. Does the regulation create an irrebuttable presumption?

Procedural Due Process Checklist:

1. Will the proposed action or ordinance deprive a person of a "liberty" or "property" interest?
2. If so, has that person been afforded due process?
3. Has the person been given notice?
4. Has the person been given an opportunity to be heard?
5. Has the person been given a statement of reasons for the District's decision?
6. Has the District complied with applicable statutory, policy or contract provisions requiring due process?
7. Does the proposed regulation give sufficient notice to persons of its requirements?
8. Are the terms used in the regulation defined?

9. Does the regulation provide clear standards for the conduct of the officials who must enforce it?

Due Process Checklist: Licenses and Permits

1. Is there a policy dealing with the granting or revocation of the license or permit?
2. Is the policy clear and unambiguous?
3. Has the applicant for a license or permit been given reasonable information as to the items which must be submitted to the District prior to issuance?
4. Does the District have the authority to legislate in the area for which the license or permit is to be granted?
5. Are the requirements for issuance of a license or permit reasonable and have they been consistently applied?
6. Do the items required prior to the issuance of a license or permit bear some reasonable relationship to the activity to be allowed?
7. Has the District sought to limit the number of persons who can receive the license or permit?
8. If there is a limitation in the number of persons who may receive the license or permit, is there statutory authority for such a limitation?
9. Has an applicant for a license or permit been given an opportunity to have a hearing if the granting of a license or permit has been denied?
10. Has a hearing been held prior to the suspension or revocation of an existing license or permit?
11. If in an area with a limited number of licenses or permits, can the District present a reason for the reduction, and has the identity of the business which will lose its license or permit been determined in a non-discriminatory manner?
12. Is the refusal to issue, or revocation of, the license or permit justified, or solely in response to public pressure?
13. Has the inspection or regulatory system of the District been enforced in a non-discriminatory manner, or is the person being singled out for enforcement?
14. Do the fees charged for licenses and permits bear a reasonable relation to the cost of enforcement?

"Taking" (Inverse Condemnation) Checklist:

1. Is the regulation of property being done in order to advance a legitimate public interest?
2. Will a particular regulation deprive a property owner of every economically viable use of his/her property?
3. Has the property owner taken actions such as expenditure of funds in reliance upon a District action, such as granting of a building or utility permit?
4. Does the District action constitute an illegal or unwarranted physical intrusion on the property?
5. Have the officials compiled a sufficient record setting forth the reasons for the action?
6. Is there a less intrusive way of achieving the same goal?

General Policy Adoption Checklist:

1. Have all the statutory or local procedural requirements been followed?

2. Is the policy a subject upon which the District has Federal or State constitutional or statutory authority to act?
3. As drafted, does the policy treat all similarly situated persons in the same way?
4. Are the terms of the policy clear enough so that people do not have to guess at its meaning?
5. Does the policy clearly state what a person must do in order to comply with it?
6. Does the policy define special or broad terms which it uses?
7. Does the policy set sufficient standards for the officials who must enforce it, or does it give the enforcing agent too much discretion in making a decision whether or not to do something?
8. Does the policy require that notice or hearing be given to a person whose rights are affected by it?
9. Does the policy require the official who is making a decision under it to give notice of that decision and the reasons for it within a reasonable time?
10. Can the local government achieve its goal by using a less restrictive or intrusive means?
11. Do the policy provisions constitute a "prior restraint" on a person's First Amendment rights?
12. Has the District created an adequate record or compiled sufficient evidence in order to support its findings and conclusions for enacting the policy?
13. Is the policy too broad?
14. Does the policy so heavily burden a person's use of his property that it might be considered a taking?
15. If a policy is changing an existing local regulation, does it give persons a reasonable amount of time to comply with the changes?
16. Has the Attorney and Risk Manager been consulted before taking action which might result in claims against the District or litigation?
17. Have similar policies been upheld elsewhere?
18. If a policy is challenged, would you consider suspending it pending a judicial determination?

3.21.200 Contract Guidelines: Purpose. The following contract guidelines have been established to insure that the local government's exposures and risks are reasonably treated in all of the government's agreements, contracts, leases, settlements, etc.

3.21.204 Consulting Contracts: Written Contracts. Consultant services should be procured by written contract and accompanying purchase order to track consultant costs. Contracts for services that should be in writing include, but are not limited to, management and planning studies, engineering, legal counsel, labor negotiations, plans examination, employment assessment centers, executive search, etc.

3.21.208 Minor Construction Contracts: Contract Form. Contracts for minor construction projects (e.g. under \$25,000) may be procured by written "short form" contract and accompanying purchase order to track project costs. Contracts for services that are to be in writing include, but are not limited to, facility or infrastructure repair or remodeling, etc.

3.21.212 Consulting and Minor Construction Contracts: Risk Minimization. In order to avoid, reduce, or transfer the risk of loss, for contracts for consulting services the following policies are to be applied in a manner consistent with the recommendations contained in the JPIA publication "Risk Transfer Procedures for ACWA/JPIA Member Districts":

1. Workers' Compensation and Employer's Liability. The Contractor shall secure and maintain in force throughout the duration of the contract workers' compensation

insurance as required by law and shall agree to waive all rights of subrogation against the District, its officials, employees and volunteers for losses arising from work performed by Contractor for the District. Language covering this element of the consulting contract shall be included in all contracts as follows:

"The Contractor expressly waives immunity for injuries to its employees and agrees that the obligation to indemnify, defend and hold harmless provided for in this Contract extends to any claim brought by or on behalf of any employee of the Contractor. This waiver is mutually negotiated by the parties. This shall not apply to any damage resulting from the sole negligence of the District, its agents and employees. To the extent any of the damages referenced herein were caused by or resulted from the concurrent negligence of the District, its agents or employees, the obligations provided herein to indemnify, defend and hold harmless is valid and enforceable only to the extent of the negligence of the Contractor, its officers, agents and employees."

2. Hold Harmless and Indemnification. Language covering this element of the contract shall be included in all contracts as follows:

"The Contractor shall indemnify, defend and hold harmless the local government, its officers, agents and employees, from and against any and all claims, losses or liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by any act, omission or failure of the Contractor, its officers, agents and employees in performing the work required by this Agreement."

3. Independent Contractor. All consulting contracts shall contain language to the effect that:

"The Contractor and District agree that the Contractor is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties."

4. Assignment. All contracts shall expressly prohibit the Contractor from subletting or assigning any of the services covered by this agreement without the express written consent of the District. Assignment does not include printing or other customary reimbursable expenses or subcontractors as may be approved in advance by the District that may be provided in an Agreement.

5. Comprehensive General Liability Insurance. All contractors shall secure and maintain in force throughout the duration of the contract comprehensive general liability insurance with carriers acceptable to the District, with a minimum coverage of one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate for personal injury (unless a one million dollar aggregate is specified for the job), and five hundred thousand (\$500,000) per occurrence/aggregate for property damage. The District shall be named as an additional insured and the insurance policy shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the District. Certificates of Insurance shall be delivered to the District within fifteen (15) days of execution of the agreement.

6. Professional Liability Insurance. Contracts with consultants who are required to be professionally certified by the State (such as design engineers or attorneys) shall be required to provide professional liability insurance in the amount of one million dollars (\$1,000,000), with a minimum coverage of one million dollars (\$1,000,000) per occurrence and one million dollars (\$1,000,000) aggregate. The District shall be named as an additional insured and the insurance policy shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the District. Certificates of Insurance shall be delivered to the District within fifteen (15) days of execution of the agreement.

7. Business Auto Liability Insurance. All contractors shall be required to have business auto liability coverage, with minimum limits of one million dollars (\$1,000,000) Per Occurrence, Combined Single Limit for Bodily Injury Liability and Property Damage Liability. This coverage shall include all contractor Owned Vehicles used on the contract, Hired and Non-Owned Vehicles, and Employee Non-Ownership Vehicles.

The District shall be named as an additional insured and the insurance policy shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the District. Certificates of Insurance shall be delivered to the District within fifteen (15) days of execution of the agreement.

8. Subcontractors. It shall be the responsibility of the contractor to insure that all subcontractors comply with the same insurance requirements that the prime contractor is required to meet.

9. Performance Bond. A Contractor on a minor construction job shall furnish to the local government prior to start of construction a performance bond in an amount of 100% of the contract in a form acceptable to the District. In lieu of a bond, fifty percent (50%) retainage may be held for 30 days after final acceptance and/or liens cleared.

(Amended by Resolution 1997-10-02)

3.21.220 Major Construction Contracts: Written Contract. Contracts for major construction projects (e.g. over \$25,000) should be procured by written contract in a manner consistent with state law.

3.21.224 Major Construction Contracts: Risk Minimization. In order to avoid, reduce, or transfer the risk of loss, the following policies in addition to the policies established in Section 3.21.212 hereinabove are to be applied in a manner consistent with the recommendations contained in the JPIA publication "Risk Transfer Procedures for ACWA/JPIA Member Districts":

1. Subcontractors. The prime Contractor shall include all subcontractors as insured under its policies or shall furnish separate Certificates and Endorsements for each subcontractor. The Contractor shall not assign or sublet the Contract in whole or in part without the written consent of the District, nor shall the Contractor assign any moneys due or to become due to Contractor hereunder without prior written consent of the District. The Contractor shall not subcontract more than thirty percent (30%) of the work without the express written consent of the District. In any event, the Contractor shall, at least five (5) working days prior to propose start of a subcontractor's work, notify the District in writing of the name of the proposed subcontractor for the work, and shall not enter into any subcontracts which the District may object to as incompetent or unfit. The Contractor shall agree that Contractor is fully responsible to the for the acts and omissions of the subcontractor and persons either directly or indirectly employed by subcontractors, as well as for the acts and omissions of persons directly employed by the Contractor. Consent to subcontracting part of the work shall, in no way, release the Contractor from responsibility for performance of the work, and Contractor will be held, in all respects, accountable for the same as if no consent had been given. The Contractor shall be required to give personal attention to the work which is sublet. Nothing contained in the Contract Documents shall create any contractual relation between any subcontractor and the District.

2. Builders Risk Insurance. On projects that consist of either above or below ground structures, other than standard manholes, sewer or water lines, Contractor shall purchase and provide "all Risk Builders" insurance coverage equal to one hundred percent (100%) of the completed value of such work being performed. Said policy shall not include a deductible of more than five thousand dollars (\$5,000) per occurrence. Said policy shall name the District as an additional insured. The policy shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the . Certificates of Insurance shall be delivered to the District prior to execution of the Contract. If the Contract is for a District facility which will be occupied, the Contractor should also secure a Waiver of Occupancy Endorsement which will enable the District to occupy the facility under construction/remodel during such activity.

3. Performance Bond. The contractor shall furnish a surety bond or bonds covering faithful performance of the Contract and the payment of all obligations arising there under. The bond shall be in the full amount of the Contract and shall be upon the form of bond set forth herein. The surety shall be a firm qualified to conduct business as a surety in the state. The performance bond for this Contract shall not only indemnify the District for the usual performance provisions of the Contract, but in addition, shall be a bond to guarantee payment of any and all tax or other liability of any type, kind, nature or description due as a result of work performed pursuant to the Contract.

3.21.500 Employee Injury and Illness Protection Program: Purpose. The District's employees are its greatest assets. Providing safe and healthful working conditions is essential to protecting those assets, and an important element of an effective risk management and loss control program. Exposures from unsafe working conditions and practices can be avoided, eliminated, or reduced by identifying the exposures and hazards, and treating them through a variety of techniques such as correcting unsafe work practices or using proper equipment.

3.21.504 General Health and Safety Policies. The following general employee health and safety policies are hereby established:

1. The District will provide safe working conditions for its employees. Under no circumstances will the risk of serious injury or death of employees be considered an acceptable risk.
2. The District will give prime consideration to safety in the design of buildings, facilities and the specifications for equipment.
3. Whenever a condition or practice is found to exist which could reasonably be expected to cause injury or property damage, the employee has a right and duty to report it immediately, and the General Manager has the authority and responsibility to take necessary action to correct the condition or practice or, where no funds are available to correct the condition, to recommend to the Board to appropriate such funds.
4. Each employee shall develop and exercise safe work habits in the course of their work to prevent injuries to themselves, their co-workers, and to preserve and protect the District's materials, equipment and facilities.
5. The District shall periodically inspect facilities and equipment to ensure that prescribed safety standards are met.
6. Employees shall be certified in first aid through a course provided by the District during working hours.
8. First Aid kits shall be provided in all District vehicles and at least on every floor of each District facility.
9. Employees shall use and/or wear all personal protective clothing and equipment required by department work rules.

3.21.508 General Health and Safety Employee Requirements. Employees shall conform to the following general requirements shall apply to all employees when in the performance of their work:

1. Promptly report in writing all accidents and injuries, including "close calls", occurring within the course of employment, whether or not the incident directly involved you.
2. Cooperate with and assist in investigation of accidents to identify correctable causes and to prevent their recurrence.
3. Promptly in writing report all unsafe actions, practices, or conditions.
4. Become familiar with and observe approved safe work procedures.

5. Avoid engaging in "horseplay" and refrain from distracting others.
6. Obey safety rules.
7. Wear required protective equipment.
8. Arrive at work suitably attired for the job(s) expected to be performed.
9. Refrain from the use of alcohol or drugs during work hours, not report to work under the influence of any substance that would affect worker safety, and participate in a random drug testing program established by the General Manager.
10. Refrain from smoking on District property, in District vehicles, and while on duty.
11. Refrain from operating, modifying, adjusting or using equipment in an unauthorized manner.

Any failure to conform to the above requirements may result in disciplinary action, up to and including discharge.

3.21.512 Personal Protective Safety Equipment. Effective personal protection is essential for any employee who may be exposed to potentially hazardous substances or operations, or who perform jobs which have an inherent injury potential. Employees may be exposed to a wide variety of hazardous circumstances, including:

1. Chemical splashes or contact with toxic materials.
2. Falling objects or flying particles.
3. Fires and electrical hazards.
4. Equipment failures.

It is extremely important that employees be adequately protected in these situations. Some of the types of personal protective safety equipment that may be required and which will be provided by the District include:

1. Hard Hats to protect the head against falling objects, head bumping situations or electrical conductors.
2. Goggles, face shields, or safety glasses to guard against airborne debris, dust, flying particles, chips, chemicals, heat, or injurious rays.
3. Ear plugs or ear muffs to guard against prolonged exposure to cold or noise exceeding sound tolerance levels defined by law.
4. Respirators, gas masks, airline respirators, hose masks, and self-contained breathing apparatus to protect employees against toxic or abnormal atmospheric conditions.
5. Safety Shoes to protect feet against possible mashing from articles that can be dropped, from vehicle wheels, jack hammers, other machines and nail punctures.
6. Life jackets when working in and around water.
7. Reflective Vests or bright articles to increase worker visibility while working in or around traffic lanes, or at night.
8. Protective clothing such as gloves, vests, sleeves, aprons, leggings and full suits to protect against spills, abrasions, bumps, or heat.
9. Safety Catch to be used anytime an employee has to work under or adjacent to the gate of a raised dump truck bed.
10. Safety Harness to be used when an employee works from elevated locations such as tank ladders.

In addition, employees should wear clothing suitable for the job to be performed. Suitable clothing means clothing that will minimize the possibility of damage from moving or handling chemicals, machinery, hot or injurious substances, sunburn, insect bites or harmful agents. Employees working in hazardous areas should not wear tennis shoes, loafers, or sandals, but steel tipped shoes or boots. Employees should not wear high platform sandals or shoes when working if the thickness of the sole and heel is extreme and causes the wearer to walk precariously. Work shoes should be in good condition. Employees with long hair should wear a cap or net while working around machines. Individuals who are required to wear breathing devices should be clean shaven where the mask contacts the face. The personal protective equipment selected should meet applicable standards, such as those of the Mine Safety and Health Administration (MSHA), National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), or the National Fire Protection Association (NFPA). The choice of equipment is not a simple matter. Health and safety experts should be consulted before purchasing equipment. The purchasing decision and specification development should be coordinated between the General Manager and the Safety Officer.

3.21.516 Employee Safety and Health Training. The District shall conduct periodic training sessions designed to provide employees with training in how to deal with safety and health hazards encountered in the course of work. All new employees and all employees assigned to a new job shall receive appropriate training as part of their orientation. The District will use all practical means to provide its employees with up-to-date safety and health information.

3.21.605 Accident Policy. The primary reason for specifying a precise procedure for handling accidents is to insure that the employee receives all available benefits under the State Workers' Compensation Law and the District is protected from potential liability and property damage losses. Failure to follow the prescribed accident reporting procedures outlined in this section may result in the employee being required to pay medical expenses which otherwise would have been covered by Workers' Compensation insurance.

3.21.610 Employee Injury. When an employee is injured on the job, it shall be primarily his responsibility or, if the employee is disabled by the injury the responsibility of the first employee to become aware of the injury, to seek out adequate medical treatment as follows:

- (1) injuries of a minor nature requiring first aid only shall be treated by the employee himself or by a fellow employee and reported to the employee's supervisor as soon as possible, but in no case reported to the supervisor later than on the day the accident occurs, and the supervisor shall determine whether the injury is serious enough to require medical attention;
- (2) any employee involved in an accident resulting in a serious injury shall be referred immediately to the nearest hospital emergency room either by the employee himself, a fellow employee, or the supervisor, and the supervisor shall be immediately notified of the accident and the condition of the injured employee;
- (3) Employee's who develop medical conditions that are believed to be caused by the job shall notify their supervisor immediately after receiving such a diagnosis from their physician. A supervisor shall within 24 hours after notification of any injury or illness referred to hereinabove, shall complete the accident report form required by the District's Workers' Compensation insurer and file it with the Administrative Supervisor who shall mail it directly to the insurance carrier and provide a copy to the General Manager. As soon as possible, the supervisor shall require the employee to complete an accident report form as prescribed by the District.

3.35.615 Accidents Involving District Owned Vehicles. Accidents involving District owned vehicles should be reported to the appropriate police agency immediately regardless of the seriousness of the accident. The employee is to provide driver's license, insurance coverage and vehicle registration information to the owner of any other vehicle involved. The employee should not comment on the accident any further to anyone, though it is expected that the employee will answer questions of police officials. Under no circumstances should the employee state that the accident was his fault. The employee should then report the accident to his supervisor as soon as possible and complete the forms required. The supervisor should obtain or prepare a written report of the accident within 24 hours and submit it to the Administrative Supervisor who should then advise the District's insurance agent and submit a copy of the report to the General Manager.

3.35.620 Drug Testing Following an Accident. Any employee driving a vehicle while on duty who becomes involved in an accident submits to a drug test as required by the General Manager. The General Manager may require a drug test of any employee involved in any work related accident resulting in the injury of an employee.

3.21.900 Administrative Directives. The General Manager may promulgate administrative directives to implement the policies establish in this chapter hereinabove. Said directives may be incorporated herein below as additions to this chapter.

Title 4 WATER SYSTEM REGULATIONS

(Adopted by Ordinance No. 1998-01)

Chapters:

- 4.01 ADMINISTRATIVE PROVISIONS**
- 4.03 DEFINITIONS**
- 4.05 ORGANIZATION AND ENFORCEMENT**
- 4.07 SERVICE**
- 4.09 CROSS-CONNECTION CONTROL**
- 4.11 CONSUMER FACILITIES AND USE OF WATER**
- 4.14 WATER CONSERVATION**
- 4.15 WATER SHORTAGE EMERGENCY REGULATIONS**
- 4.17 WATER SYSTEM EXTENSION & CONSTRUCTION**
- 4.21 FIRE PROTECTION FACILITIES**
- 4.23 ABATEMENT**
- 4.31 FEES, CHARGES, AND BILLING**

Chapter 4.01 ADMINISTRATIVE PROVISIONS

Sections:

- 4.01.010 Purpose**
- 4.01.100 Title, Citation and Reference**
- 4.01.200 Scope**
- 4.01.910 Violation of Regulations Prohibited**
- 4.01.920 Prosecution; Abatement**
- 4.01.930 Damage to District Facilities**
- 4.01.980 Amendment**
- 4.01.990 Severability**

4.01.010 Purpose. The purpose of this Title is to implement the provisions of Article 2, Chapter 1, Part 5, Division 12 of the Water Code of the State of California (Sections 31020 et seq.) governing the conduct of the water enterprise and more specifically to obtain, divert, conserve, treat, and supply water (including flood and storm water) for domestic use, irrigation, sanitation, industrial use, fire protection, recreation, or any other public or private use. The Rio Linda/Elverta Community Water District intends to operate, improve and maintain its water enterprise pursuant to all applicable laws in a manner

consistent to assure its rights under Section 54300 et seq. of the Government Code for financing of future improvements and to protect the public health and safety.

4.01.100 Title Citation and Reference. This Title shall be known as the "Water System Regulations of the Rio Linda/Elverta Community Water District," may be cited as "Water Regulations", and will be referred to herein as "these regulations."

4.01.200 Scope. These regulations establish the terms and conditions under which facilities will be installed and water will be supplied to consumers.

4.01.300 Compliance with Regulations. By applying for or receiving water service from the District, each consumer covenants and agrees to be bound by and to comply with all regulations of the District from time-to-time in effect.

4.01.910 Violation of Regulations Prohibited. No person shall violate these regulations with the intent (a) to cause damage or harm to the physical facilities of the water enterprise system, or (b) to obtain water without making payment therefore, or (c) to befoul the water, groundwater or watershed of the District.

4.01.920 Prosecution; Abatement.

(a) The District will prosecute violations of Sections 498, 624 & 625 of the Penal Code of California which make it a misdemeanor to tamper with or bypass water meters, to take water without payment, or to otherwise damage or obstruct the District's facilities.

(b) In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of the regulations of the District shall be deemed to be a public nuisance and may be abated as such.

4.01.930 Damage to District's Facilities. The consumer, by applying for water service from the District, covenants and agrees that, in addition to any right or remedy available to the District by law, the consumer will pay to the District its costs for repairing or replacing any of its facilities damaged by the consumer, his agents, or tenants, or as a result of construction or other work done on the consumer's property, including, without limitation, the sidewalks, driveways, curbs and gutters adjacent thereto, or as a result of installation of utility services to the consumer's property.

4.01.980 Amendment. These Regulations may be added to or amended by adoption of a resolution by the Board of Directors of the Rio Linda/Elverta Community Water District following a public hearing advertised pursuant to the rules of the Board of Directors.

4.01.990 Severability. If any section, or portion thereof, of this Title is found by a court of competent jurisdiction to be invalid or unconstitutional, the remainder of this Title shall remain in full force and effect.

Chapter 4.03 DEFINITIONS

Sections:

4.03.010 GENERAL

4.03.030 Terms Defined by State Agencies

4.03.050 Other Sources of Definitions

- 4.03.090 Common Definition**
- 4.03.200 DEFINITIONS**
- 4.03.210 Consumer**
- 4.03.270 Standards, District Standards, Standards and Specifications**
- 4.03.290 Unimproved Land**

4.03.010 GENERAL. For the purpose of this chapter, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

4.03.030 Terms Defined by State Agencies. Terms which are not specifically defined in this Policy Manual shall be construed as defined in Titles 17 and 22 of the California Code of Regulations.

4.03.050 Other Sources of Definitions. Terms which are not defined in this Policy Manual or the sources listed in 4.03.030 above, but which are defined in the most recently published version of the *Uniform Plumbing Code* as published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as "*Uniform Plumbing Code*," shall be construed as specified in that code.

4.03.090 Common Definition. Terms herein for which a definition is not otherwise prescribed either in this Policy Manual or in other sources referred to herein shall have their ordinarily accepted meaning within the context in which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986 or a successive publication thereto, shall be considered as providing ordinarily accepted meanings.

4.03.200 DEFINITIONS. For the purposes of this Title, the following terms shall have the meaning prescribed therein:

4.03.210 Consumer. The owner of record of a parcel who obtains water service from the District or the authorized agent of the owner.

4.03.270 Standards, District Standards, Standards and Specifications. Plans and specifications for routine construction associated with the water system of the District as approved by the General Manager.

4.03.290 Unimproved Land. Land on which no improvements exist or land which although improved to a degree is being further improved and said further improvement is the cause for augmented water service and requires one or more land use approvals.

Chapter 4.05 ORGANIZATION AND ENFORCEMENT

Sections:

- 4.05.010 Enforcement and Interpretation by General Manager**
- 4.05.020 Appointment of Engineers, Inspectors, and Other Employees**
- 4.05.025 Public Officers.**
- 4.05.030 Right of Entry**
- 4.05.040 Stop Orders**

- 4.05.060 Appeal of Determination or Order of General Manager**
- 4.05.065 Limitation of Authority of the Board**
- 4.05.070 Effect of Failure to Appeal**
- 4.05.080 Scope of Hearing on Appeal**
- 4.05.090 Staying of Orders**
- 4.05.100 Decision of Board Final**
- 4.05.110 Means of Enforcement**

4.05.010 Enforcement and Interpretation by General Manager. The General Manager is hereby authorized and directed to enforce all the provisions of these regulations. The General Manager shall have the power to render interpretations of these regulations and establish rules and supplemental regulations in order to clarify the application of its provisions. Other officers of the District shall assist and cooperate with the General Manager in order to implement these regulations.

4.05.020 Appointment of Engineers, Inspectors, and Other Employees. For purposes of implementation of these regulations and in accordance with prescribed procedures, the General Manager may appoint such numbers of engineers, inspectors, and other employees as shall be authorized by the Board of Directors from time-to-time. The General Manager may deputize such appointees to act on his behalf to implement these regulations. Such appointees hereinafter shall be referred to as "deputy."

4.05.025 Public Officers. For purposes of enforcement of these regulations, the General Manager and appointees deputized pursuant to Section 4.05.020 hereinabove shall be public officers as provided in §836.5 of the Penal Code of the State of California.

4.05.030 Right of Entry. When it is necessary to make an inspection to enforce the provisions of these regulations, or when the General Manager or deputy has reasonable cause to believe that there exists upon a parcel a condition which is contrary to or in violation of these regulations, the General Manager or deputy may enter upon the parcel and/or buildings thereon to perform the duties imposed by these regulations; provided, however, that if such parcel or building is occupied that credentials be presented to the occupant and entry requested. If such parcel or building is unoccupied, a reasonable effort shall be made to locate the consumer or other person having charge or control of the parcel or building in order to request entry. If entry is denied, an inspection warrant may be obtained as provided by law.

4.05.040 Stop Orders. Whenever any maintenance, repair, replacement, or new construction work is being done contrary to the provisions of these regulations or other pertinent laws or ordinances implemented through the enforcement of these regulations, the General Manager may order the work stopped by notice in writing served on any such person engaged in doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the General Manager to proceed with the work.

4.05.060 Appeal of Determination or Order of General Manager. Orders, decisions or determinations made by the General Manager relative to the application and interpretation of these regulations may be appealed within 15 calendar days from the date of service or notification of said order, decision or determination. Said appeal may be filed in writing with the District essentially in the following form:

1. A heading in the words: "Before the Board of Directors of the Rio Linda/Elverta Community Water District";
2. A caption reading: "Appeals of [give the names of all appellants participating in the appeal]";

3. A brief statement setting forth the legal interest of each of the appellants in the parcel(s) or building(s) involved;
4. A brief description of the specific order, decision or determination appealed;
5. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed that the order, decision or determination should be reversed, modified, or otherwise set aside;
6. A brief statement in ordinary and concise language of any material facts claimed to support the contentions of the appellant;
7. The signatures of all parties named as appellants and their official mailing addresses;
8. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

The appeal shall be placed as a public hearing on the agenda of the next regular meeting of the Board of Directors which occurs 15 calendar days or later following the date of receipt of the appeal. Written notice of the time and place of the hearing shall be mailed to each appellant certified mail postage prepaid at least 7 calendar days prior to the date of the hearing.

4.05.065 Limitation of Authority of the Board. The Board of Directors when ruling on an appeal may not set aside or modify the application of engineering design standards or District standards and specifications as provided in these regulations.

4.05.070 Effect of Failure to Appeal. Failure of any person to file an appeal in accordance with the provisions of Section 4.05.060 shall constitute a waiver of the right to an administrative hearing and adjudication of the order, decision or determination of the General Manager provided that said order, decision or determination has been rendered in writing and said writing is accompanied by a copy of Section 4.05.060.

4.05.080 Scope of Hearing on Appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

4.05.090 Staying of Orders. Except for orders issued pursuant to Section 4.05.040, any order, decision or determination of the General Manager shall be stayed during the pendency of an appeal there from when the appeal has been properly and timely filed.

4.05.100 Decision of Board Final. A decision of the Board of Directors regarding an appeal shall be final.

4.05.110 Means of Enforcement. The following shall constitute means of enforcement of orders issued pursuant to Section 4.05.040 and are not penalties for violation of these regulations:

1. Injunctive relief may be sought in a court of proper jurisdiction;
2. Nuisance abatement proceedings may be initiated pursuant to Chapter 4.23 herein below;
3. As a means of abatement, District water service may be terminated immediately in order to prevent an immediate threat to the health and safety of the public or may cause irreparable harm to the riparian environment.

Chapter 4.07 SERVICE

Sections:

- 4.07.010 NEW SERVICE**
- 4.07.011 Application for Service & Processing**
- 4.07.012 Conditions Precedent to Service**
- 4.07.013 Service Connection**
- 4.07.014 Control Valve**
- 4.07.015 Location of Service Connection**
- 4.07.016 Land Use Approval Established**
- 4.07.030 Plan Check and Inspection Fees and Charges**
- 4.07.100 CHANGE OF SERVICE**
- 4.07.110 Relocation**
- 4.07.120 Enlargement**
- 4.07.200 MULTIPLE SERVICE**
- 4.07.210 General**
- 4.07.220 Exception**
- 4.07.230 Subdivision of Ownership**
- 4.07.240 Connection Prior to January 1, 1998**
- 4.07.250 Charges for Multiple Services**
- 4.07.300 TEMPORARY SERVICE**
- 4.07.310 Installation and Payment**
- 4.97.320 Service through Fire Hydrants**
- 4.07.400 SERVICE INTERRUPTION**
- 4.07.410 Water Shut-off**
- 4.07.420 Non-liability of District**
- 4.07.500 DISTRICT ACCESS TO FACILITIES**
- 4.07.700 INITIATION OF WATER SERVICE: GENERALLY**
- 4.07.710 Application**
- 4.07.720 Failure to Apply**
- 4.07.800 TERMINATION OF WATER SERVICE**
- 4.07.810 Termination by the District**
- 4.07.820 Termination by the Consumer**
- 4.07.830 Reinitiation of Service Prohibited**
- 4.07.840 Temporary Shut-Off**

4.07.010 NEW SERVICE

4.07.011 Application for Service and Processing.

(A) Application for Service must be made to the District in writing on the District's form by the consumer or his authorized agent. Applications must be supported by data as required by the District, such as a map and/or legal description of the property to be served, a description or plan showing intended water fixtures, a plan showing yard, lawn and garden areas and an estimate of amount to be used. The size of the meter and service connection will be determined by the District.

(B) Applications requiring only fire service or requiring a service having a meter size equal to or less than one inch, which services can be connected to existing mains, will be processed in the order of the date the application is received, provided all requirements of the District are met. All other applications will be processed in the order of the date the application is received, provided the applicant meets all District requirements within 30 days of said date. If District requirements are not met within said 30 days, the application shall be null and void.

(C) Receiving an application shall in no way represent a commitment or agreement by the District to serve water. Said commitment will be made only at the time service actually commences or when the District executes a service Extension Agreement whichever shall first occur. In the case of a service extension agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

4.07.012 Conditions Precedent service. Metered water service will be provided subject to:

1. The existence of a water main of adequate capacity and pressure abutting the property to be served, or the construction of adequate mains, pumps and storage facilities under the provisions of these regulations.
2. Advance payment of the District's connection charge for service as provided in these regulations or as subsequently amended or adopted by the Board.
3. Approval by the County of Sacramento of a wastewater disposal system for the property to be serviced

4.07.013 Service Connection. A service connection is hereby defined as a pipe line from the water main to the property side of the curb line, including a meter box and other necessary fittings for the installation of the meter. All service connections and meters shall be and remains the property of the District, and shall not be molested by anyone other than an authorized employee of the District. Said meters and service connections shall be maintained, repaired and renewed by the District when rendered unserviceable through fair wear and tear, but that in the event that any replacement, repair or adjustment of any water service or meter shall be made necessary by the act or negligence of the consumer, his/her family or employee, any expense connected with said adjustment, renewal or repair shall be charged and collected from the consumer. The District shall not be responsible for open or faulty fixtures or for broken or damaged pipes beyond the District meter.

4.07.014 Control Valve. The consumer to be served shall install a control valve on the pipe immediately following the connection point to the District meter. When old premises to which a service pipe has previously been connected are being altered, such control valve shall be installed by the consumer. If such is not already provided. Where any consumer to be served or being served has also a separate and different water supply connected with pipes served by those of the District, he/she must make suitable provision pursuant to these regulations whereby water from such separate and different supply may not enter the mains of the District.

4.07.015 Location of Service Connection. Water service will be provided at a meter abutting a major frontage of the property to be served at a point determined by the District. The consumer may indicate the point on his property where he desires service, but the final location shall be determined by the District.

4.07.016 Land Use Approval Established. An application for service to unimproved land shall not be processed to completion by the District unless the applicant presents to the District a document from the County of Sacramento verifying that a: (a) valid Building Permit has been issued; or (b) Preliminary Division of Land has been approved; or (c) Tentative Subdivision Map has been approved; or (d) Planned Unit Development Precise Development Plan has been approved.

4.07.030 Plan Check and Inspection Fees and Charges. Installation of a new service and continuation of service shall be conditioned upon payment of fees and charges as provided in Resolution No. 3-94 attached hereto.

4.07.100 CHANGE OF SERVICE.

4.07.110 Relocation. The District will relocate its facilities when requested to do so by the consumer provided such relocation is acceptable to the District and upon advance payment of the District's estimate of the cost thereof. If the actual cost of relocation exceeds the amount prepaid such excess will be paid on completion of the work.

4.07.120 Enlargement. Enlargement of meter and service connection will be made by the District on the following conditions:

- (1) The consumer or his authorized agent files an application therefore in accordance with Regulation 4.07.011; and
- (2) The consumer pays the charge for service applicable to such enlarged meter and service connection as provided by District rates, from which shall be deducted the current charges applicable to the meter and service line replaced, only if these charges have been previously paid.

4.07.200 MULTIPLE SERVICE

4.07.210 General. Except as otherwise expressly authorized by this regulation, a single service connection shall serve no more than one dwelling unit or one commercial, agricultural or industrial enterprise on a single parcel or lot.

4.07.220 Exception. If separate service connections present substantial mechanical problems as conclusively determined by the District, service through a single connection will be furnished on the request of a consumer to any of the following:

- (1) a duplex, apartment building or other multiple unit residential structure in undivided ownership;
- (2) a commercial or industrial building in undivided ownership;
- (3) a building or group of buildings owned or exclusively occupied by a public entity or entities; and
- (4) a condominium served under a contract between the District and a responsible owners' association as defined in Section 11003.1 of the Business and Professions Code

4.07.230 Subdivision of Ownership. If the ownership of a structure receiving service through a single service connection is subdivided, new service connections shall be installed, and the fees and charges therefore shall be paid, to the extent necessary to provide a separate service connection to each separately owned unit or parcel.

4.07.240 Connection Prior to January 1, 1998. The preceding sections of this regulation shall not apply to dwellings which have been continuously served through a single service connection installed prior to January 1, 1998. The minimum and quantity rates for each dwelling unit so served shall be computed as though each unit were served with a meter of the size installed on the single service connection and as though the quantity delivered to each unit were the quantity of the water measured by the installed meter divided by the number of dwelling units connected thereto.

4.07.250 Charges for Multiple Service. The District will not render separate statements to each dwelling unit or enterprise served by a single meter. The consumer, irrespective in whose name the service is registered, will be responsible for all charges for all services through the meter. Unit charges will be established for multiple units served through a single meter.

4.07.300 TEMPORARY SERVICE

4.07.310 Installation and Payment. Service which the District determines will be for less than one year and will not require installation of a permanent connection shall be provided upon payment of the total estimated cost of installing the connection and such reasonable deposit for service as may be required by the District.

4.07.320 Service through Fire Hydrants. Temporary service for construction or other approved purposes may be provided through hydrant meters upon written application to the District and the payment of a refundable damage or loss deposit of \$600.00, a permit charge of \$40.00, and water use fees as provided by District rate schedules.

4.07.400 SERVICE INTERRUPTION

4.07.410 Water Shut Off. District reserves the right to shut off water at any and all times for the purpose of making repairs, extensions or alterations of its water system. Whenever possible, advance notice of interruption of service will be given to all consumers affected. Consumers depending upon a continuous supply of water should provide themselves with emergency storage.

4.07.420 Non-liability of District. The District will exercise reasonable care and diligence to deliver to its consumers a continuous and sufficient supply of water under proper pressure and of good quality at the service connection to the consumer's premises. However, the District is not, and will not be, liable for any loss, damage, or inconvenience to any person by reason of shortage, insufficiency, suspension, discontinuance, shut off, increase or decrease of water pressure, or by a water quality problem.

4.07.500 DISTRICT ACCESS TO FACILITIES. By applying for or receiving water service from the District each consumer irrevocably licenses the District and its authorized employees and agents to enter upon the consumer's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing or replacing the District's meters and other facilities.

4.07.700 INITIATION OF WATER SERVICE: GENERALLY

4.07.710 Application. An application for the initiation or reinitiation of water service shall be filed with the District by the consumer or his agent prior to the use of water. Each applicant for service shall advise the District of the date service is to begin, the post office address to which the water bill shall be mailed, the exact location of the property to be served and provide such credit information and deposit as the District may require. An applicant shall be required to make written application for service on a form provided by the District. Where the application is made by an agent of the consumer, a form signed by the consumer authorizing the agent to make said application shall be submitted directly by the consumer.

4.07.720 Failure to Apply. Anyone using water without having made application to the District for initiation or reinitiation of water service shall be held liable for the service from the date of any previous meter reading that most nearly coincides with the actual date the service was first used by such consumer. Such use of water may be subject to the misdemeanor prosecution provisions of Section 4.01.920 hereinabove.

4.07.800 TERMINATION OF WATER SERVICE

4.07.810 Termination by the District. The District may refuse to furnish water and/or discontinue service to any premise where:

- a. The consumer fails to comply with any of the District's regulations.
- b. The consumer fails, after notice from the District, to remove an obstruction that prevents reading of the meter.
- c. Equipment using water is found to be dangerous or unsafe.
- d. The use of water is found to be detrimental or injurious to the water service furnished to other consumers.
- e. Negligent or wasteful use of water exists which affects the District's water service.
- f. It is necessary to protect itself against fraud or abuse.

4.07.820 Termination by the Consumer. Water service will be terminated on any business day (not a Saturday, Sunday, or holiday) requested by the consumer, provided that the request is received by the District not later than two business days prior to the date of termination. The consumer shall be responsible for all service furnished by the District prior to the termination of service.

4.07.830 Reinitiation of Service Prohibited. It shall be unlawful for any person to turn on water after the same shall have been turned off as provided in these regulations, without the written consent of the District. Unauthorized resumption of service shall be deemed as tampering with District property and the consumer shall be responsible for all charges incurred for actions taken by the District to discontinue service until the bill is paid in full (including charges for any repairs for parts and labor, for discontinuation and restoration of service, and for a tampering charge of twenty-five dollars (\$25.00)).

4.07.840 Temporary Shut-Off. When the consumer requests in writing temporary discontinuation of service (120 days or less) a charge of \$10 shall be made for turning off the service and an additional \$10 shall be made for turning on the service. An additional charge of \$25.00 will be made for every after-hours service call made to the property. If an emergency situation exists, the General Manager may waive the requirement that the request be in writing. The charge for turning off and on the service may be waived on a one time basis by the General Manager if the consumer at the time of emergency discontinuation will provide and install a control valve on the consumer side of and adjacent to the District meter.

Chapter 4.09
CROSS-CONNECTION CONTROL
(Amended August 15, 2005)
Resolution 2005-11

Sections:

- 4.09.010 AUTHORITY, PURPOSE & DEFINITIONS**
- 4.09.020 INCORPORATION OF COUNTY OF SACRAMENTO REGULATIONS**
- 4.09.030 INCORPORATION OF CALIFORNIA TITLE 17 REGULATIONS**
- 4.09.100 BACKFLOW PREVENTION POLICY**
- 4.09.110 Private Sources That Require Backflow Prevention Devices**
- 4.09.120 Systems Carrying Hazardous Substances**
- 4.09.130 Sewage Lift, Pump or Ejector Stations**
- 4.09.200 BACKFLOW PREVENTION DEVICES**
- 4.09.210 Installation**
- 4.09.220 Existing Service Connections without Backflow Prevention Devices;
Upgrading of Existing Devices**
- 4.09.230 Operation, Testing, and Maintenance**
- 4.09.300 COMPLIANCE WITH REGULATIONS**
- 4.09.310 Access for Inspection**
- 4.09.320 Noncompliance**
- 4.09.330 Liability**
- 4.09.340 Additional Penalties**

4.09.010 AUTHORITY, PURPOSE AND DEFINITIONS

- A.) The Rio Linda/Elverta Community Water District, hereinafter referred to as “District”, operates a public water supply under permit issued by the State of California Department of Health Services. In order to comply with the terms of the permit and all State regulations intended to protect the public water supply from contamination or excessive loss of supply, suitable cross-connection prevention devices must be installed at the expense of the consumer. This Chapter supplements and does not supersede local plumbing regulations, codes or ordinances, or State regulations relating to water supply or plumbing regulations. Installation and continuous maintenance of a cross-connection prevention device, where required by District, shall be a condition of water service, including the continuation of existing water service.
- B.) Title 17, §7583-7605 of the California Administrative Code, hereinafter referred to as “Title 17”, provides rules and regulations governing cross-connections. §7584 of Title 17 states in part that “The water suppliers shall protect the public water supply system from contamination by implementation of a cross-connection control program. The District is a water supplier within the meaning of Title 17.
- C.) In order to provide for an orderly and adequate means of protecting the District’s water system from potential cross-connections, the requirements hereinafter set forth are reasonable and necessary for the protection of the District’s water supply and distribution system and the public health and welfare. New water service connections shall be installed and existing water service connections shall be modified to conform to these regulations and requirements as hereinafter set forth.
- D.) Those definitions contained in Title 17 §7583 and Section 6.30.020 of the Sacramento County Code shall be used for purposes of determining and interpreting the meaning of certain words in this Chapter 4.09. In the event of a conflict between these two sources, Title 17 shall prevail.

4.09.020 INCORPORATION OF COUNTY OF SACRAMENTO REGULATIONS. The regulations of the Sacramento County Code Chapter 6.30, inclusive, hereinafter referred to as "*Protection of Drinking Water*", is hereby adopted, incorporated by reference herein and made a part hereto, insofar as the same are applicable to the protection of the District's water supply and distribution system.

4.09.030 INCORPORATION OF CALIFORNIA TITLE 17 REGULATIONS. The regulation of the California Department of Health, Title 17 California Administrative Code, § 7583-7605, inclusive, are hereby adopted, incorporated by reference herein and made a part hereto, insofar as the same are applicable to the protection of the District's water supply and distribution system.

4.09.100 BACKFLOW PREVENTION POLICY

4.09.110 Private Sources of Supply That Require Backflow Prevention Devices. The public water supply system must at all times be isolated from private sources that have the potential for cross-connection or the potential for contamination. Abandonment of the private source of supply or other potential cross-connection condition pursuant to an approved well abandonment permit, building permit or other appropriate permit issued by the County of Sacramento shall be allowed at the sole discretion of the District in lieu of installation of a backflow prevention device in accordance with these regulations. A cross-connection or backflow prevention device shall be required at the service connection on the customer side of the water meter if any of the following conditions exist:

- An auxiliary water supply is on the parcel or serving the parcel receiving water from the District's water system;
- The facility handles any substance under pressure in such a fashion as to permit the substance to possibly enter into the District water system, including water originating from the District water system;
- The facility or parcel has more than one service connection;
- The facility has or has the potential for a cross-connection that could result in the pollution or contamination of the District's water system;
- The structure or structures are used for commercial, industrial or institutional purposes, or has multiple use capabilities;
- The parcel or facility is used for a business purpose determined by the District to have the potential for a cross-connection that may result in the pollution or contamination of the District's water system;
- The structure has a fire sprinkler system or the parcel has a dedicated irrigation system and/or private fire hydrant;
- The parcel or facility as determined by the Board of Directors has the potential for cross-connection.

4.09.120 Systems Carrying Hazardous Substances. The public water supply system shall be separated by an air gap system from sewage treatment plant systems, chemical plant systems, or other systems carrying hazardous substances which may jeopardize the safety of the drinking water supply or at any private or public premise on which any material dangerous to health or any toxic substance in toxic concentration is or may be handled under pressure. The air gap shall be located as close as practicable to the service cock, and all piping between the service cock and receiving tank shall be exposed. All portions of the air gap system, including piping shall be accessible for inspection at any reasonable hour.

4.09.130 Sewage Lift, Pump or Ejector Stations. At the service connection to any sewage pumping station, the public water supply shall be protected by a properly installed air gap separation system satisfactory to District, the plans for which must be approved in writing by the District's Manager prior to installation. For a single hose bib water service to the vicinity of a sewage lift station, the District may accept as satisfactory back-flow protection the installation of a double check valve assembly located as close as practicable to the service connection.

The service hose bib and connecting riser must be located at the discharge end of the double check valve assembly. The system, including all piping, shall be completely exposed.

4.09.200 BACKFLOW PREVENTION DEVICES

4.09.210 Installation. All backflow prevention devices will be designed and installed as specified by the Rio Linda/Elverta Community Water District. Such backflow prevention device shall be capable of assuring equivalent protection as provided for in the State of California Regulations Relating to Cross-connections (Title 17, Chapter V, Sections 7583-7605, inclusive), as may be amended from time to time. At the time an application for a new water service is made in accordance with these regulations, the General Manager will review said application to determine, in accordance with applicable regulations, the need for a backflow prevention device on the consumer's service. If a backflow device is required, it shall be the consumer's responsibility, and expense, to provide for the installation and continued maintenance of the device in accordance with District standards and at a location approved by the District, by one of the following methods:

- **INSTALLATION BY DISTRICT** - A backflow prevention device may be installed by the District at the sole discretion of the District, and thereby at the consumer's expense. The consumer shall deposit, in advance, the District's estimated cost of the device and installation. The final billing to the consumer shall be the total cost of the work.
- **INSTALLATION BY CONSUMER** - A backflow prevention device may be purchased and installed through arrangements made by the consumer; conditionally, the type and manufacturer of the device shall be specified by the District. Installation is subject to inspection and acceptance by the District prior to providing water service to the parcel.

4.09.220 Existing Service Connections without Backflow Prevention Devices; Upgrading of Existing Devices.

(A) The District will inspect the premises of existing service connections, and in compliance of the regulations shall determine if the premise(s) require a backflow prevention device. A list of property owners will be established that may require backflow prevention devices. Such list shall be prioritized by the potential for cross-connection with those with the highest potential listed first. If it is determined that a backflow prevention device is required, the installation of a backflow prevention device shall be a condition of continued water service. Abatement of the potential cross-connection shall be accomplished in compliance with the regulations contained in this Chapter 4.09. If a consumer fails to provide for the installation of the backflow prevention device within a reasonable time limit set forth in a written notification from the District, the District shall suspend water service to the property being served. Alternatively, at the District's option, and upon notification of the consumer, the District may install the backflow prevention device and charge the consumer the entire cost of the device and its installation.

(B) An existing backflow prevention device which fails to meet District standards and specifications shall be upgraded at the consumer's expense following the procedures contained in this Chapter 4.09. Upgrading may include complete replacement of the backflow prevention device, installation of additional devices, or abatement of on-site cross-connection hazards.

4.09.230 Operation, Testing, and Maintenance. Backflow prevention devices shall be owned, operated, tested, and maintained by the consumer pursuant to the annual maintenance program prescribed by the District. District personnel or District approved contractors shall inspect and test the backflow prevention devices upon installation and annually thereafter. Charges for inspection and testing shall be set by the District from time to time based on the size and type of device. The consumer

may be furnished with test results upon written request. A backflow prevention device that fails its annual test shall be repaired or replaced and retested at the owner's expense.

4.09.300 COMPLIANCE WITH REGULATIONS

4.09.310 Access for Inspection. Rio Linda/Elverta Community Water District personnel and representatives of any governmental health agency shall have the right of ingress to and egress from the consumer's premises at all reasonable hours for the purpose of investigating compliance with this Chapter.

4.09.320 Noncompliance. If a consumer fails to comply with this Chapter, the District shall have the right to discontinue water service and, if it deems necessary, physically disconnect the consumer's piping from the District's distribution system.

4.09.330 Liability. The District shall not be liable for any injury to persons or damage to property which may result directly or indirectly from the installation or testing of any device to protect the District's public water supply from contamination.

4.09.340 Additional Penalties. In addition to the remedies otherwise granted the District by law, any water user who willfully fails to install a backflow prevention device as required by these regulations, or who willfully bypasses or alters such a device may be subject to prosecution and, upon conviction thereof, shall be punishable by a fine not to exceed five hundred dollars (\$500.00) or by imprisonment in the County jail for a period not to exceed six (6) months or by both fine and imprisonment. (California Health & Safety Code § 116820)

Chapter 4.11 CONSUMER FACILITIES AND USE OF WATER

Sections:

- 4.11.010 GENERAL**
- 4.11.100 PRIVATELY OWNED FACILITIES**
- 4.11.110 Installation and Maintenance**
- 4.11.120 Connection to Meters**
- 4.11.130 Pressure Devices**
- 4.11.140 Ground Wire Attachments Liability**
- 4.11.150 District's Non-Responsibility**
- 4.11.200 USE OF WATER**
- 4.11.210 Responsibility of Control**
- 4.11.220 Place of Use**
- 4.11.230 Resale of Water Prohibited**
- 4.11.240 Change of Use**

4.11.010 GENERAL. It is the policy of the District that all District responsibility for water and facilities for the transmission thereof to the consumer's property ends at the outlet side of the water meter. It is the responsibility of the consumer to protect, maintain and operate all facilities and appliances beyond that point.

4.11.100 PRIVATELY OWNED FACILITIES

4.11.110 Installation and Maintenance. The consumer shall, at his risk, furnish, install, maintain, repair and retain ownership and control over the pipes and water receiving equipment leading from the outlet of the District's water meter, provided, however that if the consumer's pipes or equipment causes damage, nuisance or inconvenience to the District or its other consumers, the District shall have the right to compel the consumer or user of such pipes or equipment to adjust, repair or replace the same or to discontinue use of water from the District

4.11.120 Connection to Meter. The consumer shall be responsible for connecting his pipeline to the District's meter end. However, except for private fire protection services, the District at its discretion may make the necessary connection if the consumer's pipeline is placed before the meter is installed.

4.11.130 Pressure Devices. Where it is desired to reduce or increase the pressure under which water is supplied by the District, the consumer shall be responsible for installing and maintaining the necessary regulators, pumps, or relief valves in such cases, the equipment shall be installed on the consumer's side of the meter and at his own risk and expense. Pressure reducers shall be required where the water pressure exceeds 90 psi (pounds per square inch) at the meter.

4.11.140 Ground Wire Attachments Liability. The District is not responsible for providing an electrical ground through water service equipment. Consumers shall not attach any ground wiring to plumbing which is or may be connected to District service equipment. The District may hold the consumer liable for any injury to its personnel resulting from a ground wire attachment.

4.11.150 District's Non-responsibility. The District shall not be responsible for any loss or damage caused the negligent or wrongful act or omission of a consumer or any of his tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, using, operating or interfering with any water receiving equipment. The District shall not be responsible for damage caused by faucets, valves, and other equipment which may be open at any time that water is turned on at the meter.

4.11.200 USE OF WATER

4.11.210 Responsibility of Control. Title to water furnished by the District, the risk of loss thereof and full responsibility for the carriage, handling, storage, disposal and use thereof shall pass from the District to the consumer at the outlet of the District's meters.

4.11.220 Place of Use. The consumer shall not use, or permit the use of any water furnished him by the District on any premises other than those specified in his application for service.

4.11.230 Resale of Water Prohibited. No water received from the District may be resold or delivered to others without the specific approval and authorization of the District

4.11.240 Change of Use. No substantial change in the character of water use through an existing connection shall be made except by the filing and processing of a new service application. The District shall determine what constitutes a substantial change in the character of water use which shall include, but is not limited to, change from single-family dwelling service to multiple dwelling service or from residential use to commercial or industrial use.

Chapter 4.14 WATER CONSERVATION

Sections:

- 4.14.010 Purpose
- 4.14.100 Scope
- 4.14.200 REQUIREMENTS
- 4.14.210 New Construction and Replacement
- 4.14.220 New Development Landscape Requirements
- 4.14.222 Statement of Water Conservation Measures
- 4.14.224 Failure to Conform
- 4.14.230 Reclaimed Wastewater
- 4.14.240 New Technology
- 4.14.250 Restrictions
- 4.14.300 RECOMMENDATIONS
- 4.14.310 Existing Services
- 4.14.320 Landscape/Garden Areas
- 4.14.330 Irrigation Systems

4.14.010 Purpose. Water is a limited natural resource. It must be used efficiently and economically to meet the health and safety needs of the community. This regulation incorporates water conservation as an integral part of the District's total water management program.

4.14.100 Scope. Water conserving practices, methods and devices adopted in this regulation are intended to reduce per-capita consumption. By discouraging water wastage and encouraging water savings, the District hopes to conserve its present water supply. Included in this regulation are:

1. Water conservation education;
2. Support of water conservation legislation;
3. New construction requirements for water conserving toilets, showers, faucets;
4. A continuous leak detection/repair program;
5. Metering of all non-metered consumers;
6. A rate structure to encourage water conservation and reduce water waste;
7. Distribution of water saving devices and promotion of detection and repair of household leaks;
8. Establishment of water conserving landscape/gardening irrigation practices.

The Board recognizes that this policy does not foresee all the possibilities and will revise it as necessary

4.14.200 REQUIREMENTS

4.14.210 New Construction and Replacement. The following shall apply to all new construction and the remodeling of existing facilities that require a building permit:

1. The use of ultra-low flow toilets, (defined as 1.6 gallons or less).

2. A Pressure Reducing Valve on the main supply line from the meter which reduces household pressure to 50 PSI or less where normal system pressure exceeds 70 PSI;
3. Insulation of all hot water pipes and/or a hot water circulating system; and
4. Low-flow kitchen and lavatory faucets and shower heads.

4.14.220 New Development Landscape Requirements. Consumers shall comply with the regulations adopted by the County of Sacramento pursuant to the Water Conservation in Landscaping Act (Government Codes Sections 65591 et seq.). Continued conformance to the provisions thereof shall be a prerequisite for initiation and continuation of water service.

4.14.222 Statement of Water Conservation Measures. Consumers applying for a new service shall submit to the District all intended water-saving methods proposed for development.

4.14.224 Failure to Conform. Failure to conform to the provisions of Section 4.14.220 after the initiation of water service shall be considered a nuisance subject to abatement pursuant to Section 4.23.280.

4.14.230 Reclaimed Wastewater. The District may require the use of reclaimed or other suitable water for irrigation where such water is available at reasonable cost.

4.14.240 New Technology. The District may require the use of other recycling or water saving facilities as practical and as technology permits.

4.14.250 Restrictions.

A. Conformance to the following restrictions is a condition of water service:

1. Open hoses are not permitted. Automatic shut-off nozzles are required.
2. Washing down of sidewalks, driveways, parking lots, or other paved surfaces is prohibited except to alleviate immediate fire or sanitation hazards.
3. All swimming pools, spas, ponds, and fountains shall be equipped with recirculating pumps.
4. Plumbing leaks, improperly adjusted sprinklers, or other water conduits/fixtures that require repair or adjustment must be corrected to the satisfaction of the District.

B. When a District representative determines that a person is in violation of the District's conservation plan, the following corrective action will be initiated:

1. First violation: verbal or written notification that a violation has been determined and how it shall be corrected.
2. Second violation: written warning indicating that a verbal and/or written notice was given initially and that the consumer has neglected to correct the problem following the notice, warning that a subsequent violation will result in citation and fine.
3. Third violation: written notification indicating that a \$25.00 charge will be added to the consumer's next water bill.
4. All subsequent violations: water service will be discontinued. To reestablish service, a reconnection charge must be paid by the violator to the District.

4.14.300 RECOMMENDATIONS

4.14.310 Existing Services. The following are recommended water conservation measures:

1. Reduce toilet water use by installing ultra-low flow toilets or plastic bottles, water dams or special flushing devices in the exiting tank.
2. Install low-flow showerhead or flow restrictors.
3. Install low-flow faucets or aerators on existing kitchen/lavatory faucets.
4. Install pressure reducing valves where pressure exceeds 70 PSI.
5. Install insulation on hot water lines and around hot water heaters.
6. Installation of water conserving washers (front loading or adjustable level) and dishwashers.

4.14.320 Landscape/Garden Areas. The following are recommended water conservation measures:

1. Plant native and drought resistant varieties according to their environmental needs.
2. Group together plants having similar irrigation requirements.
3. Minimize irrigation runoff and encourage deep rooting by proper soil preparation to absorb and drain water.
4. Mulch to minimize evaporation and runoff.
5. Use ground plants to minimize evaporation losses.
6. Reduce runoff by minimizing the use of artificial slopes and by terracing natural or cut slopes.

4.14.330 Irrigation Systems. Different soils have different watering needs. Some soils require deep and infrequent watering. However, the quick draining nature of clay soils typically found in this area necessitates more frequent but shorter waterings with good mulching to prevent evaporation. Temporary irrigation systems are recommended until new plants become established. Permanent irrigation systems, using domestic water, should meet the following criteria:

1. Separate irrigation zones for plant groupings with different water requirements.
2. Site the system to avoid watering walks, driveways and streets.
3. Automatic control (including moisture-sensing devices) to regulate the frequency, duration and time of watering. Irrigation is encouraged during off-peak hours and when watering is most effective.
4. A minimum co-efficient of uniformity of 75%. This assures a uniform distribution of water.
5. Application not to exceed 1/3" of water per hour. Accomplish this by uniform low rate or intermittent application.
6. System pressure to be consistent with equipment recommendations.
7. An irrigation piping system that is separate from domestic piping to facilitate the transfer of the irrigation system to a reclaimed water supply should it become available.
8. A suitable connection in the irrigation piping system to install a meter to monitor irrigation consumption if necessary.

Chapter 4.15 WATER SHORTAGE EMERGENCY REGULATIONS

Sections:

- 4.15.010 EFFECTIVE PERIOD AND APPLICABILITY**
- 4.15.100 LIMIT ON NEW CONNECTIONS**
- 4.15.200 EXCEPTIONS**
- 4.15.210 Fire Hydrants**
- 4.15.120 Meters Less than One Inch**
- 4.15.130 Preexisting Agreements**
- 4.15.140 Preexisting Amendments to Agreements**
- 4.15.150 Rescission of Unperformed Agreements**
- 4.15.300 SUPERSEDES OTHER REGULATIONS**

4.15.010 EFFECTIVE PERIOD AND APPLICABILITY. This Chapter is effective on the date the Board of Directors by resolution declares that a water shortage emergency condition prevails in any portion of or throughout the District. This Chapter shall continue in effect until the supply of water available for distribution within said area has been augmented sufficiently to meet the demands of said area and the Board of Directors finds and declares that said water shortage emergency condition has ended.

4.15.100 LIMIT ON NEW CONNECTIONS. New connections to the District's water distribution system may be limited to such number that the quantity of water to be furnished by the District through such new connections shall not exceed the safe capacity of the system based on District forecasts of use.

4.15.200 EXCEPTIONS. Anything In section 4.15.100 of this regulation to the contrary notwithstanding, new connections may be made to the water distribution system of the District as indicated herein below.

4.15.210 Fire Hydrants. New connections solely for fire hydrants.

4.15.220 Meters Less than One Inch. New connections to the existing water distribution system which require a meter size not larger than one inch and which do not require the installation of a new main.

4.15.230 Preexisting Agreements. New connections pursuant to the terms of connection agreements which, prior to the effective date of this regulation, had been executed, or had been authorized by resolution of the Board to be executed, on behalf of the District:

4.15.240 Preexisting Amendments to Agreements. New connections made pursuant to amendment of connection agreements previously executed provided that the quantity of water to be furnished by the District is not thereby increased:

4.15.250 Rescission of Unperformed Agreements. New connections for use of quantities of water made available by reason of rescission of unperformed connection agreements.

4.15.300 SUPERSEDES OTHER REGULATIONS. During the effective period of this regulation, it shall supersede and control over any other regulation of the District in conflict herewith.

Chapter 4.17 WATER SYSTEM EXTENSIONS AND RELOCATIONS

Sections:

- 4.17.010 EXTENSIONS
- 4.17.020 To Serve New Consumers Without Direct Access
- 4.17.030 Interconnection Between Mains
- 4.17.040 Size and Design
- 4.17.050 Preliminary Engineering and Planning
- 4.17.060 Cost of Preliminary Engineering and Planning
- 4.17.070 Estimate is Not a Commitment to Serve Water
- 4.17.100 PAYMENT
- 4.17.110 By Extendor
- 4.17.120 By District
- 4.17.200 EXTENSION AGREEMENTS
- 4.17.210 General
- 4.17.220 Small Extensions
- 4.17.230 Land Easements and Rights of Way
- 4.17.240 Reimbursement Agreement
- 4.17.300 EXTENSION CONSTRUCTION
- 4.17.310 Construction by Extendor
- 4.17.320 Conditions of Construction by Extendor
- 4.17.330 Construction by District
- 4.17.340 Construction Costs
- 4.17.400 RELOCATION
- 4.17.410 To Accommodate Streets and Highways
- 4.17.420 Improvements Under Assessment Proceedings
- 4.17.430 Required by Public Drainage Works
- 4.17.440 Required by Underground/Overhead Utilities

4.17.010 EXTENSIONS

4.17.020 To Serve New Consumers Without Direct Access. Extension of the District's water distribution system including, without limitation, mains, storage tanks, pumps and pumping stations, fire hydrants and appurtenances, shall be constructed to serve new consumers whose lands do not have direct access to or do not abut a street or easement containing an adequate distribution main supplied from adequate pumping or storage facilities. Property with direct access to a street or easement containing an adequate distribution main, but which does not have a major frontage on the street or easement, will be served at such street or easement at the discretion of the District, provided that such property and adjacent properties cannot be further subdivided or developed.

4.17.030 Interconnection Between Mains. If the Board of Directors finds that an interconnection between two of its water mains will benefit the District, it may, in its sole discretion, construct said interconnection without entering into a main extension agreement and without all or a portion of the costs thereof being advanced by an applicant for water service as provided by these regulations. The costs of such extensions shall be allocated among the various parcels of land susceptible of service there from on such fair basis as shall be determined by the General Manager and approved by the Board of Directors, taking into consideration the area of each parcel, its potential water requirements

and its frontage, if any, on the said interconnection. Said allocated cost shall be paid to the District prior to the commencement of water service to said parcel of land and shall be in addition to the initial charges for service required by these regulation.

4.17.040 Size and Design. All extensions of the District's water distribution system shall be designed by the District and constructed in accordance with the District's plans and specifications. The location, size, type and design of all such extensions shall be sufficient to provide adequate water service for the entire area that can economically be supplied there from as conclusively determined by the District.

4.17.050 Preliminary Engineering and Planning. Upon request, made on a form supplied by the District, the District will prepare a written estimate and preliminary plan of extension or modification of water service. The request must be accompanied by a detailed plan showing the area of proposed service, the proposed water demand, the name and address of the consumer, developer and engineer of the project or development and other project information as may be required by the District. To the extent that they are available, the developer shall supply the District with all master plans, estimates of future water requirements and details of building construction for the purpose of designing the fire protection elements of the water system.

4.17.060 Cost of Preliminary Engineering and Planning. The cost of preliminary engineering and planning shall be included as part of the cost of extending service except that in the event the cost of preparing an estimate exceeds %100, the District will require payment there for which payment shall become due and payable upon presentation of a bill for same to the applicant. Should the District determine that the cost of preparing an estimate and accomplishing other engineering and planning work reasonably be expected to exceed \$500.00, the applicant shall be required to execute and advance funds for same pursuant to the District's usual form of agreement for this purpose.

4.17.070. Estimate is Not a Commitment to Serve Water. Preparation of an estimate or any other preliminary engineering and planning work undertaken by the District in connection with the applicant's proposed project is not to be interpreted by the applicant as a commitment or agreement by the District, partial or otherwise, to serve water. Said commitment will be made only at the time service actually commences or when the District executes a service extension agreement whichever shall first occur. In the case of a service extension agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

4.17.100 PAYMENT

4.17.110 By Extendor. The applicant for water service shall: (1) pay all costs of designing and constructing such extensions of the District's water distribution system as are required by these regulations; (2) install, or pay the District's cost of installation, of all service lines; and (3) pay the initial charge for water service pursuant to these regulations.

4.17.120 By District. The District may in its discretion pay that portion of the costs of extending its distribution system referred to in these regulations equal to the difference in cost between the size required by the extendor's development and the size that the District requires under its long-range master plan when all the following conditions are present:

- (1) The main to be extended replaces a presently inadequate distribution pipeline;
- (2) The location of the facility to be constructed is one of those described in the future plans of the District as may be developed and amended from time to time; and
- (3) The Board of Directors has determined that it is within the district's financial ability to finance its share of the improvement.

4.17.200 EXTENSION AGREEMENTS

4.17.210 General. After the preparation of preliminary cost estimate and plans pursuant to these regulations and at the time Extendor desires to secure a commitment of water service and proceed with construction, the applicant shall submit a written application for service pursuant to these regulations. Upon applicant meeting all requirements, the District shall prepare an Extension Agreement. The agreement shall specify the terms of payment, estimated cost of extension, requirements for easement or property, special service conditions and other details.

4.17.220 Small Extensions. When the estimated cost of the work to be performed by the District is less than \$10,000 (exclusive of District fees), the General Manager of the District is authorized to prepare an agreement with the applicant. All of such agreements shall be in writing in the District's usual form, and signed by the applicant and on behalf of the District by the General Manager.

4.17.230 Land Easements and Rights of Way. All extensions of the District's distribution system shall at all times be the property of, and be controlled by, the District. District facilities shall be located only in dedicated and accepted public streets or rights of way or within easements owned by the District. No facilities will be constructed until all rights of way, easements and facility sites as required by the District shall have been conveyed to the District at the sole cost and expense of the extendor. in the event such rights of way, easements or lands are not conveyed by the extendor, the extendor shall pay the District its entire cost of acquisition thereof, including appraisers' fees, escrow charges, title insurance premiums and regal expenses.

4.17.240 Reimbursement Agreement. If an extension is made at the expense to the consumer which may serve other property than that of the consumer paying the cost for the extension, the District shall determine the potential for additional services available. Should such a potential exist, the District shall determine the proportionate percentage of the expense to be bared by the primary applicant/consumer. The remaining cost shall be shared by future secondary applicants who subscribe to service and such percentage determined by the District shall be collected from secondary applicants (upon their request for service) and the cost share as determined by the District shall be reimbursed to the primary applicant following such transaction. The reimbursement policy shall be in force continuously but no longer than ten (10) years from the commencement of service to the primary applicant/consumer.

4.17.300 EXTENSION CONSTRUCTION

4.17.310 Construction By Extendor. The extendor may, if he elects, construct extensions to the District's water distribution system, with materials furnished by the District, provided, however, the District reserves the right to construct, with its own personnel or by private contract, any of the following: (1) Pumping plants, storage facilities and main transmission lines; (2) Small extensions; (3) Extensions involving complicated connections to, or interference with, the District's existing facilities.

4.17.320 Conditions of Construction by Extendor. Construction by the extendor shall be subject to each of the following conditions: (1) Prior to commencement of construction the extendor shall execute an extension agreement, advance all costs of materials to be furnished and work to be performed by the District, pay all charges as required by Regulation 4.17.240 and furnish the District with a corporate surety performance bond satisfactory to the District in an amount equal to 100% of estimated cost of the construction by the extendor; (2) All work shall be performed by a competent and experienced contractor licensed for underground construction and with experienced laborers; (3) All work shall be performed in a good, workmanlike and safe manner and in accordance with the plans and specifications of the District, under its inspection, and to the satisfaction of its Chief Engineer. Risk or loss or damage to materials shall be borne by the extendor until the facilities constructed are accepted by the District; (4) All facilities shall be maintained by the contractor that installed the same for one year, or such longer period as shall be specified by the District, following the acceptance thereof by the

District; and (5) The extendor shall indemnify and hold the District, its officers, employees and agents harmless from any liability, arising out of or in any way connected with, such work done by, or on behalf of, the extendor, his employees, agents or contractors.

4.17.330 Construction By District. Subject to the rights of the extendor as set forth In Regulation 4.17.310 and 320, the District will construct extensions of its water distribution system. Such work shall be performed by the District's personnel or by private contract as determined by the District. Such work will be commenced only after the extendor has executed an extension agreement, advanced the total estimated cost of all facilities, paid all charges and provided all easements as required by these regulations.

4.17.340 Construction Costs.

(A) The District shall determine its actual cost of all extensions. Costs shall include labor, material, overhead, engineering, legal and administrative expenses allocable to such work.

(B) If the actual cost of such work should exceed the amount paid to the District therefore, the District will invoice the extendor for the excess. If such invoice is not paid promptly, the District shall have the right to refuse water service through such facilities or to said extendor.

(C) In the event the actual cost of such facilities is less than the amount advanced to the District, the District will promptly refund such difference.

4.17.400 RELOCATION

4.17.410 To Accommodate Streets and Highways. The District will relocate or reconstruct existing facilities to accommodate construction widening or relocation of streets and roadways and will release easements no longer considered useful to the District on the following conditions: (1) The entire cost of the relocation or reconstruction shall be paid by the party requesting the same if the party is not the County of Sacramento; (2) The new location is such that it will not in the opinion of the District be subject to future relocation; and (3) There shall be conveyed to the District without cost such easements or rights of way for new facilities locations as the District shall consider necessary.

4.17.420 Improvements Under Assessment Proceedings. The District will not bear any part of the cost of any relocation or alteration of its facilities made necessary by improvements undertaken pursuant to improvement act or other assessment proceedings. The public agency undertaking such proceedings shall make arrangements with the District for any such relocation or alteration of the District's facilities which work will not be performed by the District until after it receives satisfactory guarantees of reimbursement of its full actual costs. The amount of said costs shall be paid to the District promptly after they are ascertained. The public agency shall furnish the District with such plans, specifications, surveys, drawings and time schedules related to the improvement work as shall be necessary to enable the District conveniently and efficiently to effect necessary relocation or alteration of its facilities.

4.17.430 Required by Public Drainage Works. The District will at its own expense undertake reasonable and normal relocation of its water distribution lines as required by routine drainage projects undertaken by a public agency. Extensive relocation of water distribution lines or relocation of a major transmission line, pumping station, regulation structures and appurtenances, will be undertaken by the District only on a cost-sharing basis mutually satisfactory to the District and the public agency undertaking the drainage project.

4.17.440 Required by Underground/Overhead Utilities. The District will not bear any part of the cost of relocating or altering any of its facilities to accommodate the construction of publicly or privately owned gas lines, telephone and electric cables, sanitary sewers, or other underground or overhead utilities. The District will undertake such relocation or alteration of its facilities only after the District's cost thereof is paid to the District, or such payment is guaranteed to the District's satisfaction.

Chapter 4.21 FIRE PROTECTION FACILITIES

Sections:

- 4.21.010 GENERAL
- 4.21.100 HYDRANTS
- 4.21.110 Hydrant Installation
- 4.21.120 Installation by District
- 4.21.130 Installation by Contractor
- 4.21.140 Hydrant Permits
- 4.21.200 PRIVATE FIRE PROTECTION FACILITIES

4.21.010 GENERAL. The District will provide water service for fire hydrants and other facilities used exclusively for fire protection, at such pressures and at such rates of flow, as are available from time to time from the District's operation of its storage, transmission and distribution facilities. The District shall not be liable for any damage in any manner arising out of the non-availability of water or water pressure, at any hydrant or facility used for fire protection.

4.21.100 HYDRANTS

4.21.110 Hydrant Installation. Public fire hydrants will be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction or when required as a condition of a building permit or subdivision. Fire hydrants installed under this Chapter shall belong to the District.

4.21.120 Installation by District. When a hydrant is installed in which the work is performed by the District, the holder of the building permit, developer of the subdivision, or otherwise District-authorized consumer or agency will reimburse the District the actual cost of labor, materials, engineering, inspection and usual overhead expenses in the installation of the hydrant assembly, hydrant lateral, control valve, and the connection to the District facilities.

4.21.130 Installation by Contractor. In the event the District declines to perform such installation, the contractor shall adhere to the terms and conditions as set forth in the District's "Standard Details and Construction Notes" and thereby satisfy the District with plan review, revisions, and plan approval. The responsible party will in addition thereto pay all costs determined by the District which include but are not limited to plan review, engineering, inspections, usual overhead expenses, and applicable fees; and upon completion of the work, will execute a deed and convey legal title including any interest in real property to the District at no cost to the District.

4.21.140 Hydrant Permits. In the event that the District authorizes any person other than the public fire protection agency to use any hydrant of the District for the purpose of securing water, said person shall obtain a hydrant permit, a hydrant meter, and pay the appropriate fees for the purposes stated by the applicant. In the event of an emergency, the Fire District of jurisdiction and/or the Rio

Linda/Elverta Community Water District shall have the right to overrule the use of such hydrant(s) by consumer who purchased a permit.

4.21.200 PRIVATE FIRE PROTECTION FACILITIES. A private fire protection system is defined as that water supply system which is totally intact and on the land of the Consumer. In order to attach such a system to existing water mains of the District, the following conditions must be met:

- a. The land to be served is within the geographical area of the District.
- b. The District possesses an adequate supply of surplus water capable of serving a private fire system.
- c. In applying for such service, the consumer has complied with all the applicable requirements of these regulations.
- d. The private fire suppression system is for the sole and exclusive benefit and use of the consumer and is located entirely within the consumer's property.
- e. The private fire suppression system will be used exclusively for the suppression of fire or for the testing of the fire prevention system.
- f. The type and location of the said private fire suppression system has been approved by the responsible fire protection agency.
- g. The consumer assumes full responsibility for all maintenance and repair of the said system outside of the public right-of-way.
- h. The size and design of the service connections, detector check, cold water fire service type meter, and the reduced pressure device shall all be determined by the District taking into consideration such factors as the ISO requirements and the AWWA requirements.
- i. The District reserves the right to disconnect such system or to require cold water/fire service type meter as defined in AWWA Standards C703_79 to be installed in lieu thereof in the event that water is taken through the detector check assembly for any other use than fire fighting or testing.
- j. The District may require payment for estimated water usage in the event of water consumption for purposes other than fire protection; such events may be determined by incidents of plumbing breaks or leakage or other means of water passage as determined.

Chapter 4.23 ABATEMENT

Sections:

- 4.23.010 Violation a Nuisance**
- 4.23.020 Other Nuisances**
- 4.23.030 Notices**
- 4.23.100 Summary Abatement in Case of Emergency**
- 4.23.200 Notice to Abate**
- 4.23.210 Effect of Failure to Abate**
- 4.23.220 Hearing; Resolution of Findings**
- 4.23.230 Abatement by District**
- 4.23.250 Record of Expenses; Hearing; Assessment as Lien**
- 4.23.260 Collection of Assessed Costs**
- 4.23.280 Termination of Water Service as Alternative**

4.23.010 Violation a Nuisance. Violation of any of the provisions of these regulations is a nuisance subject to abatement.

4.23.020 Other Nuisances. The procedures for abatement established in this Chapter may be used to abate any nuisance which pursuant to law may be abated by the District.

4.23.030 Notices. Notices required in this chapter shall be mailed by certified mail (return receipt not required) to the owner of the subject property and to said owner's mailing address shown on the records of the Assessor of the County of Sacramento. Further, a copy of such a notice shall be posted conspicuously upon the property. Further, when the address for purposes of billing for water service differs from the address shown in the Assessor's records, a notice shall also be mailed (certified mail not required) to said billing address. Failure of the owner (or other person to whom notice is given) to receive a notice required in this chapter shall not affect the validity of any proceedings conducted pursuant to this chapter.

4.23.100 Summary Abatement in Case of Emergency. When the conditions which constitute the nuisance pose an immediate threat to the public peace, health, or safety, or may cause irreparable harm to the environment, the Board may order the nuisance abated immediately by adopting by four-fifths (4/5) vote the resolution prescribed in Section 4.23.230 of this code.

4.23.200 Notice to Abate. Upon making a determination that a nuisance exists upon a parcel within the District, the General Manager shall issue a notice to abate the nuisance. Said notice shall briefly describe the conditions which constitute the nuisance and shall order the abatement of the nuisance within thirty (30) days. A notice to abate may be issued simultaneously with, and as a part of, any other notice of violation of this code or other law, ordinance, or regulation.

4.23.210 Effect of Failure to Abate. If the owner or other authorized person fails to abate the nuisance within the time period indicated in the notice issued pursuant to Section 4.23.200 hereinabove, the General Manager may determine to proceed with abatement proceedings as provided herein below. A notice shall be issued directing the owner or the owner's authorized agent to appear before the Board of Directors at a stated time and place to show cause why the Board should not order the nuisance abated.

4.23.220 Hearing; Resolution of Findings. At the time fixed in the notice, the Board shall hear the testimony of all competent persons desiring to testify respecting the condition constituting the nuisance, including the estimated cost of abatement and any other matter which may be pertinent. At the conclusion of the hearing, which may be continued, the Board shall by resolution declare its findings. If the Board finds that sufficient evidence exists to support a determination that a nuisance exists, it may include in the resolution a declaration that the nuisance exists and an order directing the owner of the property upon which the nuisance exists to abate the nuisance within thirty (30) days after the date of the hearing. A notice containing said resolution shall be issued within seven (7) days from the date of the hearing.

4.23.230 Abatement by District. If the nuisance has not been abated within the time prescribed, the Board by resolution may order the General Manager to abate the nuisance. The General Manager may direct any District employee, contracting agent, or other representative to enter upon the private property in a manner consistent with Section 202 (c) of the *Uniform Building Code* for purposes of abating the nuisance.

4.23.250 Record of Expenses; Hearing; Assessment as Lien. The General Manager shall keep an account of the cost of abatement and shall render an itemized written report to the Board showing the cost of abating the nuisance. Before the report is submitted to the Board, a notice of the written report shall be issued as provided in Section 4.23.030 hereinabove at least ten (10) days prior to the meeting at which the report is to be submitted. At the time fixed for receiving and considering the report, the Board shall consider objections to the cost items raised by the person liable to be assessed for the cost of abatement. The Board may then make such modifications in the report as it deems desirable, after which, by resolution the report shall be confirmed. If the consumer does not pay the expense of

abating the nuisance within ten (10) days after the District issues a notice of confirmation of the costs of abatement, the cost shall become as special assessment against the real property upon which the nuisance was abated and a personal liability of the owner of the property. Such assessment shall constitute a lien upon the property. Such lien shall attach upon recordation in the office of the County Recorder a certified copy of the resolution of confirmation.

4.23.260 Collection of Assessed Costs. A certified copy of the confirmed report shall be given to the Assessor and Tax Collector, who shall add the amount of the assessment to the net regular tax bill levied against the property. A certified copy shall also be given to the County Auditor who shall enter the assessment on the county tax roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary property taxes. If delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale provided for ordinary property taxes. All laws relating to the levy, collection, and enforcement of county taxes shall apply to such special assessment. The Board may enforce the personal liability of the owner by directing counsel to file suit in a court of competent jurisdiction to collect the cost of abatement.

4.23.280 Termination of Water Service as Alternative. Where the District's interests can be effectively accomplished through termination of water service until such time as the condition on the property creating the nuisance is eliminated, such termination may be ordered in lieu of actions by the District to physically abate the nuisance.

Chapter 4.31 FEES, CHARGES AND BILLING

Sections:

- 4.31.010 STATEMENT OF POLICY**
- 4.31.020 ADOPTION OF FEES AND CHARGES**
- 4.31.100 CONNECTIONS**
- 4.31.110 Connection Fees**
- 4.31.200 WATER SERVICE CHARGES**
- 4.31.210 Service Charges**
- 4.31.220 Security Deposits**
- 4.31.225 Billing Address**
- 4.31.230 Bill Due Dates**
- 4.31.240 Billing Periods**
- 4.31.250 Receipt of Payments**
- 4.31.260 Advance Payments**
- 4.31.270 Disputed Bills**
- 4.31.280 Late Notice**
- 4.31.285 Service Discontinuation**
- 4.31.290 Liens**
- 4.31.295 Collection Fees and Charges**
- 4.31.300 METER REREADS, TESTS AND ADJUSTMENTS**
- 4.31.310 Testing the Accuracy of Meters**
- 4.31.320 Meter Rereads**
- 4.31.330 Reimbursement**

4.31.010 STATEMENT OF POLICY. As provided in Section 31007 of the Water Code of the State of California, rates and charges shall be so fixed as to yield an amount sufficient to do each of the

following: (1) pay the operating expenses of the district; (2) provide for repairs and depreciation of works owned or operated by the District; (3) pay the interest on any debt; and (4) so far as possible, provide a fund for the payment of the principal of the debt as it becomes due.

It is intended by this Chapter to require the district to pay the interest and principal of its debt from the revenues of the water system. The Board of Directors has determined that it is desirable to have all expenditures for operations and debt service funded independently of property tax revenue in order to assure consistent and safe operations.

4.31.020 ADOPTION OF FEES AND CHARGES. The Board of Directors may establish fees and charges related to providing water service and water to any property within the District. Said fees and charges shall be established or amended by a resolution adopted pursuant to Section 54354 et seq. of the Government Code.

4.31.030 CONSERVATION POLICY. Section 2 of Article 10 of the Constitution of the State of California specifically provides in part as follows:

It is hereby declared that because of the conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.

The District has established a conservation program within Chapter 4.14 herein in order to reduce the waste of water. The water service rates established herein and the policies related thereto are declared to be a furtherance of that objective. These water service rate policies shall be deemed to be implemented in conformance with: (A) the California Urban Water Conservation Council's Best Management Practices 11, 5, and 9; (B) the intent of the Water Conservation in Landscaping Act (Government Code §65591 et seq.) and the Model Water Landscape Ordinance developed pursuant thereto (Sections 490 through 495 of Chapter 2.7 of Division 2 of Title 23 of the California Code of Regulations); and (C) the terms of the Sacramento Area Water Forum Agreement.

4.31.100 CONNECTIONS

4.31.110 Connection Fees. Fees for connection to the District Water System as indicated in Resolution No. 2001-02-05 shall be paid prior to the installation of a new service connection.

4.31.200 WATER SERVICE CHARGES

4.31.210 Service Charges. A. Water Service. Fees for water service from the District Water System shall be as indicated below based upon meter size serving the premises:

<u>Meter Size</u>	<u>Minimum Bimonthly Service Charge</u>
5/8"	\$29.00
3/4"	\$34.80
1"	\$52.20

1-1/2"	\$101.50
2"	\$162.40
3"	\$304.50
4"	\$507.50

plus usage charges per 100 cubic feet or portion thereof as follows

Meter Size

5/8"			
cubic feet used	601-2,600	2,601-15,600	15,601+
price per 100 cubic feet	\$0.43	\$0.54	\$0.68
3/4" to 1-1/2"			
cubic feet used	601-5,800	5,801-44,800	44,801+
price per 100 cubic feet	\$0.43	\$0.54	\$0.68
2" to 4"			
cubic feet used	601-55,200	55,201-286,000	286,001+
price per 100 cubic feet	\$0.43	\$0.54	\$0.68

The bimonthly service charge for standby fire protection services shall be \$8.00 per inch diameter of the service pipe.

B. Other Fees. The following fees apply as indicated:

Regulation Section Reference	Type of Fee	Fee
4.07.012 (2.)	Service Connection Charge shall be as follows plus all Developer Fees and Outstanding Plan Check and inspection fees: Full Service Installation:	
	1" Service with 5/8x3/4" Meter Outside Roadway with main on Customer Side of Street	\$2,025.00
	1" Service with 5/8x3/4" Meter Outside Roadway with Street Crossing Using Boring Machine	\$2,550.00
	1" Service with 5/8x3/4" Meter working in the improved roadway	\$3,850.00
	Addition for 1" Meter	\$100.00
	Addition for 1 1/2" Meter	\$200.00
	Addition for 2" Meter	\$300.00
	Larger meter	Hourly Charge plus materials

	Fully Mechanical Meter Installation where meter setter in place:	
	5/8"x3/4" Meter	\$105.00
	1" meter	\$180.00
	1 1/2" meter	\$340.00
	Larger meter	Hourly Charge plus materials
4.07.030	Plan Check and Inspection Fees	Hourly Charge
4.07.710	Initial Fee for Service Application - Existing Connection	\$30.00
	Initial Fee for Service Application - New Service Required	\$80.00
4.07.810	Termination/Reconnection by District	\$40.00
	After hours charge	\$30.00
	Removal of Meter Including Reinstall	\$85.00
4.07.830	Tampering Penalty (charge is for each violation)	\$60.00
4.07.840	Customer Requested Temporary Turnoff	\$15.00
	Turn back on	\$15.00
	After hours charge	\$30.00
4.09.230	Cross-Connection Control Program Charge (bi-monthly charge)	\$10.00
4.14.250 B. 3.	Third Violation Conservation Penalty within 24 months	\$75.00
4.14.250 B. 4.	Termination/Reconnection by District for Conservation Violation (plus \$30.00 Turn-On Fee when reinstated)	\$125.00
4.31.220 A. 3.	Service Deposit	\$100.00
4.31.280	Late Charge (the greater of)	\$5.00 or 5%
4.31.285	48-hour notice charge	\$15.00
	Service Termination/Reconnection	\$40.00
4.31.290	Lien Charge	\$75.00
4.31.295	Returned Check Charge	\$18.00
	Turnoff Notice for Returned Check or Other Failure to Pay Other Than Per 4.31.285	\$30.00
	Referral to Collection Agency	50% of balance
	Removal of Meter Including Reinstall	\$85.00

Hourly charges as provided herein shall be as established by the General Manager based upon the cost of providing personnel and equipment, including a 25% overhead charge on total labor costs.

4.31.214 Water Budget Implementation. A. The water service fees (rates) established in Section 4.31.210 hereinabove are intended to create an economic incentive to achieve the Constitutional objective of preventing water waste. It is recognized that those rates when applied uniformly to all

consumers in a class may inadvertently impair achievement of the co-equal Constitutional objective of putting water resources "to beneficial use to the fullest extent." Water in larger volumes may reasonably be used (1) for irrigation purposes by persons engaged in educational or organized recreational activities, by persons engaged in agricultural activities, or by persons in a manner which improve the aesthetic value of property, or (2) for other purposes by persons engaged in economic enterprises. In such cases, the economic impacts of the rate structure are counter-productive to the objectives of the Constitution and such impacts may be mitigated pursuant to "B." herein below.

B. Notwithstanding Section 4.31.210 hereinabove, a consumer may request and the District may provide a water budget agreement prepared in a manner consistent with the standards referenced in Section 4.31.030 hereinabove. The consumer shall continue to be subject to the three-tiered usage rate structure provided in Section 4.31.030 appropriate for the meter size, except that the first tier rate shall be applied beginning as provided in Section 4.31.030 through the maximum allowed by the water budget and tier three applying to all water use in excess of the water budget. Any proposed water budget agreement developed pursuant hereto shall be approved by resolution of the Board prior to implementing said agreement and may be revoked by the Board should the consumer regularly use water in excess of said budget. Approval shall be based upon an evaluation of the beneficial use involved, the efficiency of methods of use of the water, and the consumer's adherence to best management practices.

C. Notwithstanding all other provisions of this Title, the Board may repeal this Section at any time.

4.31.217 Reduction Due to Accidental Loss. Notwithstanding any other provision herein, the General Manager may reduce the use charges on a water bill by fifty percent (50%) when the following circumstances exist: (A) the consumer's usage on the bill exceeds any other previous usage by a factor of two (2); (B) evidence of the accidental nature of the usage is presented (i.e. a leak, a fire, etc.); and (C) evidence that the cause of the excessive usage has been corrected. No reduction may be granted by the General Manager when a consumer has received a previous reduction within a five (5) year period.

4.31.220 Security Deposits. As provided in Section 4.07.710 hereinabove, a security deposit may be required at the time of initiation of service. The following policies shall apply:

A. At the time of application pursuant to Section 4.07.710 the applicant may establish credit through one of three options:

1. Have a previous record with the District for a period of at least one year of having paid water bills promptly when due. If such is evidenced then no deposit shall be required.
2. Provide the District with a letter of previous electric service within the last 12 months where credit was established and maintained with the District's criteria. Letter must be received within ten (10) working days after application for water service.
3. Pay a deposit of \$100.00

B. Maintenance of Credit. A consumer's credit may be deemed to be no longer maintained to the District's satisfaction if such consumer has one or more delinquent charges during a 12 month period, or if the service has been discontinued for nonpayment. In the event of such delinquency, the consumer may be required by the District to reestablish credit and will be subject to a deposit requirement as indicated in paragraph "A." above.

C. Increased Deposit Required Where Credit Not Maintained. Where a consumer or applicant for service does not satisfactorily establish and maintain credit in accordance with District policy, a deposit may be required in addition to an existing deposit in order to increase the total amount retained. The District may discontinue service if consumer fails to make such deposit as requested by the District. The deposit amount required may vary depending on the consumer's previous bills and history but shall not exceed twice the highest bill.

D. Deposit Retention and Refunds. Deposits will normally be held for a period of one year. Deposits will be credited to the consumer's account at the end of the deposit period if consumer has maintained

a record of paying his/her account promptly and is in no way indebted to the District. Upon termination of service, the District will return the deposit less the amount of any charges remaining unpaid.

4.31.225 Billing Address. The District shall be responsible, but not limited as such, to render each bill only to one mailing address only for each account in which a consumer has established. The consumer is responsible for notifying the District of any name and/or address changes. Consequences or expenses which may arise from the consumer providing erroneous information or failure to provide needed information shall deem the consumer fully responsible for such resulting indebtedness due to the District.

4.31.230 Bill Due Dates. All water charges are due and payable upon presentation and are delinquent after date stated on bill (if delinquent date is not stated on the bill, it is considered past due on the 15th day after bill is rendered).

4.31.240 Billing Periods. All bills (with the exception of some closing bills) will be rendered bimonthly. Opening and closing bills will be prorated according to water consumption and time period if less than the minimum cubic feet and less than two months. Meters will be read at regular intervals for the preparation of regular bills. Meters will be read for opening and closing bills as arranged with District staff upon notification by consumer. In the event that a consumer does not notify the District of moving, or an otherwise change in consumer responsibility for water service, the District may charge the consumer's account based on total water consumption and time period up to the date of which the District was made aware of such change. In the event that weather or emergency conditions prevent meter reading schedules, the District shall charge minimum water rate relative to the consumer's account.

4.31.250 Receipt of Payments. Consumer payments of bills shall be considered paid upon receipt of such payment in the District office only; this includes payments sent via postal delivery. Postmarked dates are not accepted as paid dates. District employees working outside of the District office shall not be obligated to accept payments unless authorized by the District. Late charges and/or discontinuation of service may be applicable if payments are not received by the date stated on the bill. Water service also may be discontinued for nonpayment of a bill for water service rendered (from the District) at a previous location if the bill is not paid within ten (10) days after presentation at consumer's new location.

4.31.260 Advance Payments. Advance payments (overpayments) may be deposited with the District if the consumer so submits. The overpayment will result in a credit balance on the account until charges incurred offset that balance. The District shall not be required to pay any interest or yield on such overpayment.

4.31.270 Disputed Bills. Any request for review of a disputed bill must be made in writing. Dispute of a bill shall not justify nonpayment thereof and the bill shall be paid in full when due pending investigation and settlement of the dispute.

4.31.280 Late Notice. Immediately following the due date as provided in Section 4.31.230, a late notice shall be mailed to consumers who have not submitted payment. A late charge shall be applied.

4.31.285 Service Discontinuation. Ten (10) days following the mailing of late notices, the District may discontinue water service for delinquent charges which remain unpaid. A written notice shall be served at the property of the water service forty-eight (48) hours prior to discontinuation of service. A notification charge may be applied. The District shall not be obligated to serve the 48-hour notice person-to-person; rather, placement of the notice shall be in a conspicuous area such as a door, fence, or any area determined to be most accessible and safe by the District representative. The District shall not be obligated to adjust notification time or other procedures due to consumers absence for any reason and consequential delay of receipt of such notice. Notice at the property shall be deemed

sufficient to permit service termination for non-payment regardless of who occupies the property. Following the 48-hour period, service may be terminated for non-payment and a discontinuation charge shall be applied. Service may be reinstated pursuant to Section 4.07.710 following payment of delinquent charges.

4.31.290 Liens. Water delivered to real property by said Rio Linda/Elverta Community Water District shall be deemed an improvement to said real property, and the legal charge therefore shall constitute a lien thereon which shall only be discharged by payment thereof. The District acting through its General Manager or other officers, shall file in the office of the County Recorder of Sacramento County, California, a verified delinquent list of all unpaid balances due the District for water furnished, including all charges and fees including a lien charge, which had not been entered in previously recorded delinquent lists, which list shall show, among other things, the name(s) of the consumer(s) to whom such balances were charged and a brief description of the several and respective lots or parcels of land on which deliveries had been made for the account of such consumer(s), severally and respectively. Thereupon public notice shall be deemed given of the amounts due the District for water from the several lots and parcels of land so mentioned. Such amounts shall be deemed to constitute liens on said lands, severally, and respectively, and an action to foreclose such liens may be brought in the name of the District in the Superior Court of such county. One action may be brought on all lands described in any such list. In the event of such foreclosure action, the District shall be entitled to legal interest from the date of filing and also to a reasonable attorney's fee in such action, the same to be taxed as costs. A release of any such lien shall be sufficient if signed the President of said Board of Directors or by the General Manager of the District.

4.31.295 Collection Fees and Charges. Fees for collection of past due bills shall be as indicated in Section 4.31.210.

4.31.300 METER REREADS, TESTS AND ADJUSTMENTS

4.31.310 Testing the Accuracy of Meters. A consumer may, with a minimum of seven (7) working days written notice, request the District to test the water meter serving the premises. The charge for this service is:

1" or smaller meter	\$10.00
larger than 1"	\$20.00

This payment will be refunded if the test indicates that the meter registers more than 2% fast. Additionally, if the meter was found in error as stated, the consumer's account may be adjusted for the overcharge or other undercharge. The adjustment shall be the equivalent of the average water usage for that consumer at that time of year. If the consumer has no history for that time of year in which to calculate the average, a minimum charge shall be assessed. Such adjustment shall be retroactive for no greater than three (3) billing periods or six (6) months. The meter shall be replaced with a new meter if it register more than 2% slow.

4.31.320 Meter Rereads. A consumer may, within two weeks following presentation of the first billing notice (each period), request the meter to be reread. The consumer is limited to one such request each billing period without charge. The consumer is limited to two such requests per year without charge. Additional requests shall require a fee of \$10.00 per request. Additional requests may be refused by the District if the District determines such requests to be unnecessary. Any reread which results in an adjustment of the bill will not be counted in the limits specified herein.

4.31.330 Reimbursement. Upon written application of a consumer, the district will allow a credit against future water charges to the extent the consumer has paid water charges erroneously levied by the District in excess of the proper water charge, provided that the credit will not apply to charges levied more than two years before the application for the credit was filed.