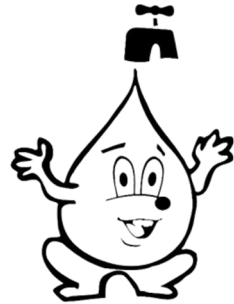


**We Serve**



**Water**

**VENTURA RIVER WATER DISTRICT**

**409 OLD BALDWIN ROAD**

**OJAI, CALIFORNIA 93023**

## **RULES & REGULATIONS**

**MARCH 18, 2020**

Ventura River Water District  
Rules and Regulations

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## **RULES AND REGULATIONS**

### **1. GENERAL**

This document shall be known as "Rules and Regulations for Water Service" for the Ventura River Water District. Unless otherwise approved by the Board of Directors of the Ventura River Water District, all water service shall be made in accordance with these rules and regulations. The Board of Directors may amend these rules and regulations at any regular or special meeting by Resolution or Ordinance.

### **2. DEFINITIONS**

Whenever the words defined in this article occur in these rules and regulations, they shall have the meaning herein defined:

2.1 "Additional dwelling" shall mean any structure used for living purposes, including mobile home, trailer, apartment, single family home, duplex, granny flat (if a separate structure), condominium, and/or any other similar dwelling.

2.2 "association" shall mean a corporation or association created to own or improve or lease lots or to provide management, maintenance or improvement of contiguous or non-contiguous lots.

2.3 "Board" shall mean the Board of Directors of the Ventura River County Water District.

2.4 "Commercial" shall mean any commercial or industrial development operating on land zoned for commercial or industrial uses.

2.5 "District" shall mean Ventura River Water District.

2.6 "Field Service Charge" shall mean the charge applied when a check is returned for Not Sufficient Funds and a door hanger notice must be made or water must be turned off when the payment of the water bill is delinquent by more than 10 days in accordance with [Appendix I - Rates and Fees Schedule](#).

2.7 "General Manager" shall mean the person holding the position or acting in the capacity of General Manager of Ventura River Water District.

2.8 "LAFCO" shall mean the Ventura County Local Agency Formation Commission.

2.9 "Multi Family Residential" shall mean any apartment or mobile home development with one or more meters designed to supply water to five (5) or more dwellings on the same parcel.

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2.10 "Single Family Residential" shall mean a residential property with from one (1) to four (4) dwellings on the same parcel.

2.10 "service" shall mean the furnishing of water to a customer through a connection to facilities of the VRWD.

2.11 "Service Facilities" shall mean the service lateral facilities between VRWD water main and the outlet of the meter.

2.12 "unit" shall mean 748 gallons or 100 cubic feet of water.

2.13 "Water Agency" shall mean and include public agencies, public utilities, and mutual water companies.

2.14 "Will Serve Letter" shall mean a letter issued by the Ventura River Water District committing to provide water service to a new customer.

2.15 "VRWD" shall mean the Ventura River Water District.

**3. AREA SERVED AND ANNEXATIONS INTO THE DISTRICT**

The rules and regulations set forth herein pertain to service to land and/or improvements lying within the boundaries of VRWD. The Board on an individual basis may establish Service to parcels outside VRWD boundaries after approval from LAFCO.

3.1 Approval of annexations in to or out of VRWD shall be at the pleasure of the Board and be approved by LAFCO. Annexation fees shall be the responsibility of the property owner(s) seeking annexation into or out of the District. The fees shall include, but not be limited to, all fees incurred by LAFCO, the State of California, mapping fees, administration fees, and any and all other fees related to the annexation process imposed by VRWD or other agencies. (See Appendix I for current Fee Schedule for VRWD fees)

No property owner shall annex only a portion of his or her whole contiguous parcel. Water shall not be acquired for a parcel that is annexed and then transported to a parcel outside of the District's boundaries.

Water service outside VRWD boundaries shall be approved by LAFCO and be by special service agreement only. This special service agreement will establish maximum rate of use, quantity to be purchased, duration of service and other matters pertinent to such service which are not covered by VRWD "Rules and Regulations". The water rate for outside user water service shall be established by the Board for each such service at the rate plus a surcharge and shall be set forth in the special service agreement.

Capital improvements for new services shall comply with Ventura River Water District Rules and Regulations. Fee schedules in effect at the time of the District's final Resolution

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approving and ordering the annexation shall be paid in full before water service is inaugurated.

**4. ARRANGEMENTS FOR REGULAR WATER SERVICE**

4.1 APPLICATION FOR WATER SERVICE. Application for service shall be made in writing on a form available at the Ventura River Water District Office. The General Manager or his appointee may approve applications for service. All Applications for service shall be considered to be a written request for water and other services.

4.11 REGULAR WATER SERVICE. Regular water service to each property and additional dwelling shall be through a separate water meter, except as provided herein. Water service for multi family apartments and mobile home parks may be provided by a single meter to the facility. Water service to an association shall be in accordance with Section 21 MASTER METER FOR ASSOCIATION. All rates, fees, and provisions for multi family residential development and associated service shall conform to the applicable portions of these "Rules and Regulations". The water rate shall be at the rates provided for in Appendix I.

4.12 ADDITIONAL DWELLING UNITS. Existing, permitted additional dwellings that do not have a separate water meter shall not be required to install a separate water meter or pay the Capacity Charge but shall pay the additional dwelling monthly service charge. Existing, illegal additional dwellings that do not have a separate water meter shall be required to install a separate water meter and pay the Capacity Charge.

4.2 ESTABLISHMENT AND MAINTENANCE OF CREDIT.

4.21 DEPOSITS. New Customers are required to provide proof of credit worthiness to the District in the form of pictured identification, a major credit card, prior Water Company or other verifiable credit reference. Connection of service may be delayed until the determination of credit worthiness has been made. Customers may avoid this credit check by providing a voluntary refundable security deposit.

In the event a customer who was deemed credit worthy at time of sign up does not maintain credit to the satisfaction of VRWD, a security deposit may be required after two late notices in any 12-month period. Customers not deemed credit worthy are required to provide a security deposit to guarantee payment of the customer's obligations to VRWD until his good credit has been established to the satisfaction of VRWD. If the customer is a water agency, credit shall be deemed established.

A customer's credit shall be considered established and maintained to the satisfaction of VRWD if the customer has not received a late notice during the prior 18 months. When a customer has established and maintained credit to the satisfaction of VRWD, the customer's

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deposit, without interest, will be applied to the customer's account as a credit. If the deposit is applied to a closing bill and the balance is less than \$10.00 a refund will only be made if specifically requested. In the event the customer does not continue to maintain credit to the satisfaction of VRWD after the deposit has been refunded, the full deposit will again be required in order to continue water service. If service has been discontinued for nonpayment, the General Manager may levy an additional deposit. Deposits shall be made according to the current schedule of rates available at the District Office. ([See Appendix I - Rates and Fees Schedule](#)).

4.22 OUTSTANDING OBLIGATIONS. Payment in full of any outstanding obligation in connection with VRWD water service must be paid before water service can be restored to an existing location or to a present customer at a new location.

4.3 SERVICE AND FACILITY INSTALLATION. Where the conditions of service require Special Facilities, as determined by VRWD, the installation fee, regardless of the size of service, shall include all direct and indirect costs of furnishing and installing such Special Facilities. Such Special Facilities may include, but are not limited to, turnout, heavy-duty pipeline, excess pipeline, trenching, installation of casing, and paving.

4.31 BACKFLOW PREVENTION DEVICES. The Customer may be required to furnish and install a backflow device at his sole expense in compliance with the requirements as set forth in Section 18 of these "Rules and Regulations".

4.32.1 CAPACITY CHARGE. A Capacity Charge shall be paid at the time an application for water service is made, in accordance with the current Capacity Charge Schedule. ([See Appendix II for Capacity Charge Schedule](#))

4.4 PAYMENT OF INSTALLATION FEE. The installation fee or estimated installation fee shall be paid in full at the time application is made for water service. Any adjustment of the estimated installation fee shall be made when the service installation is completed.

4.5 CHANGE IN SIZE OF SERVICE. Changes in the size of water service shall conform with the following:

4.51 Increase in size: Customers requesting an increase in the size of service shall make application to the District and pay any additional Capacity Charges for the size of service plus installation fees as provided for herein. ([See Appendix II for Capacity Charge Schedule](#)) The increase in size of service shall be charged to the customer at actual direct and indirect costs, including but not limited to labor, parts, and administrative costs.

4.52 Decrease in size: Customers requesting a decrease in the size of service shall make application to the District and enter into an agreement with the District documenting that the customer may upsize the service back to the original size without paying an additional

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Capacity Charge. The customer shall pay all costs associated with reducing the service size including direct and indirect costs, including but not limited to labor, parts, and administrative costs. VRWD reserves the right to require the customer enlarge the service at any time that VRWD determines that the customer's water demand necessitates a larger service. Refund of the Capacity Charge shall not be allowed because those funds are invested in constructing the capacity of the infrastructure which cannot be reduced once constructed.

4.6 RELOCATION OF EXISTING SERVICE FACILITIES. When a change in the location of existing Service Facilities is deemed necessary by VRWD, such change in location shall be accomplished at VRWD's expense. When the relocation of existing Service Facilities is required as determined by VRWD, as a result of action taken by the customer or when such relocation is requested by the customer for his convenience, and upon approval by the General Manager, such relocation shall be accomplished at the customer's expense. In either event, the cost of reconnecting the customers' private plumbing system to the relocated VRWD-owned Service Facilities shall be at the customer's sole expense.

4.7 SHUTOFF FOR NONCOMPLIANCE. Water service may be shutoff for violation of or noncompliance with these "Rules and Regulations" and may be resumed only upon satisfactory evidence that violations have been corrected or those provisions of "Rules and Regulations" have been complied with.

## **5. OWNERSHIP OF FACILITIES**

5.1 VRWD FACILITIES. VRWD shall retain ownership of all meters, appurtenances and connection piping serving the meter regardless of who pays for or installs the facilities. The valve on the outlet side of the meter, pressure regulators, backflow prevention devices and other special facilities beyond the meter are owned by the customer and their proper operation and maintenance are the responsibility of the customer. VRWD regulations relating to assurances regarding proper operation of such special facilities are set forth in Section 18 of these "Rules and Regulations".

5.2 CUSTOMER INSTALLED FACILITIES. By special agreement, and with the consent of the General Manger, the customer may furnish and install all of the required Service Facilities at his sole expense, provided such installation is by a VRWD approved, licensed, and insured contractor. Under such circumstances, the customer may be required to pay to VRWD the costs of legal services, engineering, plan check, inspection, and administration service, operation and maintenance shutdown costs, and other cost related items. Such customer-installed facilities between VRWD pipeline and the customer's side of the meter shall become the property of VRWD and shall thereafter be maintained by VRWD.

## **6. TEMPORARY WATER SERVICE**

Application for temporary water service shall be made in writing on a form provided by VRWD. Temporary water service is intended primarily for construction and sanitary sewer flushing

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purposes and is provided via a hydrant meter or hard plumbed connection. Temporary water service may be provided for a maximum of six (6) months.

6.1 INSTALLATION FEE OF TEMPORARY WATER SERVICE. A meter installation fee shall be paid by the applicant at the time temporary water service is requested, providing service from nearest hydrant only. (See Appendix I for Rates and Fees Schedule).

6.2 TEMPORARY SERVICE RELOCATION FEES. If a temporary water service requires service consecutively at two or more points in VRWD's system, a relocation fee shall be paid by the customer for each change of location. Relocations will be made by VRWD upon 48 hour notice by the customer, excluding Saturdays, Sundays and holidays, (See Appendix I for Rates and Fees Schedule).

6.3 GUARANTEE DEPOSIT. The applicant shall be required to deposit funds as a guarantee of payment of charges for temporary water service and as a guarantee of payment for damage to VRWD property for which the customer is liable. The deposit shall be in accordance with the current Rates and Fees Schedule. (See Appendix I for Rates And Fees Schedule)

6.4 RETURNED CREDITS. Returned credits not cashed after six (6) months shall be void, subject to customer appeal. These funds will be transferred to the District's general income account.

6.5 WATER SERVICE TO NEW SUBDIVISIONS. Prior to receiving any water to a new subdivision, the developer must enter into an agreement to construct additions to the VRWD distribution system and pay applicable fees including current Capacity Charges. During construction, the developer may receive water from a temporary water meter connected to a fire hydrant, as described in Section 6. Prior to acceptance of the new distribution facilities, by VRWD, the developer will take out an application, or have an application taken out, for each service in the subdivision.

6.6 RESPONSIBILITY FOR TEMPORARY WATER SERVICE EQUIPMENT. Customers using temporary water service equipment are fully responsible for the condition and safe return of the meters and material associated with the temporary service connection.

## **7. PRIVATE FIRE SERVICE**

7.1 APPLICATIONS FOR PRIVATE FIRE PROTECTION FACILITIES. VRWD may grant applications for private fire service or private fire hydrants. Fire sprinkler service shall require a spring activated check valve on the fire sprinkler piping and shall be connected after the pressure regulator. A detector-check-type meter shall be required on all private fire service connections. The customer, in accordance with plans previously approved by VRWD must install the required meter installation. The customer will be required to install the



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appropriate backflow prevention device in accordance with the provisions set forth in Section 18 herein.

7.2 FIRE STANDBY CHARGES FOR PRIVATE, COMMERCIAL AND INDUSTRIAL FIRE PROTECTION FACILITIES. (See Appendix I for Rates and Fees Schedule)

## **8. WATER WASTE PROHIBITIONS**

### 8.1 PROHIBITIONS

No Ventura River Water District customer shall allow use of water for nonessential or unauthorized uses as defined herein:

- (1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- (2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- (3) The use of potable water in a fountain or other decorative water feature except where the water is part of a recirculating system.
- (4) Outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves no more frequently than two days per week.
- (5) Outdoor irrigation of ornamental landscapes or turf with potable water between the hours of 9:00 A.M. and 6:00 P.M. unless performed by a watering can or handheld sprayer nozzle. (Exceptions may be authorized by the General Manager where there is no ability to not water between 9:00 a.m. to 6:00 p.m.)

### 8.2 EXEMPTED WATER USES

- a. All water use associated with the operation and maintenance of fire suppression equipment or employed by the District for water quality flushing and sanitation purposes shall be exempt from the provisions of this Section.
- b. Use of water supplied by gray water or rainwater collection system is also exempt; however, use of water from these systems is not exempt from the applicable regulations of the State and local jurisdictions governing the use of such water.
- c. Supervised testing, adjusting, or repairing of irrigation systems is allowed any time for no more than five (5) minutes per station.

### 8.3 ENFORCEMENT OF VIOLATION

Complaints of water waste will be investigated and enforced by the District in the form of a Notice of Violation. The following officers and employees of the Ventura River Water District are hereby designated and authorized to issue citations for enforcement of this Section: General Manager, Utility Workers, Water employees designated by the General Manager

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#### 8.4 NOTICE OF VIOLATION

The notice to the District water customer of a violation of this Section will be issued by either, mail, hand-delivery, or posting at the entrance of the violator's premises. The District will issue a written notice that states the time, place, and general description of the violation or repeat of violation, as well as a time frame in which the violation must be corrected. District staff may use discretion when determining the correction time.

#### 8.5 CONSEQUENCE OF VIOLATION

Administrative fines and water service actions may be levied and applied for each violation of a provision of this Section as follows:

Penalties for failure to comply with any provision of the Section are as follows:

- a. First Violation: The District will issue a written notice to the water customer describing the violation, required compliance date and attach a copy of this Section.
- b. Second Violation: If the first violation is not corrected within the time frame specified by the District, or if a second violation occurs within the following twelve (12) months after the first violation notice, a second notice of violation will be issued and an administrative fine of one hundred dollars (\$100) shall be levied for the second violation of this Section.
- c. Third Violation: A third violation within the following twelve (12) months after the date of issuance of the second notice of violation is punishable by an administrative fine of two hundred dollars (\$200).
- d. Fourth and Subsequent Violations: Each day that a violation of this Section occurs beyond the remedy allowance provided in the third Notice of Violation is subject to any or all of the following penalties:
  - i. Water service may be turned off or flow may be restricted. Where water service is turned off or flow restricted, it shall be turned on or unrestricted upon correction of the violation and the payment of the reconnection charges, staff time, and District material purchases per the District's Rules and Regulations in effect at the time.
  - ii. A fine of not more than \$500 may be imposed per day of continued violation.

#### 8.6 PAYMENT OF ADMINISTRATIVE FINES

The water customer is responsible for the full payment of administrative fines. Each administrative fine shall be applied in the customer's regular water billing. Payment of the administrative fine will be the final responsibility of the individual named on the water account.

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Non-payment of fines will be subject to the same remedies as non-payment of basic water rates, in accordance with the Ventura River Water District Rules and Regulations. The above fines shall be included in the next monthly water bill and must be paid in accordance with normal bill paying processes or the water service will be subject to turn off and appropriate field charge to reconnect at the current re-connection charge. Failure to make corrections or pay a charge within the allotted time may also result in restriction of service.

### 8.7 APPEAL

Any customer against whom an administrative fine or water service action is levied pursuant to this Section shall have the right to appeal as follows:

- (1) The appeal must be in writing, legible, and received by the General Manager within fifteen (15) calendar days of the issuance of the notice of violation to the customer. Any violation not timely appealed shall be deemed final. The written request for appeal consideration shall include:
  - i. A description of the issue,
  - ii. Evidence supporting the appeal, and
  - iii. A suggestion for resolution of the dispute, if any.
- (2) The General Manager will review the material submitted and make an independent determination of the issue, which shall be mailed to the customer within fifteen (15) calendar days of receipt of the request for appeal.
- (3) The General Manager's determination may be appealed in writing within fifteen (15) calendar days of the mailing of the notice of determination. The appeal of the General Manager's determination shall be heard and considered by the Board of Directors at an upcoming regular meeting of the Board. Notice of the hearing shall be mailed to the customer at least fifteen (15) calendar days prior to the date of the appeal hearing. The Board may, in its discretion affirm, reverse, or modify the determination. The Board's determination is final.

8.8 Ventura River Water District may order implementation of water conservation measures in addition to those set forth in this Section. Nothing in this Section shall be construed to require the District to curtail the supply of water to any customer when such water is required by that customer to maintain an adequate level of public health and safety. If any part of this Section or the application thereof to any person or circumstance is for any reason held invalid by a Court of competent jurisdiction, the validity of the remainder of the Section or the application of such provision to other persons or circumstances shall not be affected.

8.9 The provisions of this Section shall prevail in control in the event of any inconsistency between this Section and any other rule, regulation, ordinance, or Resolution of this District.

## **9. WATER RATES**

All rates and fees will be established based on the type and capacity of service.

9.1 CLASSES OF SERVICE. For rate purposes, water service shall be divided into classes as follows:

9.11 REGULAR SERVICE. Regular service shall apply to services supplied with water which are not temporary and consists of Single Family Residential, Multifamily Residential and Commercial. Any new service with a meter larger than one (1) inch shall require Board approval.

9.12 TEMPORARY WATER SERVICE. Temporary water service shall apply to those temporary service connections as outlined in the "Rules and Regulations" in Section 6.

9.2 WATER RATES. All customers are to be billed monthly for water consumption according to the current Rates and Fees Schedule. (See Appendix I for Rates and Fees Schedule)

9.3 MINIMUM BASE RATE. Each customer shall pay a minimum Base Rate for each billing period during which a service connection exists regardless if the service is turned on. (See Appendix I for Rates and Fees Schedule)

9.4 NON-REGISTERING METERS. Should any meter in service fail to register during any billing period or a portion thereof, the customer shall be billed for the estimated use of water during such period as determined by VRWD.

9.5 WATER BUDGET PROGRAM. The District has established a Water Budget Program for Single Family Residential (SFR) customer class and assigned a monthly water budget for each SFR customer that includes a 10 unit Health and Safety budget per residence plus water needed for livestock, irrigation, pools and arenas. Customers may apply at any time for a Water Budget Modification using the form provided by the District. Each month the General Manager shall compare the actual evapotranspiration (ET) rate with the average ET for that month and if found to be significantly different, the General Manger shall modify the ET prior to calculating the water bills for that month. During declared drought stages the water budget greater than the Health and Safety budget shall be reduced by the percentage required by the drought stage. A customer may notify the District when a pool must be filled and the District will increase that month's budget by the pool volume.

## **10. BILLING AND COLLECTION CHARGES**

10.1 WATER BILLS. Water bills are processed on the last day of the month or, if the last day of the month is a weekend or holiday, the following business day, but always dated as of the last day of the month.

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10.11 PROPERTY OWNER RESPONSIBILITY. Bills for water service are the property owner's responsibility even if regularly paid by a renter or tenant. If water bills associated with the property remain delinquent, the General Manager may institute action in any court of competent jurisdiction, to cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094 et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by VRWD, provided such actions are compliant with California Health and Safety Code Sections 116900 et seq. as may be amended.

10.12 CLOSING BILLS. Closing bills shall be prepared upon request of the customer or upon change of account. All outstanding obligations shall remain the property owner's responsibility per Section 10.11.

10.2 PAYMENT.

10.21 DATE DUE. Amounts due VRWD pursuant to bill rendered in conformance with Subsection 10.1 above, shall be due and payable upon deposit of said bills in the United States mail addressed to the customer at the mailing address designated by him or upon presentation to the customer in person or by electronic bill as elected as a billing preference by the customer.

10.22 DELINQUENCY.

10.221 WATER SERVICE. Payment due on water bills shall become delinquent unless paid on or before the 10<sup>th</sup> day of the month following the billing month. Example: bills dated January 31<sup>st</sup> become delinquent at the close of business on February 10<sup>th</sup>.

10.222 DELINQUENT PENALTIES. When a bill has been delinquent for thirty (30) days (forty (40) days after the water bill date), the Delinquent Penalty shall be assessed if the bill is greater than the Delinquent Penalty. Example: bills dated January 31<sup>st</sup> become delinquent on February 10<sup>th</sup> and if still unpaid by March 10<sup>th</sup> will be assessed a delinquent penalty if the bill is greater than the Delinquent Penalty.

10.223 DELINQUENT NOTIFICATION. If a bill remains delinquent forty (40) days after the water bill date, VRWD may send a delinquency letter to the customer(s) of record (property owner/manager and tenant) or contact the customer(s) by telephone or email or place a shutoff door hanger notice at the service address of the delinquent account. If a bill remains delinquent fifty (50) days after the water bill date, VRWD shall call or mail and email the customer of record to notify them of the delinquency, delinquent penalties assessed, pending shutoff date and the Field Service penalty if the water is turned off. If notification is by phone, VRWD shall offer to provide in writing to the customer a copy of Sections 10 and 11 of these Rules and Regulations and discuss options to avert a water shutoff for

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nonpayment. If notification is by mail, it shall be sent to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which service is provided, the notice shall also be sent to the address of the property to which residential service is provided, addressed to "Occupant," and will include a copy of the District's Discontinuance of Water Service Policy based on Sections 10 & 11 of these Rules and Regulations, a description of payment plan options and the appeal process. Such notification shall be given in accordance with California Health and Safety Code Section 116908. If a bill remains delinquent after the first notification(s) via telephone or mail or email and at least seven (7) days before service is subject to shutoff, a notice of imminent discontinuation of service will be placed in a visible location at the service residence (door hanger notice).

10.224 DISCONTINUANCE OF WATER SERVICE. Water service will not be shut off until sixty (60) days after a bill remains delinquent (70 days after the water bill date). Water service will not be shut off if an adult in the residence is in the process of appealing the water bill or negotiating a payment plan or other accommodation. A water service will not be shut off for nonpayment if all the following conditions are met:

1. An occupant of the residence to which the service is provided submits a certification of a primary care provider that discontinuation of water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises.

2. The customer demonstrates that they are financially unable to pay the water bill during the normal billing cycle. The customer shall be deemed financially unable to pay for water service within the normal billing cycle if the customer or any member of the customer's household is a current recipient of CalWORKs, CalFresh, General Assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

3. The customer is willing to enter into an amortization agreement, an alternative payment schedule, or a deferral regarding the delinquent water bill.

If and when service is shut off for nonpayment, a Field Service Charge will be assessed. The Delinquent Penalty and Field Service Charge shall be in accordance with the current Rates and Fees Schedule and will be added to the bill for costs associated with noticing and disconnecting the service. (See Appendix I for Rates and Fees Schedule)

10.225 RESTORATION OF WATER SERVICE. In order to restore water service following shutoff for nonpayment, the customer will be required to enter into a payment plan or pay the total due on the account at the time service is restored including, but not limited to: water service, Delinquent Fee, Field Service Charges and Deposit. Payment for service reconnection must be made in cash, cashier's check or credit card only. (See Appendix I for Rates and Fees Schedule)

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10.226 REMEDIES FOR NONPAYMENT. The General Manager may institute action in any court of competent jurisdiction, to cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094, et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by VRWD. The General Manager may establish a payment plan for the customer for up to 6 months and may adjust bills deemed to be in error. Delinquent payments older than two years and less than \$50 per account may be written off as bad debt by the General Manager.

10.3 RETURNED CHECK. If a check is returned from the bank for any reason, a returned item penalty shall be charged the NSF fee in accordance with the current Rates and Fees Schedule. (See Appendix I for Rates and Fees Schedule)

**11. HEARING FOR DELINQUENT AND DISPUTED BILLS**

11.1 HEARING. A customer or adult at the residence who has a delinquent and/or disputed bill is entitled to a hearing and review by the General Manager, Monday through Friday, holidays excepted, between 8:00 a.m. and 12:00 noon and 1:00 p.m. and 4:30 p.m. If the dispute cannot be resolved, a hearing will be arranged for the next scheduled Board meeting. The decision of the Board will be final.

**12. CUSTOMER REQUESTED DISCONTINUANCE & RESTORATION OF SERVICE**

12.1 SHUTOFF FOR TEMPORARY PERIOD OF NON-USE. A service may be discontinued at the request of the customer for a temporary period of non-use. During the period of non-use the Base Rate shall continue to be paid in accordance with section 9.3.

12.2 ARRANGEMENT FOR DISCONTINUANCE OF SERVICE. Water service will be turned off on the date requested by the customer, provided twenty-four (24) hours advance notice, excluding Saturdays, Sundays and holidays is furnished to VRWD.

12.3 ADVANCE NOTICE. Regardless of whether restoration of service is requested by a current customer or a new customer, VRWD shall be provided a minimum of twenty-four (24) hours notice, excluding Saturdays, Sundays and holidays, in advance of such restoration of service.

12.4 DEDUCTIONS. If a service is discontinued, deductions may be made from the customer's guarantee deposit to cover an unpaid bill due at time the service was shutoff, in which case service shall not be resumed until the deposit is restored to the current amount.

### **13. METER TESTS**

13.1 REQUEST FOR TEST. A customer who believes that the water meter serving his premises is not accurately measuring the water delivered may request a test of the water meter. When such a test is requested, the customer shall be required to pay a meter test fee to partially offset the cost of the test. (See Appendix I for Rates and Fees Schedule)

If VRWD believes that the meter is inaccurately measuring the water delivered to a customer's premises, it may initiate a test of the meter to determine the accuracy. In the case of VRWD-initiated tests, the customer is not charged a test fee.

13.2 TEST RESULTS. If the meter is found to be registering at a rate less than ninety-five (95) percent of true flow or greater than one hundred and five (105) percent of true flow, appropriate adjustment of the customer's water bills for the immediately preceding four months will be made and the customer's account credited or charged as determined by VRWD to be appropriate in light of the test results. If the test shows registrations outside the limits set forth above, the meter test fee shall be refunded.

### **14. DISTRIBUTION FACILITIES**

14.1 ALTERNATE PROCEDURES. Whenever extension of the water system is required because the lands to be served do not lie along a pipeline of adequate capacity or proper pressure, or special facilities for water service are required, the works shall be installed in accordance with one of the following procedures:

14.11 INSTALLATION BY VRWD. The works may be installed by VRWD with the cost associated with service to the applicant's property paid by the applicant. All fees are to be paid prior to work commencing, including Capacity Charges, deposits and installation fees.

14.12 INSTALLATION BY CUSTOMER. The works shall be financed and installed by the applicant in accordance with plans and specifications previously approved by VRWD. The applicant may be required to pay to VRWD the cost of engineering, inspection, and administrative services incurred in connection with the works.

14.2 EXCESS CAPACITY. Where distribution facilities are to be constructed pursuant to any of the procedures set forth in Section 14, VRWD shall determine whether or not such facilities could be utilized to provide service to lands other than those for which service is requested. If other lands are benefited by service through such facilities, VRWD may require the installation of works with sufficient capacity to service such other lands in addition to those for which service is requested. If such excess capacity is installed, the following rules respecting financing and repayment shall apply:

14.21 COST ALLOCATION BY BOARD. Regardless of which procedures of this section are applied, the Board shall determine an equitable division of the total cost of the facilities between the lands requesting service and those for which the excess capacity is



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provided. Costs associated with the excess capacity so determined shall become a 10 year lien on water service to the land for which excess capacity is provided, and service shall not be rendered to any portion of said land until the owner thereof has executed an agreement with VRWD covering repayment by him of costs allocated to the land for which such owner requests water service.

14.22 INSTALLATION BY CUSTOMER. If the works are constructed pursuant to the procedure in Subsection 14.21 of this document, VRWD may enter into a ten(10) year reimbursement agreement with the applicant, and moneys will be reimbursed as benefiting property owners connect, and moneys will be collected, provided that ownership is retained. Agreements must be negotiated at the time of installation. Refer to Section 20.221.

## **15. WATER SUPPLY AND INTERRUPTION OF DELIVERY**

15.1 NO LIABILITY DUE TO INTERRUPTION OF DELIVERY. VRWD will attempt to deliver to customers a continuous and sufficient supply of water at the meter. VRWD, however, shall not be liable for interruption of service or shortage or insufficiency of supply or for any loss or damage occasioned thereby.

15.2 NO LIABILITY DUE TO REPAIRS AND IMPROVEMENTS TO VRWD'S SYSTEM. For the purpose of making repairs or installing improvements to the system, VRWD shall have the right to temporarily suspend the delivery of water. VRWD may notify customers in advance of such action, except in cases of emergency. Repairs or improvements may be performed during regular working hours except in the case of emergencies as defined by VRWD. VRWD shall not be liable for any loss or damage occasioned by or the result of repairs or improvements made to the VRWD system. The customer's water system is expected to be of sufficiently maintained condition as to be able to handle the effects of work being completed on the VRWD system.

15.3 WATER SHORTAGES. During times of threatened or actual water shortage, VRWD will apportion its available supply among its customers in the manner that appears most equitable under the circumstances then prevailing with due regard to public health and safety, and to priorities of types of use established by the California Water Code.

## **16. VRWD EQUIPMENT ON CUSTOMER'S PREMISES**

16.1 RIGHT OF ACCESS. All service pipe and equipment needed to serve a customer up to and including the meter shall be owned by VRWD whether installed (1) on public or private property, or (2) at applicant's or VRWD's expense. VRWD equipment required for service, which is installed on a customer's premises, may be repaired, replaced, or removed by VRWD. Authorized representatives of VRWD shall have the right of access to such equipment for any purpose reasonably connected with furnishing service. VRWD

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shall make no payment for placing or maintaining equipment that is required solely for providing service to the customer's premises.

16.2 RESPONSIBILITY OF CUSTOMER. The customer shall exercise care to prevent damage to or interference with the operation or servicing of VRWD equipment. In the event a customer installs improvements that create the need to modify VRWD equipment for operation or servicing, the Customer shall pay such costs. The customer shall be liable for any damage to VRWD owned meters, locks or other equipment which is caused by himself or his tenants, agents, employees, contractors, licensees or permittee and must properly reimburse VRWD for all costs direct and indirect.

16.3 EASEMENTS. Should the District determine that an easement is necessary to service a parcel, such easement may be acquired to facilitate VRWD operations.

## **17. RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT**

17.1 RESPONSIBILITY OF CUSTOMER. The customer shall be responsible for connecting his pipeline to VRWD's meter. The customer shall furnish and install, at his own risk and expense, that portion of the water system, which begins at the outlet side of the meter. Such water receiving equipment shall remain the property of the customer, and he shall be responsible for its maintenance and repair. VRWD may, at its sole discretion, require the customer to install protective devices or adjust, replace or discontinue using any water receiving or regulating equipment when the customer's operations and/or equipment cause surges or other potentially damaging effects to VRWD's water system. VRWD may require the customer to submit plans for this proposed water receiving equipment for approval by VRWD prior to the installation of its service connection facilities. Where the customer desires reduced or increased pressure, he shall be responsible for installing and maintaining the necessary regulators, pumps and/or relief valves. In such cases, the equipment shall be installed on the customer's side of the meter and at his sole expense.

17.2 VRWD NOT LIABLE. VRWD shall not be responsible for any loss or damage caused by the negligence, want of proper care or wrongful act of the customer or any of his tenants, agents, employees, contractors, licensees or permittees in installing, maintaining, using, operating and/or interfering with any water receiving equipment. Furthermore, VRWD 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.

17.3 ELECTRICAL GROUNDING. VRWD is not responsible for providing an electrical ground through water service equipment. Accordingly, customers are cautioned not to attach any ground wiring to plumbing which is or may be connected to VRWD service equipment, unless the customer installs an approved insulating device between the customer's and VRWD's system. VRWD may hold the customer liable for any damage to VRWD property resulting from a ground wire attachment.

## **18. PROTECTION OF PUBLIC WATER SUPPLY**

18.1 RESPONSIBILITY OF CUSTOMER. In making plumbing connections, the customer is required to comply with the regulations of the Division of Drinking Water, as set forth in Title 17 of the California Administrative Code and the United States Public Health Service. Such regulations prohibit (1) unprotected cross connections between a public water supply and any non-approved source of water and (2) unprotected water service connections to premises where there is a possibility of contaminated water backflowing into the public water system.

If VRWD has any reason to believe that a backflow prevention device may be necessary, the customer will be required to install said device at customer's expense. VRWD reserves the right to impose whatever requirement it deems necessary to protect the public water supply.

When requested, the customer, at his sole expense, shall furnish and install any approved backflow device to the satisfaction of VRWD.

18.2 VRWD REQUIREMENTS. VRWD, in compliance with the Public Health Regulations, will require the installation of approved backflow prevention devices or other protective devices before granting or continuing service under such conditions as set forth hereafter:

18.21 ALTERNATIVE SUPPLY. Where another source of water is in use or is available for use unless the alternate supply has been certified for domestic use by the County Environmental Resource Agency - Environmental Health Division or the California State Division of Drinking Water. Periodic water quality tests are required by VRWD, they shall be made at the sole expense of the customer. Water quality tests may be required for the following circumstances:

18.211 CONTAMINATED SUBSTANCES. Where contaminated liquid or soluble substances of any kind are used, produced and/or processed.

18.212 FERTILIZERS OR OTHER CHEMICALS. When service is made to land upon which the customer utilizes his irrigation system for the application of fertilizers or other chemicals through the injection of such substances into the water system.

18.213 SPECIAL CASES. In special cases, at the sole discretion of VRWD, VRWD may require the customer to eliminate certain plumbing or piping connections as an additional precaution to prevent backflow.

18.3 CUSTOMER INSPECTION OF PROTECTIVE DEVICES. The regulations of VRWD and the California State Division of Drinking Water require that the owner of any premises on or for which protective devices are installed for the protection of VRWD facilities

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shall cause these devices to be inspected and checked for proper operation at least once per year by a licensed plumber approved by the Ventura County Environmental Resource Agency - Environmental Health Division. All defective devices shall be serviced, overhauled or replaced at the customer's expense. A written report on this annual inspection, including any required corrective action taken, shall be submitted to VRWD or its appointee.

18.4 VRWD INSPECTION OF PROTECTIVE DEVICES. Protective devices may be inspected and tested for proper operation by VRWD or its appointee. Service to any premises may be immediately discontinued if it is found that dangerous unprotected cross-connections exist or if any defect is found in the operation of the protective devices. Service shall not be restored until the customer corrects such defects.

18.5 PROTECTION OF CUSTOMER'S PLUMBING SYSTEM. As a protection to the customer's water system, a suitable pressure reducing valve must be installed. Where check valves or other backflow prevention devices are installed such installation must conform to the requirements of the plumbing code as adopted by the local jurisdictional agency. Such installation shall be installed and maintained at the customer's sole expense.

## **19. DAMAGE OF VRWD FACILITIES AND THEFT OF WATER**

19.1 Intentional damage to, destruction of, or tampering with VRWD facilities, and the unauthorized appropriation or theft of VRWD water shall be punishable as follows:

- (a) By termination of water service to the perpetrator.
- (b) By the assessment of liquidated damages in an amount not to exceed the actual damages incurred or \$1,000.00, whichever is greater.

Persons or other legal entities who divert water from our system as described in the Penal Code, Section 498, without authorized consent from VRWD or without proper payment for the water diverted will be billed a minimum fee of \$100.

The person or persons charged with one or more of the acts above shall be entitled to a hearing to be conducted in accordance with the applicable provisions of the Administrative Procedure Act (Government code Section 11500, et seq.).

Pending said hearing, the General Manager shall determine whether water service to the person or persons so charged shall be continued or discontinued. His determination shall be based on the following factors:

- (a) Amount of damage to VRWD facilities.
- (b) Amount of water lost through such damage.
- (c) Likelihood of the damage being repeated.

Notwithstanding any administrative code, criminal charges will be filed.

## **20. WILL SERVE AND WATER AVAILABILITY LETTERS**

20.1 GENERAL. Upon request by the owner, or his designee, of any parcel of land within the boundaries of VRWD and the determination of all water service and fire protection requirements in a manner satisfactory to VRWD, VRWD may issue Will Serve Letters with or without additional terms, conditions or restrictions. Will Serve Letters will not be issued for any parcel which is located within the service area of another water purveyor. Letters will not be issued where an agreement is required until the agreement is fully executed. All will serve letters shall comply with current VRWD, and County Water Works Manual requirements.

Variations to this section may be granted upon approval of the Board of Directors where the owner, or his/her designee, can provide evidence such variance is warranted. All variations shall be established on a case by case basis.

20.2 WATER AVAILABILITY LETTER. The Water Availability Letter shall conform with section 1.3.6 of the County Waterworks Manual, shall be prepared by VRWD and submitted to the County for Approval.

20.3 WATER AVAILABILITY LETTER. A Water Availability Letter may be issued if the owner needs assurance that a water service can be obtained but is not yet ready to install the water service. Water Availability Letters shall be good for 12-months and will assure the ability to install a new water service during the 12-months provided the requirements for a Will Serve Letter are met. The declaration of a connection moratorium by VRWD shall not apply to current Water Availability Letters.

20.4 WILL SERVE LETTER. A new Will Serve Letter shall conform with Section 1.3.8 of the County of Ventura Waterworks Manual. Prior to issuance of the Will Serve Letter the Applicant shall provide the VRWD an Allocation from Casitas Municipal Water District to the District for the anticipated annual quantity of Casitas water required by the Applicant's proposed project. Casitas does not issue Allocations for Additional Dwelling Units. The Casitas Allocation obtained by the Applicant shall accrue to the District and shall not create any water right, privilege or influence the individual water budget for the Applicant or their successors. A Will Serve Letter will only be issued after the Capacity Charge has been paid along with a deposit for any related meter or service connection costs for items installed or provided by VRWD. Installation of the new water service will occur when construction is ready to proceed.

20.5 SINGLE PARCELS. Single parcels are defined as those parcels, which are zoned so that further split cannot be made. Water service will be provided in accordance with one of the following alternatives as determined by VRWD:

20.5.1 ALTERNATIVE 1: INSTALL METERS ONLY. Install a metering facility to serve the single parcel and living dwelling. Separate metering facilities shall be required for each additional dwelling. The metering facility will be installed within Ventura County's right-of-way at a mutually agreeable location. This alternate assumes the Ventura County Fire Protection

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District and/or VRWD are completely satisfied that adequate fire protection can be afforded to the single parcel from VRWD existing distribution facilities.

20.5.2 ALTERNATIVE 2: INSTALL DISTRIBUTION FACILITIES. Install the distribution facility necessary to provide adequate fire protection and to serve the single parcel through a metering facility. Separate metering facilities shall be required for each additional dwelling. This alternate assumes that the Ventura County Fire Protection District and/or VRWD require that distribution facilities be installed in order to provide domestic and fire protection to the single parcel in accordance with the Ventura County Waterworks Manual, as amended from time to time.

20.5.2.1 REIMBURSEMENT AGREEMENT. Owner shall enter into an agreement with VRWD for the installation of the distribution facilities described above. The agreement may provide that as other property owners obtain service within ten (10) years thereafter, VRWD will endeavor to require an appropriate portion of the cost of said distribution facilities be reimbursed to the Owner. Agreements must be negotiated at the time of installation. Refer to Section 14.22.

## **21. MASTER METER FOR ASSOCIATION**

A single metering facility may be installed to serve a single or multiple parcels for which the owners thereof have joined together and formed an association. All of the owners of the various parcels will be required to enter into an agreement for the purpose of installing said distribution and fire protection.

21.1 ASSOCIATION. An association shall consist of two (2) or more owners who agree to burden their property with the responsibility for (a) installing, operating and maintaining its own distribution and/or fire protection facilities, (b) providing water to its members, (c) payment of the cost of the installation of the master metering facilities and (d) payment of the water bill, the service charge and other related fees and deposits required by VRWD.

21.2 FOUR OR LESS MULTIPLE PARCELS. Multiple parcels are defined as those parcels, which are being subdivided into four (4), or less lots from a single parcel. Water service will be provided in accordance with one of the following alternates as determined by VRWD:

21.3 ALTERNATE 1: SEPARATE METER INSTALLATION. Install a separate metering facility to serve each of the multiple parcels and/or additional dwelling units. These metering facilities will be installed within VRWD's right-of-way at a mutually agreeable location. This alternate assumes that the Ventura Fire Protection District and/or VRWD are completely satisfied that adequate fire protection can be afforded to each of the multiple parcels from VRWD's existing distribution facilities.

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21.4.1 ALTERNATE 2: INSTALL DISTRIBUTION FACILITIES. Install the distribution facilities necessary to provide adequate fire protection and to install separate metering facilities to serve each of the multiple parcels and/or additional dwelling units from the new distribution facilities. This alternate assumes that the Ventura County Fire Protection District and/or VRWD require that distribution facilities be installed in order to provide domestic service and fire protection to each of the parcels in accordance with the Ventura County Waterworks Standards, as amended from time to time. All of the owners of the multiple parcels will be required to enter into an agreement with VRWD for the installation of the distribution facilities described above.

**22. SUBDIVISION - FIVE OR MORE PARCELS**

Letter may be issued for any parcel which is being subdivided in accordance with the Subdivision Map Act and for which the County of Ventura requires that the developer construct the necessary water distribution and fire protection facilities as a condition for approval of the subdivision. Such letter will request that approval of the subdivision not be granted until after an agreement between the developer and VRWD has been fully executed and notice thereof has been forwarded to the County.

**23. DISREGARD OF RULES & REGULATIONS OF WATER SERVICE**

Willful disregard of the Rules and Regulations shall result in immediate discontinuance of service and forfeiture of the deposit.

**24. MINOR DISAGREEMENTS**

The General Manager is authorized to negotiate and resolve minor disagreements on behalf of the water district. He is authorized to make restitution, as he deems necessary, using good business practices. His monetary authority for this purpose is limited to \$250.

**25. HEARINGS**

If the General Manager cannot resolve any dispute regarding VRWD Rules & Regulations, a written request for a hearing before the Board will be arranged. The hearing will be scheduled for the next Regular Board Meeting after it can be placed on the Agenda. The decision of the Board will be final.

**26. SPECIAL BOARD MEETINGS**

A written request for a Special Board Meeting will be considered and scheduled at the pleasure of the Directors. A fee to cover District costs must be paid prior to scheduling the meeting. (See Appendix III for Fee Schedule).

## **27. ATTORNEYS' FEES**

Should any district customer bring any legal action against VRWD, and the District is the prevailing party, VRWD shall be entitled to recover the District's attorney fees and costs in connection therewith. The word prevailing as used in this section shall include any action in law, in equity, or pursuant to arbitration in which VRWD has been successful.

## **28. PURCHASE OF MATERIALS, SUPPLIES AND SERVICES**

28.1 The General Manager is authorized to execute purchase orders and contracts not exceeding \$20,000 for budgeted expenses without prior Board approval, provided that this limitation shall not apply to replenish warehouse stores stock. Purchases for warehouse stores stock shall be made in an amount within the currently approved budget and equal to but not exceeding an amount necessary to maintain the minimum quantities of stock on hand as determined by the General Manager to be economical and necessary for VRWD's needs.

All purchases in excess of \$200 shall normally be supported by an executed purchase order, and all proposed expenditures shall be verified to ascertain that provision has been included in the budget for the activity or expense intended. Purchase orders may be issued by all staff members, the General Manager shall approve all purchase orders when over \$5,000.

- a. No purchase order shall be issued unless moneys for payment of VRWD's obligations thereunder are available for expenditure under the budget applicable to the year in which such purchase order is issued.
- b. No purchase order shall be issued unless it relates to the operation and maintenance of the VRWD facilities or to a construction project for VRWD.
- c. The General Manager may approve change orders to contracts provided the total increased cost of all change orders do not exceed 5 percent of the contract amount or \$20,000, whichever is greater unless a different specific limit has been set by Board action.

28.2 During a Board declared State of Emergency the General Manager may authorize emergency purchases or contracts greater than provided in section 28.1 provided they are approved by the Board President or his designee and the full Board of Directors is provided a financial update at least every 7 days while the State of Emergency persists.

## **29. PETTY CASH FUND**

A petty cash fund of \$300 shall be maintained, and expenditure may be made from this fund only for individual expenditures not in excess of \$300. Expenditures may be made for postage, freight, invoices for materials, reimbursement of personal expenses, meal reimbursement and in payment of encroachment permit fees, licenses, or other charges levied by a county, state agency, public utility in connection with granting to VRWD of rights in property owned or controlled by such grantors and other similar purposes.



### **30. CONTRACTING, BIDDING AND PURCHASING REQUIREMENTS**

For purchases up to \$500 no bid is required. From \$500 to \$5,000 one informal written bid is required; from \$5,000 to \$35,000 three informal written bids are required; \$35,000 and over requires formal bids and award of contract by the Board. Formal bids shall be procured as follows:

30.4 A notice inviting bids shall set a date and time for the opening of bids. The notice shall posted be at least 10 days before the date of opening of the bids.

30.5 The notice inviting bids shall be posted at a minimum at the Ventura County Contractors Association plan room, 1830 Lockwood, No. 110, Oxnard, California 93030 and on their website: [www.vccainc.com](http://www.vccainc.com).

30.6 If by formal resolution the Board declares an emergency, the notice inviting bids may be posted 24 hours prior to bid opening.

30.7 All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security for 10% of the bid amount:

30.7.1 Cash

30.7.2 A cashier's check made payable to VRWD.

30.7.3 A certified check made payable to VRWD.

30.7.4 A bidder's bond executed by an admitted surety insurer, made payable to VRWD.

Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time.

30.1 SOLE SOURCE PURCHASES. The general Manager can approve sole source purchasing as an exception to section 30 for any of the following reasons:

- a. Only one available supplier with no available competition.
- b. Equipment that was purchased with bidding competition but support, spare parts and repairs have to be provided by factory reps with protected territory.
- c. Services that have been bid out and results have been unsatisfactory to VRWD.
- d. Products used to maintain system standard when significant spare parts inventories need to be maintained and readily available.
- e. Utility companies when VRWD is required to work with them.
- f. Purchases that require significant staff time to get to the location to conduct the business in comparison to the cost of the item.
- g. Emergency work.

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30.2 CONTRACTING FOR PROFESSIONAL SERVICES. The Board shall have sole authority to approve and enter into professional service contracts, except that the General Manager shall have authority to award contracts that meet all the following criteria:

- The contract does not obligate the District to any payment exceeding Ten Thousand Dollars per year (\$10,000 per year);
- Moneys for payment of VRWD's obligations thereunder are available for expenditure under the budget applicable to the year in which such contract is issued.

30.3 SELECTION PROCEDURES FOR PROFESSIONAL SERVICE CONTRACTS. Contracts for professional service consultants shall be made by written agreement pursuant to the following selection procedure:

30.3.1 QUALIFICATION. The General Manager shall encourage firms generally qualified to undertake the types of work required by the District to periodically submit statements of qualifications and performance data. Such statements shall be kept on file and may be utilized to evaluate consultant qualifications. Other evaluation criteria shall include, but not be limited to, prior experience with, personal interview with, or references of prospective consultants.

30.3.2 SELECTION OF CONSULTANT.

- a. Consultant selection shall, whenever possible, be based on at least three separate proposals for services. For professional services estimated by the General Manager to exceed Ten Thousand Dollars (\$10,000), the General Manager shall, if feasible, recommend to the Board Consultants based upon consultant responses to the District's request for proposals.
- b. Selection for professional services of private architectural, landscape architectural, engineering, legal, environmental, land surveying, or construction project management firms shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. In order to implement this method of selection of such firms, District shall use procedures that assure that these services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the District.
- c. With respect to the selection of consultants not listed in Section 30.3.2.b above, selection shall be based on Best Value. In accordance with applicable law, the General Manager shall determine the most qualified consultant to provide the services required. Price shall not be the only determining factor in the selection of a consultant. Other factors such as related experience, professional skills, approach, professional credentials, availability of personnel, understanding of scope of work, quality of

response to request for proposal, references, etc., shall be considered. The basis of all selection decisions shall be documented in writing.

30.4 SIGNING OF CONTRACTS. In accordance with California Water Codes section 30579.5 the Board authorizes the General Manager to sign contracts on behalf of the district for amounts up to \$20,000. Contracts for amounts greater than \$20,000 shall be signed by the Board President and Board Secretary in accordance Water Code with sections 30578 and 30579.

### **31. INVESTMENT POLICY**

This investment policy is prepared in accordance with Government Code Section §53646 to outline the policies for prudent investment of the District's funds and to provide guidelines for suitable investment. The investment policies and practices are based upon Federal, State and Local law and prudent money management.

#### 31.1 Investment Policy Goals:

- a) To assure compliance with all Federal, State and Local laws governing the investment of monies under the control of the District's Treasurer.
- b) To protect the principal monies entrusted to this office.
- c) To generate income within the parameters of this Investment Policy and the guidelines for suitable investments.
- d) Safety of principal is the foremost objective of the District. Liquidity is the second most important objective. Investments shall be undertaken to produce an acceptable rate of return after first considering safety of principal and liquidity.

### **32. RESERVE POLICY**

The financial reserves for the District are held in four categories: Operating, Water Sales Fluctuation, Capital Improvement and Emergency. The objective of the District is to have approximately 7% of the value of the operating budget in the Operating Reserve; surplus revenues from high water sales years are placed in the Water Sales Fluctuation Reserve to a maximum of about \$300,000 and used to supplement the budget during low water sales years; the fund amount in the Capital Improvement Reserve fluctuates as necessary to meet the 10-year CIP; the goal for Emergency Reserves is to reach \$750,000 by year 2022.

### **33. COLLECTION AND DEPOSIT OF REVENUES**

A General Operating Checking account shall be established and maintained in a bank designated by the Board of Directors and all revenue, unless otherwise provided, shall be deposited therein. A separate Security Deposit checking account shall be established and maintained in a bank designated by the Board of Directors for all Security Deposits from customers. The Board of Directors may, from time to time, direct the General Manager to establish and maintain special bank accounts for the handling of funds received or set aside for specific purposes.

All revenue collected shall be accounted for in a manner that will indicate the source, nature, and amount of each collection. Collections so made shall be deposited intact in the bank accounts established.

The maximum cash balance in the checking accounts shall not exceed the federally insured (FDIC) amounts as follows:

33.4.1.1	General Operating Checking:	\$200,000
33.4.1.2	Security Deposit Checking:	\$ 50,000

Investment funds exceeding the limits in a) & b) above shall be placed in the Ventura County Treasury Portfolio and/or the State of California Local Agency Investment Fund.

### **34. DISBURSEMENTS**

33.1 FINANCIAL OBLIGATIONS. Routine financial obligations of the Ventura River Water District shall be paid from the General Operating Checking account. Disbursements from the checking accounts shall be made in accordance with the following:

- a) By a check signed by either two Board Members or a Board Member and the General Manager.
- b) Under no circumstances shall any person authorized under this rule to sign checks of Ventura River Water District sign a blank or incomplete check.

An audit of all claims against Ventura River Water District shall be made prior to presentation of the checks for signature. Such audit shall consist of a verification as to accuracy and completeness of all documents supporting payment; i.e., copy of purchase order, executed receiving and inspection report, and vendor's invoice or statement.

### **35. DISPOSAL OF SURPLUS PROPERTY**

34.1. APPLICATION. The following policies and procedures apply to the disposition of the District's Surplus Property. These policies and procedures shall not apply to the disposition of the District's surplus real property, which is subject to the notification and disposition procedures set forth in Government Code Section 54220 et seq.

34.2 PURPOSE. The purposes of these policies and procedures governing disposition of the District's Surplus Property are as follows:

34.2.1. To ensure that only District-owned personal property that does not provide the minimum level of basic District service and usefulness is lawfully disposed of;

34.2.2. To ensure that District-owned assets are not disposed of when the disposal of the asset or the terms of the disposal of the asset could disadvantage the District; and

34.2.3. To ensure that, whenever feasible, all District Surplus Property is disposed of in a cost-effective manner that minimizes disposal costs and maximizes revenues by converting idle equipment and materials to revenue funds for other District uses.

34.3 DECLARATION OF SURPLUS PROPERTY. In accordance with the procedure set forth below, the General Manger is authorized to formally declare District owned personal property to be Surplus Property.

34.4. DISPOSITION BY GENERAL MANAGER. Any Surplus Property which has a current book value of Five Thousand Dollars (\$5,000) or less, shall be disposed of by the General Manager in accordance with the procedures for disposal set forth below. Reasonable attempts shall be made to maximize the value received from such Surplus Property.

34.5. DISPOSITION BY BOARD APPROVAL. Prior to disposing of an salvageable Surplus Property which has a current book value of more than Five Thousand Dollars (\$5,000), the General Manager shall present to the Board of Directors a report regarding the item and the proposed schedule and procedures for disposing of that item.

34.6. PROCEDURES FOR DISPOSAL. The District may dispose of Surplus Property in any manner deemed appropriate by the General Manager, including, without limitation, the following:

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34.6.1. PUBLIC AUCTION. In accordance with applicable law, the disposal of District owned Surplus Property may be accomplished through public auction. Public auctions may include the use of electronic commerce (online) or on-site auctions.

34.6.2. PRIVATE SALE BY COMPETITIVE BID. Disposal of District owned Surplus Property may be accomplished through private sale by competitive bid. The procedures by which private sales of Surplus Property are to be conducted shall be determined by the General Manager.

34.6.3. CHARITABLE DONATION. District owned Surplus Property deemed to have no market value after an attempt at sale through prescribed procedures may be donated to a charitable organization in lieu of lawfully discarding the property. For purposes of this policy, charitable organizations shall mean a nonprofit organization exempt from taxation under the provisions of the Internal Revenue Code, 26 U.S.C. 501 (C)(3).

34.6.4. TRADE-IN. Disposal of District owned Surplus Property may be accomplished by trading-in the Surplus Property towards a new acquisition.

34.6.5. TRANSFER TO FEDERAL, STATE OR LOCAL GOVERNMENTAL ENTITIES. District owned Surplus Property deemed to have no market value after an attempt at sale through the procedures described herein may be donated to any governmental agency in lieu of discarding such property.

34.6.6. SALE FOR SCRAP OR SALVAGE VALUE. Disposal of District owned Surplus Property may be accomplished by selling the property for its scrap or salvage value.

34.7. DISPOSAL OF INFORMATION TECHNOLOGY EQUIPMENT. In addition to all the other applicable requirements of these Rules and Regulations, the General Manager or designee shall require all proprietary information to be removed from information technology equipment before disposal. Any disposal of such equipment as waste shall conform to current environmental regulations.

34.8. PROCEEDS. Proceeds from the auction or sale of District owned Surplus Property will be deposited to the District's general fund.

34.9. PROHIBITIONS. No director, officer, agent or employee of the District shall either directly or indirectly (including by action of any immediate family member of such individual) submit a bid for, purchase or in any other manner take possession of

District owned Surplus Property unless approved by the Board at a regularly scheduled meeting.

### **36. REIMBURSEMENT DISCLOSURES**

In accordance with Government Code § 53065.5 the District shall, at least annually, disclose any reimbursement paid by the District within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received. "Individual charge" includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the Board. The disclosure requirement shall be fulfilled by including the reimbursement information of the prior fiscal year on the July Board Agenda.

### **37. USE OF DISTRICT EQUIPMENT**

District tools and equipment are intended for use on District projects. The private use of District tools and equipment by employees or Directors is prohibited.

### **38. LEAK RELIEF**

When a leak is unavoidable and was promptly stopped once discovered, the General Manager may grant leak relief for leaked quantities greater than 40 units of water. The quantity of the leak shall be determined by subtracting the customer's normal usage from total water usage including the leak. The normal usage plus the first 40 units of water shall be charged at the water rates currently in effect. The remaining leaked water shall be charged at \$0.15 per unit for chlorine and electricity if the customer was served ground water during the leak event. If the customer was served Casitas water the cost of the remaining water shall be the unit cost of the Casitas water. The General Manager's decisions regarding leak relief may be appealed in writing to the Board of Directors.

Examples of avoidable leaks shall include but are not limited to: freeze damage, use of PVC pipe above ground, a water valve that can be activated by an animal, leaky toilet or interior water fixture, leaky or sticking irrigation valve, malfunctioning water softeners, pool or pond filling systems, a reoccurring leak, a second leak in an old iron pipe or a leak in a class 200 (thin walled) PVC pipe.

### **39. EFFECTIVE DATE**

These Rules and Regulations were approved by the Board of Directors on March 18, 2020 and are effective on that date. Previous versions, Appendices and Amendments to the Rules and Regulations are hereby no longer in effect and are superseded.

**APPENDIX I**  
\*\*\*EFFECTIVE APRIL 13, 2020\*\*\*  
**RATES AND FEES SCHEDULE**

DEPOSITS\*\*

Residential 5/8" to 1" (minimum)	\$120.00*
Residential 1 ½ or 2" (minimum)	\$250.00*
Business - General Mgrs. Discretion (minimum)	\$150.00
Temporary 2 1/2" Hydrant Meter (minimum)	\$250.00***

\* Or 2 times the highest water bill whichever is greater.

\*\* Deposits may be doubled with each disconnect for non-payment.

\*\*\* Deposit is required for Hydrant Meters and is refunded when the meter is returned undamaged

INSTALLATION FEES (If unusual conditions: All costs, direct & indirect)

Temporary	\$50.00
Customer Service Valve, ¾"	\$85.00
Customer Service Valve, 1"	\$105.00

METER TESTING FEES

5/8" - 2"	\$20.00	2 1/2" up	\$50.00
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LOCK CUTTING FEE (If a customer service is locked off and the lock is cut) \$125

FIRE FLOW TEST FEE PER HYDRANT \$500

FAILURE TO TEST BACKFLOW DEVICE: \$100  
(After 3rd request to have test performed.)

PENALTIES:

DELINQUENT (> 40 days after bill date, waived with sign up for auto pay)	\$35.00
FIELD SERVICE (On/Off, NSF)	\$50.00
WATER BUDGET EXCEEDANCE (0 TO 125%)	\$0.50
WATER BUDGET EXCEEDANCE (>125%)	\$1.00



## Water Volume Rates

Tier	HCF* used	Single Family Residential	Multi Family Residential	Commercial
1	HCF 1 – 5 (5 Units)	\$4.64	\$5.69	\$5.57
2	HCF 6 – 12 (7 Units)	\$5.26	\$5.69	\$5.57
3	HCF 13 – 45 (33 Units)	\$7.38	\$5.69	\$5.57
4	HCF Above 45	\$10.10	\$5.69	\$5.57

\* One HCF is one Hundred Cubic Feet of water or 748 gallons.

ALL ZONES: Temporary (Hydrant Meter) **\$7.00** per 100 cubic feet (1 unit)\*

All water rate charges will begin with the first unit used for all types of water service.

### MONTHLY BASE RATES

<u>Meter Size</u>	<u>Monthly Minimum</u>
5/8" - 3/4" – 1"	<b>\$10.00</b>
1 1/2"	<b>\$33.30</b>
2"	<b>\$53.30</b>
4"	<b>\$210.00</b>
Each additional dwelling per service	<b>\$5.00</b>
Temporary Meter Service 2 1/2" (Hydrant Meter)	<b>\$82.71</b>
Private Fire Standby: 1.5" to 6"	<b>\$40.91</b>

### PASS-THROUGH FOR WHOLESAL WATER RATE INCREASES:

Any increases in the District's wholesale cost of water fees and charges from Casitas Municipal Water District may be passed through on the District's water volume rates. Under no circumstance will the District's water rates exceed the cost of service.

\* The \$7.00 cost for hydrant meter water is necessary to cover the cost of water and Casitas penalties when water is used in Casitas Springs or Monte Via.

**PURCHASED WATER SURCHARGE POLICY**

When supplemental Lake Casitas water is purchased by VRWD in an amount that exceeds 1,000 hundred cubic feet (hcf) in any monthly billing period, a Purchased Water Surcharge (PWS) is billed to customers. The PWS will only be charged to customers served well water and will be charged as follows: The PWS will be assigned to upper Tiers in Single Family Residential and Commercial accounts beginning with the usage in Tier 4 and then proceeding down to the lower Tiers until the quantity of water in the Tiers is greater than the quantity of water purchased. See the example below. The additional laboratory testing costs associated with using the Casitas water will be included in the PWS. The use of purchased water lowers electricity and disinfection costs so these saved expenses will be deducted from the PWS each month.

**Purchased Water Surcharge Application Example**

Quantity of Water Purchased:	10,000 Units
Casitas Cost Per Unit:	\$1.64
Credit: Electricity & Disinfection:	<u>-\$0.13</u>
Cost per unit:	\$1.51
 Total Cost:	 \$15,100

Cost Class	Usage		Purchased Water Surcharge Allocation		PWS Allocation per unit	Total PWS Charge
Tier 1	5,000	Units	0	Units	\$0	\$0
Tier 2	8,000	Units	0	Units	\$0	\$0
Tier 3	8,000	Units	2,000	Units	\$0.38	\$3,020
Tier 4	8,000	Units	8,000	Units	\$1.51	\$12,080
	29,000 Units		10,000 Units			\$15,100

**USAGE FLUCTUATION ADJUSTMENTS**

Because the revenue generated by water sales is sensitive to decreases in water usage because of drought conservation and the District is mandated by the State to maintain the revenues of the District to be revenue neutral, the Board shall have the authority to add to the Single Family Tiers 1 through 4 a percentage increase equal to 0.87% of the percentage drop in usage for drops in usage greater than 3% to maintain revenue levels. For example: if there is a 3% drop in usage, the Single Family water volume rates may be increased by 2.61%. Such increase may be implemented after a 30 day written notice to the customers. Under no circumstance will the District's water rates exceed the cost of service.

## APPENDIX II

### CAPACITY CHARGE\* SCHEDULE

<u>Meter Size</u>	<u>Maximum GPM</u>	<u>Multiplier</u>	<u>Capacity Charge</u>	<u>Additional Dwelling</u>
$\frac{3}{4}$ "	30	1.0	\$4,365	\$0.00
1" *	50	1.7	\$7,406	
2"	160	5.3	\$23,168	
3"	320	10.7	\$64,718	
4"	1,000	33.3	\$145,470	

\*Properties that need a  $\frac{3}{4}$ " meter for normal service but a 1" meter only for fire sprinklers shall pay the Capacity Charge for the  $\frac{3}{4}$ " meter. The minimum meter size in VRWD shall be  $\frac{3}{4}$ ". Larger sizes shall be reviewed individually by the Board, and subject to available water supply, the Capacity Charge will be determined on the same basis.

Capacity Charge Costs were established in 1989 with an Engineering News Record Los Angeles Construction Cost index of 5,789.77 and adjusted to 2015 costs using the March 2015 index of 10,995.27.

#### ADDITIONAL DWELLING UNITS

Additional dwellings typically replace landscaping and result in reduced overall water use so no Capacity Charge is assessed.

\*Government Code Section 66013 (b)(3)

## APPENDIX III

### ANNEXATION FEE SCHEDULE

ADMINISTRATION FEE WITH CEQA REQUIREMENT	\$ 1,400
ADMINISTRATION FEE WITHOUT CEQA REQUIREMENT	\$ 550
LAFCO FEE	*(ESTIMATE DEPOSIT)
MAPPING FEE	*(ESTIMATE DEPOSIT)
STATE FEE	*(ESTIMATE DEPOSIT)
PLAN CHECKING FEE:	

Public Improvement Costs	Fee Deposit
\$0 - \$ 999	\$400
\$1,000 - \$ 9,999	\$400 + 15% of cost over \$1000
\$10,000 - \$49,999	\$1,750 + 10% of cost over \$10000
\$50,000 - \$99,999	\$5,750 + 5% of cost over \$50000
\$100,000 - \$999,999	\$8,250 + 2% of cost over \$100000
\$1,000,000 - and over	\$26,250 + 1% of cost over \$ 1,000,000

\* - ESTIMATED DEPOSIT SHALL BE BASED ON THE MOST CURRENT FEE SCHEDULE AS ADOPTED BY THE LOCAL AGENCY FORMATION COMMISSION.

#### SPECIAL BOARD OF DIRECTORS MEETING FEE SCHEDULE

BOARD MEMBER FEE'S	\$800
ATTORNEY FEE'S FOR ANY PART OF AN HOUR INCL. TRAVEL	\$300
STAFF & RECORDER	\$200
LEGAL NOTIFICATION	<u>\$ 75</u>
TOTAL:	\$1075

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<b>Section</b>	<b>Description</b>	<b>Date</b>
Addendum I	Rate Increase for all Zones, approved June 8, 2005	6/8/05
Sec. 10.233	Restoration of Water Service – Payment for service reconnection must be made in cash or cashiers check only	7/13/05
Addendum I	Rate Increase for all Zones, Approved June 14, 2006	6/14/06
Addendum I	Rate Increase for all Zones, Approved April 27, 2007	5/09/07
Addendum I	Increase Residential Deposit – Approved March 11, 2009	3/11/09
Addendum I	Rate Increase for all Zones, Approved August 11, 2010	8/11/10
N/A	Miscellaneous text revisions & Rate & CIP & Processing Fees	12/14/11
Appendix I	Casitas Rate Increase Pass Through Effective July 1, 2012	7/1/12
Appendix I	Miscellaneous text revisions & Rate & Processing Fees	12/15/12
Sec. 28-35	Added new sections	2/13/13
Sec. 36	Added description on use of District Equipment	12/15/13
Appendix I	Rate increase, added lock cut & fire flow test fees	12/15/13
	Remove “County” from name of District	12/10/14
Sec. 3	Insert text from Sec. 8	12/10/14
Sec. 4	Add Provision to reduce meter size	12/10/14
Sec. 8	Add Water Waste Prohibitions	12/10/14
Sec. 9	Clarify Classes of Water Service	12/10/14
Sec. 11	Allow progress payments on disputed bills prior to Board Hearing	12/10/14
Sec. 20	Edit Will Serve definition for updated County Waterworks Manual	12/10/14
Sec. 32	Add description of Reserve Funds	12/10/14
Appendix I	Rate increase & Delete Relocation Fee	12/10/14
Appendix I	Temp. Drought Surcharge	5/13/15
Appendix II	Update Capital Improvement Fee & Rename to Capacity Charge	5/13/15
Sec. 2,4,20,21	Define a second unit as a “separate” structure & clarify that a separate meter is required for a second unit except apts.&MH pks	5/13/15
Appendix I	Rate Change to Cost of Service Rates	9/14/16
Sec 2	Add definition of “Commercial” & “Single Family Residential”	11/9/16
Appendix I	Rate Change to Lower Water Use Fluctuation & Usage Reduction	3/15/17
Sec 4,10,20,30	Deposit Credit, Write off Bad Debt, Casitas water Allocations, Purchasing limits	2/15/18
Appendix I	Rate Change and Implement Water Budgets	2/15/18
Appendix I	Increase late Penalty	8/15/18
Sec. 10 & 11	Update to accommodate SB 998	3/18/20
Sec. 5,12,15,20,28	Miscellaneous edits	3/18/20