

Alleghany County Water District
Minutes of Special Meeting of the Board of Directors
Tuesday May, 24th 2016 continued to May 25th
And "Committee of the Whole" meeting June 2, 2016

SCANNED

A special meeting of the Board of Directors of The Alleghany County Water District was held at the Alleghany Firehouse, 105 Plaza Court. The meeting was called to order by President Rae Bell at 6:00 p.m.

Present were Directors Rae Bell Arbogast, Madeleine Hamb, Robbin DeWeese, Tobyne Mehrmann, and Oregon Burns Tenney V. Secretary Baker was present and took the minutes. Water Treatment Operator Bruce Coons was present.

New Business:

Rae Bell asked the Board if they wished to have the attorney review the Request for Bids for the test well drilling before it is published. After discussion a **Motion was made to hire the attorney to review the Request for Bids by O.B, Tobyne second. Ayes: Arbogast, DeWeese, Hamb, Tenney, Mehrmann. Nays: 0 Absent: 0 Abstain: 0**

A motion was made to continue the meeting the next day on Wed. May 25th at 6 p.m. because of power outage. Motion made by Tobyne, O.B second. Ayes: Arbogast, DeWeese, Hamb, Tenney, Mehrmann. Nays: 0 Absent: 0 Abstain: 0

The meeting was adjourned at 6:05 p.m.

President Rae Bell called to order the continued meeting on May 25th at 6:03 p.m.


Present were Directors Rae Bell Arbogast, Madeleine Hamb, Robbin DeWeese, Tobyne Mehrmann, and Oregon Burns Tenney V. Secretary Baker was present and took the minutes. Water Treatment Operator Bruce Coons was present. Also present: Ernest and Nancy Finney.

Unfinished Business:

3B. Preliminary budget item was moved to the top for the purpose of time management as the policies and procedures are an ongoing project and the preliminary budget has a deadline in June. Rae Bell described the software program used for the bookkeeping and how it is being used. She then went over the entire preliminary budget with the Board and public. One small change was made moving \$1000 from Engineering to Legal. The preliminary budget will be voted on at the regular June meeting.

3A. The Board went over an extensive list of Policies/Ordinances/Procedures and began the process of prioritizing them. At 8:05 p.m. the decision was made to continue the meeting tentatively to June 2nd at 6:00 p.m.

Respectfully submitted:



Leslie D. Baker III
Board Secretary

June 2nd 2016 Committee of the Whole NOTES

Meeting started at 6:10 p.m.

President Rae Bell explained that she had done some research and these meetings can be classified as a "Committee of the Whole" and a quorum is not required as no official action will be taken. The purpose of the meeting is to arrive at recommendations to be brought before the board and public at regular meetings of the board. This is an informal meeting and does not require the Secretary to take minutes. **No official action will be taken by the board at these meetings. Items under discussion and to be considered for action will be placed on the regular meeting agenda.**

Present were: All directors except for Madeleine Hamb. Also present was Secretary Leslie Baker and resident Burns Tenney.

Policies and Procedures were discussed for 1 hour and the meeting was adjourned.

Alleghany County Water District

P.O. Box 860, Alleghany, CA 95910 ~ alleghanywater@gmail.com ~ Phone 530-287-3204

~ Established March 8, 1939 ~

CERTIFICATE OF POSTING

I, Rae Bell Arbogast certify that the following document was posted on behalf of Alleghany County Water District, Sierra County California:

Notice of Special Meeting, Meeting Date 5/24/16

In the following location(s):

Alleghany Post Office Bulletin Board on 5/21/16.

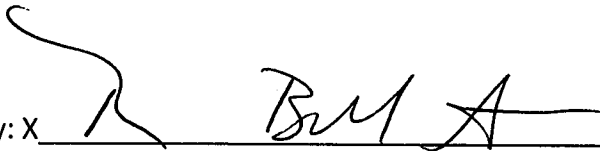
On the door of the Alleghany Firehouse (meeting location) 5/21/16

Casey's Place 5/21/16

Emailed to email list. Note put on list serve. Packets put in box at post office on the same day.

A copy of which is attached hereto and by reference made a part herof.

Signed under penalty of perjury: X



Rae Bell Arbogast

NOTICE
OF SPECIAL MEETING OF
THE BOARD OF DIRECTORS
OF
ALLEGHANY COUNTY WATER DISTRICT

Tuesday May 24, 2016 at 6:00 pm
Alleghany Firehouse 105 Plaza Ct. Alleghany

This agenda has been prepared and posted at least 48 hours prior to the special meeting of the Board of Directors in accordance with the Ralph M. Brown Act. Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order. Details and supporting materials concerning agenda items are available for public reference by calling 530-287-3204 or email: alleghanywater@gmail.com

1. Call to Order
2. Establish a Quorum
3. Unfinished Business (Discussion & Possible Action Items):
 - a) Policies/Procedures/Ordinances prioritize list, start on one or two (see how it goes)
 - b) Preliminary Budget – for presentation at June regular meeting. (to be voted on in June)
4. New Business: Does the board wish to have the attorney review the Request For Bids for the well drilling before it is published?
5. Next meeting date, Items for next agenda & Adjournment -

continued to 5/25/16 due to power outage

Alleghany County Water District

P.O. Box 860, Alleghany, CA 95910 ~ alleghanywater@gmail.com ~ Phone 530-287-3204

~ Established March 8, 1939 ~

CERTIFICATE OF POSTING

SCANNED

I, Rae Bell Arbogast certify that the following document was posted on behalf of Alleghany County Water District, Sierra County California:

Special Meeting Notice "Committee of the Whole" and Agenda, Meeting Date 6/2/16

In the following location(s):

Alleghany Post Office Bulletin Board on 5/31/16
At the Alleghany Firehouse (meeting location) 5/31/16
Casey's Place 5/31/16

Emailed to agenda packet list as well.

A copy of which is attached hereto and by reference made a part herof.

Signed under penalty of perjury: X



Rae Bell Arbogast

NOTICE
OF A MEETING OF
A “COMMITTEE OF THE WHOLE”

OF
ALLEGHANY COUNTY WATER DISTRICT
BOARD of DIRECTORS

Thursday June 2, 2016 at 6:00 pm
Alleghany Firehouse 105 Plaza Ct. Alleghany

This agenda has been prepared and posted at least 48 hours prior to the special meeting of the Board of Directors in accordance with the Ralph M. Brown Act. Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order. Details and supporting materials concerning agenda items are available for public reference by calling 530-287-3204 or email: alleghanywater@gmail.com

1. Open the meeting
2. A Quorum is not required as no official action will be taken. The purpose of the meeting(s) is to arrive at recommendations to be brought before the board and public at regular meetings of the board. This is an informal meeting and does not require the Secretary to take minutes. **No official action will be taken by the board at these meetings. Items under discussion and to be considered for action will be placed on the regular meeting agenda.**
3. Ongoing discussion:
 - a) Policies & Procedures/Ordinances/Bylaws The ACWD Board of Directors will be holding ongoing “Committee of the Whole” meetings to work on establishing and revising policies & procedures for the district’s operation.
4. Next meeting date
5. Close the meeting

THE PUBLIC IS INVITED TO ATTEND

	ACTUAL FY 12-13	ACTUAL FY 13-14	ACTUAL FY 14 - 15	FY 16 - 17 Prelim	NOTES
Ordinary Income/Expense					
Income					
4000 · Operating Income					
4100 · Water Sales	\$ 25,565	\$ 27,705	\$ 26,681	\$ 28,920	
4130 · Customer Fees	\$ 5,355	\$ 4,982	\$ 591	\$ 200	
4200 · Property Tax Revenue	\$ 30,920	\$ 32,687	\$ 4,820	\$ 5,000	
Total 4000 · Operating Income	\$ 61,840	\$ 65,374	\$ 32,092	\$ 34,120	
5000 · Other Operating Income					
5100 · Donations District			\$ 100	\$ 310	
5300 · Library Administration Fee				\$ 120	\$120 admin fee
5300 · Grant Funding				\$ 270,524	\$300,000 less amount billed this year (one bill outstanding not booked to income for current year yet)
Total 5000 · Other Income	\$ -	\$ -	\$ 100	\$ 270,954	
Total Income	\$ 61,840	\$ 65,374	\$ 32,192	\$ 305,074	
Expense					
6000 · Personnel					
6010 · Water Treatment Operator	\$ 3,405	\$ 3,432	\$ 3,432	\$ 4,080	\$3,000 contract + \$480 water trade + 600 "other labor"
6020 · Secretary Contract	\$ 4,800	\$ 4,800	\$ 4,800	\$ 600	\$30 per meeting plus \$15 for each 1/2 hour over one hour, used same budget figure as last year.
6025 · Bookkeeper Contract				\$ 1,200	\$100 per month, probably low considering time involved. Will review her hours with final budget.
6030 · Meter Reader	\$ 687	\$ 555	\$ 555	\$ 480	water trade
6040 · Other Labor	\$ 650	\$ 330	\$ 1,216	\$ 1,600	weed eating, water distribution assistant, snow shoveling etc.
Total 6000 · Personnel	\$ 9,542	\$ 9,117	\$ 10,003	\$ 7,960	
6100 · Professional Services					
6110 · Engineering					Planning grant remaining budget - this # will change.
6130 · Legal					Auditor Fee, contract already signed for this year.
6120 · Accounting					
Total 6100 · Professional Services				\$ 2,000	
6200 · Utilities					
6210 · Telephone	\$ -	\$ 362	\$ 190	\$ 200	bill varies from \$15.45 to \$16.90 per month have special rate for gov. entity.
6220 · PG & E	\$ 4,233	\$ 4,230	\$ 4,027	\$ 4,000	kept previous budget figure although 15-16 looking lower due to water conservation.
6230 · Propane	\$ 116	\$ -	\$ 387	\$ 200	
Total 6200 · Utilities	\$ 4,349	\$ 4,592	\$ 4,604	\$ 4,400	
6250 · Mileage	\$ 1,008	\$ 1,005	\$ 1,122	\$ 1,000	
6255 Depreciation			\$ 16,667		We don't budget for this but it is included in the audited results for FY 14-15 so that it matches Quickbook's year-end results
6340 · Water Tests	\$ 300	\$ 866	\$ 1,642	\$ 1,412	this is the minimum with only one extra test due this year nitrite. \$672 for bac1 (12 mos) \$225 for lead and copper and \$465 for perchlorate, trihalomethane and haloacetic acids \$25 for nitrate. Estimate \$25 for nitrite. Nitrite due every 3 years due Feb. 2017
6350 · System Repair & Maintenance	\$ 4,682	\$ 1,548	\$ 4,653	\$ 3,200	hard to predict this one.
6355 · Rent Expense	\$ 72	\$ 72	\$ 72	\$ 72	propane tank rental
6400 · Chemicals	\$ 786	\$ 642	\$ 1,067	\$ 1,000	looks like 15-16 will come in lower due to water conservation.
6440 · Solid Waste Fee	\$ 120	\$ 78	\$ 16	\$ 20	was only \$19 last year
6450 · Permit Fees/Dues	\$ 989	\$ 649	\$ 792	\$ 1,000	
6500 · Office Expense					
6550 · Computer	\$ 433	\$ 866	\$ 350	\$ 400	
6555 · Office Supplies	\$ 370	\$ 362	\$ 353	\$ 200	
6560 · Postage	\$ 276	\$ 380	\$ 412	\$ 400	
6500 · Office Expense - Other	\$ -	\$ 38	\$ 28	\$ -	
Total 6500 · Office Expense	\$ 1,079	\$ 1,646	\$ 1,143	\$ 1,000	
6620 · Bank Service Charges	\$ 36	\$ 36	\$ 28	\$ -	

6700 · Insurance	\$ 4,311	\$ 3,481	\$ 3,776	\$ 4,629	Includes workers' comp. have asked for 2 more quotes this year. Renewals on 7/1. \$250 for church insurance is subtracted here.
7000 · Debt Service					
7020 · Interest Payments USDA	\$ 1,541	\$ 1,339	\$ 962	\$ 750	Final payment will be in Dec. 2017 so falls in FY 17-18.
Total 7000 · Debt Service	\$ 1,541	\$ 1,339	\$ 962	\$ 750	
Total Expense	\$ 28,814	\$ 25,070	\$ 46,547	\$ 298,967	
PROFIT & LOSS STATEMENT CHANGE FOR WATER OPERATION (ENTERPRISE)					
7010 · Principle Payments USDA Lo	\$ 5,239	\$ 5,441	\$ 5,818	\$ 6,030	Moved this down so that section above reconciles to Quickbooks income statement report moving forward and to match audit results (Income Statement, Profit & Loss (P&L) and Statement of Operations are all the same thing. Different names used for the same thing in accounting.)
NET CHANGE OPERATION WITH LOAN PAYMENT				77	
Other Income/Expense (this section is used to track the park and library)					
Other Income					
8000 · Library Income					
8010 · Library Rental	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	
8020 · Library Fundraisers					
8021 · Concert Income	\$ 1,010	\$ 1,931	\$ 2,086		Did not include concert estimates as we don't have a date yet.
8022 · Booksale Income	\$ 405	\$ -	\$ 169		
Total 8020 · Library Fundraisers	\$ 1,415	\$ 1,931	\$ 2,255	\$ 257	
8030 · Donations Library					
Total 8000 · Library Income	\$ 2,915	\$ 3,431	\$ 4,012	\$ 1,500	
8100 · Park Income					
8110 · Park Fundraisers	\$ 1,093	\$ 2,789	\$ 151		
8120 · Donations Park	\$ -	\$ 95	\$ 198		
Total 8100 · Park Income	\$ 1,093	\$ 2,884	\$ 349	\$ -	
Total Other Income	\$ 4,008	\$ 6,315	\$ 4,361	\$ 1,500	
Other Expense					
9000 · Library Expenses					
9010 · Insurance Library	\$ 244	\$ 246	\$ 250	\$ 250	Insurance exp. is a little arbitrary as the insurance co. does not have a way to account for liability portion allocated to Church building.
9012 · Library Admin & Bank Fees				\$ 120	\$10 a month administration fee for bookkeeping etc.
9015 · Utilities Library	\$ 133	\$ 154	\$ 192	\$ 200	
9020 · Repairs & Maint. Library	\$ 107	\$ -	\$ 783	\$ 2,000	Hopefully we can get some work done this year to rewrite building and replace some shingles, to come out of existing fund.
9022 · Supplies & Small Equipment	\$ -	\$ 47	\$ 26		
9022 · Library Computer Expense				\$ 112	
9030 · Library Fundraiser Exp.					
9031 · Concert Expense	\$ 711	\$ 717	\$ 1,258		
9032 · Brick Expense	\$ 287	\$ -	\$ -		
9030 · Library Fundraiser Exp. - Oth	\$ -	\$ 64	\$ -		
Total 9030 · Library Fundraiser Exp.	\$ 998	\$ 781	\$ 1,258	\$ -	
Total 9000 · Library Expenses	\$ 1,482	\$ 1,228	\$ 2,649	\$ 2,570	
9100 · Park Expenses					
9120 · Park Improvements	\$ -	\$ 983	\$ 227		
9122 · Park Supplies and Maintenance	\$ -	\$ 125	\$ 324	\$ 154	
9125 · Solid Waste Fee Park	\$ -	\$ -	\$ 125	\$ 154	
9130 · Park Event Expense	\$ -	\$ 1,108	\$ 876	\$ 154	
Total 9100 · Park Expenses	\$ 1,482	\$ 2,335	\$ 3,525	\$ 2,724	
NET CHANGE ON QUICKBOOKS P&L					
Net Income	\$ 4,632	\$ 11,596	\$ (13,519)	\$ 4,883	NON-Enterprise Net before use of funds (see below)
Bank Draw (use of existing funds for library repairs)				\$ 1,224	
Principle loan payment not part of Profit and Loss Statement				\$ 6,030	
					77

Bottom Line everything, Park, Historical Church/Library and Water Operation

	Jul 1, '15 - May 21, 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4000 - Operating Income				
4100 - Metered Water Sales	24,768.53	27,000.00	-2,231.47	91.74%
4120 - Unmetered Water Sales	30.00	0.00	30.00	100.0%
4130 - Reconnect fees	0.00	200.00	-200.00	0.0%
4200 - Property Tax Revenue	4,109.77	5,000.00	-890.23	82.2%
4800 - Late Fees	408.19	0.00	408.19	100.0%
Total 4000 - Operating Income	29,316.49	32,200.00	-2,883.51	91.05%
5000 - Other Income Water Operation				
* 5100 - Donations to ACWD	1,205.00	310.00	895.00	388.71%
5300 - Library Admin & Insurance	370.00	120.00	250.00	308.33%
* 5400 - Grant Income	17,264.37	250,000.00	-232,735.63	6.91%
Total 5000 - Other Income Water Opera	18,839.37	250,430.00	-231,590.63	7.52%
Total Income	48,155.86	282,630.00	-234,474.14	17.04%
Gross Profit	48,155.86	282,630.00	-234,474.14	17.04%

← STILL HAVE ONE MORE TAX CHECK COMING IN BUT EXPECTING APPROX. \$500 (10%)

* Donations is high because of \$ donated for Donna Huck

Library Admin's Insurance high because we did not budget for insurance portion - only \$10 monthly admin. fee. Actually insurance should have been taken out of insurance expense. Need to correct it. (See note on budget sheet)
 * Grant Income low because we aren't as far along as expected under Insurance, will carry over into next fiscal year. Will be higher this year (not finished)

* Donations will be higher once postage donated by 16tel is booked. (Postage meter use)
 16tel is donating use of copy machine including paper? some other misc. office supplies that will not be booked because we have not kept track. District previously paid \$100 per month in office rent as part of Donna's contract.

Allegheny County Water District
 Profit & Loss Budget vs. Actual
 July 1, 2015 through May 21, 2016

05/21/16
 Accrual Basis

Expense	Jul 1, '15 - May 21, 16	Budget	\$ Over Budget	% of Budget	
6000 · Personnel					
6010 · Water Treatment Operator	2,500.00	3,000.00	-500.00	83.33%	Two more months to go
6012 · Treatment Plant contract	320.00	432.00	-112.00	74.07%	
6074 · WTO Other Labor	396.00	0.00	396.00	100.0%	
6010 · Water Treatment Operator	3,216.00	3,432.00	-216.00	93.71%	High because water trade is other labor not budgeted in this category
Total 6010 · Water Treatment Operator	525.00	600.00	-75.00	87.5%	have changed these accounts since 7/1/15 for better tracking.
6020 · Secretary	400.00	432.00	-32.00	92.59%	
6030 · Meter Reader	1,602.00	1,000.00	602.00	160.2%	
6040 · Other Labor	300.00	1,200.00	-900.00	25.0%	
6050 · Bookkeeper	6,043.00	6,664.00	-621.00	90.68%	
Total 6000 · Personnel	28,246.50	248,000.00	-219,753.50	11.39%	low because project not as far along as expected
6100 · Professional Services	2,000.00	2,000.00	0.00	100.0%	higher than income grant income because recent not disbursement request has not been booked yet (to income).
6110 · Engineering Fees	1,230.00	2,000.00	-770.00	61.5%	
6120 · Auditor Fees	200.00	0.00	200.00	100.0%	
6130 · Legal Fees	1,430.00	2,000.00	-570.00	71.5%	
Total 6100 · Professional Services	31,676.50	252,000.00	-220,323.50	12.57%	
6200 · Utilities					
6210 · Telephone	165.41	192.00	-26.59	86.15%	
6220 · PG & E	2,633.88	4,000.00	-1,366.12	65.85%	lower because of water conservation
6230 · Propane	105.87	200.00	-94.13	52.94%	
Total 6200 · Utilities	2,905.16	4,392.00	-1,486.84	66.15%	
6250 · Mileage	979.24	1,034.00	-54.76	94.7%	
6340 · Water Tests	1,816.00	800.00	1,016.00	227.0%	high because of catch-up tests
6350 · System Repair & Maintenance					
6351 · Small Equipment/Tools	862.00	0.00	862.00	100.0%	Added this account during the year should probably be stand-alone
6350 · System Repair & Maintenance	1,894.71	3,200.00	-1,305.29	59.21%	
Total 6350 · System Repair & Maintenance	2,756.71	3,200.00	-443.29	86.15%	
6355 · Rent Expense	72.00	72.00	0.00	100.0%	
6400 · Chemicals	717.76	1,000.00	-282.24	71.78%	
6440 · Solid Waste Fee	19.20	78.00	-58.80	24.62%	low because previous years allocated incorrectly?
6450 · Permit Fees/Dues	965.42	910.00	55.42	106.09%	
6455 · Penalties	71.25	0.00	71.25	100.0%	
6500 · Office Expense	435.00	400.00	35.00	108.75%	
6550 · Computer	649.19	200.00	449.19	324.6%	High because of staples bill from previous year got lost in the mix + new bank accounts = new checks, deposit slips etc.
6550 · Office Supplies	304.65	400.00	-95.35	76.16%	
6560 · Postage	1,388.84	1,000.00	388.84	138.88%	
Total 6500 · Office Expense	10.00	0.00	10.00	100.0%	
6620 · Bank Service Charges	1,195.00	0.00	1,195.00	100.0%	Domestic appreciation offset by donations
6650 · Misc. Expense	4,629.00	4,629.00	0.00	100.0%	
6700 · Insurance					
7000 · Debt Service					
7020 · Interest Payments USDA Loa	802.77	0.00	802.77	100.0%	
7000 · Debt Service - Other	0.00	6,780.00	-6,780.00	0.0%	low because of accounting change per audit
Total 7000 · Debt Service	802.77	6,780.00	-5,977.23	11.84%	the principle portion of the loan
Total Expense	56,047.85	282,559.00	-226,511.15	19.84%	Payment is not an "expense" it is the reduction of a liability. I knew this but have seen other districts budget this way.
Net Ordinary Income	-7,891.99	71.00	-7,962.99	-11,115%	

Allegheny County Water District
Profit & Loss Budget vs. Actual
July 1, 2015 through May 21, 2016

	Jul 1, '15 - May 21, 16	Budget	\$ Over Budget	% of Budget
Other Income/Expense				
Other Income				
8000 · Library Income				
8010 · Library Rental	1,500.00	1,500.00	0.00	100%
8020 · Library Fundraisers				
8021 · Concert Income				
8021.1 · Concert Sponsor Income	900.00	0.00	900.00	100%
8021 · Concert Income - Other	452.00	0.00	452.00	100%
Total 8021 · Concert Income	1,352.00	0.00	1,352.00	100%
8022 · Brick Project Income	130.00	0.00	130.00	100%
Total 8020 · Library Fundraisers	1,482.00	0.00	1,482.00	100%
Total 8000 · Library Income	2,982.00	1,500.00	1,482.00	199%
8100 · Park Income				
8110 · Park Fundraisers	15.00	0.00	15.00	100%
8120 · Donations Park	118.00	0.00	118.00	100%
Total 8100 · Park Income	133.00	0.00	133.00	100%
Total Other Income	3,115.00	1,500.00	1,615.00	208%
Other Expense				
9000 · Library Expenses				
9010 · Insurance Library	250.00	250.00	0.00	100%
9012 · Library Administration Fee	120.00	120.00	0.00	100%
9015 · Utilities Library	70.89	200.00	-129.11	35%
9020 · Repairs & Maint. Library	272.16	2,000.00	-1,727.84	14%
9022 · Supplies & Small Equipment	1,104.60	0.00	1,104.60	100%
9030 · Library Fundraiser Exp.				
9031 · Concert Expense	511.55	0.00	511.55	100%
Total 9030 · Library Fundraiser Exp.	511.55	0.00	511.55	100%
Total 9000 · Library Expenses	2,329.20	2,570.00	-240.80	91%
9100 · Park Expenses				
9122 · Park Supplies and Maintenance	17.29	0.00	17.29	100%
9125 · Solid Waste Fee Park	153.60	154.00	-0.40	100%
Total 9100 · Park Expenses	170.89	154.00	16.89	111%
Total Other Expense	2,500.09	2,724.00	-223.91	92%
Net Other Income	614.91	-1,224.00	1,838.91	-50%
Net Income	-7,277.08	-1,153.00	-6,124.08	631%

had planned on hiring somebody to re-wire building- did not happen \$ was to come out of church/library account.

Possibly we should consider changing the name of the historical church accounts back to "historical church" from "library" because this has caused a lot of confusion. Probably need to track donations & expenses specifically for the library separate from income & expenses associated with the building. Very minimal so not sure if it's worth the trouble. \$168.50 came in from book sale but we split more than that on the bookshelves & lamps.

ACWD List of needed Policies and Procedures (P&P's)

- ~~Banking and check writing~~
- Procedure/authorization for WTO to hire outside help (have in place) Need to update.
- Procedure/authorization for WTO to make discretionary and emergency expenditures.
- Hiring Policies and Procedures (currently we post an opening for a minimum of 30 days on the bulletin board at the post office but we do not have anything in writing on this.
- Record Retention (use Secretary of State guidelines)
- ~~Vacancies (this might go in by laws, is regulated by code)~~
- Reimbursement policy (include mileage at IRS designated rate)
- Public Record Request Policy A draft was presented to board on 9/8/15 but have not followed-through with adoption, (found possible problem with charges listed).
- ~~Conflict of Interest Policy (have)~~
- Code of Ethics/values/Norms or Board Conduct (CSDA recommendation)
- Financial Reserves Policy (we don't have any financial reserves at this time) CSDA recommendation. CRWA recommends 3 to six-months of operating expenses be held in reserve.
- ~~Budget timeline and public hearing requirement (per State, preliminary budget must be adopted by June 30th for following fiscal year and final budget must be adopted by Oct 1st)~~
- Election process (the bylaws say we shall write a policy for this) should include new board members appointed to fill vacancies as well (what needs to be done when)
- Ordinance adoption process. What I know so far: Ordinances should only be adopted at regular meetings unless it is an emergency ordinance. They must be read once then a vote can be taken at the next regular meeting. The code that regulates water districts says it only has to be published in a newspaper if one is published WITHIN the district boundaries, so this lets us off the hook for having to publish in the paper, we do however have to post it in 3 public places within 15 days of adoption but I don't know how long it has to stay posted.
- Payment Plans (ordinance #33 says we will do a policy for this)
- Leak debt adjustment (forgiveness) historically the board has been willing to write-off 50% of debt caused by a leak as long as the customer comes to a board meeting and makes the request in person. However, there is no written policy for this.
- Bounced Check Policy
- Tenant defaults on bill > Owner responsibility (I verified that for water utilities this is legal via Nick Clair the legal analyst for CSDA. A lien can be placed on the property if unable to collect.)
- Reimbursement Policy (bylaws say we will establish this)
- Drought mandate (probably and ordinance not P&P)
- Complaint P&P with forms
- Suggestion form/satisfaction survey (not really P&P but on "the list")
- Meeting recordings: how they are distributed. Currently posting on Alleghany outreach FB page but board did not approve this. Board voted to retain the recordings for 90 days. Need P&P.

Presented 9/8/15

DRAFT

Alleghany County Water District (ACWD) Policies & Procedures

Policy #2 Public Record Requests:

Public records of the Alleghany County Water District shall be open to inspection by appointment to the extent required by law, and except otherwise provided herein. "Public Records" are all records of the District retained in the ordinary course of District business and in accordance with the District's Record Retention Schedule, as may amended from time to time, and which is incorporated herein by reference, except as otherwise provided herein. "Public Records" are all records of the District except those which are exempt from disclosure by the California Public Records Act (Gov. Code sections 6250 et seq.).

DEFINITIONS:

- A. The term "public records" includes any writing containing information relating to the conduct of the public's business prepared, owned used, or retained by the District regardless of physical form or characteristics.
- B. The term "writing" means handwriting, typewriting, printing, photocopying, photographing, electronic mail, facsimile, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof and all papers maps, magnetic or paper tapes, photographic films and prints, magnetic or punch cards, discs, drums, and other documents.

PROCEDURE:

- A. Any person desiring to inspect any public record shall identify the specific records they desire to inspect. The District shall, in accordance with Government Code Section 6253.1, assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records to the extent reasonable.
- B. Any Person may obtain a copy of any identifiable public record unless exempt from public disclosure. Upon request, an exact copy shall be provided unless impracticable to do so. (see exhibit A record request form)
- C. Within (10) calendar days after the receipt of such request, the Clerk of the District board or designee shall determine whether to comply with such request and shall immediately notify the person making the request of such determination and the reasons therefor. If the Clerk of the District Board is uncertain whether the record is exempt from disclosure under the California Public Records Act or whether, given the facts of the particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record, the Clerk of the District Board shall consult with legal counsel during the initial 10 day period. In unusual circumstances, the Clerk of the District Board may, by written notice to the person making the request, extend the response time by a period not to exceed and additional (14) calendar days to comply with such request.

Unusual circumstances mean the need to search for and collect request records from field facilities or other locations separate from the office processing the request; or the need for consultation with another agency having substantial interest in the determination of the request; or the need to compile data, to write programming language or computer program, or to construct a computer report to extract data.

- D. Upon any request for a copy of public records which reasonably describes an identifiable record or information produced therefrom and which is not otherwise exempt from disclosure, the District shall make the records promptly available to any person upon payment of fees covering the direct costs of duplication. A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.
- E. Should any request for public records contain exempt information including, but not limited to that listed under Government Code sections 6253.5 and 6254, any portion that can reasonably be segregated of such record shall be provided to any person requesting such record after deletion of the portions which are exempt from disclosure by law.
- F. A representative of the District will be present during the inspection of any records and no document shall be removed therefrom.
- G. The public records policy of the District shall at all times be subject to the California Public Records Act as it may be amended from time to time, and if there is any conflict between that Act and this policy, the Act shall prevail.

Copies Requested Pursuant to the Political Reform Act of 1974

- A. Notwithstanding the other provisions of the District's public Records Policy, public records requested pursuant to the Political Reform Act of 1974 (Gov. Code sections 81000 et seq.), shall be open for public inspection and reproduction by appointment and not later than the second business day following the day on which such document was received from a public officeholder or other person subject to the Political Reform Act.
- B. No Conditions whatsoever shall be placed on those persons desiring to inspect or reproduce reports or statements filed pursuant to the Political Reform Act, nor shall any information or identification be required from such persons.
- C. Copies shall be provided at a cost of one dollar (per page), and filing officer of the District may charge a retrieval fee not to exceed five dollars (\$5) per request for copies of reports and statements that are five (5) or more years old. A request for more than one (1) report or statement at the same time will be considered as a single request. Fees include the cost of postage.

District Copy Cost Schedule

- A. A request for a copy of an identifiable written public record or information produced therefrom, or a certified copy of such record, shall be accompanied by a payment of a fee in the amount of one dollar (\$1) per page if the copy is no larger than 8-1/2 x 11". If the size of the copy of the record is in excess of 8-1/2 x 11", a request for such copy shall be accompanied by a payment of a fee in the amount of two dollars (\$2). The cost for records made available in an electronic format shall be determined at the time of the request based on the staff time required to convert such a record to an electronic format, but shall not exceed the cost of a paper copy. . Email copies of items already scanned to the district's computer files shall be made available free of charge.

- B. Requests for a mailed copy of the Board of Director's monthly agenda will be directed to the District Secretary. Copies of the agenda will be provided upon compliance and payment of the fee in the amount of one dollar (\$1) per page, for each agenda requested (i.e., Board; Administration Committee; Engineering \$ Operations Committee, and Finance & Audit committee) according to the Copy Cost Schedule, to cover the direct cost of duplication, postage and labor.

- C. To facilitate an equal and unbiased approach to disseminating information made available at Committee and Board meetings, all effort will be made to bring an adequate number of copies for all present. If there are not enough copies to go around a notebook will be placed in the board room for the purpose of requesting a meeting packet. In this instance the meeting packet will be provided at no cost to the person making the request, with email the preferred method of delivery.

PUBLIC RECORDS REQUEST

APPENDIX A ALLEGHANY COUNTY WATER DISTRICT REQUEST FOR PUBLIC RECORDS

The California Public Records Act (the "Act") was enacted to ensure public access to public records. You may request copies of specific information or materials and the District will provide this information, or an explanation of why it cannot be disclosed, as soon as possible consistent with the Act.

When Submitting your request, Please be as specific as possible (ie., provide dates of reports or actions, resolution and ordinance numbers, etc.). Non-specific requests may incur additional charges for research time or may be rejected if the request would require an undue amount of research or compilation.

NAME: _____

ADDRESS: _____

PHONE: _____ EMAIL: _____

IDENTIFICATION OF DOCUMENTS	
SPECIFIC NAME/DATE OF DOCUMENT	TYPE OF DOCUMENT

Requestor Signature: _____ Date: _____

This area for Staff use only

Date Received: _____ Date of Response: _____

Est. Cost: _____ Amount of Deposit: _____

Refund/Additional Payment: _____

Disposition: _____

California Public Records Act

GOVT. CODE §§ 6250 - 6276.48

THE BASICS

The Public Records Act is designed to give the public access to information in possession of public agencies: "public records are open to inspection at all times during the office hours of the... agency and every person has a right to inspect any public record, except as . . . provided, [and to receive] an exact copy" of an identifiable record unless impracticable. (§ 6253). Specific exceptions to disclosure are listed in sections 6253.2, 6253.5, 6253.6, 6254, 6254.1-6254.22, 6255, 6267, 6268, 6276.02-6276.48; to ensure maximum access, they are read narrowly. The agency always bears the burden of justifying nondisclosure, and "any reasonably segregable portion . . . shall be available for inspection... after deletion of the portions which are exempt." (§ 6253(a))

WHO'S COVERED

- **All state and local agencies, including:** (1) any officer, bureau, or department.; (2) any "board, commission or agency" created by the agency (including advisory boards); and (3) nonprofit entities that are legislative bodies of a local agency. (§ 6252(a),(b)). Many state and regional agencies are required to have written public record policies. A list appears in § 6253.4.

WHO'S NOT COVERED

- Courts (except itemized statements of total expenditures and disbursement). (§§ 6252(a), 6261)
- The Legislature. (§ 6252) See Legislative Open Records Act, Govt. Code §§ 9070-9080.
- Private non-profit corporations and entities.
- Federal agencies. See Federal Freedom Of Information Act, 5 U.S.C. § 552.

WHAT'S COVERED

- "Records" include all communications related to public business "regardless of physical form or characteristics, including any writing, picture, sound, or symbol, whether paper, . . . , magnetic or other media." (§ 6252(e)) Electronic records are included, but software may be exempt. (§§ 6253.9(a),(g), 6254.9 (a),(d))

WHAT MUST HAPPEN

- **Access is immediate and allowed at all times during business hours.** (§ 6253(a)) Staff need not disrupt operations to allow immediate access, but a decision whether to grant access must be prompt. An agency may not adopt rules that limit the hours records are open for viewing and inspection. (§§ 6253(d); 6253.4(b))
- **The agency must provide assistance by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access.** (§ 6253.1)
- **An agency has 10 days to decide if copies will be provided.** In "unusual" cases (request is "voluminous," seeks records held off-site, OR requires consultation with other agencies), the agency may, upon written notice to the requesters, give itself an additional 14 days to respond. (§ 6253(c)) These time periods may not be used solely to delay access to the records. (§ 6253(d))
- **The agency may never make records available only in electronic form.** (§ 6253.9(e))
- **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)
- **Copy costs are limited to "statutory fees" set by the Legislature (not by local ordinance) or the "direct cost of duplication",** usually 10 to 25 cents per page. Charges for search, review or deletion are not allowed. (§ 6253(b); North County Parents v. D.O.E., 23 Cal.App.4th 144 (1994)) If a request for electronic records either (1) is for a record normally issued only periodically, or (2) requires data compilation, extraction, or programming, copying costs may include the cost of the programming. (§ 6253.9(a),(b))
- **The agency must justify the withholding of any record by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure.** (§ 6255)

ACCESS TIP: Always ask for OADR copies and, however after inspection, you can receive the copy, exempt or non-exempt, with the water-inked copy.

REQUESTING PUBLIC RECORDS

- Plan your request; know what exemptions may apply.
- Ask informally before invoking the law. If necessary, use this guide to state your rights under the Act.
- Don't ask the agency to create a record or list.
- A written request is not required, but may help if your request is complex, or you anticipate trouble.
- Put date limits on any search.
- If the agency claims the records don't exist, ask what files were searched; offer any search clues you can.
- Limit pre-authorized costs (or ask for a cost waiver), and pay only copying charges.
- Demand a written response within 10 days.

IF YOUR REQUEST IS DENIED

Keep a log of so-called "you speak and we shall" letters for the denial. Employ the following six-step strategy. Step 1 = Discontinue. Exemptions are always given unless mandatory. Ask the agency to waive the exemption and increase the return fee. Step 2 = Explain. Insist that the agency explain in a written denial why the exemption applies to the requested record. Step 3 = Review. Politicians in the state have access. Exemptions must be removed or statutory exemptions must be raised at any time. Step 4 = Escalate. Public rights exist. The guide and ask to speak to a higher authority. Step 5 = Escalate. The state or federal courts. Step 6 = Escalate. The state or federal courts. Step 7 = Escalate. The state or federal courts. Step 8 = Escalate. The state or federal courts. Step 9 = Escalate. The state or federal courts. Step 10 = Escalate. The state or federal courts.

ACCESS TIP: To seek to access laws (e.g. Legislative Open Records Act, P.S. titles) contact cases that permit inspection. Also, copying of records of agencies not subject to the Public Records Act (many local jurisdictions also have "Sunshine" laws) may grant greater rights of access to records.

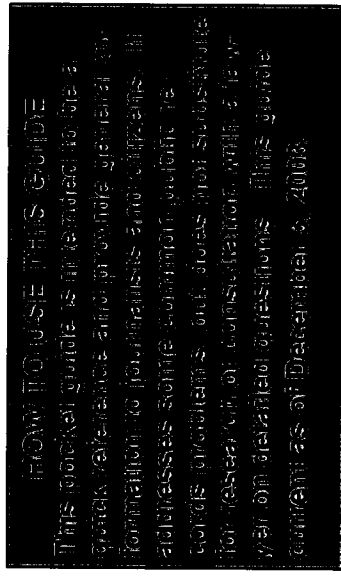
WHAT'S NOT COVERED

- Employees' private papers, unless they "relat[e] to the conduct of the public's business [and are] prepared, owned, used, or retained by the agency." (§ 6252(e))
 - Computer software "developed by a state or local agency ... includ[ing] computer mapping systems, computer programs, and computer graphic systems." (§§ 6254.9(a),(b))
 - Records not yet in existence: The PRA covers only records that already exist, and an agency cannot be required to create a record, list, or compilation. "Rolling requests" for future-generated records are not permitted.
- ### RECORDS EXEMPT FROM DISCLOSURE
- The Act exempts certain records from disclosure in whole or in part. This does not mean they are not public records or that disclosure is prohibited. An agency may withhold the records, but can allow greater access if it wishes. (§ 6253(e)). However, "selective" or "favored" access is prohibited; once it is disclosed to one requester, the record is public for all. (§ 6254.5) Many categories of records are exempt, some by the Act itself, (§§ 6254(a)-(z)) and some by other laws (§§ 6275-6276.48). These include:
- **Attorney-Client discussions** are confidential, even if the agency is the client, but the agency (not the lawyer) may waive secrecy. (§§ 6254(k), 6254.25, 6276.04)
 - Appointment calendars and applications, phone records, and other records which impair the **deliberative process** by revealing the thought process of government decision-makers may be withheld only if "the public interest served by not making the record[s] public clearly outweighs the public interest served by disclosure of the record[s]." (§ 6255; Times Mirror v. Superior Ct., 53 Cal.3d 1325 (1991); CFAC v. Superior Ct., 67 Cal.App.4th 159 (1998); Rogers v. Superior Ct., 19 Cal.App.4th 469 (1993)) If the interest in secrecy does not clearly outweigh the interest in disclosure, the records must be disclosed, "whatever the incidental impact on the deliberative process." (Times Mirror v. Superior Ct.) The agency must explain, not merely state, why the public interest does not favor disclosure.

- **Preliminary drafts, notes and memos** may be withheld only if: (1) they are "not retained...in the ordinary course of business" and (2) "the public interest in withholding clearly outweighs the public interest in disclosure." Drafts are not exempt if: (1) staff normally keep copies; or (2) the report or document is final even if a decision is not. (§ 6254(a)) Where a draft contains both facts and recommendations, only the latter may be withheld. The facts must be disclosed. (CBE v. CDFR., 171 Cal.App.3d 704 (1985))
- **Home Addresses** in DMV, voter registration, gun license, public housing, local agency utility and public employee records are exempt, as are addresses of certain crime victims. (§§ 6254(f),(u), 6254.1, 6254.3, 6254.4, 6254.16, 6254.21)
- **Records concerning agency litigation** are exempt, but only until the claim is resolved or settled. The complaint, claim, or records filed in court, records that pre-date the suit (e.g., reports about projects that eventually end in litigation), and settlement records are public. (§§ 6254(b), 6254.25; Register Div. of Freedom Newspapers, Inc. v. County of Orange, 158 Cal. App. 3d 893 (1984))
- **Personnel, medical and similar files** are exempt only if disclosure would reveal intimate, private details. (§ 6254(c)) Employment contracts are not exempt. (§ 6254.8)
- **Police incident reports, rap sheets and arrest records** are exempt (Penal Code §§ 11075, 11105, 11105.1), but information in the "police blotter" (time and circumstances of calls to police; name and details of arrests, warrants, charges, hearing dates, etc.) must be disclosed unless disclosure would endanger an investigation or the life of an investigator. Investigative files may be withheld, even after an investigation is over. (Gov. Code § 6254(f); Williams v. Superior Ct., 5 Cal. 4th 337 (1993); County of L.A. v. Superior Ct., 18 Cal. App. 4th 588 (1994).) Identifying data in police personnel files and misconduct complaints are exempt, but disclosure may be obtained using special procedures under Evidence Code section 1043.
- **Financial data** submitted for licenses, certificates, or permits, or given in confidence to agencies that oversee insurance, securities, or banking firms; **tax, welfare, and family/adoption/birth** records are all exempt. (§§ 6254(d),(k),(l), 6276)



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FOR MORE INFORMATION OR HELP:

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California First Amendment Coalition415/460-5060
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Funding provided by the Sigma Delta Chi Foundation
of the Society of Professional Journalists



Rae Bell Arbogast <alleganywater@gmail.com>

RE: [CSDA-listserv] debt forgiveness policy for small water district

1 message

Richard Swisher <rswisher.wcsd@suddenlinkmail.com>

Mon, Feb 29, 2016 at 5:00 PM

Reply-To: rswisher.wcsd@suddenlinkmail.com

To: csda-listserv@mail-list.com

I forgot to mention that there have been questions in the past on this Listserv as to whether or not this kind of forgiveness amounts to a gift of public funds and is therefore illegal. We address this issue by including a brief description of the leak adjustment program in our resolution that sets the water rates, which is approved at a public hearing.

Richard Swisher
General Manager
Westhaven Community Services District
P.O. Box 2015
Trinidad, CA 95570
(446 B 6th Avenue, Westhaven)
(707) 677-0798 (phone & fax)

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

From: csda-listserv@mail-list.com [mailto:csda-listserv@mail-list.com] On Behalf Of Richard Swisher Sent: Monday, February 29, 2016 4:45 PM
To: csda-listserv@mail-list.com
Subject: RE: [CSDA-listserv] debt forgiveness policy for small water district

We do essentially the same as SMCSO. I have attached our policy.

Richard Swisher
General Manager
Westhaven Community Services District
P.O. Box 2015
Trinidad, CA 95570
(446 B 6th Avenue, Westhaven)
(707) 677-0798 (phone & fax)

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

From: csda-listserv@mail-list.com [mailto:csda-listserv@mail-list.com] On Behalf Of Anthony Kalvans Sent: Monday, February 29, 2016 2:41 PM
To: csda-listserv@mail-list.com
Subject: Re: [CSDA-listserv] debt forgiveness policy for small water district

We have a leak credit program at SMCSO. If we notice an issue or an abnormal spike in water usage, staff notifies the rate payer. The rate payer will have to produce evidence that the leak was fixed, including receipt for replacement part, then the adjustment is applied. This is all done at an administrative level so there are no concerns over privacy and the program

Truncated 805 characters in the previous message to save energy.

WCSD RESOLUTION 2015-2

(Amending Resolution 2003-4)

ESTABLISHING A POLICY FOR BILLING ADJUSTMENT CREDITS DUE TO WATER LEAKS

WHEREAS, the Board of Directors of the Westhaven Community Services District wishes to establish policies that encourage conservation of water and prompt repair of known water leaks on customers' property, and

WHEREAS, the Board of Directors of the Westhaven Community Services District also wishes to establish an equitable policy to provide for billing adjustments credits granted following repair of water leaks occurring beyond a customer's control,

BE IT RESOLVED, the Board of Directors of the Westhaven Community Services District hereby establishes the following conditions governing billing adjustments credits granted as a result of a water leak.

CONDITIONS:

1. The Manager or Manager's designee is authorized to adjust a customer's water bill one month out of any 12-month period where the customer proves that excess usage occurred as a result of a water leak and that the water leak has been repaired in a timely manner.
2. Customers may apply for the Water Leak Adjustment Credit by completing a Water Leak Adjustment Request form at the WCSD office.
3. Customers will provide an explanation of the leak and repair and receipts for parts or a copy of the plumber's bill if available. If no documents verifying the repair are provided, the District may wait until the next scheduled meter read date to verify that the leak has been repaired.
4. Customers shall be eligible for a leak adjustment credit if the leak is repaired within ten days of the District's mailing notification of the leak to the customer and the repair is subsequently verified by the District.

The adjustment credit will be calculated as 75% of the difference between the actual water charge for the month of the leak and the average monthly charge based on the previous 12 month use or the longest period of the customer's use, if less than 12 months.

Completion of the repair extending beyond ten days shall reduce the adjustment by 10% per day; e.g. 11 days = 65%, 12 days = 55%, etc.

5. Customers dissatisfied with the Manager's ruling may appeal the ruling to the District Board of Directors. The Board's ruling shall be final.



Rae Bell Arbogast <alleghanywater@gmail.com>

RE: Questions

1 message

Nick Clair <nickc@csda.net>
To: ACWD <alleghanywater@gmail.com>
Cc: Jess Lima <jessl@csda.net>

Fri, Aug 7, 2015 at 11:05 AM

Rae Bell Arbogast,

Hello and welcome to CSDA. As Dane and Jess informed you, I would be happy to answer any general legal or policy questions you may have. I should caution, however, that my role is not that of an attorney so any information I provide is meant for general information only and is not meant nor should it be relied on as legal advice. Additionally, I am generally limited to reviewing relevant statutes so I won't be able to give you information on relevant case law that may affect the interpretation or application of a statute. It is always best to consult an attorney to evaluate any specific issues.

1) Assuming that the landlord is the property owner, it seems a County Water District may hold the landlord responsible for unpaid charges by imposing a tax lien against the property. This is provided for in California Water Code § 31701.5, which I copied below. Again, I don't have access to case law, so it is possible that this statute has been interpreted in such a way as to prohibit this action in the case of landlords. My guess though is that this is unlikely since water service is generally considered a service to the *property* rather than the individual who's name appears on the bill, and the statute makes no mention of the person responsible for the bill. It's likely that that a district could levy a lien against the landlords property, which the landlord/property owner would be liable for, and the landlord would have a separate action against the tenant for the costs.

Water Code § 31701.5

The amount of any charges for water and other services or either included in the statement of delinquent and unpaid charges pursuant to subdivision (e) of Section 31701 shall be added to and become a part of the annual taxes next levied upon the property upon which the water for which the charges are unpaid was used and upon the property subject to the charges for any other district services and shall constitute a lien on that property as of the same time and in the same manner as does the tax lien securing such annual taxes. All laws applicable to the levy, collection and enforcement of municipal ad valorem taxes shall be applicable to such charges, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the delinquent and unpaid charges relating to such property shall be transferred to the unsecured roll for collection. The county shall deduct from the charges collected an amount

sufficient to compensate the county for costs incurred in collecting such delinquent and unpaid charges. The amount of such compensation shall be fixed by agreement between the board of supervisors and the district's board of directors.

2) Water rates are subject to Proposition 218 as they are "property-related fees or charges." The procedural requirements for extending, imposing, or increasing fees or charges generally are: 1) specified written notice to each record owner of property 2) public hearing held not less than 45 calendar days after the mailing of the notice 3) consideration of written protests, a majority of which will prevent the imposition of the fees or charges. Property-related fees and charges *other than* water, sewer, and solid waste disposal have an additional election approval requirement. More information on the procedural requirements, including what form the notices must take, can be found starting at page 29 of the CSDA Proposition 218 Guide which you mentioned you downloaded (and which I attached to this email in case you were referring to a different guide).

Again, welcome to CSDA and thank you for contacting us with your questions. Should you have any other questions about this, or any other issue, please don't hesitate to contact me.

Sincerely,

Nick Clair

DISCLAIMER:

This communication is provided for general information only and is not offered or intended as legal advice. The law is constantly evolving, and attorneys can and do disagree about what the law requires. Readers should seek the advice of an attorney when confronted with legal issues and an attorney should perform an independent evaluation of the issues raised herein.

Nick Clair

Legislative Analyst

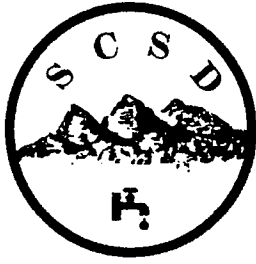
California Special Districts Association

1112 I Street, Suite 200

Sacramento, CA 95814

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www.csda.net



SUTTER COMMUNITY SERVICES DISTRICT

1880 ACACIA AVENUE
P.O. BOX 710
SUTTER, CALIFORNIA 95982-0710

(530) 755-1733
FAX (530) 755-1777

April 4, 2015

To: Sutter Community Services District Customers
From: Geri Goetzinger, General Manager
SCSD Board of Directors

RE: EMERGENCY WATER CONSERVATION REGULATIONS

As California enters a fourth year of severe drought, the State Water Resources Control Board adopted an expanded emergency regulation to safeguard the state's remaining water supplies.

Sutter CSD's customers saved a substantial amount of water last year, more than the twenty percent asked of you; unfortunately we must ask you to conserve again this year.

In a drought this severe, we all need to do our best and conserve. Attached is a copy of Sutter CSD's Drought Response Plan, this plan was approved by the Board of Directors last year.

Media Release: April 2, 2015 by the State Water Resources Control Board

Prohibited Water Use

Under today's action, the prohibitions on potable water use, first adopted in 2014, will continue, and new prohibitions will go into effect. All Californians are now prohibited from:

- Washing down sidewalks and driveways;
- Watering outdoor landscapes in a manner that causes excess runoff;
- Washing a motor vehicle with a hose, unless the hose is fitted with a shut-off nozzle;
- Operating a fountain or decorative water feature, unless the water is part of a recirculating system;
- Irrigating turf or ornamental landscapes during and 48 hours following measurable precipitation (new).

(New) Prohibitions affecting commercial businesses include:

- Restaurants and other food services establishments can only serve water to customers on request.

Thank you for your cooperation and thank you for the outstanding water conservation last year.



SUTTER COMMUNITY SERVICES DISTRICT

1880 ACACIA AVENUE
P.O. BOX 710
SUTTER, CALIFORNIA 95982-0710

(530) 755-1733
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SUTTER CSD DROUGHT RESPONSE PLAN

In response to the ongoing drought conditions in the state, Sutter CSD adopts the following mitigation measures:

Standard conservation measures are in place in an effort to prevent waste, over-watering and runoff. Standard measures include public awareness reminders and adhering to specified prohibitions and requirements:

- IF SUTTER CSD BECOMES AWARE THAT WATER CONSUMERS ARE OUT OF COMPLIANCE WITH THIS PROVISION, SUTTER CSD WILL:

Send a written notice requesting that the consumer's practice be modified.

Description of mitigation measure
1) Water is to be used for beneficial and useful purposes only. All unnecessary and wasteful uses of water are prohibited.
2) Washing down of sidewalks, driveways, parking lots or other paved surfaces is prohibited except to alleviate immediate fire or sanitation hazards.
3) Free-flowing hoses are prohibited for all uses, including vehicle and equipment washing, ponds, and evaporative coolers. Automatic shut-off devices shall be installed on any hose or other large-volume filling apparatus in use.
4) Leaking consumer pipes or faulty sprinklers shall be repaired within five (5) days or less if warranted by the severity of the problem.
5) All pools, spas, and ornamental fountains/ponds shall be equipped with recirculation pumps and shall be constructed to be leak-proof. Pool draining and refilling shall be allowed only for health, maintenance or structural considerations.
6) Landscape irrigation shall be limited to a maximum of two days per week when necessary based on the following odd-even schedule.
7) Customers with street addresses that end with odd numbers may irrigate only on Tuesdays and Saturdays . Customers with street addresses that end with even number may irrigate only on Wednesdays and Sundays . No irrigation is permitted on Mondays.
8) Automatic sprinkler system timers shall be set to operate only during off-peak hours between 9:00 p.m. and 6:00 a.m.
9) Washing of streets, parking lots, driveways, sidewalks, or buildings is prohibited except as necessary for health, sanitary, or fire protection purposes.
10) Restaurants shall serve water only upon request.

**ADOPTING A WATER CONSERVATION PROGRAM AND WATER SUPPLY
EMERGENCY ORDINANCE**

WHEREAS, article X, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

WHEREAS, regulation of the time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

WHEREAS, California Water Code sections 375 *et seq.* empower any public entity which supplies water at retail or wholesale to adopt and enforce a water conservation program to reduce the quantity of water used by those within its service area after holding a public hearing and making appropriate findings of necessity for the adoption of a water conservation program; and

WHEREAS, Water Code section 375, subdivision (c) defines "public entity" to include a city, county, special district, water authority, or any other municipal public corporation or district; and

WHEREAS, pursuant to Water Code section 376 and Government Code 6061, the Westhaven Community Services District ("WCSD") must publish in a newspaper of general circulation any ordinance or resolution adopting a water conservation program within 10 days after its adoption; and

WHEREAS, Water Code section 377 establishes that, from the publication of an ordinance or resolution pursuant to section 376 until the repeal of the ordinance or end of the emergency, it is a misdemeanor punishable by up to 30 days in county jail and/or a fine of up to \$1,000 for any person to violate a requirement of the water conservation program; and

WHEREAS, Water Code sections 350 *et seq.* empower the WCSD to declare a water service emergency and to adopt such regulations and restrictions on the delivery of water and water consumption for public use as will in the Board's sound discretion conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation and fire protection; and

WHEREAS, WCSD does not have sufficient water storage capacity to forecast into the future whether available water is likely to diminish, which means that it is impractical for WCSD to design and implement a multi-step drought response conservation program; and

WHEREAS, WCSD has the ability to monitor water supply and consumption on a weekly or daily basis and is therefore able to observe in close to real time when drought causes water supply to diminish such that water consumption threatens to exceed water supply; and

WHEREAS, current consumption of water supplied by WCSD on a per household basis averages less than 100 gallons per day, and WCSD customers have, on average, adopted most water conservation measures traditionally included in a water conservation program; and

WHEREAS, WCSD long-ago implemented a rate structure designed to encourage water conservation; and

WHEREAS, given the WCSD's lack of water storage capacity, should it be observed that water consumption threatens to exceed water supply a water supply emergency would exist; and

WHEREAS, the remaining, effective means to further conserve water is to adopt in advance, and to implement and enforce, in the event the Board declares a water shortage emergency, those comprehensive water conservation measures that shall be taken should a drought threaten that water supply may be insufficient to meet traditional demand; and

WHEREAS, comprehensive water conservation measures taken to avoid a drought-induced supply shortfall will allow the WCSD to delay or avoid imposing water rationing or more drastic measures to restrict or allocate water consumption; and

WHEREAS, on May 21, 2014, the WCSD held a public hearing and made appropriate findings of necessity for the adoption of a Water Conservation Program and Water Supply Emergency Ordinance ; and

WHEREAS, upon the adoption of a resolution finding and declaring the existence of a drought emergency or water shortage emergency pursuant to California Water Code sections 350 et seq. and sections 71640 et seq., the WCSD shall be authorized to implement the provisions of the Water Conservation Program and Water Supply Emergency Ordinance hereby established by this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the WCSD, as follows:

1. This Ordinance is effective immediately upon adoption or as otherwise established by State law; and
2. Pursuant to Water Code section 376 and Government Code section 6061, the WCSD shall publish in a newspaper of general circulation this ordinance adopting a water conservation program within 10 days after its adoption; and
3. This Ordinance establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies; and
4. When the WCSD Board of Directors ("Board") finds that in the preceding week water supply, measured as total source capacity and excluding water in storage in the two open reservoirs, was no more than 110% of total consumption in that same preceding week (including any leakage from WCSD's distribution system), the Board may find that a water shortage emergency exists. A water shortage emergency, once declared pursuant to this subparagraph, shall remain in effect until the Board finds that the conditions specified in this paragraph no longer exist.
5. Excepting in the event of a breakage or failure of an impoundment, pipe line or conduit causing an immediate emergency, any Board declaration of a water shortage emergency shall be made after a public hearing on the declaration of emergency, with notice of the time and place of the hearing published pursuant to Section 6061 of the Government Code at least seven days prior to the date of the hearing in a newspaper printed, published and circulated within Humboldt County, California. Notice of the time and place of the hearing shall also be posted at the bulletin board at the Westhaven Fire Hall. At any hearing conducted pursuant to this paragraph, consumers of WCSD-supplied water shall have an opportunity to be heard to protest against the declaration and to present their respective needs to the Board.

6. For the duration of a declared water shortage emergency, the following mandatory conservation measures shall apply to all WCSD customers:
 - a. Landscape irrigation is prohibited unless the General Manager finds that landscape irrigation is necessary for erosion control; or if a state or local Fire Marshal specifies landscape irrigation that is necessary for fire protection.
 - b. Washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when necessary to alleviate safety or sanitary hazards, and then only by use of hand-held bucket or similar container.
 - c. Using water to wash or clean a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat, motor home, or trailer, whether motorized or not, is prohibited, except by use of a hand-held bucket or similar container.
 - d. All water leakage in customers' water distribution systems shall be repaired within seven(7) days of the declaration of a water shortage emergency. For purposes of this subparagraph, "water leakage" means leakage from any hoses, fittings, valves, faucets, toilets or above- or below-ground pipes. For purposes of this ordinance, "customer" includes the owner of record and the occupant (if distinct from the owner) of the assessor's parcel to which WCSD supplies water.
 - e. Pursuant to Water Code § 71601(b), the WCSD may conduct an audit of a customer's water use with the aim to determine whether landscape has been irrigated in violation of this Ordinance or whether the customer has unrepaired leakage in violation of this Ordinance. Audits conducted pursuant to this subparagraph shall be performed in a manner as determined to be appropriate by the General Manager.
 - f. In the event the General Manager determines that there is unrepaired leakage in the customer's water distribution system, the General Manager shall notify the customer of the existence and (if feasible) the location and flow rate of any leakage.
 - g. If, pursuant to subparagraph 6(f) above, a customer has been notified of unrepaired leakage, then the customer shall repair the leakage within three (3) days unless other arrangements have been made with the General Manager.
 - h. Upon declaration of a water shortage emergency, the WCSD's leak forgiveness policy is suspended for the duration of the declared water shortage emergency.
7. If the General Manager determines that a customer has violated any of the mandatory water conservation measures in paragraph 6, above, then WCSD shall impose the penalties provided by this paragraph.
 - a. The General Manager shall provide written notice to the customer. The notice shall be dated and shall specify the address, the nature of the violation, list the steps that must be taken to comply with this Ordinance and the name and telephone number of a District staff person from whom additional information can be obtained. In addition, the notice shall advise the customer that suspension of water service to the customer's property will result from continued non-compliance. These provisions are for a first violation within any consecutive twelve month period.

- b. If, within seven (7) days, the customer fails to comply with the requirements of the notice the General Manager provided pursuant to subparagraph 7(a) above, then a second violation shall occur and the General Manager shall issue a second notice to the customer containing the information specified in subparagraph 7(a) above. A customer who has committed a second violation shall be fined in an amount not to exceed Fifty Dollars (\$50.00), which shall be charged to and billed on the customer's account.

If in the discretion of the General Manager, satisfactory progress is being made on steps to correct the violation, a second notice will not be issued and no further action shall be taken.

- c. If, within a seven (7) days, the customer fails to comply with the requirements specified in the notice the General Manager provided to the customer pursuant to subparagraph 7(b) above, a third violation shall occur and the General Manager shall issue a third notice to the customer containing the information specified in subparagraph 7(b) above. A customer who has committed a third violation shall be fined in an amount not to exceed Two Hundred Dollars (\$200.00), which shall be charged to and billed on the water user's account.

The third notice shall also notify the customer that WCSD will suspend water service to the customer's property within ten (10) calendar days unless the customer is in compliance with the provisions of this Ordinance. Suspension of water service shall conform to the notice requirements and procedures for termination of water service that are established in WCSD Resolution 2013-6. Suspension of water service pursuant to this subparagraph shall remain in effect until the customer is in compliance with the provisions of this Ordinance or until the water supply emergency is no longer in effect, whichever occurs first.

- d. The General Manager shall have the authority to extend any deadlines by a period not to exceed 30 days.

Passed and adopted this Twenty-First day of May 2014, by the following roll call vote:

AYES: Hankin, Moon, Phipps, Smith, Verick
NOES:
ABSTAIN:
ABSENT:

Gregory Smith, President
Westhaven Community Services District

ATTEST:

Richard Swisher, General Manager
and
Acting Secretary,
Westhaven Community Services District

This is out-of-date already!

Alleghany County Water District (ACWD) Policies & Procedures

Definitions:

WTO = Water Treatment Operator

WDA = Water Distribution Assistant

BACKGROUND

Whereas the following add was posted on the bulletin board of the Alleghany Post Office on the dates indicated:

Help Wanted: Water distribution assistant, on call position. For details talk to Bruce Coons. Pay to be determined. Posted 9/11/14
Closing date 10/14/14

At the next regular meeting of the board of directors it was noted that two parties showed an interest. At that time the board designated a Water distribution assistant (WDA1) in training and the other applicant was designated to assist with any other needed outside labor (WDA2). The approved rate of pay is \$12.00 per hour with the WDA1 authorized to be paid for up to 10 hours of training per month until such time as he is deemed competent by the WTO to do the routine maintenance at the treatment plant.

Policy #2 Outside Labor

Job openings shall be posted for a minimum of 30 days on the bulletin board at the post office and wherever else the Board deems appropriate.

Procedure 2.1 Water Treatment Operator (WTO) authorization to hire help

The WTO is authorized by this policy to hire help as needed for routine items and emergency situations at the rate approved by the board. Routine jobs are approved as part of the annual budget process. Any extra work or non-routine jobs need to be cleared with the President to verify available funds and are to be presented to the Board at the next regular meeting for approval. - Should provide explicit list of "routine" jobs
Need to look at insurance requirements - contract required for "self-employed".
At such times as the WTO needs assistance he is to first offer the work to the WDA1, if WDA1 is not available then the WTO should ask WDA2. If neither one is available he may ask the public at large.

See attached rate sheet.

These have changed.

ACWD Water Distribution System

Maintenance, Repair and Labor Rates

Water Treatment Operator Fees

(for work outside of treatment plant maintenance)

- Meter Inspection and Trouble Shooting No Charge
- Meter Replacement \$20.00
- Meter Minor Leaks & Gasket Repair \$10.00
- Meter Repair – in ground \$50.00
- Meter Box replacement \$50.00
- Water Reconnection \$30.00
- Excavation & Repair to Water Meter supply (distribution main to supply valve saddle). First 4 hours of labor \$50.00 additional labor \$12.00 per hour.

Labor rates

Outside labor shall be paid at a rate of \$12.00 per hour as independent contractors.

(digging, snow removal, treatment plant routine maintenance)

Weed eating with own weed eater \$15.00 per hour

Meter Reading Flat Rate \$50.00

CURRENT contract -

Might be best to not have rates in policy - just contract.

D. Confidentiality

All documents, together with any knowledge otherwise acquired by Contractor relating to the District's business shall be treated by Contractor as confidential information. Contractor shall not disclose or use, directly or indirectly, at any time, any such confidential information, other than in the performance of this Contract. District shall have access to all written documents related to work done under this Contract.

E. Conflict of Interest

Contractor covenants that he presently has no interest and shall not acquire any interest that would directly or indirectly conflict in any manner or to any degree with the full and complete performance of the professional services required to be rendered under this Contract. Contractor further agrees to submit full disclosure statements, if such be legally required, pursuant to the requirements of the California Fair Political Practices Act or any other federal, state or local provision of law, regulations, or conflict of interest code.

II **COMPENSATION TERMS**

A. Compensation

District agrees to compensate Contractor at the rate of \$250 per month plus mileage at the standard rate set by the IRS. Additionally Contractor shall not pay for the water service to his residence and the following rates will be paid for work outside of water treatment plant operations.

Water Treatment Operator Fees

(for work outside of treatment plant maintenance)

- Meter Inspection and Trouble Shooting No Charge
- Meter Replacement \$25.00
- Meter Minor Leaks & Gasket Repair \$15.00
- Meter Repair – in ground \$75.00
- Meter Box replacement \$50.00
- Water Reconnection \$30.00
- Water Meter Supply Valve (Repair or Replace)
 - Supply side \$75.00
 - Customer side \$25.00
- Excavation & Repair to Water Meter supply (distribution main to supply valve saddle).
First 4 hours of labor \$100.00 additional labor \$15.00 per hour.

B. Monthly Invoice