



Agenda Item: 6

Date: December 10, 2009

Subject: Resolution No. 09-21 Amending Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 of the Regulations Governing Water Service

Staff Contact: Ed Formosa, Assistant General Manager

Recommended Board Action:

Adopt Resolution No. 09-21 Amending Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 of the Regulations Governing Water Service.

Discussion:

The Regulations Governing Water Service is a District Ordinance that provides the direction for governance of the business related functions necessary to operate the various processes performed to serve water to our customers. Each year, staff reviews the ordinance and recommends changes for Board review and approval. These changes typically reflect updated information, clarity edits, updates to fees and rates, and incorporation of policy changes enacted by the Board. The proposed changes to the regulations have been review by Legal Counsel.

Staff is presenting Regulations 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 for public comment and Board approval. The Ordinance was adopted on April 18, 2004. A redline version of the specific Regulations under review are included with this report. To save paper, a clean version is available upon request.

“Edits for clarification” refers predominately to taking definitions in Regulation 1 and using these terms consistently throughout the other regulations. The following provides a summary of the major edits to these regulations; minor edits are not included in this review, but are identified in the “mark-up” version include with this report:

Regulation 1 is amended to update several fees and edited for clarity and to provide the follows:

- Add the term “Agent” and “Tenant” including definition.
- Revise the definition of the term “Facilities Reimbursement Fund”, “Meter Setters” and “Private Fire Service”.

Regulation 2 has edits for clarification.

Regulation 3 is amended to update several fees and edited for clarity to provide the following:

- Section A, Subsection 1, 2, 3 - Removes the fee table from the prior two years and only reflects the current rates.
- Section A, Subsection 1 shows a discrepancy in the rate for a 2-inch connection. This discrepancy was present in the 2004 Water Rate Study. The District does not have any flat rate connections that are 2-inch.
- Section B, Subsection 2 - Amended to site correct references in Regulation 5 and 6.
- Section E - Removes the fee table from the prior two years and only reflects the current rates.
- Section F - Amended to identify fee to cover all District costs.
- Section I - "Reinstallation of Water Meter"; removed to reflect current District procedures.
- Section I - "Meter Testing Fee"; added to identify fee to cover all District costs.
- Section N - Removes the fee table from the prior two years and only reflects the current rates.
- Section R - Amended to identify fee to cover all District costs.
- Section Y - Added to identify fee to cover all District costs.

Regulation 4 has edits for clarification.

Regulation 5 has edits for clarification.

Regulation 6 is amended to update several fees and edited for clarity to provide the following:

- Section B, Subsection 1, 2, 3 - Amended to site correct references in Regulation 5 and minor clarifications.
- Section C - Addition to site reference in Regulation 3.
- Section D - Additional language added to clarify District procedure when landowner requests water terminated to an occupied property.

Regulation 7 is amended to update several fees and edited for clarification.

Regulation 8 has minor edits for clarification.

Regulation 9 has edits for clarification.

Regulation 11 has edits for clarification.

Regulation 14 has edits for clarification.

Regulation 15 is amended to provide the following:

- Subsection A “Stage 1 – Normal Conditions” - Amended to allow outside water between 8:00 pm and 12:00 pm. The amendment removes the watering times which restricted watering “during peak demand hours (6:00 am to 9:00 am)”.
- Subsection A “Stage 3 – Water Warning” - Amends the prohibited water times.
- Subsection A “Stage 4 – Water Crisis” - Adds odd/even watering for all addresses and restrictions on outdoor landscape irrigation.
- Subsection B - amended to allow for a variance from Regulation 15 with approval from the General Manager.

Fiscal Impact:

Increase in revenue will result in the increase in Facilities Development Charges. Other changes to the regulation are intended to improve staffs ability to collect fees and delinquent bills.

Strategic Plan Alignment:

Finance – 4.A. Monitor District operations to ensure cost effective and competitive performance.

Finance – 4.B. Provide rates and connection fees that are fair, simple to understand, logical and meet revenue requirements of the District.

Approval of the amendments to the Regulations Governing Water Service will improve staffs ability to operate efficiently and allow District customers to better understand the regulations upon which staff bases decisions while implementing Board policy.

RESOLUTION NO. 09-21

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SACRAMENTO SUBURBAN WATER DISTRICT AMENDING REGULATIONS NOS. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14 AND 15 OF THE REGULATIONS GOVERNING WATER SERVICE

WHEREAS, on July 19, 2004, the Board enacted Ordinance 2004-03, entitled "An Ordinance of the Board of Directors of Sacramento Suburban Water District Adopting Regulations Governing Water Service";

WHEREAS, the Board now desires to amend Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 of the Regulations Governing Water Service as described in this Resolution; and

WHEREAS, none of the described amendments to Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 are subject to Proposition 218's notice and hearing requirements as provided in Article XIII D, section 6 of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Sacramento Suburban Water District as follows:

1. Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 are hereby amended as shown in Exhibit A, which is attached to and made a part of this Resolution.
2. The Board authorizes and directs the General Manager and staff to take all actions necessary to amend Regulations Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 14, and 15 and to enforce such amended regulations in accordance with the authority granted by this Resolution.
3. Except as modified by the terms of this Resolution, the existing District Regulations Governing Water Service shall remain in full force and effect. Any provisions in the existing regulations that conflict with the amendments set forth in this Resolution are deemed superseded and of no further effect.
4. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Board of Directors of the Sacramento Suburban Water District on the 21st day of December 2009, by the following vote:

AYES:
NOES:
ABSENT:

By: _____
Neil W Schild
President, Board of Directors
Sacramento Suburban Water District

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the Board of Directors of Sacramento Suburban Water District at a regular meeting hereof held on the 21st day of December 2009.

(SEAL)

By: _____
Robert S. Roscoe, P.E.
General Manager/Secretary
Sacramento Suburban Water District

Regulation No. 1

Definitions

Adopted: July 19, 2004

Amended: November 17, 2008; December XX, 2009

1. Adequate and Reserve Capacity

The amount of capacity in District water mains sufficient to supply potable and all other types of water service to an Applicant's Parcel in accordance with the velocity and pipe size specifications set forth in Regulation 9, Sections N and O.

2. Administration Cost

A charge that is assessed to accounts to pay certain costs of providing special District services, for example large landscape irrigation agreements, wholesale water contracts, and duplicate billing to tenants.

3. Agent

A person or company designated by the Landowner to manage a property or to act on behalf of a Customer.

34. Applicant

A person or entity that files an application for services with the District.

45. Application for Water Service

A formal, written application requesting water service from Sacramento Suburban Water District to a specific Premises, in a form provided by the District, together with such plans, specifications, and payment of all fees that as the District's then-applicable Regulations shall, from time to time, require.

56. Auxiliary Water Supply

Any water supply on or available to a Premises other than water supplied by the District.

67. AWWA

American Water Works Association, a national association of water purveyors.

| 78. Backflow

The reverse flow of water or any other fluid or substance or any combination or mixture thereof from a Customer's System into the District's water system caused by Cross-Connection with Auxiliary Water Supplies or with sources of possible contaminated water.

| 89. Backflow Prevention Device

Equipment used to protect the District's water system against actual or potential Backflow. All Backflow Prevention Devices installed within the District shall comply with state and local laws and regulations, including District regulations.

| 910. Backflow Specialist

A person ~~authorized~~ certified by the ~~District~~ State of California to inspect Premises for potential Cross-Connection.

| 1011. Certified Tester

A person who is certified as a Backflow Prevention Assembly General Tester by Sacramento County or other agency having jurisdictional authority.

| 1112. Change of Ownership

The transfer of legal title to a Parcel of real property to which the District provides water service from the legal owner to another party, notification of which must be made to the District by the transferor or the transferee ~~to the District~~.

| 1213. Check Valve Assembly

A mechanical device installed on either a main line or service line to restrict the flow of water in one direction only.

| 1314. Claim of Lien

Written notice of a delinquent, unpaid sum of money owing to the District by any Water User recorded by the District in the official records of Sacramento County, and which becomes a debt secured by the Parcel that incurred the delinquent charge for services provided by the District.

| 1415. Contract

A written agreement between the District and a second party that defines and creates one or more obligations to take or to refrain from taking a certain action or actions.

- | ~~15~~16. Control Valve
A device used to control the flow of water.
- | ~~16~~17. Collectors Authorized by District
A designated District employee or agency authorized by the District General Manager to collect monies for services provided by the District.
- | ~~17~~18. Cross-Connection
Any connection or link between District's water distribution system and an Auxiliary Water Supply, piping system, plumbing fixture, appliance, container, receptacle, vessel or other device of any nature that may permit contaminated or used water or other fluid which is of questionable or unsafe quality, or any other substance of any nature other than the potable water supplied by District, to enter any part of the District's water distribution system.
- | ~~18~~19. Cross-Connection Control Representative
A Certified Tester or Backflow Specialist authorized by the District to administer the Cross-Connection Control and Backflow Program.
- | ~~19~~20. Curb Stop
A District Control Valve used to control water to a Service Connection.
- | ~~20~~21. Customer
Any Water User who pays a water bill to the District.
- | ~~21~~22. Customer's System
Non-Responsible Facilities located and attached to the outlet side of the Point of Responsibility.
- | ~~22~~23. District
The Sacramento Suburban Water District.
- | ~~23~~24. District Board of Directors
The governing body of the District composed of five Directors elected by divisions of voters residing within the District's boundaries.

| 2425. District Water System

| The water transmission and distribution system owned and operated by the District, including all piping, fittings, valves and other equipment used to supply water to Customers up to and including the Point of Responsibility.

| 2526. Existing Non-Metered Water Service

| Services installed on single-family residences prior to April 2, 1991 that do not include a Meter and which are billed on a flat rate. Also known as “flat rate service.”

| 2627. Extension Facilities

| Mainline extension or plumbing equipment of whatever type installed for the purpose of improving existing District water service and/or extending it to unserved or annexed areas.

| 2728. Facilities Development Charge

| A charge imposed by the District to cover a portion of the District’s costs incurred for installing wells, pumps, and treatment, storage and transmission facilities to serve increased demand for water service within the District.

| 2829. Facilities Development Fund

| ~~Ninety~~ Eighty percent of the fees received from Facilities Development Charges are placed in this fund to offset District costs for infrastructure necessary to meet requirements of the District Master Plan or to serve new development.

| 2930. Facilities Reimbursement Fund

| ~~Ten~~ Twenty percent of the fees received from Facilities Development Charges are placed in the fund to reimburse Applicants that ~~oversize~~ upsized Extension Facilities as required by the District to meet planning requirements; ~~for or to serve future development and redevelopment as related to Master Plan requirements.~~

| 3031. Final Approval

| The District’s written certification that installed water facilities are in compliance with all regulations, plans and specifications, that all plans and supporting documents have been delivered to the District as its property, that all documents have been approved by the District, and that all required fees have been paid, as evidenced by a District form dated and signed by the District General Manager or his/her designated representative.

| 3432. Furnish Only Materials

Meters and related materials supplied by the District and required to be installed by an Applicant at its cost, which are supplied to an Applicant upon payment of furnish-only fees established by the District.

| 3233. Inactive Account

An account applicable to a Parcel with an existing service connection to which the District is not currently supplying water service and for which water service bill is not being rendered.

| 3334. Intertie

A connection from the District's water system to another water purveyor's system to supply water for emergency, standby or permanent supply purposes.

| 3435. ISO (Insurance Services Office) Fire Suppression Standards

Fire demand pipe size requirements specified by the fire suppression rating schedule published by the ISO, Edition 6.80, or most current edition.

| 3536. LAFCo (Local Agency Formation Commission)

A state-mandated, quasi-judicial, countywide commission responsible for approving boundary changes for, and the consolidation or reorganization of, local public agencies, including the District.

| 3637. Landowner

A person who possesses a fee interest in a Parcel located within the District's boundaries.

| 3738. Meter

A device capable of measuring a quantity of water delivered by the District to a Service Connection.

| 3839. Metered Rates

Water service fees and charges that are calculated from monthly consumption measured by a Meter attached to a Service Connection serving any Water User within the District.

| 3940. Meter Setters

A prefabricated copper device constructed to house a water Meter with central valves at on the inlet and outlet side of the device and a check valve on the outlet side.

| 4041. New Service

A metered water service provided to a Parcel not previously served by the District or a reactivation of an installed service that desires to reconnect to the District Water System.

| 4142. Non-Responsible Facilities

Water service facilities that the District does not own and for which it is not responsible to install, operate, use, repair, maintain or replace ~~and that the District does not own~~. Non-Responsible Facilities include all privately owned and maintained Service Connections located on any Parcel beyond the Point of Responsibility.

| 4243. Parcel

Any piece of real property within the District defined on a parcel or subdivision map or designated by any other legal means, and to which the Sacramento County Assessor has or will assign an assessor's parcel number.

| 4344. Plan approval

The District's services related to approval of an Applicant's final plans for an improved Parcel, as evidenced by the date and signature of an authorized District representative on the final plans.

| 4445. Planters

All non-lawn and non-turf portions of landscape areas located on a Parcel, excluding hard surfaces.

| 4546. Point of Responsibility

- a. Metered Service: The connection point of the Customer's System at the outlet side of the Meter Setter where a Landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.
- b. Non-Metered Service: The connection point of the Customer's System at the outlet side of either a Curb Stop or an unmetered Meter Setter where a Landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.
- c. Private Fire Service: The connection point at the District's main shut-off valve connecting the District's water main and the inlet side of the Private Fire Service facilities where a Landowner's responsibility for all conditions, maintenance,

repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

| 4647. Point of Service

- a. Private Fire Hydrants: The District's Point of Service begins at the District's main shut-off valve located at the District's supply water main.
- b. Private System: The District's Point of Service begins at the District's main shut-off valve located at the District's supply water main.

| 4748. Premises

A Parcel together with all buildings and appurtenances located thereon.

| 4849. Principal Boundary

All boundaries of an Applicant's Parcel that abut one or more public rights-of-way.

| 4950. Private Fire System

Non-Responsible Facilities utilized by a Landowner solely for fire suppression private use on a Parcel. Private use can be, but is not limited to, fire suppression in the form of fire sprinklers or fire hydrants. Private systems shall be separated from a public system by an approved backflow device.

| 5051. Residential Flat Rates

Non-Metered water service fees and charges that are calculated according to estimated water consumption, size of service line and the size of the Parcel per the Sacramento County Tax Assessor's parcel maps.

| 5152. Service Connection

The water piping system connecting a Customer's System with a District water main beginning at the outlet side of the Point of Responsibility, including all plumbing and equipment located on a Parcel required for the District's provision of water service to that Parcel.

| 5253. Service Valve

The equipment located at the inlet side of the Point of Responsibility by which the District controls service to a Parcel.

| 5354. Residential Parcels

- a. Single Family Residence: An improved Parcel used as a place of residence by one family unit or group.
- b. Duplex: An improved Parcel containing two residences each containing a family unit or group.
- c. 4-Plex: An improved Parcel containing four residences each containing a family unit or group.

| 5455. Standard Specifications and Plans

The District's specific requirements for water service plumbing, facilities, and equipment, and the document entitled District's Improvement Standards and Specifications, detailed drawings approved by the Board of Directors and all subsequent amendments or replacements to any such requirements or documents.

| 5556. Standby Charges

A charge for service to a Parcel for emergency water that may be utilized on an as-needed basis by a Landowner.

| 5657. Surcharges

A limited-term, specific purpose charge assessed to all or to a class of Customers to repay certain costs incurred by the District, such as bond indebtedness issued to finance District capital projects.

| 58. Tenant

A person or entity leasing or renting a Parcel or Premises property from a Landowner.

| 5759. Unimproved Property

A Parcel that has not been improved.

| 5860. Up-Sized Lines

Mainline facilities having capacity in excess of that necessary to supply existing water demand to a specific area, Parcel or Parcels with an Adequate and Reserve Capacity of water, but which are deemed necessary by the District to provide an adequate future water supply to the area, Parcel or Parcels. The District will bear the cost of Up-Sized Lines.

| 5961. Water User

Any person or entity, whether or not a Landowner or Customer, to which the District supplies water.

