



WEST VALLEY WATER DISTRICT
855 W. BASE LINE ROAD, RIALTO, CA 92376
PH: (909) 875-1804 FAX: (909) 875-1849

REGULAR BOARD MEETING
AGENDA

THURSDAY, SEPTEMBER 19, 2024
CLOSED SESSION - 6:00 P.M. • OPEN SESSION – 6:30 P.M.

BOARD OF DIRECTORS

Gregory Young, President
Daniel Jenkins, Vice President
Angela Garcia, Director
Kelvin Moore, Director

"In order to comply with legal requirements for posting of agendas, only those items filed with the Board Secretary's office by noon, on Wednesday a week prior to the following Thursday meeting, not requiring departmental investigation, will be considered by the Board of Directors."

Members of the public may attend the meeting in person at 855 W. Base Line Road, Rialto, CA 92376, or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may be submitted via Zoom, by telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790, or via email to administration@wvwd.org.

If you require additional assistance, please contact administration@wvwd.org.

OPENING CEREMONIES

Call to Order
Roll Call of Board Members
Approval of Any Board Member Requests for Remote Participation
Pledge of Allegiance
Opening Prayer

CLOSED SESSION

Public Participation on closed session matters

CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6 Agency designated representatives: John Thiel, General Manager, Haydee Sainz, Human Resources Manager, Oliver Yee, Special Counsel
Employee Groups: International Union of Operating Engineers, Local 12

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957
Title: General Manager

CONFERENCE WITH LABOR NEGOTIATORS

Government Code 54957.6
Agency designated representative: President Greg Young
Unrepresented employee: General Manager

Report out of Closed Session

ADOPT AGENDA

PUBLIC PARTICIPATION

Any person wishing to speak to the Board of Directors on matters listed or not listed on the agenda, within its jurisdiction, is asked to complete a Speaker Card and submit it to the Board Secretary, if you are attending in person. For anyone joining on Zoom, please wait for the Board President's instruction to indicate that you would like to speak. Each speaker is limited to three (3) minutes. Under the State of California Brown Act, the Board of Directors is prohibited from discussing or taking action on any item not listed on the posted agenda. Comments related to noticed Public Hearing(s) and Business Matters will be heard during the occurrence of the item.

Public communication is the time for anyone to address the Board on any agenda item or anything under the jurisdiction of the District. Also, please remember that no disruptions from the crowd will be tolerated. If someone disrupts the meeting, they will be removed.

PRESENTATIONS

Strategic Plan - Work Plans

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless a member of the Board of Directors, Staff Member, or any member of the public request a specific item(s) be removed for separate action.

Consideration of:

1. Update to Records Retention Schedule.

BUSINESS MATTERS

Consideration of:

2. Adopt Resolution Adopting Updated Capacity Charges and Service Installation Charges and Adopt Ordinance Updating Water Service Rules and Regulations.
3. Interview and Appointment to Fill Division 4 Board Vacancy.

REPORTS - LIMITED TO 5 MINUTES MAXIMUM (Presentations or handouts must be provided to Board Members in advance of the Board Meeting).

1. **Board Committee Reports**
2. **Board Members**
3. **General Manager**
4. **Legal Counsel**
 - Updates on current legal topics/best practice
5. **Board Secretary**

UPCOMING MEETINGS

- September 23, 2024 - External Affairs Committee Meeting at 6:00 p.m.
- September 25, 2024 - Finance Committee Meeting at 6:00 p.m.
- September 25, 2024 - Engineering, Operations & Planning Committee Meeting at 6:00 p.m.
- October 3, 2024 - Regular Board Meeting at 6:00 p.m

UPCOMING COMMUNITY EVENTS

- September 21 - Pet-A-Palooza & 21st Annual Pollution and Prevention Fair
- September 21 - La Gran Fiesta
- September 24 - Viva La Fiesta - Rialto
- September 28 - SCBC Boat Build
- September 28 - Viva La Fiesta
- October 5 - PAWS in the Park - Colton

- October 9 - City of Rialto Farmers Market
- October 26 - WVWD - Succulent Workshop
- October 26 - Trunk or Treat - Bloomington

UPCOMING EDUCATIONAL & TRAINING OPPORTUNITIES

- December 3 - 5 - ACWA Fall Conference and Expo

ADJOURN

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Agenda at the District Offices on September 12, 2024.

Elvia Dominguez

Elvia Dominguez, Board Secretary

Please Note:

Material related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection in the District's office located at 855 W. Baseline, Rialto, during normal business hours. Also, such documents are available on the District's website at www.wvwd.org subject to staff's ability to post the documents before the meeting.

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, in order to attend or participate in the above-agendized public meeting should be directed to the Board Secretary, Elvia Dominguez, at least 72 hours in advance of the meeting to ensure availability of the requested service or accommodation. Ms. Dominguez may be contacted by telephone at (909) 875-1804 ext. 703, or in writing at the West Valley Water District, P.O. Box 920, Rialto, CA 92377-0920.



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: September 19, 2024
TO: Board of Directors
FROM: John Thiel, General Manager
SUBJECT: UPDATE TO RECORDS RETENTION SCHEDULE

BACKGROUND:

In order to update the records retention schedule to include changes in legislation, the District, through an outside consultant and consultation with BBK, conducted a review of the current records retention schedule. In addition, an initial records inventory from February through August of 2024 was conducted. The inventory consisted of a physical inventory of records stored in active office work areas and various storage areas within the District facilities. The purpose of the inventory was to describe, identify, locate, and quantify District records. To supplement the data gathered during the physical inventory, the consultant conducted interviews with staff members from each Department/Division who were most familiar with records creation and maintenance.

DISCUSSION:

Based on the physical inventory of records and the data gathered during the interviews, the updated Records Retention Schedule was developed. Files were identified by their record titles and classified into record series based on having similar business functions (purposes) and retention requirements.

Extensive legal research was performed to ensure that all legal requirements were met in assigning the records retention periods to each record series. Other attributes were also assigned to each record series to ensure that vital, historical, and confidential records are properly protected and processed for retention.

The updated records retention schedule will replace previous versions.

FISCAL IMPACT:

There is no fiscal impact to this item.

STAFF RECOMMENDATION:

Staff recommends the Board approve the updated records retention schedule.

ATTACHMENT(S):

1. Records Retention Schedule

HOW TO USE RETENTION SCHEDULES

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A legend explaining the information presented in the retention schedule; please read this for an explanation of every column.

The specified retention period applies regardless of the media of the record: If a record is stored on paper and electronic format (a computer file on a hard drive), **all electronic and paper records should be destroyed (or deleted / erased) after the specified period of time has elapsed** and authorization to destroy has been obtained.

Copies or duplicates of records should never be retained longer than the prescribed period for the official (original) record, and drafts and copies should be destroyed as soon as they are no longer required.

The term "records" shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers as defined by the California Public Records Act.

STRUCTURE: DISTRICT-WIDE, DEPARTMENTS & DIVISIONS

The District-wide retention schedule includes those records all departments have in common (letters, memorandums, purchase orders, etc.). These records are NOT repeated in the Department retention schedule, unless that department is the Office of Record, and therefore responsible for maintaining the official (original) record for the prescribed length of time.

Each department has a separate retention schedule that describes the records that are unique to their department, or for which they are the Office of Record. Where appropriate, the department retention schedules are organized by Division within that Department. If a record is not listed in your department retention schedule, refer to the District-wide retention schedule. An index will be provided for your reference.

BENEFITS

This retention schedule has been developed by Diane R. Gladwell, MMC, an expert in Municipal Government records, and will provide the District with the following benefits:

- Reduce administrative expenses, expedite procedures
- Free filing cabinet and office space
- Reduce the cost of records storage
- Eliminate duplication of effort within the District
- Find records faster
- Easier purging of file folders
- Determine what media should be used to store records

AUTHORIZATION TO DESTROY RECORDS:

Destruction of an official (original) record that has exceeded its retention period must be authorized according to District Policies & Procedures prior to destroying it.

- If there is a **minimum** retention ("**Minimum 2 years**"), destruction of the document must be authorized before it is destroyed, as it is an official (original) record.

Copies, drafts, notes and non-records do NOT require authorization, and can be destroyed "When No Longer Required."

- If there is **NOT** a minimum retention ("When No Longer Required"), it does NOT need to be authorized prior to destruction, as it is a preliminary draft / transitory record or a copy.

On every page of the schedules (near the top, just under the column headings) are important instructions, including instructions regarding holds on destroying records. "**Litigation, complaints, claims, public records act requests, audits and/or investigations suspend normal retention periods (retention resumes after settlement or resolution).**"

RECORDS RETENTION SCHEDULE LEGEND

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OFR (Office of Record): The department that keeps the Official (original or “record copy”) record for its retention period, then authorizes destruction. Usually it is the department that originates the record.

Records Description: The record series (a group of like records).

Non-Record: Documents, studies, books and pamphlets produced by outside agencies, preliminary drafts not retained in the ordinary course of business.

Retention/Disposition:
Active: How long the file remains in the immediate office area (*guideline*)
Inactive: How long the file is in off-site storage, stored on Optical Disk or Microforms (*guideline*)
Total Retention: The total number of years the record is retained

For file folders containing documents with different retention timeframes, use the document with the longest retention time.

P = Permanent

Indefinite = No fixed or specified retention period; used for databases, because the data fields are interrelated.

Vital? = Those records that are needed for basic operations in the event of a disaster.

Media Options (*guideline*) terms used in State law:
Mag = Electronic Computer Magnetic Media (Hard drives, Networks, USB Drives, Cloud, etc.)
Mfr = Microforms (aperture cards, microfilm, microfiche, or jackets)
Ppr = Paper
OD = Optical Disk, Immutable Cloud Media, CD-r, DVD-r, WORM (Write Once, Read Many) media), or other **Unalterable Media which does not allow changes**

Scan / Import (*guideline*):
“S” indicates the record should be scanned into the document imaging system;
“I” indicates the record should be electronically imported into the document imaging system;
“M” indicates the record was microfilmed

Destroy Paper after Imaged & QC’d (quality checked) / Trustworthy Electronic Record: “Yes” means the **electronic** record may serve as the **OFFICIAL** record (and the paper version may be destroyed, or the record may be electronically generated and never exist in paper format;) **IF (legal requirements)** the electronic record is also **placed on Unalterable Media, Immutable Cloud Media, Optical Disk (OD), DVD-R, CD-R, Blue-ray-R, or WORM, or microfilmed** which is **stored in a safe & separate location**. Employees are required to Quality Check (“QC’d”) both the images and the indexes, and ensure the electronic record **contains all significant details from the original and be an adequate substitute for the original document for all purposes**, and other legal mandates apply. Includes all electronic records which are to serve as the Official Record.

Legend for legal citations (§: Section)
CC: Civil Code (CA)
CFC: California Fire Code
EVC: Evidence Code (CA)
FTB: Franchise Tax Board (CA)
HUD: Housing & Urban Develop. (US)
PC: Penal Code (CA)
UFC: Uniform Fire Code
W&I: Welfare & Institutions Code (CA)

B&P: Business & Professions Code (CA)
CCP: Code of Civil Procedure (CA)
CFR: Code of Federal Regulations (US)
FA: Food & Agriculture Code
GC: Government Code (CA)
LC: Labor Code (CA)
PRC Public Resources Code
USC: United States Code (US)

CBC: California Building Code
CCR: California Code of Regulations (CA)
EC: Elections Code (CA)
FC: Family Code (CA)
H&S: Health & Safety Code (CA)
Ops. Cal. Atty. Gen.: Attorney General Opinions (CA)
R&T: Revenue & Taxation Code (CA)
VC: Vehicle Code (CA)

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
DISTRICT-WIDE (Used by All Departments)								
Lead Dept. (managing the contract)	DW-001	Agreements & Contracts - ADMINISTRATIVE RECORDS (Correspondence with contractor where the Content relates in a substantive way to the performance of the contract, etc.)	Completion + 10 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Also see Grants. Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, CCP §§336(a), 337 et. seq., GC §60201
Finance / Purchasing	DW-002	Agreements & Contracts (originals) ALL - 2023 & AFTER Send all final Agreements, Contracts, and Amendments, Change Orders, Task Orders, and insurance certificates to Purchasing	Copies - When No Longer Required		Mag, Mfr, OD, Ppr	S	Yes: Upon Completion	All agreements that are approved by the Board of Directors are sent to the District Secretary; GC §60200
Lead Dept. (managing the contract)	DW-003	Agreements & Contracts (originals) - BEFORE 2023 - CIP / Capital Improvement Projects, Infrastructure, Development, Land / Real Property Purchase or Sell, Water Infrastructure, Water Supply and Conveyance Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders) Examples of Infrastructure: Architects, buildings, bridges, development, property restrictions, reservoirs & reservoir maintenance, utilities, water infrastructure (water lines, water mains, pump stations, treatment facilities, etc.)	P	Yes: Before Completion	Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference for emergency response; Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Statute of Limitations: CCP §§336(a), 337 et. seq., GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<p><i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p> <p><i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i></p>								
Lead Dept. (managing the contract)	DW-004	<p>Agreements & Contracts (originals) - BEFORE 2023 - Consulting, Professional Services, Water Purchasing, NON-Infrastructure (where Errors & Omissions or Professional Liability Insurance required)</p> <p>Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders)</p> <p>Examples of NON-Infrastructure: Attorney Services, Consultants, Franchises, Landscape Design and Installation, Personnel, Professional Services, Water purchasing agreements etc.</p>	Completion + 10 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; Covers E&O Statute of Limitations (insurance certificates are filed with agreement); Statute of Limitations: CCP §§336(a), 337 et. seq., GC §60201
Lead Dept. (managing the contract)	DW-005	<p>Agreements & Contracts (originals) - BEFORE 2023 - CUSTODIAL, LEASES, MAINTENANCE (where Errors & Omissions or Professional Liability Insurance is NOT applicable)</p> <p>Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders)</p> <p>Examples: Copier Leases, Custodial, Equipment Purchasing and Leases, Janitorial, Maintenance, Landscape Maintenance etc.</p>	Completion + 5 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; Errors & Omissions is not applicable; CCP §§336(a), 337 et. seq., GC §60201

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Lead Dept.	DW-006	Association Records (external associations - e.g., ACWA, etc.)	When No Longer Required		Mag, Ppr			Non-records; GC §60201 et seq.
Lead Dept.	DW-007	Clippings / Newspaper Clippings	When No Longer Required		Mag, Ppr			Non-records; GC §60201 et seq.
Lead Dept.	DW-008	Committees, Task Forces, Associations, Commissions, & Boards: External Organizations (e.g. Association of California Water Agencies, etc.)	When No Longer Required		Mag, Ppr			Non-records
Lead Dept.	DW-009	Copies or duplicates of any record	Copies - When No Longer Required		Mag, Ppr			GC §60200
Lead Dept.	DW-010	Correspondence - Regulatory Agencies	Minimum 10 years	Yes: While Active Issues	Mag, OD, Ppr	S / I	Yes: After QC & OD	District preference; some correspondence with Regulatory Agencies needs to be retained for longer periods of time than other types of correspondence; GC §60201
Dept. that Authors Document or Receives the District's Original Document	DW-011	Correspondence - Routine (Content relates in a substantive way to the conduct of the public's business) (e.g. Administrative, Chronological, Communications, E-mail, General Files, Letters, Memorandums, Miscellaneous Reports, Reading Files, Working Files, etc. Does NOT include Regulatory Agency Correspondence) IF the Content relates in a SUBSTANTIVE way to the conduct of the public's business	Minimum 2 years		Mag, Ppr			ONLY IF the Content relates in a substantive way to the conduct of the public's business; City of San Jose vs. Superior Court, 5 Cal. 5th 608 (2017); GC §60201

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<p><i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i></p> <p><i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i></p> <p><i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i></p>								
Dept. that Authors Document or Receives the District's Original Document	DW-012	<p>Correspondence - TRANSITORY / PRELIMINARY DRAFTS, Interagency and Intraagency Memoranda not retained in the ordinary course of business</p> <p>Content NOT Substantive, or NOT made or retained for the purpose of preserving the informational content for future reference</p> <p>(e.g. calendars, checklists, e-mail or social media, invitations, instant messaging, logs, mailing lists, meeting room registrations, supply inventories, telephone messages, text messages, transmittal letters, thank yous, requests from other cities, undeliverable envelopes, visitors logs, voice mails, webpages, etc.)</p>	When No Longer Required		Mag, Ppr			Electronic and paper records are filed and retained based upon their CONTENT . E-mails, electronic records, or social media postings where either the Content relates in a substantive way to the conduct of the public's business, or ARE made or retained for the purpose of preserving the informational content for future reference are saved by printing them out and placing them in a file folder, or saving them electronically . If not mentioned here, consult the Attorney to determine if a record is considered transitory / preliminary draft. GC §§60201, 7927.500, 64 Ops. Cal. Atty. Gen. 317 (1981)); City of San Jose vs. Superior Court, 5 Cal. 5th 608 (2017).
Lead Dept.	DW-013	Drafts & Notes: Drafts that are revised (retain final version)	When No Longer Required		Mag, Ppr			As long as the drafts and notes are not retained in the "Regular Course of Business". GC §60201, GC §§7927.500
Lead Dept.	DW-014	Grants (SUCCESSFUL - all records, including FEMA or OES claims (Federal Emergency Management Agency or Office of Emergency Services Claims)	After Funding Agency Audit, if required - Minimum 5 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	District Preference (may include records pertaining to independent contractor's compensation, or expense reimbursement); Meets auditing standards; Uniform Admin. Requirements for Grants to Local Governments is 3 years from expenditure report or final payment of grantee or subgrantee; 2 CFR 200.333; 24 CFR 91.105(h), 92.505, 570.490, & 570.502; OMB Circular A-110 & A-133; GC §60201; GC §8546.7

RECORDS RETENTION SCHEDULE: DISTRICT-WIDE STANDARDS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Lead Dept.	DW-015	Grants: UNSUCCESSFUL (Applications, Correspondence, etc.)	2 years			Mag, Ppr		Department Preference; GC §60201
Human Resources	DW-016	Personnel Files - Department-level Copies	Send to Human Resources Upon Separation or Transfer	Before Separation		Mag, Ppr		Ensure records kept in Department files comply with District policy; Originals are maintained by Human Resources. Supervisors notes should be maintained in a separate folder and be incorporated in the employee's annual performance review; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 12960, 60201
Human Resources	DW-017	Personnel Files - Department-level Supervisor's Notes	When No Longer Required	Before Separation		Mag, Ppr		Preliminary Drafts; Supervisors notes should be maintained in a separate folder and be incorporated in the employee's annual performance review; 29 CFR 1602.31 & 1627.3(b)(ii), 8 CCR §3204(d)(1) et seq., GC §§12946, 12960, 60201
Lead Dept.	DW-018	Photographs, Videos (other than Board Meetings)	When No Longer Required			Mag, Ppr		Preliminary Drafts (retention is placed on the record the photograph is used in - Brochure, Report, etc.); destroy unnecessary photographs. GC §60201
Lead Dept.	DW-019	Reference Materials: Policies, Procedures, Manuals, etc.: Produced by OTHER Departments	When Superseded			Mag, Ppr		Copies; GC §60200
	DW-020	Reference Materials: Policies, Procedures, Manuals, etc.: Produced by OUTSIDE ORGANIZATIONS (ACWA, CSDA, etc.)	When No Longer Required			Mag, Ppr		Non-Records

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<i>Retentions apply to the department that is NOT the Office of Record (OFR), or the "Lead Department". If you are the OFR, refer to your department retention schedule.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Authoring Dept.	DW-021	Reference Materials: Policies, Procedures, Manuals, Manuals & Reports: Produced by YOUR Department	Minimum of Superseded + 2 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
	DW-022	Reference or Working Files: See Correspondence						
Lead Dept.	DW-023	Reports and Studies - ADA Studies, White Papers, Issue Papers, Position Papers, Scientific Studies (other than Annual Reports)	P		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Lead Dept.	DW-024	Reports and Studies (Historically significant)	P		Mag, Mfr, OD, Ppr	S/I	Yes: After 10 years	Administratively and Historically significant, therefore retained permanently; GC §60201
Lead Dept.	DW-025	Reports and Studies (other than Historically significant reports)	10 years		Mag, Ppr			Department preference; Information is outdated after 10 years; GC §60201
Lead Dept.	DW-026	Special Projects / Subject Files	Minimum 2 years		Mag, Ppr			Department Preference; GC §60201 et seq.
Lead Dept.	DW-027	Surveys / Questionnaires (that the District issues). If a summary of the data is compiled, the survey forms are considered a draft or transitory record, and can be destroyed as drafts (When No Longer Required)	2 years		Mag, Ppr			GC §60201

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Lead Dept.	DW-028	Training - ALL COURSE RECORDS (Attendance Rosters, Outlines and Materials; includes Ethics Training, Harassment Prevention Training, & Safety Training, Tailgates)	5 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference; Ethics Training is 5 years; Calif. Labor Division is required to keep their OSHA records 7 years; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 2 -3 years for personnel actions; 8 CCR §3203 et seq., 29 CFR 1602.31; LC §6429(c); GC §§12946, 12960, 60201, 53235.2(b), 53237.2(b)
Lead Dept.	DW-029	Visitor Logs / Registers	1 year		Mag, Ppr			Department preference; GC §60201 et. seq.

RECORDS RETENTION SCHEDULE: ADMINISTRATION / BOARD SECRETARY

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
ADMINISTRATION / BOARD SECRETARY								
Admin. / Board Secretary	SEC-001	Agendas, Agenda Packets, Agenda Staff Reports - District Board of Directors and Committees (Ad-Hoc Subcommittees and Standing Subcommittees)	P	Yes: Before Meeting Date	Mag, OD, Ppr	S / I	Yes: After QC & OD	District preference; GC §60201
Admin. / Board Secretary	SEC-002	Agreements & Contracts - JPA, MOUS, POLITICAL, WATER AGENCIES (Does not affect Finance or Purchasing) Agreement or Contract includes all contractual obligations (e.g. Successful Proposal / Scope of Work, Amendments)	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Standard municipal government practice; All infrastructure, JPAs, & Mutual Aid contracts should be permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; land records are permanent by law; CCP §§337. 337.1(a), 337.15, 343; GC §60201, Contractor has retention requirements in 48 CFR 4.703
Admin. / Board Secretary	SEC-025	Annexations or Acquisitions	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference; GC §60201
Admin. / Board Secretary	SEC-026	Association Records (external associations - e.g., ACWA, CSDA, etc.)	When No Longer Required		Mag, Ppr			Non-records; GC §60201 et seq.
Admin. / Board Secretary	SEC-004	Board of Directors Correspondence	2 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	District preference; GC §60201
Admin. / Board Secretary	SEC-005	Board of Directors Policies	P		Mag, OD, Ppr	S / I	Yes: After QC & OD	District preference; GC §60201
Admin. / Board Secretary	SEC-027	Board of Directors Vacancies (Affidavit of Posting, Applications, Correspondence, Notices, etc.)	2 years		Mag, Mfr, OD, Ppr			GC §60201
Admin. / Board Secretary	SEC-028	Chronological History of Board Members	P		Mag, Ppr			Historical Value; GC §60201

RECORDS RETENTION SCHEDULE: ADMINISTRATION / BOARD SECRETARY

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Admin. / Board Secretary	SEC-029	District Formation, Changes to Director's Boundaries (Redistricting), Shape Files	P		Mag, Mfr, OD, Ppr	S / M / I	No	Part of the Agenda Packet, which is maintained permanently; Required for formal changes to the district approved by the Board only; GC §60201
Admin. / Board Secretary	SEC-007	District Procedures	Minimum of Superseded + 2 years	Yes	Mag, OD, Ppr	S / I	Yes: After QC & OD	District Preference; GC §60201
Admin. / Board Secretary	SEC-030	District's Counsel (Attorney) Opinions	Minimum 2 years	Yes	Mag, Mfr, OD, Ppr	S		Department Preference; GC §60201
Admin. / Board Secretary	SEC-031	Economic Interest Filings (FPPC Form 602 / 635) - Lobbyist Authorization / Reporting	5 years		Mag, Ppr	S / I	Yes: After 2 years	2 CCR 18615(d)
Admin. / Board Secretary	SEC-032	Elections - GENERAL, WORKING or ADMINISTRATION Files (Correspondence, Notices, Postings, Precinct Workers, County Election Services, etc.)	2 years		Mag, Ppr			Used for a model for the next election, GC §60201
Admin. / Board Secretary	SEC-033	Elections - HISTORICAL File (Sample ballot, copies of results / resolution declaring results)	P		Mag, Mfr, OD, Ppr	S	No	Retained for Historical Value, GC §60201
Admin. / Board Secretary	SEC-034	Elections - Petitions (Initiative, Recall or Referendum)	Results or Final Examination if No Election + 8 months		Ppr			Not accessible to the public; The 8 month retention applies after election results, or final examination if no election. Applies unless a legal/FPPC proceeding. EC §§17200, 17400
Admin. / Board Secretary	SEC-008	Elections: Correspondence, Notifications & Publications, Certificate of Election, etc.	4 years		Mag, Ppr			District preference (historical purposes); GC §60201
Admin. / Board Secretary	SEC-009	Ethics Training Certificates for Board of Directors	5 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	GC §53235.2(b)

RECORDS RETENTION SCHEDULE: ADMINISTRATION / BOARD SECRETARY

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Admin. / Board Secretary	SEC-010	FPPC 460, 470, 501, 410 Series Forms - Campaign Disclosures	4 years		Mag, OD, Ppr	S / I	Yes: After 2 years	County ROV maintains original statements; GC §81009(f)&(g)
Admin. / Board Secretary	SEC-011	FPPC 700 Series Forms (Statement of Economic Interests): DESIGNATED EMPLOYEES & CONSULTANTS (specified in the District's Conflict of Interest code)	7 years		Mag, OD, Ppr	S / I	Yes: After 2 years	District maintains original statements; GC §81009(e)&(g)
Admin. / Board Secretary	SEC-013	FPPC 700 Series Forms (Statement of Economic Interests): PUBLIC OFFICIALS (elected & not elected. Includes District Board Members, General Manager)	7 years		Mag, OD, Ppr	S / I	Yes: After 2 years	District preference (only required for 4 years); GC §81009(f)&(g)
Admin. / Board Secretary	SEC-037	FPPC Form 801 (Gift to Agency Report)	7 years		Mag, Ppr			Must post on website; GC §81009(e)
Admin. / Board Secretary	SEC-038	FPPC Form 802 (Tickets Provided by Agency Report)	7 years		Mag, Ppr			Must post on website for 4 years; GC §81009(e)
Admin. / Board Secretary	SEC-039	FPPC Form 803 (Behested Payment Report)	7 years		Mag, Ppr			GC §81009(e); FPPC Regulation 18734(c)
Admin. / Board Secretary	SEC-042	FPPC Form 806 (Agency Report of Public Official Appointments)	7 years		Mag, Ppr			Must post on website; 2 CCR 18702.5; GC §60201; GC §81009(e)
Admin. / Board Secretary	SEC-043	Historical Records: Copyrights, Logo, Patents, Name Changes, Awards, Trademarks, etc.	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	District Secretary Determines Historical Significance; GC §60201
Admin. / Board Secretary	SEC-046	Litigation Files / Lawsuits / Court Case Files	Minimum Final Resolution + 5 years	Yes: Until Settlement	Mag, Ppr			Department preference; CCP § 337 et seq.; GC §§ 911.2, 60201, 60201.6; PC §832.5(b)

RECORDS RETENTION SCHEDULE: ADMINISTRATION / BOARD SECRETARY

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Admin. / Board Secretary	SEC-048	Minutes: District Board of Directors and Committees	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201(d)(3)
Admin. / Board Secretary	SEC-017	Notices: Affidavits of Postings and Publications	2 years		Mag, Ppr			Brown Act challenges must be filed within 30 or 90 days of action; GC §§60201, 54960.1(c)(1)
Admin. / Board Secretary	SEC-049	Oaths of Office (Board of Directors)	Separation + 6 years	Yes (all)	Mag, Mfr, OD, Ppr	S	No	Department Preference; Statute of Limitations: Public official misconduct is discovery of offense + 4 years, retirement benefits is 6 years from last action; statewide guidelines propose Termination + 6 years; GC §§36507, 60201; PC §§801.5, 803(c); 29 USC 1113
Admin. / Board Secretary	SEC-019	Ordinances / Regulations / Resolutions	P	Yes (all)	Mag, OD, Ppr	S / I	Yes: After QC & OD	GC §60201 et. seq.
Admin. / Board Secretary	SEC-051	Prop. 218 Fees & Charges: Ballots and/or protest letters	2 years		Ppr			GC §53753(e)(2)
Admin. / Board Secretary	SEC-052	Prop. 218 Fees & Charges: Master Mailing List	2 years		Ppr			GC §60201
Admin. / Board Secretary	SEC-053	Prop. 218 Fees & Charges: Undeliverable Mail	3 months		Ppr			Transitory records not retained in the ordinary course of business; GC §60201
Admin. / Board Secretary	SEC-020	Public Records Act Requests	2 years		Mag, Ppr			District Preference; GC §60201
Admin. / Board Secretary	SEC-021	Recordings: Audio Recordings of District Board meetings	1 year		Mag			District Preference; Legally required for 90 days for Video, 30 days for audio; GC §§54953.5(b), 53161, 60201 et seq.

RECORDS RETENTION SCHEDULE: ADMINISTRATION / BOARD SECRETARY

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<i>If the record is not listed here, refer to the Retention for District-Wide Standards</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Admin. / Board Secretary	SEC-060	Records Destruction Authorization Forms / Authorization to Destroy Paper to Rely on the Image as the Original	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	GC §60201 et. seq.
Admin. / Board Secretary	SEC-061	Records Retention Schedules - Authorization for Amendments to Retention Schedules	P		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	GC §60201 et. seq.
Admin. / Board Secretary	SEC-055	Resolutions	P	Yes (all)	Mag, Mfr, OD, Ppr	S	No	GC §60201 et. seq.
Admin. / Board Secretary	SEC-023	Secretary of State Statement of Facts	1 year		Mag, Ppr			District preference; GC §60201 et. seq.
Admin. / Board Secretary	SEC-058	Subpoenas or Summons	2 years		Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: ADMINISTRATION - GENERAL MANAGER

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
ADMINISTRATION - GENERAL MANAGER								
Admin / General Manager	GM-001	Executive Committee Agendas, other Records (Subcommittee of the Board of Directors)	2 years		Mag. Ppr			Standard practice in municipal governments; GC §60201
Admin / General Manager	GM-002	Projects & Issues (Issues and/or projects will vary over time)	When No Longer Required		Mag. Ppr			GC §60201

RECORDS RETENTION SCHEDULE: ADMINISTRATION / HUMAN RESOURCES

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
HUMAN RESOURCES								
Human Resources	HR-001	_ERP / Human Resources Database (Tyler)	Indefinite		Mag, Ppr			Department preference (data is inter-related); GC §60201 et seq.
Human Resources	HR-002	Affirmative Action Complaints - California Civil Rights Department (CRD) / Department of Fair Employment & Housing (DFEH) or Equal Opportunity Commission (EEOC) / Harassment Claims	Final Disposition + 4 years		Mag, Ppr			Department preference (same as the Personnel File); All State and Federal laws require retention until final disposition of formal complaint; State requires 4 years after action is taken; 2 CCR 11013(c); GC §§12946, 12960, 60201
Human Resources	HR-003	Benefit Cost Comparison Reports / Review of Employee Benefit Plans	3 years		Mag, Ppr			Department Preference; GC §60201
Human Resources	HR-004	Benefit Plans - Employee Benefit Policies (Benefits: Health, Eye, Dental, Life Insurance, Long Term Disability, State Disability, Unemployment Insurance, etc.)	Plan Termination + 10 years	Yes: Before Expiration	Mag, Mfr, OD, Ppr	S	No	Department preference to be consistent with District wide standards; EEOC / ADEA (Age) requires 1 year after benefit plan termination; Federal law requires 6 years after filing date; State Law requires 2 years after action; 29 CFR 1627.3(b)(2); 29 USC 1027; GC §§12946, 12960, 60201
Human Resources	HR-005	Classification and Compensation Studies / Surveys	When No Longer Required		Mag, Ppr			Department Preference; GC §60201
Human Resources	HR-006	DMV Pull Notices	When Superseded or Separation		Mag, Ppr			District preference (DMV record that the District considers a non-record used for reference); DMV audits every 2 years; Bureau of National Affairs recommends 2 years for all supplementary Personnel records; GC §60201
Human Resources	HR-007	Drug & Alcohol Test Results (All - Positives and Negatives)	5 years		Mag Ppr			D.O.T. Requires 5 years for positive tests, 1 year for negative tests; EEOC/FLSA/ADEA (Age) requires 3 years physical examinations; State Law requires 2 years; 29 CFR 1627.3(b)(v), GC §§12946, 12960, 60201, 49 CFR 655.71 et seq.; 49 CFR 382.401 et seq.

RECORDS RETENTION SCHEDULE: ADMINISTRATION / HUMAN RESOURCES

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Human Resources	HR-008	Employee Investigations & Complaints	Separation + 6 years		Mag, Ppr			Department preference; State Law requires 4 years from last action; EEOC / FLSA / ADEA (Age) statute of limitations is 1-3 years; Reports & Data used to compile EEO reports are required for 3 years; 29 CFR 1602 et seq & 1627.3(a)(5) and (6), 2 CCR 11013(c) 8 CCR §11040(7)(c), GC §§12946, 12960, 60201
Human Resources	HR-009	I-9s	Separation + 3 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Required for 1 year from termination or 3 years from hiring, whichever is later; EEOC / FLSA / ADEA (Age) requires 3 years for "any other forms of employment inquiry"; State Law requires 4 years; INA 274A(b)(3); INS Rule 274a.1(b)(2); 8 CFR 274a.2; 29 CFR 1627.3(b)(i); GC §§12946, 12960, 60201
Human Resources	HR-010	Labor Relations / Negotiations (Notes)	Minimum 10 years		Mag, Ppr			Department preference; GC §60201
Human Resources	HR-011	Legal Opinions (Employment Related)	Minimum 10 years		Mag, Ppr			Department preference; GC §§12946, 12960, 60201
Human Resources	HR-012	OSHA Log 300, 300 A, 301, 301A, etc.	5 years		Ppr			OSHA requires 5 years; State law requires 2 years; 8 CCR §3203(b)(1), 29 CFR 1904.33, OMB 1220-0029, 8 CCR 14300.33; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: ADMINISTRATION / HUMAN RESOURCES

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Human Resources	HR-013	Personnel Files - General File (Includes Application, Awards, Backgrounds, Employee Benefit Enrollment Forms (birth / death / marriage certificates), Disciplinary Actions, Certifications, Commendations, Ethics Training Certificates, Evaluations, Grievances, Licenses, Performance Reviews, Personnel Action Forms (original), Policy acknowledgements, Disaster Service Workers Oaths, Employee Settlement Agreements etc. - Excludes Medical Records)	Separation + 6 years	Yes: Until Separation	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; statute of limitations for retirement benefits is 6 years from last action; EEOC/FLSA/ADEA (Age) requires 3 years for promotion, demotion, transfer, selection, or discharge; State Law requires 4 years; 29 CFR 1602.14; 1602.31 & 1627.3(b)(ii); GC §§12946, 12960, 60201; 29 USC 1113; GC §3105; GC §53235.2(b), 53237.2(b), LC §1198.5
Human Resources	HR-014	Personnel Files - Medical File (Includes background checks, Class B medicals, employee Test Results and Individual Noise Exposure Measurements, Family Medical Leave records, hearing tests (Audiograms), miscellaneous medical records, pre-employment physicals, Pulmonary tests, respirator fit tests, Sharps Injury Logs, etc.	Separation + 30 years, or Termination of Benefits + 5 years, whichever is longer	Yes: Until Separation	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; Files maintained separately; Claims can be made for 30 years for toxic substance exposure; 8 CCR §3204(d)(1) et seq., 8 CCR 5144, 29 CFR 1910.1020(d)(1)(i); GC §§12946, 12960, 60201
Human Resources	HR-015	Recruitment Files: Applications for Employment or Resumes / Recruitment Files: Solicited: Brochure, advertisement, unsuccessful applications (with or without interviews), selection materials, interview notes, results, etc.	4 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; State Law requires 4 years; EEOC / FLSA / ADEA (Age) requires 1-3 years; 29 CFR 1627.3(b)(i), 29 CFR 1602.14 et seq; 2 CCR 11013(c) GC §§12946, 12960, 60201
Human Resources	HR-016	Recruitment Database / Applicant Tracking System (NeoGov)	4 years		Mag, Ppr			Department preference; State Law requires 4 years; EEOC / FLSA / ADEA (Age) requires 1-3 years; 29 CFR 1627.3(b)(i), 29 CFR 1602.14 et seq; 2 CCR 11013(c) GC §§12946, 12960, 60201

RECORDS RETENTION SCHEDULE: ADMINISTRATION / HUMAN RESOURCES

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Human Resources	HR-017	Unemployment Claims	Final Disposition + 5 years		Mag, Ppr			Department preference; GC §§12946, 12960, 60201
Human Resources	HR-018	Verifications of Employment, Child Support, etc. (From lenders or other outside companies)	When No Longer Required		Mag, Ppr			Not District records (outside companies seeking to verify if an employee is currently employed); GC §60201
Human Resources	HR-019	Workers Compensation Files ALL	Separation + 30 years, or Termination of Benefits + 5 years, whichever is longer		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department preference; Claims can be made for 30 years for toxic substance exposure; 8 CCR 10102; 8 CCR 15400.2, 8 CCR §3204(d)(1) et seq., 29 CFR 1910.1020, GC §§12946, 12960, 60201, CCP §337 et seq.
Human Resources	HR-020	Workplace Violence – Hazard identification, evaluation, correction, incident logs, investigations, etc.	5 years		Mag Ppr			LC §6401.9(f), GC §60201
RISK MANAGEMENT								
Human Resources / Risk Manage.	HR-021	Accident / Incident / Injury / Damage Reports: PUBLIC - Not Resulting in a Claim (Employees - see Workers Compensation)	2 years		Mag, Ppr			Department preference; GC §60201
Human Resources / Risk Manage.	HR-022	BIT Inspection & Audits (Biennial Inspection of Terminals) / DOT Program / CHP Inspections	2 years		Mag, Ppr			Department Preference (CHP audits every 25 months); GC §60201
Human Resources / Risk Manage.	HR-023	Claims / Liability Claims	Final Resolution + 5 years	Yes: Until Resolution	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 60201
Human Resources / Risk Manage.	HR-024	District Insurance Policies - Liability, Workers Compensation Insurance, etc.	30 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; Covers various statute of limitations; CCP §§ 337 et seq.; GC §§ 911.2, 60201

RECORDS RETENTION SCHEDULE: ADMINISTRATION / HUMAN RESOURCES

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Human Resources / Risk Manage.	HR-025	Insurance Appraisals	10 years		Mag, Ppr			Department preference; GC §60201
Human Resources / Risk Manage.	HR-026	Loss Runs	Minimum 5 years		Mag, Ppr			Department Preference (actuary wants 10 years of data - these can be acquired from TPA); GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING

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ENGINEERING								
Engineering	ENG-001	CEQA Documents: Environmental Determinations: Environmental Impact Reports (EIRs), Negative Declarations, Categorical Exemptions, etc.) Correspondence and Staff Notes that provide insight into the project or the agency's CEQA compliance with respect to the project	Project Approval or Denial + 180 days		Mag, Ppr			Not all internal communications and notes are required to be saved; "E-mails that do not provide insight into the project or the agency's CEQA compliance with respect to the project — are not within the scope of section 21167.6, subdivision (e) and need not be retained." Golden Door Properties, LLC v. Superior Court of San Diego County (County of San Diego, et al., Real Parties in Interest) (53 Cal.App.5th 733); PRC 21167,6; GC §60201
Engineering	ENG-002	Engineering Project Files / CIP (Capital Improvement Project) Files - Administration File: Project Administration, Construction Photos, Cost of Construction, Preliminary Design Studies, Project Schedules, Real Estate Appraisals, USAs, etc.	Completion + 10 years or After Funding Agency Audit, if required, whichever is longer	Yes: Until Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60201, Contractor has retention requirements in 48 CFR 4.703
Engineering	ENG-003	Engineering Project Files / CIP (Capital Improvement Project) Files - Close-Out File: Preliminary Notices, Stop Work Notices, Temporary Permits, Field Inspection Reports / Inspection Diaries, Project Calculations, SAMPs, SWPPP, etc.	Upon Completion	Yes: Until Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Statute of Limitations is not applicable to these records; GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Engineering	ENG-004	Engineering Project Files / CIP (Capital Improvement Project) Files - Permanent File: Change Orders, Drillers Logs, Deeds, Easements, Environmental Documents (Final EIRs, Categorical Exemptions, Negative Declarations), Materials Testing Reports, NIB (Notice Inviting Bids), Notice of Completion, Regulatory Agency Approvals, RFPs (Request for Proposal), RIB (Request Inviting Bids), Right of Way, Shop Drawings, Specifications, Structural Plans, Submittals, Surveys, Permanent Variances, etc.	P	Yes: Until Completed	Mag, OD, Ppr	S / I	No	For disaster preparedness purposes; GC §60201 et seq.
Engineering	ENG-005	Engineering Project Files / CIP (Capital Improvement Project) Files or Private Development Infrastructure - Permanent File - Large Format Drawings Design Drawings (finals), Record Drawings ("As Builts")	P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	For Disaster Recovery Purposes; Final environmental determinations are required to be kept a "reasonable period of time"; 14 CCR §15095(c); GC §60201 et seq.
Engineering	ENG-006	Engineering Studies and Reports / Corrosion Studies and Reports / Pipeline Integrity Studies and Reports / Root Cause Analysis Reports	Minimum 10 years		Mag, Mfr, OD, Ppr	S / I	No	District Preference; GC §60201
Engineering	ENG-007	Fire Flow / Flow Tests (for proposed Development projects)	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District Preference; GC §60201
Engineering	ENG-008	Geographic Information System (GIS)	Indefinite	Yes	Mag			Data is interrelated; GC §60200, 60201 et seq.
Engineering	ENG-009	Hazard Maps / Inundation Maps	When No Longer Required		Mag, Ppr			Not a District record

RECORDS RETENTION SCHEDULE: ENGINEERING

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Engineering	ENG-010	Monitoring Well Logs	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201
Engineering	ENG-011	New Water Service Connection Permits / Connection Permits, Applications	P	Yes	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201 et seq.
Engineering	ENG-012	Plans, Reports, & Studies, Water System Master Plans, Urban Water Management Plan	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201 et seq.
Engineering	ENG-013	Private Development / Applicant Projects: Subdivisions / Tract Files - Permanent File Water Service Agreements, Easements, Final Drawings, Inspections, Rights of Way, Rights of Entry that run with the land, Studies & Reports (Hydrology, Geotechnical, etc.)	P	Yes: Until Completed	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201
Engineering	ENG-014	Private Development / Applicant Projects: Subdivisions / Tract Files - Administrative File Correspondence, Incidents, Project Schedules etc.	Completion + 10 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Statute of Limitations for written contracts are four years from the date of breach; errors and omissions is 10 years; Death during construction is 10 years; CCP §§337., 337.1(a), 337.15 GC §60201, Contractor has retention requirements in 48 CFR 4.703
Engineering	ENG-015	Record of Survey / Monuments / Benchmarks	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District Preference; GC §60201
Engineering	ENG-016	Reservoirs / Steel Tanks - Major Assessments, Upgrades and Painting	P	Yes	Mag, Mfr, OD, Ppr	S / I	No	Department Preference; GC §60201 et seq.
Engineering	ENG-017	Standard Drawings / Construction Standards Authored by the District	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District Preference; GC §60201

RECORDS RETENTION SCHEDULE: ENGINEERING

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Engineering	ENG-018	Water Loss Audits	Minimum 2 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District Preference; GC §60201
Engineering	ENG-019	Well Construction / Destruction / Abandonment, Drilling Logs, etc.	P		Mag, Mfr, OD, Ppr	S / I	No	Department Preference; GC §60201 et seq.
Engineering	ENG-020	Will Serve Letters / Water Availability Letters	P		Mag, Mfr, OD, Ppr	S / I	No	Department Preference; GC §60201 et seq.

RECORDS RETENTION SCHEDULE: FINANCE

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<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
FINANCE ADMINISTRATION								
Finance / Admin.	FIN-001	Financial System Database (Tyler Encode)	Indefinite - Minimum 7 years		Mag			Data is interrelated; Employee compensation and reimbursements are required for 7 years; GC §60201 et seq.
Finance / Admin.	FIN-002	Audits - Operational or Single Audits (Grant Audits, Internal Audits)	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Finance / Admin.	FIN-003	Audits - Working Papers	When No Longer Required		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Finance / Admin.	FIN-004	Audits / Audit Reports / Annual Comprehensive Financial Report (ACFR)	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Finance / Admin.	FIN-005	Bank Statements / Checking Account Reconciliation / Bank Reconciliation (Transaction Statements, Wire Transfers, Check Listing Audit Trail, Deposits, Treasury Statements, Trustee & Investment Statements, etc.)	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District Preference (may include records pertaining to independent contractor's compensation, or expense reimbursement); Meets auditing standards; GC §60201
Finance / Admin.	FIN-006	Bonds / Debt / COP / Certificates of Participation / Transcripts / Disclosure Reports / Lines of Credit / Promissory Notes / Commercial Paper	Fully Defeased or Matured + 10 years	Yes: Until Maturity	Mag, Mfr, OD, Ppr	S / I	No	Statute of Limitations for bonds, mortgages, trust deeds, notes or debentures is 6 years; Bonds issued by local governments are 10 years; There are specific requirements for disposal of unused bonds; CCP §§336 et seq.; 337.5(a); 26 CFR 1.6001-1(e); GC §§43900 et seq., 60201
Finance / Admin.	FIN-007	Budget Adjustments	7 years		Mag, Ppr			Preliminary Drafts Not Retained in the Ordinary Course of Business; GC §60200
Finance / Admin.	FIN-008	Budgets: Development, Drafts, etc.	When No Longer Required		Mag, Ppr			Preliminary Drafts Not Retained in the Ordinary Course of Business; GC §60200

RECORDS RETENTION SCHEDULE: FINANCE

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Admin.	FIN-009	Budgets: Final (Adopted)	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Finance / Admin.	FIN-010	Check Registers	7 years		Mag, Ppr			District Preference (a different version is presented to the Board of Directors), includes employee compensation or reimbursement; GC §60201 et seq.
Finance / Admin.	FIN-011	Developer Deposits / Trust Accounts (Deposits for Developer Projects)	Close + 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference (meets auditing standards); GC §60201
Finance / Admin.	FIN-012	Financial Ratings & Correspondence	5 years		Mag, Ppr			District Preference; GC §60201
Finance / Admin.	FIN-013	Financial Reports: Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories, Balance Sheets, Batch Proofs, Trial Balance, (MONTHLY OR PERIODIC)	When No Longer Required		Mag, Ppr			Draft / Preliminary documents used to produce final year-end general ledger (financial database is the original); GC §60201
Finance / Admin.	FIN-014	Investments (Including Arbitrage)	5 years	Yes: Until Maturity	Mag, Ppr			Department Preference; GC §60201
Finance / Admin.	FIN-015	Journal Entries / Journal Vouchers	7 years		Mag, Ppr			Department Preference; Meets municipal government auditing standards; GC §60201
Finance / Admin.	FIN-016	Local Government Compensation Report	5 years		Mag, Ppr			District Preference; GC §60201
Finance / Admin.	FIN-017	Long Range Financial Plans & Reports	5 years		Mag, Ppr			District Preference; GC §60201
Finance / Admin.	FIN-018	State Controller's Report / Special Districts Financial Transactions Report	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

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<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
ACCOUNTING								
Finance / Accounting	FIN-019	1099's, 1096's, DE542 (California Report of Independent Contractors)	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; ; IRS Reg §31.6001-1(e)(2), R&T §19530, GC §60201(d)(12); 29 USC 436
Finance / Accounting	FIN-020	Accounts Payable Source Records (includes Invoices, Credit Card Statements, Conference / Seminar Backup, Petty Cash, Travel Expense Reimbursements, etc.)	7 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	May contain independent contractor's compensation, expense reimbursement, or District credit card records; Meets municipal government auditing standards; Published articles show 3 - 7 years; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.; GC §60201(d)(12)
Finance / Accounting	FIN-021	Accounts Receivable Source Records including Adjustments, Billings, Cash, Payments, Cash Receipts Damage to District Property / Insurance Payments, Leases, etc.	5 years	Yes: Until Paid	Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Accounting	FIN-022	Checks deposited to Bank (District scans them for the Bank, rather than physically taking the checks to the bank to deposit them.)	Follow Bank Instructions		Mag, Ppr			These are bank instruments, and not District records; per bank agreement.
Finance / Accounting	FIN-023	Checks (Issued by the District, then cashed by the payee - maintained by the Bank)	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	May contain independent contractor's compensation; Statute of Limitations is 4 years; Meets municipal government auditing standards; GC §60201(d)(12), CCP § 337
Finance / Accounting	FIN-024	Electronic Fund Transfer Agreements / Authorizations for direct deposit to vendors bank account	2 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201
Finance / Accounting	FIN-025	Financial Reports: General Ledger, Registers, etc. - AFTER Encode (2019 & After)	When No Longer Required		Mag, Ppr			Department preference (financial database is the original); GC §60201

RECORDS RETENTION SCHEDULE: FINANCE

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Accounting	FIN-026	Financial Reports: General Ledger, Registers, etc. - BEFORE Encode (2019 & Prior)	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	May contain independent contractor's compensation; Statute of Limitations is 4 years; Meets municipal government auditing standards; GC §60201(d)(12), CCP § 337
Finance / Accounting	FIN-027	Returned Payments (NSF, etc.) Checks / ACH (includes Water Payments)	7 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Meets municipal government auditing standards; GC §60201
Finance / Accounting	FIN-028	Tax Returns (Sales Tax, etc.)	5 years		Mag, Ppr			Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; ; IRS Reg §31.6001-1(e)(2), 26 CFR §31.6001-1, R&T §19530, GC §60201
Finance / Accounting	FIN-029	W-9's	Vendor Inactive + 3 years		Mag, Ppr			Meets IRS auditing standards; GC §60201
PAYROLL								
Finance / Payroll	FIN-030	DE-6, DE-9, DE-43, W-3, & DE-166, & 941 Forms - Quarterly Payroll Tax Returns (Federal and State) IRS 5500 Forms (Employee Benefit Plans), PERS / FICA & Medicare Adjustments - OASDI, Federal Tax Deposits, Adjustments, etc.	7 years		Mag, Ppr			Department Preference; IRS: 4 years after tax is due or paid (longer for auditing & contractor delinquency); Ca. FTB: 3 years; Published articles show permanent; ; IRS Reg §31.6001-1(e)(2), 26 CFR §1.6001-1, R&T §19530, GC §60201
Finance / Payroll	FIN-031	Employee Payroll File, including W-4s Retained electrically in Sentric HR050	Separation + 7 years		Mag, Ppr			Department preference; 26 CFR §31.6001-1; GC §60201
Finance / Payroll	FIN-032	Garnishments, Child Support, Court Orders regarding Employee Wages Retained electrically in Sentric HR050	Completion + 7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201 et seq.
Finance / Payroll	FIN-033	Payroll Checks (copies) Retained electrically in Sentric HR050	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	GC §60201(d)(12), CCP § 337

RECORDS RETENTION SCHEDULE: FINANCE

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Payroll	FIN-034	Payroll Registers / Payroll Reports	7 years		Mag, Ppr			Department preference; GC §60201
Finance / Payroll	FIN-035	Timesheets	7 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference to meet auditing standards; IRS Reg §31.6001-1(e)(2), R&T §19530; LC § 1174(d); 29 CFR 516.5 & 516.6(c); GC §60201 et seq.
Finance / Payroll	FIN-036	W-2's	P		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; IRS: 4 yrs after tax is due or paid; Ca. FTB: 3 years; 26 CFR §31.6001-1(e)(2), R&T §19530; 29 CFR 516.5 - 516.6, 29 USC 436, GC §60201
PURCHASING								
Finance / Purchasing	FIN-037	Procurement Database (Planet Bids)	Indefinite - Minimum 2 years		Mag			Data is interrelated; Unaccepted Proposals for some projects are required to be retained 2 years; GC §60201 et seq.
Finance / Admin.	FIN-038	Purchase Order Database (Tyler Encode)	Indefinite - Minimum 7 years		Mag			Data is interrelated; Employee compensation and reimbursements are required for 7 years; GC §60201 et seq.
Finance / Purchasing	FIN-039	Aboveground Storage Tanks - Diesel or Gasoline (Agency Owned) Inspections, Vapor Testing	20 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department Preference (Tier II tanks are required to have an integrity test every 20 years); GC §60201

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Purchasing	FIN-040	<p>Agreements & Contracts (originals) - 2023 & AFTER - CIP / Capital Improvement Projects, Infrastructure, Development, Land / Real Property Purchase or Sell, Water Infrastructure, Water Supply and Conveyance</p> <p>Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders)</p> <p>Examples of Infrastructure: Architects, buildings, bridges, development, property restrictions, reservoirs & reservoir maintenance, utilities, water infrastructure (water lines, water mains, pump stations, treatment facilities, etc.)</p>	P	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Standard municipal government practice; All infrastructure contracts should be permanent for emergency preparedness; Statute of Limitations is 4 years; 10 years for Errors & Omissions; land records are permanent by law; CCP §§337.337.1(a), 337.15, 343; GC §60201, Contractor has retention requirements in 48 CFR 4.703

RECORDS RETENTION SCHEDULE: FINANCE

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Purchasing	FIN-041	<p>Agreements & Contracts (originals) - 2023 & AFTER - Consulting, Professional Services, Water Purchasing, NON-Infrastructure (where Errors & Omissions or Professional Liability Insurance required)</p> <p>Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders)</p> <p>Examples of NON-Infrastructure: Attorney Services, Consultants, Franchises, Landscape Design and Installation, Personnel, Professional Services, Water purchasing agreements etc.</p>	Completion + 10 years	Yes: Before Completion	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Covers E&O Statute of Limitations; Published Audit Standards=4-7 years; Statute of Limitations: Contracts & Spec's=4 years, Wrongful Death=comp. + 5 years, Developers=comp. + 10 years; CCP §§336(a), 337 et. seq., GC §60201
Finance / Purchasing	FIN-042	<p>Agreements & Contracts (originals) - 2023 & AFTER - CUSTODIAL, LEASES, MAINTENANCE (where Errors & Omissions or Professional Liability Insurance is NOT applicable)</p> <p>Agreement or Contract includes all contractual obligations, Insurance Certificates (e.g. Scope of Work or Successful Proposal, Amendments, Change Orders, Task Orders)</p> <p>Examples: Copier Leases, Custodial, Equipment Purchasing and Leases, Janitorial, Maintenance, Landscape Maintenance etc.</p>	Completion + 5 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; Errors & Omissions is not applicable; CCP §§336(a), 337 et. seq., GC §60201

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Finance / Purchasing	FIN-043	Fixed Asset Retirements - Auction / Disposal / Sales / Surplused	Disposal of Asset + 2 years		Mag, Ppr			Department preference; GC §60201
Finance / Purchasing	FIN-044	Purchase Orders - Includes copies of bids and quotes, NIB (Notice Inviting Bids), RFPs (Request for Proposal), RIB (Request Inviting Bids)	7 years	Yes: Until Paid	Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Contract employee compensation and reimbursement records are required for 7 years; GC §60201 et seq.; 40 CFR 122.41(j)(2); WC §13263.2(b) et seq.; GC §60201(d)(12)
Finance / Purchasing	FIN-045	Vehicle & Heavy Equipment Maintenance (Backhoes, Cars, Trucks, Vac Trucks, etc.)	Sale or Disposal + 1 year		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	8 CCR § 3203(b)(1); 49 CFR 396.21(b)(1); 49 CFR 396.3(c); CCP §337 et. seq., 13 CCR 1234(f); GC §60201
Finance / Purchasing	FIN-046	Vehicle Titles ("Pink Slips")	Upon Sale or Disposal		Ppr			Department Preference; GC §60201
FINANCE / UTILITIES / CUSTOMER SERVICE								
Finance / Utilities / Customer Service	FIN-047	_Customer Service Database / Service Order Database / Utility Billing Database	Indefinite - Minimum 5 years		Mag			Data is interrelated; meets municipal government auditing standards; GC §§60201, 12168.7
Finance / Utilities / Customer Service	FIN-048	Audio Recordings from Customers / Customer Relations / Utility or Customer Service Audio Recordings	Minimum 100 days	Yes: While Active Issues	Mag			GC §53160
Finance / Utilities / Customer Service	FIN-049	Collection Agency Assignments & Collections (Statements) / Write-Offs / Uncollectible Accounts	5 years	Yes: Until Paid	Mag, Ppr			Department Preference; Meets municipal government auditing standards; Published articles show 3 - 7 years; GC §60201
Finance / Utilities / Customer Service	FIN-050	Collection List of Delinquent Accounts & Penalties	When No Longer Required	Yes: While Active Issues	Mag, Ppr			District preference (Database is the original); GC §60201

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Finance / Utilities / Customer Service	FIN-051	Conservation Reports (e.g., Monthly Reports to SWRCB)	5 years		Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-052	Conservation Violation Complaints (wasteful water practices, photos, etc.)	When No Longer Required	Yes: While Active Issues	Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-053	Customer Bankruptcies - ALL	When No Longer Required		Mag, Ppr			Department preference (account is closed and notes indicate bankruptcy); GC §60201
Finance / Utilities / Customer Service	FIN-054	Customer Correspondence and Comment Cards	2 years		Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-055	Hydrant Meters: Applications for Temporary Water Service, rules for Hydrant Meters for Construction Water Service	2 years		Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-056	Liens, Lien Releases	10 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Liens are good for 10 years from recording date, and may be extended by re-recording lien; WC §§36729; 37212(b), GC §60201
Finance / Utilities / Customer Service	FIN-057	Payment Stubs (if not combined with Cash Register Backups)	When No Longer Required	Yes: While Active Issues	Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-058	Rebate Verifications	5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	District preference (Meets municipal government auditing standards); GC §60201

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Finance / Utilities / Customer Service	FIN-059	Survey Cards	When No Longer Required	Yes: While Active Issues	Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-060	Water Billing: Appeals - Payment Delinquency & Impending Discontinuation	Final Decision + 2 years		Mag, Ppr, Mfr, OD	S / I	Yes: After QC & OD	Documented or attached to Customer Record in database GC §60201; H&S §116908
Finance / Utilities / Customer Service	FIN-061	Water Billing: Non-payment Notices / Notice of Payment Delinquency & Impending Discontinuation (Initial, Final)	When No Longer Required		Mag, Ppr, Mfr, OD	S / I	Yes: After QC & OD	Documented or attached to Customer Record in database GC §60201; H&S §116908
Finance / Utilities / Customer Service	FIN-062	Water Billing: Payment Plans: Amortization, Alternative Payment Plans, Deferrals, etc.	Expiration or Completion of Payment Plan + 2 years		Mag, Ppr, Mfr, OD	S / I	Yes: After QC & OD	Documented or attached to Customer Record in database GC §60201; H&S §116910
Finance / Utilities / Customer Service	FIN-063	Water Billing: Report of Annual Discontinuations of Residential Service	Minimum 2 years		Mag, Ppr, Mfr, OD	S / I	Yes: After QC & OD	Must post to Website; H&S §116918; GC §60201
Finance / Utilities / Customer Service	FIN-064	Water Service Applications	2 years		Mag, Ppr			District preference; GC §60201
Finance / Utilities / Customer Service	FIN-065	Water Use Efficiency Surveys	When No Longer Required		Mag, Ppr			Department Preference; GC §60200

RECORDS RETENTION SCHEDULE: GOVERNMENT & LEGISLATIVE AFFAIRS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
GOVERNMENT & LEGISLATIVE AFFAIRS								
Govern. & Legislative Affairs	G&LA-001	Bill Inserts, Brochures	2 years		Mag, Ppr			Department preference; GC §60201
Govern. & Legislative Affairs	DW-019	Brochures, Flyers, Newsletters	2 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Govern. & Legislative Affairs	G&LA-002	Crisis Communication Plans	When Superseded		Mag, Ppr			Department preference; GC §60201
Govern. & Legislative Affairs	G&LA-003	Education Programs - Contests	When No Longer Required	Yes: While Active Issues	Mag, Ppr			GC §60201
Govern. & Legislative Affairs	G&LA-005	Events (Public / Workshops, Tours etc.)	When No Longer Required	Yes: While Active Issues	Mag, Ppr			GC §60201
Govern. & Legislative Affairs	G&LA-006	Legislative Platforms / Legislation / Advocacy - Monthly Reports	2 years		Mag, Ppr			Department preference; GC §60201
Govern. & Legislative Affairs	G&LA-007	Monthly Board of Directors Reports / Updates	2 years		Mag, OD, Ppr	S / I	Yes: After QC & OD	Department Preference; GC §60201
Govern. & Legislative Affairs	G&LA-008	Newspaper Clippings / Display Advertising	When No Longer Required		Mag, Ppr			Non-records
Govern. & Legislative Affairs	G&LA-009	Photos & Videos (Event-related)	When No Longer Required		Mag, Ppr			Drafts; final photos may become part of a final document; GC §60201
Govern. & Legislative Affairs	G&LA-010	Press Releases / Media Alerts	2 years		Mag, Ppr			Department preference; GC §60201
Lead Dept.	G&LA-011	Reports and Studies - White Papers, Issue Papers, Scientific Studies (other than Annual Reports)	When No Longer Required		Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: GOVERNMENT & LEGISLATIVE AFFAIRS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Govern. & Legislative Affairs	G&LA-012	Special Projects & Fact Sheets (Issues and/or projects will vary over time)	When No Longer Required	Yes: While Active Issues	Mag, Ppr			GC §60201

RECORDS RETENTION SCHEDULE: INFORMATION TECHNOLOGY

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
<i>If the record is not listed here, refer to the Retention for District-Wide Standards.</i>								
<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
INFORMATION TECHNOLOGY								
Information Technology	IT-001	Backups - All Disaster Recovery Computer Backups	When No Longer Required	Yes	Mag.			Used for Disaster Recovery Purposes Only; Considered a copy and can be destroyed when no longer required; GC §60200 et seq.
Information Technology	IT-002	Network Configuration Maps & Plans	When No Longer Required	Yes	Mag.			Preliminary documents not retained in the ordinary course of business; GC §60201 et seq.
Information Technology	IT-003	Software Licenses, Warrantees, Installation Media	When No Longer Required		Mag.			Department preference; GC §60201 et seq.
Information Technology	IT-004	UNALTERABLE MEDIA / IMMUTABLE MEDIA (Cloud Immutable Backup), WORM / DVD-r / CD-r / Blue Ray-R) or other unalterable media that does not permit additions, deletions, or changes	Follows Retention of Official Electronic Record		OD			For legal compliance for Trustworthy Electronic Records (when the electronic record serves as the official record); must be stored in a "safe and separate location"; GC 60201, 12168.7, EVC 1550, 2 CCR 22620 et seq.
Information Technology	IT-005	Video Recordings - Routine Video Monitoring (building security or regular and ongoing operations of the District)	1 year		Mag			GC §§60201, 53160

RECORDS RETENTION SCHEDULE: OPERATIONS

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
OPERATIONS & MAINTENANCE								
Ops / Maint.	OPS-001	Aboveground Storage Tanks - Diesel or Gasoline (Agency Owned) Maintenance, Repairs	20 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference (Tier II tanks are required to have an integrity test every 20 years); GC §60201
Ops / Maint.	OPS-002	Air Quality Management District (AQMD) Permits & Applications (Generators, Construct, Operate, etc.)	Expiration + 5 years		Mag, Ppr			40 CFR 70.6; GC §60201
Ops / Maint.	OPS-003	Air Quality Management District (AQMD) Reports / Compliance Reports	Expiration + 5 years		Mag, Ppr			40 CFR 70.6; GC §60201
Ops / Maint.	OPS-004	Generator Operation Logs (for Fixed or Portable /Emergency Generators)	5 years		Mag, Ppr			AQMD Rule 1470; Form 400-E-13a instructions, GC §60201
Ops / Maint.	OPS-005	Meter Reading Reports / Highs, Lows, Errors (stored in Tyler database)	When No Longer Required		Mag, Ppr			Draft / Preliminary documents (database is the original); GC §60201
Ops / Maint.	OPS-006	Operations & Maintenance Manuals / O & M Manuals	Disposal of Equipment		Mag, Mfr, OD, Ppr	S / I	No	Department preference; GC §60201
Ops / Maint.	OPS-007	Pre-Trip Inspections / Vehicle Safety Checks / Daily Equipment Checks	90 days		Ppr			13 CCR 1234(e); GC §60201
Ops / Maint.	OPS-008	Reservoirs / Steel Tanks - Inspections, Roofing, Minor Repairs	P	Yes	Mag, Mfr, OD, Ppr	S	No	Department Preference; GC §60201 et seq.
Ops / Maint.	OPS-009	Safety Inspections: Facility Inspection Records / Equipment Inspections Records / Hazardous Waste Inspections, etc.	2 years		Mag, Ppr			Department Preference; GC §60201
Ops / Maint.	OPS-010	Standard Operating Procedures / SOPs	Superseded		Mag, Ppr			Department preference; GC §60201
Ops / Maint.	OPS-011	Underground Service Alerts (USA's) / Dig Alerts	3 years		Mag, Ppr			Department Preference (the Regional Notification Center has the obligation to retain the notice for 3 years); GC §§4216.2(f) & 4216.3(e), GC §60201 et seq.

RECORDS RETENTION SCHEDULE: OPERATIONS

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<i>Retentions begin when the act is completed, and imply a full file folder (e.g. last document + 2 years), since destruction is normally performed by file folder.</i>								
<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Ops / Maint.	OPS-012	Well Depth to Water Levels	P	Yes	Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; GC §60201 et seq.
Division Providing Service / Work	OPS-013	Work Orders / Service Requests / Investigations - All Information Entered in CMMS Database	When No Longer Required		Mag Ppr			Preliminary drafts (the database is the original); GC §60201
Division Providing Service / Work	OPS-014	Work Orders / Service Requests / Investigations - NOT entered in CMMS Database (or partial information entered into CMMS Database) (Division providing service retains originals; Division requesting service is considered a copy)	5 years		Mag Ppr			District Preference; CCP §§338 et seq., 340 et seq., 342, GC §60201
Division Providing Service / Work	OPS-015	Work Orders / Service Requests / Meter History / CMMS DATABASE (Computerized Maintenance Management System) - Tyler	Indefinite - Minimum 5 years		Mag			Department Preference; Meets California Department of Health requirements; GC §60201; 17 CCR 7605(f)
OPERATIONS / TREATMENT PLANT								
Lead Dept.	OPS-016	Operations & Maintenance Manuals / O & M Manuals	Disposal of Equipment		Mag, Mfr, OD, Ppr	S / I	No	Department preference; GC §60201
Ops / Water Quality	OPS-017	Plant Diaries	5 years		Mag, Ppr			Department Preference; Meets California Department of Health requirements; GC §60201; 17 CCR 7605(f)
Ops / Ops, WTP	OPS-018	SCADA Database (Water) (Supervisory Control and Data Acquisition)	Indefinite	Yes	Mag			Data is interrelated; GC §§60201
Lead Dept.	OPS-019	Standard Operating Procedures / SOPs	Superseded + 5 years		Mag, Mfr, OD, Ppr	S / I	No	Department preference; GC §60201

RECORDS RETENTION SCHEDULE: OPERATIONS

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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>									
WATER QUALITY									
Ops / Water Quality	OPS-020	LIMS Database (Laboratory Information Management System) - Water Tracks	Indefinite - Minimum 12 years	Yes	Mag			Data is Inter-related; Lead and Copper for Potable Water is required for 12 years or 2 compliance cycles; Exceeds TNI Standards for accreditation of environmental laboratories; TNI V1M2 4.13.3.b; 22 CCR 64400.25; 22 CCR §64470, 40 CFR 141.33(a); 40 CFR 141.91; GC §60201	
Ops / Water Quality	OPS-021	Backflow Testing / Cross Connection	5 years		Mag, Ppr			Department Preference; Meets California Department of Health requirements; GC §60201; 17 CCR 7605(f)	
Ops / Water Quality	OPS-022	Water Quality Reports / Consumer Confidence Reports	P			S / I	Yes: After QC & OD	Department preference; Required for 12 years or 2 compliance cycles; 22 CCR §§ 64400.25; 64470, 64483(g), 40 CFR 141.33(a); 40 CFR 141.91; GC §60201	
Ops / Water Quality	OPS-023	Customer Concerns / Customer Complaints: Odor / Taste / Visual Complaints (Correspondence)	10 years		Mag, Ppr			5 years is required in State and Federal law for any complaints; 40 CFR 122.41(j)(2) & 40 CFR 141.33(b); 22 CCR 64470(a)	
Ops / Water Quality	OPS-024	Hazardous Waste Manifests	P		Mag, Mfr, OD, Ppr		S / I	Yes - After QC & OD	Department preference (District has "cradle to grave" liability); only 3 years is mandated; 40 CFR 262.40, 8 CCR 3204(d)(1)(A), 22 CCR 66262.40; GC §60201
Ops / Water Quality	OPS-025	Lab Reports & Chains of Custody / Tabular Summaries: Chemical (Includes Chlorine Residuals)	Minimum 12 years		Mag, Mfr, OD, Ppr		S / I	Yes - After 3 months	Department preference; State Law requires 12 years; Federal 10 years; Actual laboratory reports may be kept, or data may be transferred to tabular summaries ; 40 CFR 141.33(a)

RECORDS RETENTION SCHEDULE: OPERATIONS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Ops / Water Quality	OPS-026	Lab Reports & Chains of Custody / Tabular Summaries: Lead & Copper	Minimum 12 years		Mag, Mfr, OD, Ppr	S / I	Yes - After 3 months	Department Preference; Law requires for 12 years or 2 compliance cycles (18 years); Actual laboratory reports may be kept, or data may be transferred to tabular summaries; 22 CCR 64400.25; 22 CCR §64470, 40 CFR 141.33(a); 40 CFR 141.91
Ops / Water Quality	OPS-027	Lab Reports & Chains of Custody / Tabular Summaries: Non-Compliance Chemistry and Bacterial	10 years		Mag, Mfr, OD, Ppr	S / I	Yes - After 3 months	Department preference; State Law requires 12 years; Federal 10 years; Actual laboratory reports may be kept, or data may be transferred to tabular summaries ; 40 CFR 141.33(a)
Ops / Water Quality	OPS-028	Lab Reports & Chains of Custody / Tabular Summaries: Bacteriological and Organics / Turbidity / Phyto Plankton	Minimum 12 years		Mag, Mfr, OD, Ppr	S / I	Yes - After 3 months	Department Preference; Law requires 5 years; Actual laboratory reports may be kept, or data may be transferred to tabular summaries; 40 CFR 141.33(b)
Ops / Water Quality	OPS-029	Sanitary Surveys	10 years		Mag, Mfr, OD, Ppr	S / I	Yes - After QC & OD	22 CCR §64470 GC §60201
Ops / Water Quality	OPS-030	Site Surveys / Cross Connection	5 years		Mag, Ppr			Department Preference; Meets California Department of Health requirements; GC §60201; 17 CCR 7605(f)
Ops / Water Quality	OPS-031	State Reports (State Water Resources Control Board, etc.)	10 years		Mag, Mfr, OD, Ppr	S	Yes: After QC & OD	Department Preference; GC §60201
Ops / Water Quality	OPS-032	Stormwater or Discharge Monitoring Reports : NPDES Monitoring Reports	Minimum 3 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years; 40 CFR §§122.21, 122.41, 122.44; CCP §337 et seq.
Ops / Water Quality	OPS-033	Stormwater or Discharge Permits :- NPDES Permits (Issued by SWRCB)	Superseded + 3 years		Mag, Ppr			Department Preference; NPDES Monitoring records required for 3 years; 40 CFR §§122.21, 122.41, 122.44; CCP §337 et seq.

RECORDS RETENTION SCHEDULE: OPERATIONS

Office of Record (OFR)	Retention No.	Records Description	Total Retention	Vital?	Media Options	Image: I=Import M=Mfr S=Scan	Destroy Paper after Imaged & QC'd?	Comments / Reference
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<i>HOLDS: Litigation, complaints, claims, audits, public records act requests, and/or investigations suspend normal retention periods (retention resumes after settlement or completion).</i>								
Ops / Water Quality	OPS-034	Water Quality Monitoring Plan	Superseded + 5 years		Mag, Mfr, OD, Ppr	S / I	Yes: After QC & OD	Department preference; GC §60201



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: September 19, 2024
TO: Board of Directors
FROM: Rocky Welborn, Director of Engineering
SUBJECT: **ADOPT RESOLUTION ADOPTING UPDATED CAPACITY CHARGES AND SERVICE INSTALLATION CHARGES AND ADOPT ORDINANCE UPDATING WATER SERVICE RULES AND REGULATIONS**

MEETING HISTORY:

08/28/24 Finance Committee REFERRED TO BOARD
 09/05/24 Board of Directors

MEETING HISTORY:

03/05/2024 Finance Committee – Presentation as an informational item
 03/21/2024 Board Meeting – Presentation as an informational item

BACKGROUND:

Capacity Charges and Service Installation Charges are the fees that the District has established for new connections to our water system to “buy-in” to our system and covers the shared components of our total system, such as the wells, transmission mains, reservoirs, and pump stations, as well as the proportionate share of new facilities that will be built to serve new connections, as well as the time and material to connect to the system. The Capacity Charges and Service Installation Charges imposed represent a proportionate share of the cost of facilities necessary to provide system capacity to a new connection. They are usually paid by developers at the time of property development.

Government Code Section 66013(b)(3) defines a “Capacity Charge” to mean a “charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged. Section 66013(b)(5) defines a “Fee” such as the Service Installation Charges as a fee for the physical facilities necessary to make a water connection or sewer connection, including, but not limited to, meters, meter boxes, and pipelines from the structure or project to a water distribution line or sewer main, and the estimated reasonable cost of labor and materials for installation of those facilities bears a fair or reasonable relationship to the payor’s burdens on, or benefits received from, the water connection or sewer connection.

In August 2012, the Board of Directors adopted Ordinance 74 amending the Water Service Rules and Regulations and creating Article 20, “Schedule of Charges.” Which established the miscellaneous engineering and development fees and charges. Article 20 has been updated several

times to reflect increases in fees, charges and fines for violations of the Regulations, ultimately extracting the contents of Article 20 to Exhibit “C” of the Water Service Rules and Regulations.

In June 2021, the Board of Directors of the District adopted by Resolution No. 2021-11 the 2021 Development Impact Fee (or Capacity Charge) Study and adjusted the District’s Capacity Charge per equivalent dwelling unit (EDU).

In March 2024, this item was presented to the Board of Directors for informational purposes. Following that meeting, Staff consulted with legal counsel and made minor revisions to the document. These changes included replacing the term “Development Impact Fee” with “Capacity Charge” throughout the report, removing references to California Code sections 66001 and 66008 from the Legal Framework section, adding language in Chapter 3 to further justify for use of the Replacement Cost New (RCN) asset valuation methodology, and including an appendix listing of Capital Improvement Plan projects with a breakdown of each project’s allocation between current and future customers.

In addition to the mentioned revisions from legal counsel, Staff is also recommending the following modifications to Exhibit “C”:

- Clarifications to descriptions of fee wording
- Update of deposits amounts to reflect increased costs of materials including meters, valve box and appurtenances
- Removing deposit fees categories that are no longer leveraged by developers
- Increasing costs for certain inspections and meter service installation charges to reflect the increased costs of meters
- Modifying the backflow prevention assembly charges to reflect actual costs
- Removal of a per linear foot inspection fees, in lieu of project specific inspection fee estimates
- Updating of the shutoff notice fee language to reflect recent regulatory requirements
- Increasing fines for violations of the Water Service Rules and Regulations to account for inflationary conditions
- Adding a new fine for unauthorized operation of the Districts’ distribution and transmission valves

DISCUSSION:

In August 2023, Robert D. Niehaus, Inc. (RDN) was contracted by the West Valley Water District (District) to prepare a 2024 Capacity Charge Update Study (Study) based on the adopted 2020 Water Facilities Master Plan (WFMP) and change in the District’s financial landscape since the completion of the 2021 Development Impact Fee Study. The purpose of the WFMP is to determine the future water demands and supply requirements, and to identify the water facilities needed to produce, deliver, store and transport that supply to the District’s customers. Capacity Charges are primarily intended to recover the funds needed to support the Capital Improvement Project costs for expansion.

Attached as **Exhibit A** is a copy of the prepared 2024 Capacity Charge Update Study. The main goals of the Update are to:

- Ensure compliance with state regulations regarding capacity charges,

- Update the current capacity charge based on increase capacity required to serve new connections,
- Evaluate the current fire capacity charges and recommend updated charges for the new connections with fire requirements,
- Provide a revenue analysis of recommended Capacity Charges and Fire Capacity Charges

Attached as **Exhibit B** is a copy of the Resolution adopting the 2024 Capacity Charges Update Study. This Study provides a summary of recommendations to recover sufficient revenues to accommodate necessary system growth.

Attached as **Exhibit C** is a copy of Water Service Regulations Exhibit “C” with track changes showing the updated Capacity Charges and staff recommended revisions. Because these revisions include increases to certain miscellaneous fees in addition to the Capacity Charges and Service Installation Charges, these revisions will be adopted only after a noticed public hearing.

FISCAL IMPACT:

The Fiscal Impact will be based on recommendation and approval of the Board of Directors.

STAFF RECOMMENDATION:

Staff recommends that the Committee forward a recommendation to the Board of Directors to:

1. Conduct a Public Hearing;
2. Adopt a Resolution of the Board of Directors of the West Valley Water District adopting the District’s Updated Capacity Charges and Service Installation Charges;
3. Adopt an Ordinance of the Board of Directors of the West Valley Water District updating Article 20, Schedule of Charges, of the Water Service Regulations; and
4. Authorize the General Manager to execute all necessary documents related to implementing the recommendations of the Study.

ATTACHMENT(S):

1. Exhibit A - 2024 Capacity Charge Update Study
2. Exhibit B - Resolution Adopting Capacity Charges
3. EXHIBIT C - Ord amending Rules - w track changes (BBK updates re_ SB 998 8.19.24)-c1

EXHIBIT A

WEST VALLEY WATER DISTRICT

2024 Capacity Charge Update

Final Report

July 26, 2024



WEST VALLEY WATER DISTRICT 2024 CAPACITY CHARGE UPDATE

FINAL REPORT

Prepared for:

West Valley Water District
855 W. Base Line
Rialto, CA 92377

Prepared by:

ROBERT D. NIEHAUS, INC.
140 East Carrillo Street
Santa Barbara, CA 93101
(805) 962-0611

RDN Project Number 350



July 26, 2024
Ms. Linda Jadeski
Assistant General Manager
West Valley Water District
855 W. Base Line
Rialto, CA 92377

Subject: 2024 Water Capacity Charge Update

Dear Ms. Linda Jadeski,

Robert D. Niehaus, Inc. (RDN) is pleased to provide this 2024 Capacity Charge Update Report (Report) for the West Valley Water District (WVWD or District). This study includes an extensive review of the District's Charge calculation methodology, and derivation of an updated Charge for the District's consideration.

Most of the information used in the Charge calculation was taken from the 2020 Water Facilities Master Plan (2020 WFMP) created by AKEL Engineering Group in April, 2020. However, this Study updates key variables that have significant impacts on the resulting Charge. The key variables updated for this Report are system asset value, capital expenses for future growth, outstanding debt principle, cumulative Capacity Charge revenue, current capital reserves, future system capacity and current system-wide Equivalent Dwelling Units (EDU).

It has been an absolute pleasure to work with your District. We thank you and other District Staff for the support provided during this study.

Respectfully submitted,

A handwritten signature in blue ink that reads "Robert D. Niehaus".

Robert D. Niehaus, Ph.D.
Managing Director/Principal Economist

Anthony Elowsky, M.A.
Project Manager

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EXECUTIVE SUMMARY

Purpose of Study

Robert D. Niehaus (RDN) was engaged by West Valley Water District (WVWD, District) to review and update the District's Capacity Charges. WVWD last updated its Charges in 2021. The current Charges require an update to accurately reflect the current asset value and costs of future expansion projects.

RDN began the study by reviewing the District's most up-to-date financial, engineering, and planning documents. RDN reviewed all items and data sources submitted by the District and ensured the recommended Charges meet the following objectives:

- Ensure compliance with state regulations regarding Capacity Charges,
- Update the current Capacity Charge based on increased capacity required to serve new development,
- Evaluate the current fire capacity charges and recommend updated charges for the new connections with fire requirements,
- Provide a revenue analysis of recommended Capacity Charges and Fire Capacity Charges,

Current Capacity Charge

The District's current Capacity Charges were designed by RDN in 2021 utilizing the information presented in the 2020 Water Master Plan. RDN assessed the Charges based on each Equivalent Dwelling Unit (EDU), which represented a customer account with a 3/4 inch or smaller water meter. Since the 2021 study, the District has adjusted the impact Charge by 3.4 percent annually.

Table 1 shows the current Capacity Charges and fire service capacity charges by meter size.

Table 1. Current Capacity Charges and Fire Service Capacity Charges

Meter Size	Capacity Charge	Fire Service Capacity Charge
5/8" & 3/4"	\$15,818	-
1"	\$26,416	\$1,507
1-1/2"	\$52,467	\$3,013
2"	\$84,311	\$4,821
3"	\$158,182	\$9,040
4"	\$263,690	\$15,066
6"	\$527,220	\$30,133
8"	\$843,584	\$48,212
10"	-	\$69,305
12"	-	\$129,571

Summary of Recommendations

Capacity Charges are primarily intended to recover both the District’s proposed Capital Improvement Program (CIP) costs for expansion identified in the 2020 WFMP, and utility rate payers’ prior investment in capital facilities that support development by providing extra capacity for new connections. After extensive review of the previous study, 2020 WFMP, District asset lists, recent CIP lists, and other updated data provided by the District, RDN derived the updated Capacity Charge for the District to consider.

RDN made the following assumptions when determining the updated Impact Charge:

- Include all outstanding CIP costs attributed to future growth identified in the 2020 WFMP,
- Escalate system asset values to today’s dollar value by using the Los Angeles Construction Cost Index (CCI) published by Engineering News Record (ENR),
- Identify the current system capacity and the buildout capacity by function to accurately compute Charges for the Buy-in component and the Incremental Cost component of the Capacity Charge,
- Use 670 gallons per day (gpd), the unit of service per Equivalent Dwelling Unit (EDU) identified in the 2020 WFMP where applicable,
- Increase customer equitability by offsetting charges with debt service principal payments, developer funded projects, and Capacity Charge revenues,
- Develop Fire Capacity Charges by isolating the extra capacity in the system’s infrastructure required for fire requirements.

The recommended Charges outlined in this report were developed using industry standard methodologies elaborated by American Water Works Association (AWWA) Principles of Water Rates, Charges, and Charges – Manual of Water Supply Practices (M1). For this update, replacement costs are used to value the system assets without depreciation (Replacement Cost New, RCN).

For the recommended Charges, RDN used the following formula to compute the base Charge of 3/4 inch and smaller meter.

$$\left(\frac{(\text{Replacement Cost of Assets} \pm \text{Adjustments})}{\text{Current Capacity}} \times \frac{\text{gpd}}{\text{edu}} \right) + \left(\frac{\text{CIP Cost for Expansion}}{\text{Added Capacity}} \times \frac{\text{gpd}}{\text{edu}} \right)$$

This formula provides for adjustments such as exclusion of the principal on existing debt and revenues collected from Capacity Charges, and inclusion of the capital reserve balance in the total Buy-in asset value calculation represented by the numerator. The adjusted asset value (allowable asset value) was divided by the current system capacity, resulting in a unit cost of the capacity. The unit cost was multiplied by 670 gpd defined as a per EDU demand in the 2020 WFMP for the base meter. The same calculation was repeated for the CIP cost component and the Charges were summed together to compute a total Capacity Charge per EDU. The following tables show the updated Capacity Charges by meter size. The Charges for larger meters were scaled up from the base Charge using the AWWA capacity ratios.

Fire Capacity Charge is computed by assessing the extra capacity needed to serve customers in fire emergencies. The 2020 WFMP indicated that the fire requirements only apply to infrastructure associated with storage and pipes. RDN separated the fire service capacity from the total capacity of these systems and applied an applicable unit of service to calculate the charges. Since the fire capacity is also a requirement of public hydrants, RDN reallocated the share of the public hydrant’s costs back to the Capacity Charge calculation.

Replacement Cost New (RCN)

The updated Charge maintains the Replacement Cost New (RCN) method to calculate the system asset value. The replacement costs are calculated by escalating the original purchase cost to current-day dollars, but no accumulated depreciation is subtracted from the asset value. This methodology fairly compensates the existing customers for carrying the costs of the excess capacity built into the system which is readily available for new customers to join. The total projected Capacity Charge revenue by 2046 is \$270 million. No change in overall methodology is proposed under this update. Table 2 displays the update Capacity Charges for each meter size.

Table 2. Updated Capacity Charge Schedules

Meter Size	Capacity Charge	Fire Service Capacity Charge
5/8" & 3/4"	\$16,734	-
1"	\$27,946	\$1,363
1-1/2"	\$55,725	\$2,725
2"	\$89,193	\$4,360
3"	\$167,341	\$8,176
4"	\$278,958	\$13,626
6"	\$557,748	\$27,252
8"	\$892,430	\$43,603
10"	-	\$62,680
12"	-	\$117,184

The District currently charges single family dwellings constructed on lots of less than 10,000 sq.ft., which are required to install 1-inch meter to meet fire requirements, a Capacity Charge of a ¾ inch meter plus a 1 inch meter Fire Capacity Charge instead of paying the Charge for the 1 inch meter. RDN accepts this approach to be fair and equitable considering the service requirements for such dwelling units would never exceed those of ¾ inch meter.

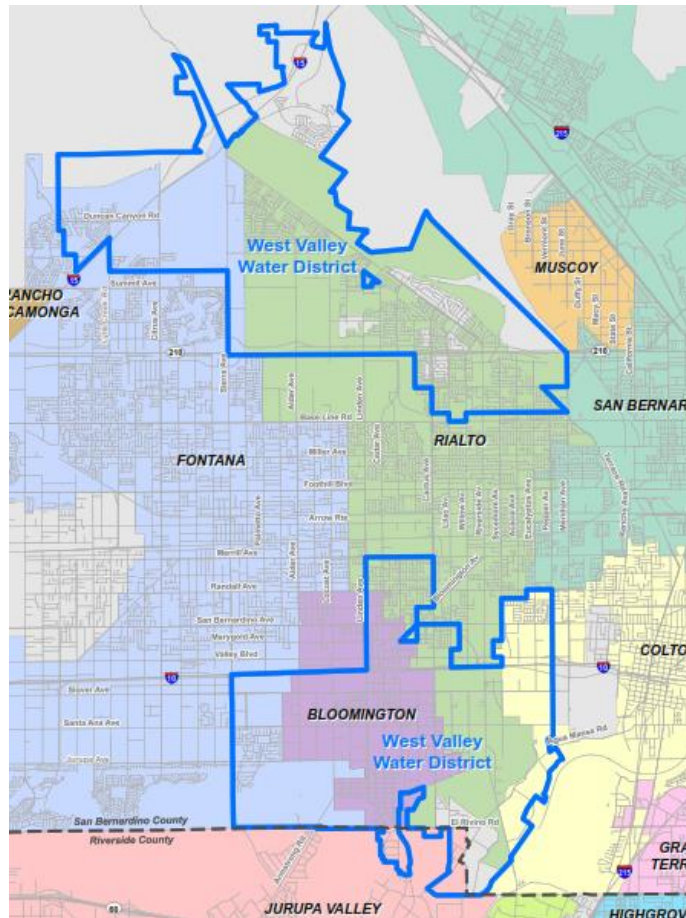
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1. INTRODUCTION

District Overview

The West Valley Water District (WVWD or District) is a Special District governed by a five-member Board of Directors which provides water service to a population of 83,902 people through 22,033 connections in San Bernardino and Riverside Counties. The 32 square-mile service area encompasses parts of the Cities of Rialto, Bloomington, Colton, Fontana, Jurupa Valley, and some unincorporated areas in San Bernardino and Riverside Counties. Residential customers make up approximately 93 percent of the District’s customers. District facilities include 21 groundwater wells with a pumping capacity of approximately 42,000-acre feet per year (AFY), over 375 miles of pipeline, 25 storage tanks with a total storage capacity of 72 million gallons (MG), and 3,204 fire hydrants. The District’s water supply sources include groundwater basins such as Lytle Creek Basin, Bunker Hill Basin, and Rialto Colton Basin, and two sources of surface water including Lytle Creek and the State Water Project. The future water demand used for this study was based on the 2020 WFMP. Figure 1 shows WVWD’s current service area.

Figure 1. West Valley Water District Service Area



Charge Terminology

“Capacity Charge” is commonly used terminology to describe system development charges imposed on new customers. There are other names commonly used by utilities such as Development Impact Fees, Connection

Charges, and Capital Recovery Charges. Though they all mean the same thing and are used for the same purpose, the variety of terms often creates confusion. In this Report, RDN uses “Capacity Charge” as the term for a system development charge, a one-time charge paid by a new water system customer for its system capacity.

Legal Framework

This section of the report describes the legal framework that was considered in the update of the Capacity Charges to ensure that the calculated Capacity Charges provide a fair and equitable allocation of costs to current and future customers.

[California Code 66013](#)

(a) Notwithstanding any other provision of law, when a local agency imposes Charges for water connections or sewer connections, or imposes Capacity Charges, those Charges or charges shall not exceed the estimated reasonable cost of providing the service for which the Charge or charge is imposed, unless a question regarding the amount of the Charge or charge imposed in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issue.

“Capacity Charge” means a charge for public facilities in existence at the time a charge is imposed or charges for new public facilities to be acquired or constructed in the future that are of proportional benefit to the person or property being charged, including supply or capacity contracts for rights or entitlements, real property interests, and entitlements and other rights of the local agency involving capital expense relating to its use of existing or new public facilities. A “Capacity Charge” does not include a commodity charge.

(c) A local agency receiving payment of a charge as specified in paragraph (3) of subdivision (b) shall deposit it in a separate capital facilities fund with other charges received, and account for the charges in a manner to avoid any commingling with other moneys of the local agency, except for investments, and shall expend those charges solely for the purposes for which the charges were collected. Any interest income earned from the investment of moneys in the capital facilities fund shall be deposited in that fund.

Economic Framework

The simplest and most succinct economic justification for Capacity Charges is the idea that “growth-pays-for growth,” Essentially, stating that customers who benefit from a service should be the ones who pay for that service. The AWWA Manual M26 states: “the purpose of designing customer-contributed [connection Charges] is to prevent or reduce the inequity to existing customers that results when these customers must pay the increase in water rates that are needed to pay for added plant costs for new customers.” To effect fair distribution of the value of the system, Capacity Charges should reflect a reasonable estimate of the cost of providing capacity to new users and not disproportionately burden existing users through a rate increase.

Additionally, according to Neslon¹, “Local public officials are coming to accept that underpricing of facilities leads to their inefficient use. Development is less intense, more spread out, and more wasteful of facilities when it does not have to pay the full cost of the facilities to which it connects and uses.” By allowing new development to pay for its full share of the cost of providing new facilities, local officials use market principles to determine when new development is feasible.

¹ Nelson, Arthur C. 1995. System development charges for water, wastewater and stormwater facilities. CRC Press.

Capacity Charges should also meet rational nexus criteria to assure maximum reasonable acceptance by the development community, local government elected and administrative officials, and courts. At the heart of the rational nexus test is the concept of "proportionate share," which can be defined as that component of the cost of existing and future system improvements that is reasonably related to the demands of new development.

Key Assumptions

The asset values utilized in this report have been adjusted to reflect the most recent data release by the Engineering News Record (ENR) Los Angeles Construction Cost Index (CCI), with a reference date of January 1, 2024. Growth projections and capacity estimates were calculated using data presented in the 2020 WFMP. Additionally, capital projects for expansion scheduled between FY 2018 and FY 2023 were moved to the current asset list upon District confirmation of their execution.

Water Demand per Equivalent Dwelling Unit (EDU)

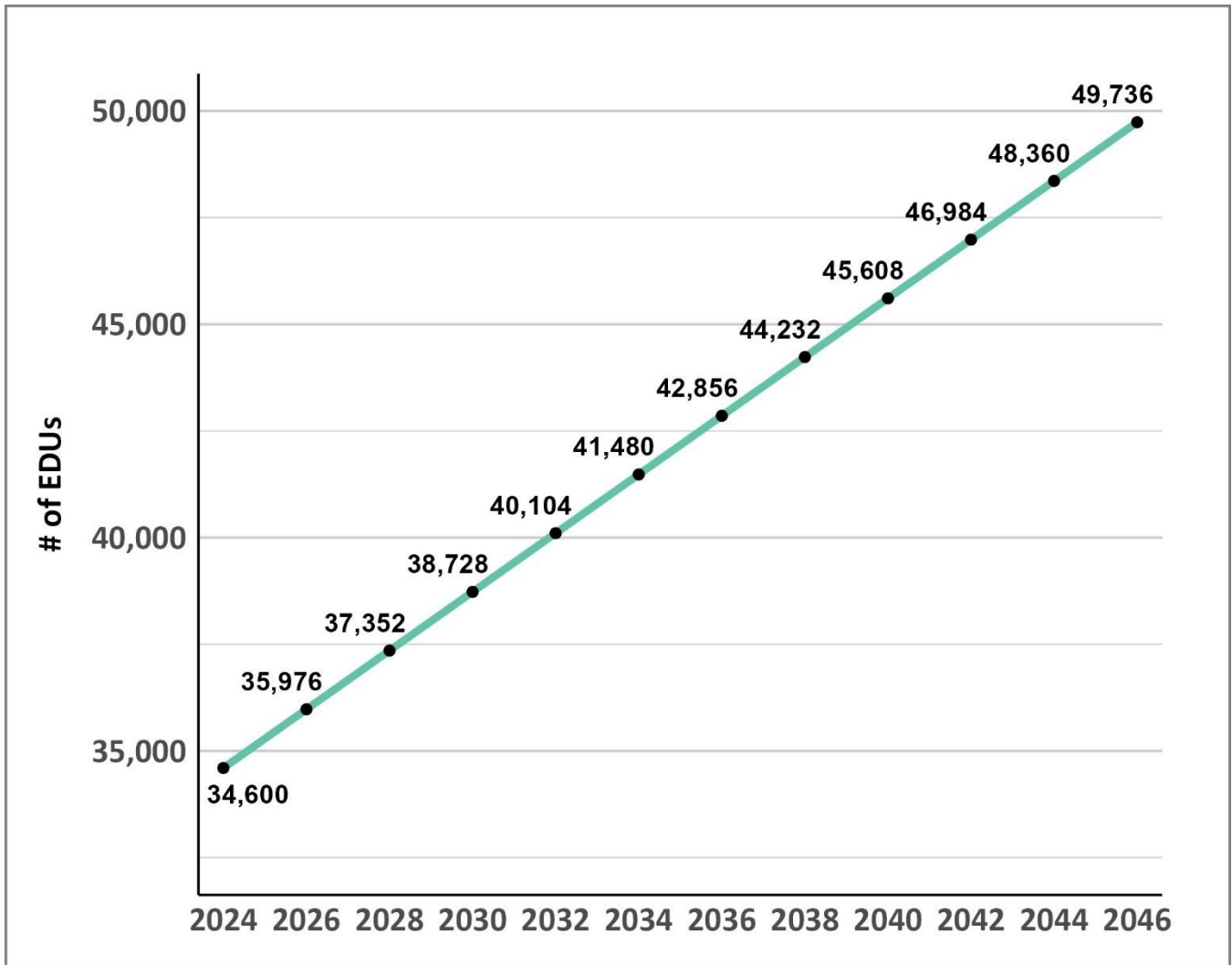
The water demand per EDU at 670 gallons per day (gpd) was used as a base demand of future customers in the 2020 WFMP. This is based on the demand of 212 gallons per capita per day (gpcd) multiplied by a typical household size (3.16) in the region. This amount accounts for water losses and occupancy vacancies identified in the 2020 WFMP.

EDU Growth

The projected EDU count for the build-out in the 2020 WFMP is 49,736. The EDU count used in the previous study was estimated at 32,308 in FY 2021. The District provided EDU growth data which was utilized to estimate the current EDU count of 34,600 for FY 2024.

Figure 2 displays projected EDU growth between the current (2024) and buildout (2046).

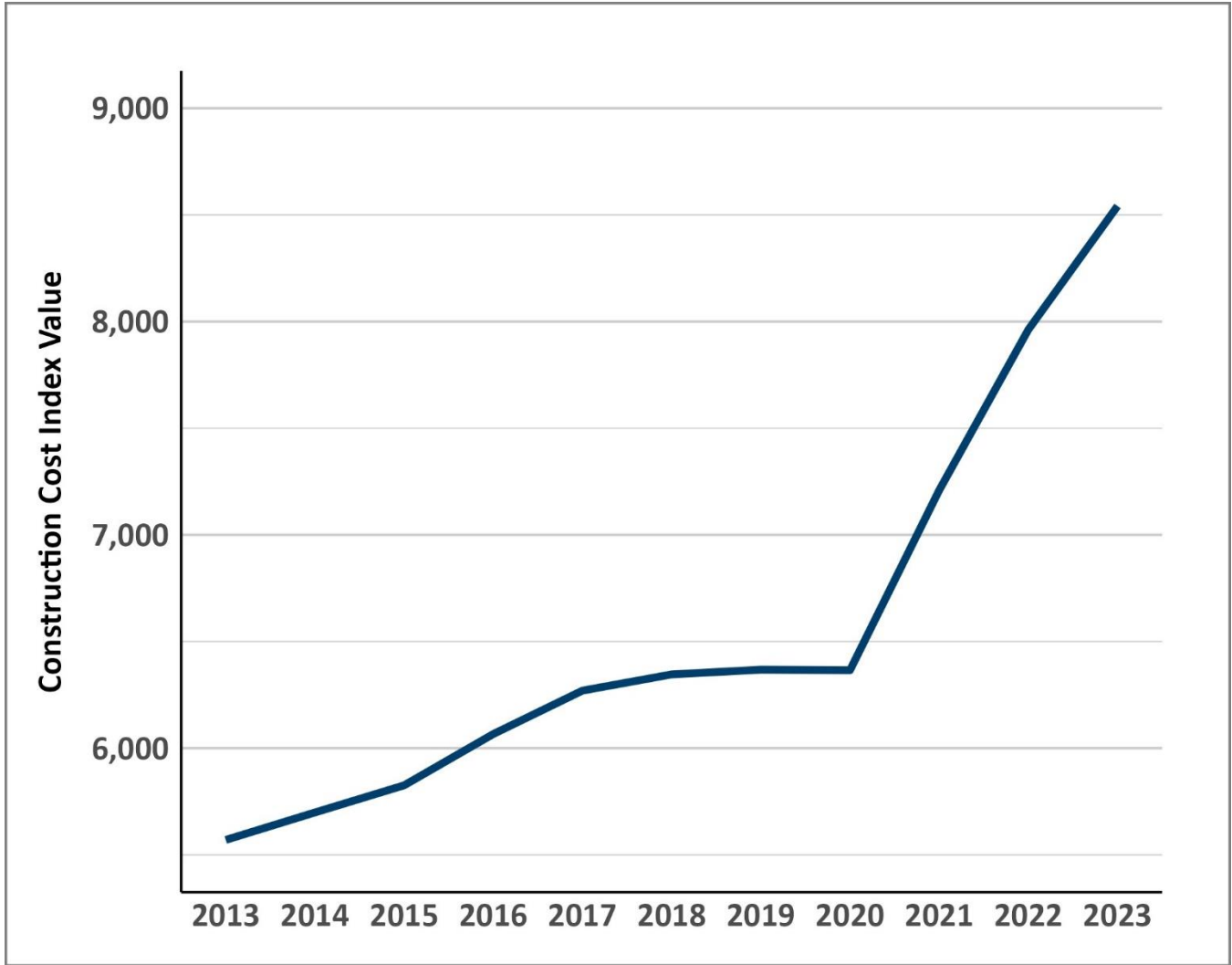
Figure 2. Projected EDU Growth, Current (2024) to Buildout (2046)



Construction Cost Index

RDN escalated the costs of replacing existing system assets using the Los Angeles CCI published by Engineering News Record. The CCI is based on current costs for construction inputs such as labor, steel, cement, and lumber in the Los Angeles area. Figure 3 shows the indexed change in construction costs between 2013 and the current (2023).

Figure 3. Historic Los Angeles Construction Cost Index



Equivalent Meter Ratios

Capacity requirements placed on the water system can be measured by the size of installed meters which receive services from the system. The safe operating flow (or capacity) of a particular size of meter is essentially the limiting factor in terms of the demand that can be exerted on the water system through the meter. The ratio of the safe operating capacity of various sizes of meters relative to the capacity of a base meter may be used to determine appropriate charges for the larger meter sizes². It is the District’s policy to consider all meters that are 3/4-inch and smaller as a base meter (equal to one equivalent meter). The capacity ratio for larger meters is calculated using the meter capacity requirements provided in the AWWA M1.

² From “Principles of Water Rates, Charges, and Charges” by American Water Works Association, 2017, Seventh Edition, Appendix B, p. 385.

Table 3. AWWA Equivalent Meter Ratios

Meter Size	Meter Capacity Ratio
5/8" & 3/4"	1.0
1"	1.7
1-1/2"	3.3
2"	5.3
3"	11.7
4"	20.0
6"	41.7
8"	60.0
10"	76.7
12"	143.3

2. METHODOLOGY

The Capacity Charge was developed using guidelines set forth by the AWWA M1. The two primary methods outlined in the M1 used to calculate Capacity Charges are the Buy-in and the Incremental Cost methods. The Buy-in method recovers the cost of capacity in those portions of the existing system in which there is still capacity available. The Incremental Cost method is a calculation of the Incremental Costs of additional system capacity needed to add to serve new development. There is also a hybrid approach in which these two methods are combined. The combined approach is most often used when the system has some capacity left to take on new customers, but additional capacity is also needed to serve projected growth in the planning horizon. RDN maintained the current methodology, the combined approach, as it is most appropriate for the WVWD's Charge calculation. In this section each method is described in detail and the rationale is provided for selecting the combined approach for the District's Capacity Charge calculation.

Buy-in Method

Under the Buy-in method, new development purchases a share of capacity proportionate to the development's estimated demand. This method is typically used when the existing water system has the capacity to accommodate increased demand without large investment in capital projects. There are four generally accepted methods used to determine the existing system value:

- **Original Cost** – asset cost in the year of construction
- **Original Cost less Depreciation** – original cost subtracting the accumulated depreciation of system assets
- **Replacement Cost New (RCN)** – original cost escalated to current dollars using a construction cost index. This method reflects the cost of replicating the existing system.
- **Replacement Cost New less Depreciation (RCLD)** – replacement cost new of existing system subtracted by the accumulated depreciation. This method reflects the current costs of replacing system assets while adjusting the valuation to reflect the remaining life of current assets.

Incremental Cost Method

While the Buy-in method is used when the system has sufficient capacity for additional development, the Incremental Cost method is most appropriate when current system capacity is not capable of serving new development without significant investment in new facilities. Under this methodology all of the costs of future system expansion are allocated to new customers. This method requires a detailed long-term capital improvement plan (CIP) that clearly identifies the proportion of project cost contributing to expansion of the system

Combined Approach

For systems that have the capacity to serve new development in the short-run but require investment in capacity-expanding facilities in the long-run, a combination of Buy-in and Incremental Cost methods is considered. Capacity Charges developed under the combined method reflect the value of the existing system and expansion related CIPs.

Proposed Approach

According to the 2020 WFMP, the current system holds some remaining capacity to accommodate new customers. The District anticipates rapid expansion of roughly 15,000 additional EDUs over the 2024-2046 period. RDN recommends Capacity Charges for the District be calculated based on the combined approach. This approach captures the significant investment made into the existing system by current customers and the cost of capital improvement projects scheduled for expansion. Figure 4 displays the summarized formula used to calculate the District’s Charges under the combined approach.

Figure 4. Combined Approach, Capacity Charge Calculation Methodology for WWWD



3. CHARGE CALCULATION

RDN first evaluated which assets are eligible for inclusion in the Capacity Charge calculation. It is common Charge setting practice to only include the asset value of the backbone infrastructure in the system. To calculate the Capacity Charges, RDN allocated each asset between eight major service functions using the pertinent asset value and system capacity specific to each function. The functions include source of supply, treatment, storage, pumping, pipes, general plant, water rights, and land. Asset values were adjusted by taking out the assets funded by developers, grants, and other non-rate funding sources. Additionally, adjustments were made to the system asset values to avoid double charging new customers for costs they will inherit in their rates once they join the system. The capital reserve fund was then included in the asset list as a viable asset. The asset value after these adjustments is denoted as “allowable asset value” in this Report. The allowable asset value is divided by the corresponding system capacity, resulting in a unit cost of the capacity. The unit cost was multiplied by 670 gpd defined as per EDU demand in the 2020 WFMP, or other unit of services per EDU applicable to the specific function. The same calculation was repeated for the Incremental Cost component and the Charges were summed together to compute a total Capacity Charge per EDU. The following section describes each of these components in detail.

System Value

Current System Asset Valuation (Buy-in Component)

The District provided RDN with a comprehensive fixed asset list containing over 2,000 items with acquisition dates between 1961 and 2022. The asset list included information such as asset number, system function, useful life, and original purchase date of each asset.

RDN maintained the current Buy-in methodology, utilizing the Replacement Cost New (RCN) method to calculate system value. Under this methodology the allowable asset value reflects the cost of replacing the backbone system in today’s dollars. The RCN valuation method was chosen to reflect the true cost of replacing assets at current prices and to fully capture the economic impacts of replacing old infrastructure. Each asset’s original cost is multiplied by the percent change in LA CCI between the asset’s purchase date and the implementation date of the new Charges. The RCN method does not account for accumulated depreciation of assets, meaning that even fully depreciated assets are valued at full replacement cost. The allowable asset value, after adjustments described in the following section, totals approximately \$214 million.

Table 4. Replacement Cost New Allowable Asset Value

Asset Function	RCN	Capacity Revenue Adj.	Debt Service	Capital Reserves	Allowable Asset Value
Source of Supply	\$37,924,877	\$11,527,186	\$3,188,596	\$1,659,208	\$24,868,304
Treatment	\$66,928,828	\$20,342,875	\$5,627,151	\$2,928,127	\$43,886,930
Storage	\$51,998,254	\$15,804,758	\$4,371,839	\$2,274,917	\$34,096,573
Pumping	\$26,634,808	\$8,095,593	\$2,239,365	\$1,165,269	\$17,465,119
Pipes	\$97,048,314	\$29,497,628	\$8,159,497	\$4,245,851	\$63,637,040
General Plant	\$18,102,795	\$5,502,306	\$1,522,022	\$791,995	\$11,870,462
Water Rights	\$15,736,094	\$4,782,952	\$1,323,038	\$688,452	\$10,318,555
Land	\$11,996,965	\$3,646,452	\$1,008,665	\$524,866	\$7,866,714
Total	\$326,370,934	\$99,199,751	\$27,440,173	\$14,278,685	\$214,009,696

Adjustments

Outstanding Debt Principal

The District currently makes payments on three loans: water participation rights, debt service used to fund construction of WVWD's Hydroelectric Plant, and the Series 2016A bond. These three debts have a cumulative outstanding principal of **\$27.4 million** as of FY 2024. New customers will start making payments through their water rates once they join the system, thus it is necessary to subtract the amount from the Charge calculation to avoid new customers paying once with a new connection, and paying again on their water bill.

Revenues from Capacity Charges

Previously collected Capacity Charge revenue was subtracted from the District's total asset value because the revenue was not generated through existing customers' rates. These revenues should not be included in the asset value calculation because the Charge a new customer pays is embedded into the property purchase price, which comes with the water service and related infrastructure. The value of this investment will continue to be included in the value of the house, thus the revenue generated from such Charges should not be recoverable either through water rates nor future Capacity Charges. When the customer sells the property, the value of the investment will be passed onto the next owner through the sale. Capacity Charge revenue represents a facet of property value rather than direct customer investment to the system. WVWD provided RDN with a comprehensive list of Capacity Charge revenue between FY 1985 to FY 2024, totaling roughly **\$99.2 million**.

Capital Reserves

The third and final adjustment is the addition of the District's Capital Reserves to the asset value calculation. The District's current capital reserve balance is **\$14.2 million**. This amount was added to the calculation as an allowable system asset value.

Capital Improvement Projects for Expansion (Incremental Cost Component)

To calculate the Incremental Cost component, RDN utilized the extensive capital improvement plan in the 2020 WFMP for the planning period (FY2019 – FY2046). Similar to the method used for the Buy-in component, RDN first

assigned the CIP projects to one of seven system functions including source of supply, treatment, pumping, valves, pipes, storage, and land. All scheduled CIPs in the 2020 WFMP were clearly classified as either existing or future (expansion) projects. RDN confirmed that future projects are all expansion related, thus should be included in the Charge calculation. RDN also confirmed the status of project execution with District staff. The fully executed projects scheduled between FY 2019 and FY 2023 in the 2020 WFMP were moved to the current asset list while the projects scheduled but not yet executed were kept in the future projects. Construction cost estimates from the 2020 WFMP were escalated to today's dollars based on the percent change in the LA CCI between December 2020 and December 2023. The cost of expansion related capital improvement projects totaled \$291 million. Table 5 shows the total expansion costs for each system function included in the asset value calculation.

Table 5. Capital Improvement Costs for Expansion by System Function

Function	Total Expansion
Source of Supply	\$18,036,801
Treatment	\$99,127,982
Pumping	\$41,900,427
Valves	\$558,207
Pipes	\$53,894,621
Storage	\$74,648,135
Land	\$3,147,966
Total	\$291,314,140

System Capacity

System capacity was measured individually for each function in order to compute a unit cost for system capacity. RDN assessed the current system capacity for the Buy-in component and the additional capacity expected to be produced by capital expansion for the incremental cost component. RDN also computed the capacity of the system required for the fire service to develop Fire Capacity Charges. A Fire Capacity Charge is computed by assessing the extra capacity needed to serve in times of fire emergencies. In the 2020 WFMP, it indicated that the fire requirements only apply to two functions, storage and pipes. The fire capacity serves the capacity demand placed by private fire protection service accounts and public hydrants. After the asset costs of the fire capacity were identified, RDN reallocated the costs of the public hydrants back to the Capacity Charge calculation. The 2020 WFMP indicated that the storage fire capacity requirement for the current and future combined is 5.58 million gallons (mg). The District's storage capacity is currently 72.1 percent of the total capacity at the build-out. RDN applied this percentage to the total requirement of 5.58 mg to estimate the current fire capacity in the system. The remaining capacity was allocated to the Incremental Cost component as additional capacity produced by the CIPs for expansion. Fire capacity for pipes were computed by taking the difference in the water demand between Peak Hour Day (PHD) and Peak Day Demand (PDD). Based on this calculation RDN allocated approximately 60 percent of the total cost to the Capacity Charge calculation and the remaining 40 percent to the Fire Capacity Charge calculation. RDN assumed that the current system pipes are sufficient to serve the District's existing customers and additional pipes scheduled to be installed will accommodate new development's required demand. Each of these costs are then divided by the current EDUs or the additional EDUs for the Buy-in and the Incremental Cost component, respectively. The capacity of other system functions such as general plant, water rights, and land

are calculated using the current EDUs for the current capacity and the EDU growth between the current and the build-out for the Incremental Cost component.

Unit of Service

Once the unit costs were calculated for the source of supply, treatment, and pumping functions, they were multiplied by the unit of service (670 gpd) to compute the base Charge for each function. RDN computed gallons of water available for each EDU for the storage function at the current capacity by taking the current total capacity less the fire capacity and dividing it by the current EDUs. For the Incremental Cost component, RDN used the average of water availability per EDU at two points in time, the current period and build-out, and defined it as a unit of service for the storage function.

Charge Calculation

Charge calculations inherently have a certain amount of latitude so that Charges can reflect local contingencies rather than be intractable in their application. The variations included here primarily signify differences in asset value calculation for the Buy-in component.

$$\left(\frac{\text{Replacement Cost of Assets} \pm \text{Adjustments}}{\text{Current Capacity}} \times \frac{\text{gpd}}{\text{edu}} \right) + \left(\frac{\text{CIP Cost for Expansion}}{\text{Added Capacity}} \times \frac{\text{gpd}}{\text{edu}} \right)$$

Buy-in Component
Incremental Cost Component

Table 6 presents a summary of Capacity Charge and Fire Capacity Charge calculation for the Buy-in component.

Buy-in Component

Table 6. Updated Capacity Charge Calculation – Buy-in

Asset Function	Allowable Asset Value	Current Capacity	Capacity for Fire Service	Unit Cost	Unit of Service	Fire Unit of Service	Unit	Capacity Charge per EDU	Fire Capacity Charge per EDU	Reallocation of Public Fire Costs	Total Capacity Charge
Source of Supply	\$24,868,304	41,500,000		\$0.60	670		GPD	\$401.49	0		
Treatment	\$43,886,930	43,000,000		\$1.02	670		GPD	\$683.82	0		
Storage	\$34,096,573	67,972,500	4,103,500	\$0.47	1,965	39.76740773	Gallons	\$929.35	\$18.81		
Pumping	\$17,465,119	45,402,240		\$0.38	670		GPD	\$257.73	0		
Pipes	\$63,637,040	36,237,200	25,366,040	\$1,081.90	1	187.7261132	EDU	\$1,081.90	\$187.73		
General Plant	\$11,870,462	34,600		\$343.08	1		EDU	\$343.08			
Water Rights	\$10,318,555	34,600		\$298.23	1		EDU	\$298.23			
Land	\$7,866,714	34,600		\$227.36	1		EDU	\$227.36			
Total	\$214,009,696							\$4,222.97	\$206.54	\$725.08	\$4,948.04

Table 7 shows the summary calculation for the Incremental Cost component.

Incremental Cost Component

Table 7. CIPs for Expansion (Incremental Cost)

System Function	Total Expansion	Current Capacity	Capacity for Fire Service	Unit Cost	Unit of Service	Fire Unit of Service	Unit	Capacity Charge per EDU	Fire Capacity Charge per EDU	Reallocation of Public Fire Costs	Total Capacity Charge
Source of Supply	\$18,036,801	35,100,000		GPD	\$0.51	670		\$344.29			
Treatment	\$99,127,982	35,100,000		GPD	\$2.82	670		\$1,892.19			
Pumping	\$41,900,427	71,769,600		GPD	\$0.58	670		\$391.16			
Valves	\$558,207	17,562,800	12,293,960	GPD	\$21.69	1	\$5.31	\$21.69	\$5.31	\$5.31	
Pipes	\$53,894,621	17,562,800	12,293,960	GPD	\$2,094.49	1	\$512.34	\$2,094.49	\$512.34	\$512.34	
Storage	\$74,648,135	25,934,000	1,476,500	Gallons	\$2.72	1,953	\$34.28	\$5,317.94	\$93.37	\$93.37	
Land	\$3,147,966	15,136		EDU	\$207.98	1		\$207.98			
Total	\$291,314,140							\$10,269.74	\$611.02	\$1,516.32	\$11,786.06

Figure 5 presents the total Charge, as a sum of both the Buy-in and Incremental portions. The recommended Charge is calculated using Replacement Cost New (RCN). Figure 6 shows the proposed Fire Capacity Charge.

Figure 5. Updated Capacity Charge



Figure 6. Updated Fire Capacity Charge

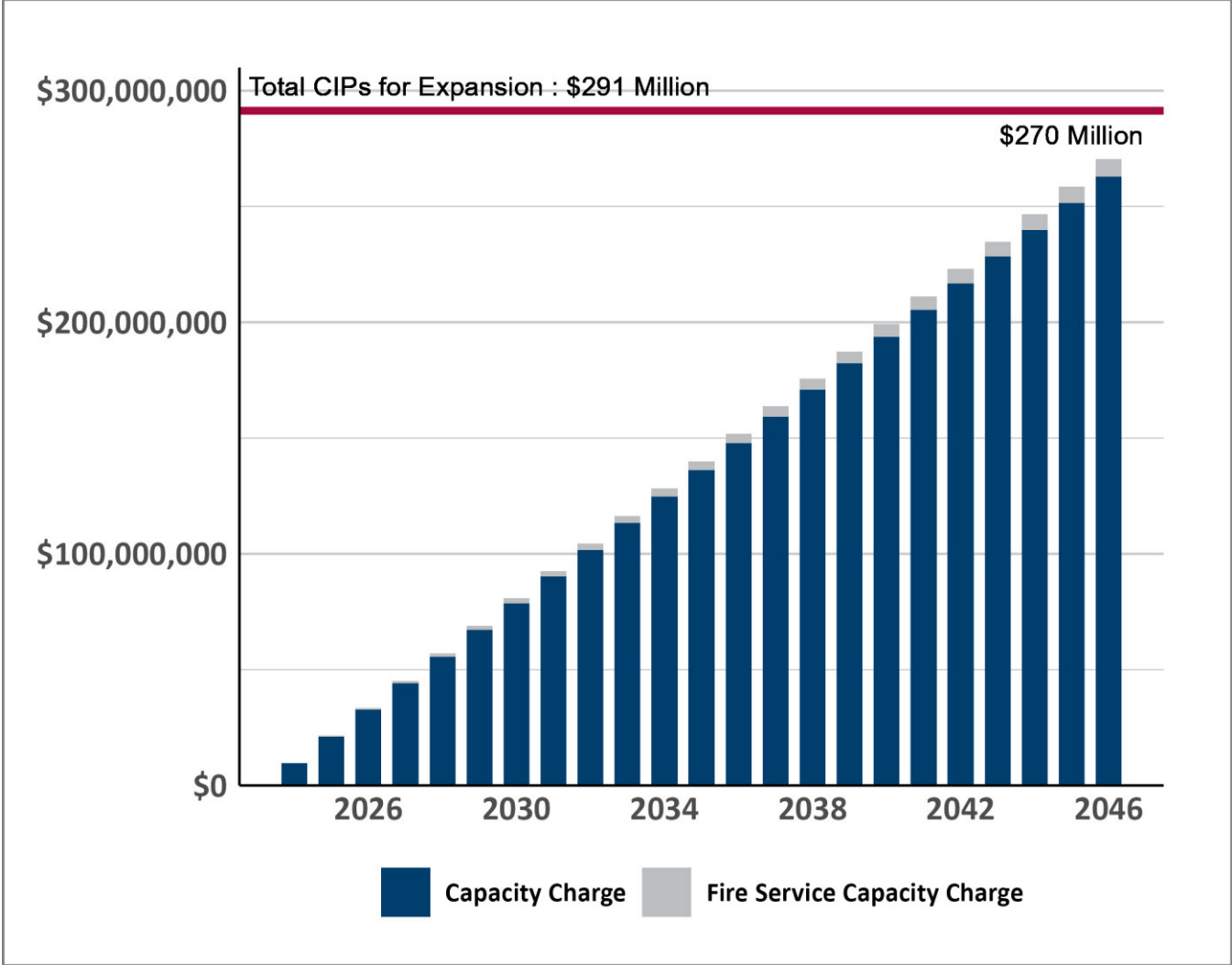


The Capacity Charge calculation for the base meter (3/4-inch and smaller) resulted in \$16,734. The recommended Charge will generate an additional \$262 million cumulative revenues from Capacity Charges and an additional \$8 million from the Fire Service Capacity Charge revenues, totaling \$270 million by FY 2046. The cumulative revenues generated through the updated Charge, when combined with the District’s current Capacity Charge revenue of \$99 million, sufficiently fund all expansion-related capital needs. This comprehensive funding approach ensures adequate resources for future development projects.

Table 8. Capacity Charges and Fire Capacity Charges by Meter Size

Meter Size	Safe Maximum Operating Flow	System Demand Factor	Capacity Charge	Fire Service Capacity Charge
5/8" & 3/4"	30 gpm	1.0	\$16,734	-
1"	50 gpm	1.7	\$27,946	\$1,363
1-1/2"	100 gpm	3.3	\$55,725	\$2,725
2"	160 gpm	5.3	\$89,193	\$4,360
3"	350 gpm	11.7	\$167,341	\$8,176
4"	600 gpm	20.0	\$278,958	\$13,626
6"	1250 gpm	41.7	\$557,748	\$27,252
8"	1800 gpm	60.0	\$892,430	\$43,603
10"	2300 gpm	76.7	-	\$62,680
12"	4300 gpm	143.3	-	\$117,184

Figure 7. Forecasted Revenues with Updated Charge



4. FINAL RECOMMENDATIONS

The District's planned capital improvement project scheduled between FY 2024 and FY 2046 totals nearly \$300 million. Capacity Charge revenue is restricted and must be used to fund expansion-related capital costs. Without sufficient funding sourced from new development, funding the District's growth through water rates could place massive burden on the current ratepayers. RDN updated the District's Charges, which conform to State guidelines. The proposed Charges will increase Capacity Charge revenues and are proportional to the current system value and planned expenses of expansion-related capital improvements.

The updated study results in a Capacity Charge of \$16,734. RDN recommends that the District update the Capacity Charge each year to keep pace with construction cost inflation. The District can apply the annual adjustment (increase or decrease) in the ENR Los Angeles CCI. Additionally, we recommend that WVWD conduct a review of the Charge every four to five years or when there are significant changes in the physical system, planned capital projects, pace of new development, or other major changes. Table 9 illustrates the dollar change between the adjusted Charges effective July 1, 2024 and the proposed impact Charges for each meter size.

Table 9. Dollar Change between Adjusted July 1, 2024 and Proposed Impact Charges

Meter Size	July 1, 2024 (1) Capacity Charge	Proposed July 1, 2024 Capacity Charge	Dollar Change
5/8" & 3/4"	\$15,818	\$16,734	\$916
1"	\$26,416	\$27,946	\$1,530
1-1/2"	\$52,467	\$55,725	\$3,258
2"	\$84,311	\$89,193	\$4,882
3"	\$158,182	\$167,341	\$9,159
4"	\$263,690	\$278,958	\$15,268
6"	\$527,220	\$557,748	\$30,528
8"	\$843,584	\$892,430	\$48,846

Note: (1) Capacity Charges effective July 1, 2024, with 3.37% annual increase per adopted Resolution No. 2021-11.

5. APPENDIX (CIP LIST)

Project Number	Zone	Function	2023 Dollars	Existing Users	Future Users
Z8-R8-3A		8 Storage	\$107,348	10%	90%
LR-R3-5		8 Storage	\$2,556,213	0%	100%
Z3A-P1 a		3A Pipelines	\$46,965	100%	0%
Z3A-P1 b		3A Pipelines	\$145,590	100%	0%
Z7-PRV1		7 Pressure Reducing Valves	\$139,552	0%	100%
Z7-PRV4		7 Pressure Reducing Valves	\$139,552		
Z8-PS8-3		8 Pumping	\$3,781,317	0%	100%
W54		6 Source of Supply	\$201,277	80%	20%
Z6-PRV1		6 Pressure Reducing Valves	\$139,552		
Z6-PRV2		6 Pressure Reducing Valves	\$139,552	0%	100%
Z7-PRV2		7 Pressure Reducing Valves	\$139,552	0%	100%
Z7-PRV3		7 Pressure Reducing Valves	\$139,552	0%	100%
Sierra Ave Pipeline Capacity Increase		6 Pipelines	\$161,021		
Z7-P2		7 Pipelines	\$287,155	0%	100%
Z7-P16		7 Pipelines	\$334,119	0%	100%
Z7-P6		7 Pipelines	\$379,742	0%	100%
Z7-P11		7 Pipelines	\$454,885	0%	100%
Z7-P5		7 Pipelines	\$472,329	0%	100%
Z7-P7		7 Pipelines	\$555,523	0%	100%
Z7-P14		7 Pipelines	\$666,897	0%	100%
Z7-P8		7 Pipelines	\$833,285	0%	100%
Z7-P13		7 Pipelines	\$982,230	0%	100%
Z7-P16C		7 Pipelines	\$1,015,776	0%	100%
Z7-P3		7 Pipelines	\$1,098,970	0%	100%
Z7-P17		7 Pipelines	\$1,537,753	0%	100%
Z7-P4		7 Pipelines	\$1,618,264	0%	100%
Z7-P12		7 Pipelines	\$1,936,281	0%	100%
Z7-P9		7 Pipelines	\$2,014,108	0%	100%
Z7-P15		7 Pipelines	\$2,083,884	0%	100%
Z7-P1		7 Pipelines	\$2,129,507	0%	100%
Z7-P18		7 Pipelines	\$2,176,471	0%	100%
Z7-P10		7 Pipelines	\$3,304,962	0%	100%
Z7-PS7-3		7 Pumping	\$3,989,303	0%	100%
OPR WFF 16 mgd expansion Phase 1		5 Source of Supply	\$670,922	0%	100%
Z7-R7-5		7 Storage	\$8,689,783	0%	100%
Well 54 Deaeration Tank		6 Storage	\$442,809	100%	0%
Z6-P1		6 Pipelines	\$1,620,948	100%	0%
Z6-P2		6 Pipelines	\$119,424	100%	0%
Z4-PS4-3		4 Pumping	\$4,025,533	0%	100%
Cedar PI Pipeline Capacity Increase		3 Pipelines	\$112,715		
W41		2 Source of Supply	\$738,014	80%	0%
Z8-R8-3B		8 Storage	\$5,367,377	10%	90%
Z6-P7		6 Pipelines	\$236,165	0%	100%
Z6-P8		6 Pipelines	\$315,333	0%	100%

Z6-P12	6 Pipelines	\$324,726	0%	100%
Z6-P14	6 Pipelines	\$362,298		
Z6-P6	6 Pipelines	\$389,135	0%	100%
Z6-P11	6 Pipelines	\$407,921	0%	100%
Z6-P9	6 Pipelines	\$611,881	0%	100%
Prop. Acq. For R6-6	6 Others	\$701,785	0%	100%
Z6-P16	6 Pipelines	\$1,231,813	0%	100%
Z6-P4	6 Pipelines	\$1,611,555	0%	100%
Z6-P5	6 Pipelines	\$1,620,948	0%	100%
Z6-P10	6 Pipelines	\$1,681,331	0%	100%
Z6-P3	6 Pipelines	\$1,953,725	0%	100%
Z6-P13	6 Pipelines	\$1,972,511	0%	100%
Z6-P15	6 Pipelines	\$3,221,768	0%	100%
Z6-PS6-3	6 Pumping	\$3,959,782	0%	100%
Z6-R6-6	6 Storage	\$7,667,298	0%	100%
Z6-R6-5	6 Storage	\$15,333,254	0%	100%
R7-5 Site Investigation	7 Storage	\$79,169	0%	100%
Z5-P4	5 Pipelines	\$709,836	0%	100%
Z5-P3	5 Pipelines	\$713,861	0%	100%
Z5-P6	5 Pipelines	\$740,698	0%	100%
Z5-P2	5 Pipelines	\$1,843,694	0%	100%
Z5-P1	5 Pipelines	\$2,556,213	0%	100%
Z5-P5	5 Pipelines	\$2,667,586	0%	100%
Z5-PS5-3	5 Pumping	\$5,489,485	0%	100%
Z5-R5-4	5 Storage	\$6,644,812	0%	100%
OPR WFF 16 mgd expansion Phase 2	5 Source of Supply	\$48,182,989	0%	100%
Lord Ranch Impr.	4 Others	\$939,291	100%	0%
Z4-P12	4 Pipelines	\$28,179		
Z4-P13	4 Pipelines	\$92,587		
Z4-P9	4 Pipelines	\$158,338		
Z4-P4	4 Pipelines	\$260,318		
Z4-P10	4 Pipelines	\$296,548		
Z4-P6	4 Pipelines	\$315,333		
Z4-P5	4 Pipelines	\$352,905		
Z4-P15	4 Pipelines	\$861,464		
Z4-P11	4 Pipelines	\$944,658		
Z4-P8	4 Pipelines	\$990,281		
Z4-P14	4 Pipelines	\$1,333,793		
Z4-P16	4 Pipelines	\$1,573,983		
Z4-P7	4 Pipelines			
Z4-P2	4 Pipelines	\$2,314,681	0%	100%
Z4-P1	4 Pipelines	\$3,350,585	0%	100%
W39	3 Source of Supply	\$12,526,116	80%	20%
Z4-PS4-2	4 Pumping	\$6,303,984	0%	100%
Z4-P3	4 Pipelines	\$13,512,371		
Z4-R4-4	4 Storage	\$17,888,125	0%	100%
Z3-P4	3 Pipelines	\$1,991,297		
Z3-P5	3 Pipelines	\$619,932		
Z3-P6	3 Pipelines	\$693,733	100%	0%
Z3-P7	3 Pipelines	\$1,395,518	100%	0%
Z3-P8 a	3 Pipelines	\$67,092	100%	0%
Z3-P8 b	3 Pipelines	\$214,695	100%	0%

Z3-PS2-1	3 Pumping	\$429,390	100%	0%
Prop. Acq For BH Supply	2 Others	\$1,744,397	0%	100%
Z3-P1	3 Pipelines	\$519,294	0%	100%
Prop. Acq. For R3-4	3 Others	\$701,785	0%	100%
Z3-P2	3 Pipelines	\$1,870,531	0%	100%
W50	3 Source of Supply	\$9,673,355	80%	20%
Z3-P3	3 Pipelines	\$1,944,332	0%	100%
W52	3 Source of Supply	\$11,661,968	80%	20%
W42	3 Source of Supply	\$12,408,033	80%	20%
W18A	2 Source of Supply	\$10,290,603	80%	20%
Z3-R3-4	3 Storage	\$8,306,016	0%	100%
Z2-FF1	2 Pipelines	\$454,885	100%	0%
Z2-P1	2 Pipelines	\$2,981,578	100%	0%
Z2-P2	2 Pipelines	\$1,140,568	100%	0%
Z2-P3	2 Pipelines	\$872,199	100%	0%
Z2-P4	2 Pipelines	\$872,199		
Z2-P5	2 Pipelines	\$536,738		
Z2-P6	2 Pipelines	\$872,199		
Z2-P7	2 Pipelines	\$509,901		
Z2-P8	2 Pipelines	\$5,090,957	100%	0%
Z2-P9	2 Pipelines	\$407,921	100%	0%
Z2-P9C	2 Pipelines	\$784,979	100%	0%
BH-P1	BH Pipelines	\$1,127,149	0%	100%
W16	2 Source of Supply	\$7,671,323	80%	20%
BH-P2	BH Pipelines	\$7,080,912	0%	100%
W29A	2 Source of Supply	\$9,673,355	80%	20%
W40	2 Source of Supply	\$9,673,355	80%	20%
Z7-PS7-2	7 Pumping	\$4,413,326	0%	100%
Z2-P10	2 Pipelines	\$2,499,856	0%	100%
BH-AER	2 Storage	\$2,556,213	0%	100%
W7	Source of Supply	\$67,092	0%	0%
W34B	Source of Supply	\$3,919,527	0%	100%
W35C	Source of Supply	\$3,919,527	0%	100%
W43	Source of Supply	\$4,025,533	0%	100%
W44	Source of Supply	\$4,025,533	0%	100%
W45	Source of Supply	\$4,025,533	0%	100%
W46	Source of Supply	\$4,025,533	0%	100%
W8A	Source of Supply	\$4,413,326	0%	0%
W36	Source of Supply	\$4,763,547	0%	100%
W22A	Source of Supply	\$7,671,323	0%	100%
BH-PS	Pumping	\$9,937,698	0%	100%
W51	Source of Supply	\$15,178,942	0%	100%



RESOLUTION NO. 2024-XX**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT ADOPTING UPDATED CAPACITY CHARGES AND SERVICE INSTALLATION CHARGES PURSUANT TO GOVERNMENT CODE SECTION 66013 ET SEQ.**

WHEREAS, the Board of Directors ("Board") of West Valley Water District ("Water District"), recognizes that the Water District will experience future growth creating a demand for future service to the Water District's service area; and

WHEREAS, the Water District's Water Service Rules and Regulations refer to the term "Development Impact Fees" as "Capacity Charges"; and

WHEREAS, "Capacity Charges" are referenced and defined in Government Code Section 66013 (b)(3); and

WHEREAS, the Board authorized Robert D. Niehaus, Inc. to undertake a study for the purpose of determining the following: (1) costs for construction and improvements to be funded as additional demand occurs as well as the replacement cost of existing facilities that new connections will buy into; (2) recommending a revised Capacity Charge to reflect and account for said increases; and

WHEREAS, the Board of the Water District desires to adopt the 2024 Capacity Charge Update Study to establish a reasonable nexus between the following: (1) new connections to the water system and the existing and/or new public facilities which will be operated and maintained to service such connections; (2) any supply or capacity contracts for rights or entitlements, real property interest and entitlements; and (3) other rights of the Water District involving capital expense relating to its use of existing or new public facilities; and

WHEREAS, the 2024 Capacity Charge Update Study calculates the Capacity Charge to be levied for each new Equivalent Dwelling Unit (EDU) within the Water District's service area and to provide a mechanism for persons or property connecting to the Water District's water system to pay their proportional share of Water District facilities in existence or to be constructed; and

WHEREAS, the 2024 Capacity Charge Update Study includes costs for drilling and equipping wells, wellhead treatment, pipelines, reservoirs, booster pump stations, expansion of the Oliver P. Roemer Water Filtration Facility and other appurtenances as identified in the 2020 Water Facilities Master Plan; and

WHEREAS, the Capacity Charges set forth in the 2024 Capacity Charge Update Study do not exceed the proportional cost of providing the services for which they are imposed; and

WHEREAS, on September 19, 2024, the Board approved the referenced 2024 Capacity Charge Update Study dated July 26, 2024, prepared by Robert D. Niehaus, Inc.; and

WHEREAS, the Board of the Water District wishes to appropriately adjust the Water District's Capacity Charges for new connections as set forth in the Robert D. Niehaus, Inc. 2024 Capacity Charge Update Study consultant; and

WHEREAS, the Water District shall conduct a review of the Capacity Charges every four to five years or when significant changes in the physical system, planned capital projects, pace of development or other major changes occur; and

WHEREAS, the Board of the Water District desires to make the necessary findings to approve and implement the 2024 Capacity Charge Update Study, all as authorized and required by law; and

WHEREAS, the Board further wishes to update its Service Installation Charges, which reimburse the District for the cost of time and material for physically connecting a parcel to the water system, to reflect current costs of service.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the West Valley Water District hereby finds, determines, resolves and orders as follows:

1. Each of the above recitals are true and correct, as is each of the findings and determinations as properly adopted by the Board of the Water District.
2. The Board of Directors hereby approves the Capacity Charges in the amounts set forth in the table below. The General Manager of the Water District, or a designee, is hereby authorized to take all actions necessary to implement or cause the implementation of the Capacity Charges in the amounts set forth below. :

Meter Size	Capacity Charge	Fire Service Capacity Charge
5/8" and 3/4"	\$16,734	-
1"	\$27,946	\$1,363
1-1/2"	\$55,725	\$2,725
2"	\$89,193	\$4,360
3"	\$167,341	\$8,176
4"	\$278,958	\$13,626
6"	\$557,748	\$27,252
8"	\$892,430	\$43,603
10"	-	\$62,680
12"	-	\$117,184

3. The Board of Directors hereby approve the capacity charges to be updated annually based on the Los Angeles Construction Cost Index (CCI) each fiscal year (July 1st to June 30) as published by Engineering News Record (ENR).
4. The Board of Directors hereby approves the updated Service Installation Charges in the amounts set forth below:

Meter Size	Meter Only	Meter and Service
3/4"	\$629	Time & Materials
1"	\$757	Time & Materials
1 1/2"	\$2,305	Time & Materials
2"	\$2,697	Time & Materials
3" and larger	Time & Materials	Time & Materials

Time & Materials: If actual costs are less than the paid estimate, the customer will be refunded the difference. If installation costs exceed the deposit amount, the customer will be billed the difference.

5. The effective date of the increases adopted herein shall be September 19, 2024.

6. CEQA Compliance:

(a) The Water District, as lead agency under the California Environmental Quality Act (“CEQA”), has evaluated the potential environmental impacts of adopting the Capacity Charges. As the decision-making body for the Water District, the Board of Directors has reviewed and considered the information contained in the administrative record for the adoption of the Capacity Charges.

(b) The Board of Directors finds that the Capacity Charges are intended to fund as-yet unknown, future projects, programs, and capital improvement projects related to the Water District’s need to finance capital improvements to provide adequate infrastructure to meet growth-related needs. These Capacity Charges do not commit the Water District to approve any particular project, program, or capital improvement, but will be placed in a separate fund for potential future projects. These Capacity Charges are in response to the Water District’s projected need for additional facilities and infrastructure to provide services to its existing customers and new development. Any activities, including infrastructure improvements, to be funded by these Capacity Charges will be subject to future environmental review under CEQA, as applicable, prior to District approval.

(c) The Board of Directors therefore finds that the Capacity Charges are not subject to environmental review under CEQA. First, the Capacity Charges, in and of themselves, do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a “project” under CEQA. (Pub. Resources Code, § 21065, 14 Cal. Code Regs., § 15378, subd. (a).) Second, the Capacity Charges are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; here, there is no possibility that the Capacity Charges, in and of themselves, may have a significant effect on the environment. (14 Cal. Code Regs., § 15061, subd. (b)(3).) And third, the Capacity Charges are considered a government funding mechanism that do not involve any commitment on behalf of the Water District to any specific project which may result in a potentially significant physical impact on the environment. (14 Cal. Code Regs., § 15378, subd. (b)(4).)

(d) The Board of Directors has considered any comments received before and at the public meeting on August 28, 2024, prior to adoption of this Resolution.

(e) The determination that the Capacity Charges are not subject to CEQA review reflects the Board of Directors’ independent judgment and analysis.

(f) The documents and materials that constitute the record of proceedings on which these findings have been based are located at 855 W. Base Line Road, Rialto, CA 92376. The custodian for these records is the Secretary of the Board of Directors of the Water District.

- 7. In the event that this resolution conflicts with any previously adopted resolution, ordinance, or action of the Board of Directors, this resolution shall supersede to the extent of such conflict, including Resolution No. 2021-11.

ADOPTED, SIGNED, AND APPROVED THIS ____ DAY OF _____, 2024.

AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

Gregory Young
President of the Board of Directors
West Valley Water District

ATTEST:

Elvia Dominguez
Board Secretary

EXHIBIT C

ORDINANCE NO. __**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT AMENDING ARTICLE 20, "SCHEDULE OF RATES" AND TAKING OTHER ACTIONS RELATING THERETO**

WHEREAS, the Board of Directors ("Board") of the West Valley Water District ("Water District") imposes various fees and charges relating to water connections, including capacity charges, connection fees, and deposits; and

WHEREAS, in 2018 the State Legislature passed Senate Bill 998 to impose new procedural requirements on water systems terminating residential service for nonpayment; and

WHEREAS, the District desires to begin making updates to its rules and regulations to reflect changes in applicable laws governing termination of residential water service for nonpayment; and

WHEREAS, on September 19, 2024, the District adopted Resolution No. _____ adjusting its capacity charges and service installation charges; and

WHEREAS, the Board now wishes to adopt this Ordinance in order to amend its Water Service Regulations to reflect such changes, and to make additional adjustments to its deposits, penalties, and shut-off procedures, all as set forth in Exhibit "A" hereto.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:**SECTION 1. RECITALS.**

The recitals set forth above are true and correct, and by this reference incorporated herein.

SECTION 2. ADOPTION OF FEES, PENALTIES, FINES, AND DEPOSITS

The District hereby adopts all adjustments to the fees, penalties, fines, and deposits set forth in Exhibit "A" hereto, to the extent not already adopted pursuant to Resolution No. _____.

SECTION 3. AMENDMENT OF WATER SERVICE RULES AND REGULATIONS.

Exhibit "C" of the District's Water Service Rules and Regulations is amended as set forth in Exhibit "A" hereto.

SECTION 4. FUTURE AMENDMENTS TO WATER SERVICE RULES AND REGULATIONS

The Board may make future amendments to Exhibit "C" of the District's Water Service Rules and Regulations by duly adopted resolution of the Board.

SECTION 5. PUBLICATION

The President of the Board of Directors shall sign this Ordinance and the Secretary of the Board of Directors shall attest thereto, and this Ordinance shall be in full force and effect immediately upon adoption. Within 15 days after adoption of this Ordinance, a summary of this Ordinance shall be published with the names of the Directors voting for and against this Ordinance and a certified copy of the full text of this Ordinance, along with the names of those Directors voting for and against this Ordinance, shall be posted in the District offices.

SECTION 6. EFFECTIVENESS

This Ordinance shall take effect immediately upon adoption.

SECTION 7. CONTROLLING EFFECT

This Ordinance shall supersede all previously adopted conflicting resolutions, ordinances, or motions of the Board, to the extent of such conflict.

SECTION 8. SEVERABILITY

If any section, subsection, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____, 2024.

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Greg Young
 President of the Board of Directors
 West Valley Water District

ATTEST:

Elvia Dominguez
 Board Secretary

Be it ordained by the Board of Directors of the West Valley -Water District as follows:

ORDINANCE NO. ##

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE WEST VALLEY WTAEWR DISTRICT
AMENDING THE WATER SERVICE REGULATIONS
ARTICLE 20, "SCHEDULE OF RATES"
AND EXHIBIT C**

ARTICLE 20. SCHEDULE OF RATES

See Exhibit C

WATER SERVICE REGULATIONS EXHIBIT "C"
(Revised 06/03/2021 09/19/2024)

2001. APPLICABILITY. Applicable to all new or transferred accounts for water service.

2002. TERRITORY. Within the boundaries of the West Valley Water District.

2003. REFUNDABLE SERVICE DEPOSITS

Residential

2003.1(a)	¾" to 1" meter size	\$95 each	Can be refunded following Article 9, Section 902
2003.1(b)	¾" to 1" meter size	\$240	In lieu of the required deed, property managers pay this higher refundable deposit (approved 2/07/2008)

Commercial

2003.2	¾" to 1" meter size	\$140 each	Can be refunded following Article 9, Section 902
2003.3	Fire Service Meter	\$140 each	Can be refunded following Article 9, Section 902

Fire Hydrant Meters

2003.4(a)	Minimum Water-Use Service Deposit	\$350-\$400 each	Can be refunded at the time meter/RP is returned, less any unpaid charges
2003.4(b)	2" Reduced Pressure Principal Backflow Prevention Assembly	\$1,500 each	
2003.4(c)	3" Meter	\$1800 each	
2003.4(d)	4" Meter	\$2,200 each	

Developer Meters and Boxes

2003.5(a)	¾" and 1" meter size	\$350 each	Can be refunded at the time of final inspection, less any charges for repairs to meter or any water usage
2003.5(b)	1 ½" and 2" meters	\$1,350 each	
2003.5(c)	3" Meters and larger	Actual cost, plus 20% for repairs	

WATER SERVICE REGULATIONS EXHIBIT "C"
(Revised 06/03/2021 09/19/2024)

Construction and Development Deposits

2003.6(a)	Valve Box	\$120 each valve	Can be refunded at closing
2003.6(b)	Irrigation Use	\$350 each	
2003.6(c)	Temporary Water Service from Fire Hydrant	Appropriate deposits from Fire Hydrants and Developer Meters	
2003.6(d)	Temporary Water Service Requiring Installation of Service and Meter	Appropriate Service Installation Charge (Section 2006)	
2003.6(e)	Lot Service Deposit	\$60 each lot Amount as indicated above for the service type	Can be refunded after property ownership transfers

2004. FRONTAGE CHARGE. The water main construction charge, as prescribed in Article 5, Section 512 hereof, shall be fixed in the amount of \$20 per front foot for the street frontage for which water service has been requested, except in areas where a charge has been previously established.

2005. CAPACITY CHARGES. Charges are hereby established as follows and effective ~~June 3, 2021~~ September 19, 2024 and payable prior to installation of meters.

Type of Development

Apartment, Business, Commercial (light use), Condominium, Mobile Home Units, irrigation services and single-family residences.

Those single family dwellings being constructed on lots of less than 10,000 sq. ft. and being required to install a one (1") inch meter and service to meet fire requirements shall pay a capacity charge equal to a 3/4 inch single family residence meter and a one (1") inch fire line service.

Those single-family dwellings being constructed on lots consisting of 10,000 sq. ft. or more shall install a minimum of one (1") inch meter and service.

Meter Size	Safe Maximum Operating Flow	System Demand Factor	Facility Charge
<u>5/8" & 3/4"</u>	30 gpm	1.0	\$15,818 <u>16,734</u>
1"	50 gpm	1.7	\$26,416 <u>27,946</u>
1 1/2"	100 gpm	3.3	\$52,647 <u>55,725</u>
2"	160 gpm	5.3	\$84,311 <u>89,193</u>
3"	350 gpm	11.7	\$158,182 <u>167,341</u>
4"	600 gpm	20.0	\$263,690 <u>278,958</u>
6"	1,250 gpm	41.7	\$527,220 <u>557,748</u>
8"	1,800 gpm	60.0	\$843,584 <u>892,430</u>

WATER SERVICE REGULATIONS EXHIBIT "C"
(Revised 06/03/2021 09/19/2024)

(Flows are based on safe maximum operating per AWWA Standards C701-88)

Industrial and Commercial (other than light use)

Industrial and Commercial (other than light use) users shall pay based on the demand of the development (calculated and approved by the District) prorated with the District's demand for an equivalent dwelling unit (EDU) of the various components of the Capacity Charge times the dollar amount of the various components of the Capacity Charge for a 3/4-inch meter size, added together, but not less than the Capacity Charges listed above for Commercial (light use) for the various meter sizes.

Fire Line Services Capacity Charges

Meter Size	Safe Maximum Operating Flow	System Demand Factor	Facility Charge*
1"	50 gpm	1.0	\$1,558 <u>1,363</u>
1 1/2"	100 gpm	2.0	\$3,115 <u>2,725</u>
2"	160 gpm	3.2	\$4,983 <u>4,360</u>
3"	350 gpm	7.0	\$9,345 <u>8,176</u>
4"	600 gpm	12.0	\$15,574 <u>13,626</u>
6"	1,400 gpm	28.0	\$31,148 <u>27,252</u>
8"	2,400 gpm	48.0	\$48,837 <u>43,603</u>
10"	3,800 gpm	76.0	\$71,641 <u>62,680</u>
12"	5,000 gpm	100.0	\$133,938 <u>117,184</u>

*These fees will be updated annually based on Los Angeles Construction Cost Index from the previous fiscal year (July 1 to June 30) as published by the Engineering News Record.

(Flows through fire services shall not exceed 16 F.P.S. in velocity.) There will be a fee of \$200 plus the cost of materials for the turn off of a fire service.

2006. SERVICE INSTALLATION CHARGE.

Meters

Where new meters are installed for the first time, the following charges or deposits shall be payable prior to installation:

Meter Size	Meter Only	Meter and Service
3/4"	\$496 <u>629</u>	<u>Time & Materials</u> \$4,657
1"	\$568 <u>757</u>	<u>Time & Materials</u> \$4,729
1 1/2"	\$1,632 <u>2,305</u>	Time & Materials
2"	\$1,811 <u>2,697</u>	Time & Materials
3" and larger	Time & Materials	Time & Materials

Time & Materials: If actual costs are less than the paid estimate, the customer will be refunded the difference. If installation costs exceed the deposit amount, the customer will be billed the difference.

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Backflow Prevention Assemblies: (See Article 8, Sections 807 and 808, 810 and 811)

Non-compliant backflow prevention assemblies shall be subject to a fine in the amount of ~~\$200~~ 1,000 for each month of non-compliance.

~~Optional fees for installation of assemblies when required and when the customer requests the District to do the installation.~~

Meter Size	Double Check	R.P.
1"	\$203	\$339
1 1/2"	\$443	\$614
2"	\$486	\$665

All ~~other sizes backflow prevention assemblies~~ shall be ~~for at the actual~~ cost, ~~of all~~ labor, materials, and street repairs, plus twenty percent (20%). Only duly authorized employees or agents of the District will be authorized to install service connections.

2007. INSPECTION FEES AND DEPOSITS. Inspection fees are hereby established as follows:

~~a. For pipelines, service and fire hydrant laterals constructed by the District, the inspection fee shall be \$1.00 per foot.~~

~~b.a.~~ For pipelines, service and fire hydrant laterals constructed by the developer ~~per a waiver of the District's standards~~, the inspection fee shall be a deposit estimated by the engineer. If the actual costs are less than the paid estimate, the developer will be refunded the difference.

~~e.b.~~ For single service laterals such as fire services ~~and fire hydrants~~ a minimum fee of \$300 shall be paid by developer/owner.

~~d.c.~~ There will be a fee of \$20 per lot for inspection of service prior to meter installation.

~~e.d.~~ For inspection of meters and facilities after installation, an additional fee of \$20.00 per lot shall be paid by developer/owner.

2009. COMBINATION BACKFLOW/DETECTOR CHECK. Full recorded costs of installation plus twenty percent (20%).

2010. SAME DAY, NEXT WORKING DAY & AFTER HOURS SERVICE. Any customer who desires same-day, next working day or after hour's service, for other than emergencies, shall pay the following charges:

Same Day	Next Working Day	After Hours (4:30 p.m. – 8:00 p.m. Daily, 4 p.m. on Friday) & 8:00 a.m. - 5:00 p.m. Weekends/Holidays
\$25	No Charge	\$50

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are based on two hour minimum for field personnel with a vehicle at the overtime rate.

2011. METER TESTING.

If a customer desires to have the meter servicing his premises tested, he shall first make a deposit. Should the meter register more than two percent (2%) fast, this deposit shall be refunded. Should the meter register less than two percent (2%) fast, the deposit shall be forfeited to the District. (Article 10, Section 1005).

Meters

1" and smaller	\$100 <u>150</u>
<u>1" to 2"</u>	<u>\$300</u>
Over <u>2 1/2"</u>	Recorded Cost, Plus 20%

Backflow Prevention Assembly

3/4" to 2"	\$60
3" to 8"	\$75
Fire Service	\$90

Plus labor and equipment.

Fire Flow Testing

A request for testing of a non-certified fire flow shall have a charge of \$150 per test. For a certified test, the deposit will be the District's estimated costs plus 20%. If the actual cost is less than the paid deposit, the District will refund the payer.

2012. DELINQUENT CHARGE. \$20.00 (See Article 11, Sections 1105 and 1106)

2013. SHUT OFF NOTICE FEE. The District will follow the relevant notification guidelines requirements under applicable law, including California Government Code Section 60373-0 et seq., California Health and Safety Code Section 116900 et seq., and the District's Policy on Discontinuation of Residential Water Service, as may be applicable, prior to shutting water off. If a customer was mailed a shut off notice and water is scheduled for shut off, a \$50 fee is applied. When the account is paid in full, the water will be turned back on the same day, unless it is after 5:00 PM. If paid after 5:00 PM, and the customer wants the water turned back on after hours, the customer will have to pay the after hours fee.

2013.1 PULLED METER CHARGE. If meter needs to be pulled from setting due to customer tampering, there will be a charge of \$125. Fee includes reinstallation of water meter.

2014. RESPONSE TO A NO WATER CALL. A fee of \$100 shall be applied when District personnel respond to a call for no water and the customer valve is the cause.

2015. RESPONSE TO A SECOND LEAK CALL. A fee of \$100 shall be applied when District personnel respond to a duplicate leak call.

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2016. METER OBSTRUCTION CHARGE. A fee of \$75 shall be applied when District personnel are unable to access the meter.

2017. RETURNED PAYMENTS. A fee of \$25.00 shall be applied for all returned payments.

2018. PLAN CHECK AND INVESTIGATION FEE. A fee shall be charged for plan check and investigation of pipeline extensions and subdivisions as outlined in Article 6, Section 601(b) and Article 7, Section 707.

An investigation fee of \$500 will apply to all projects regardless of size. Projects shall be charged a plan check fee of \$408 per sheet and includes two (2) plan check submittals. The third and subsequent plan checks shall be charged a rate of \$102 per hour.

At the request of developers for phased projects, the charges, as stated above, shall be collected for the entire project and as the phases progress, a fee of \$500 per phase shall be collected for phase coordination and updating.

For small projects consisting of one (1) sheet, typically single services, single fire hydrants or fire services, a minimum fee of \$500 shall be applied.

2019. COPY CHARGE. Copies of public documents up to 10 continuous pages are free, as are emailed copies, and copies printed by the public from our website. The charge for copies of individual public documents is 25 cents per side on 8 ½ x 11" paper in black and white ink. Actual costs are charged for copies of individual public documents printed in color, are oversized, or are plotter prints or blue prints. Postage and long distance fax charges must be paid in advance. For documents already in electronic format, the charge is \$5 on CD-ROM.

2020. OVERHEAD CHARGE. Overhead charges for projects as described in Article 2 shall be as follows:

- a. 20% of all recorded costs
- b. Construction contracts in an amount up to:

\$75,000	10%
\$124,000	\$7,500 + 7.5% over \$75,000
\$200,000	\$11,175 + 5.0% over \$124,000
Over \$200,000	\$14,975 + 3.5% over \$200,000

- c. The appropriate charges set forth above shall be applied.

2021. CONSTRUCTION CONTINGENCY DEPOSIT. Owner/Developer shall deposit with the District an amount equal to ten (10%) percent of the construction cost estimate, for contingency during construction, said construction contingency deposit shall be refunded to the Owner/Developer at time of final inspection, less any necessary charges due to unexpected change orders.

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2022. RELEASE OF OVERLYING RIGHT-OF-WAYS AND EASEMENTS. Release of overlying right-of-ways and easements shall be \$50.00 per acre or any portion thereof with a minimum fee of \$500.

2023. HOURLY LABOR RATE. Hourly labor rates are adjusted on an annual basis by averaging employees' salaries and benefits. (See Exhibit "A" in back of the Manual.)

2024. VEHICLE/EQUIPMENT HOURLY RATE. The hourly rate is established utilizing the State of California Labor Surcharge and Equipment Rental Rate on an annual basis, prior to the beginning of the fiscal year. (See Exhibit "B" in back of the manual.)

2025. FINES FOR VIOLATION OF DISTRICT'S SERVICE REGULATIONS.

1. Unauthorized and/or illegal use of public fire hydrants
 - ~~Fine of \$275.00~~ \$1,000.00 per occurrence
 - Plus the cost of the estimated water consumption

2. Unauthorized and/or illegal use and consumption on private fire systems and/or of fire hydrants:
 - Fine of ~~\$275.00~~ \$1,000.00 per occurrence
 - Plus the cost of water at the rate of 50 times the recorded consumption rate.

3. Unlawful service connection
 - Fine of ~~\$275~~ \$1,000.00 per occurrence
 - Plus the estimated monthly services Charges and estimated water consumption

4. Contamination of District's water system through backflow
 - Fine of ~~\$550.00~~ \$1,000.00 per occurrence
 - ~~Plus recorded costs~~ Plus the cost of any damages

5. Unauthorized operation of the District's distribution and transmission valves
 - Fine of \$1,000.00 per occurrence
 - Plus the cost of any damages

2023. HYDRANT WATER.

Monthly service charge per meter:	\$73.17
Consumption Rate:	\$2.76 / 100 cf
Minimum monthly charge:	\$115.78

2024. FIRE SERVICE.

Monthly service charge	C-1	\$10.54 / diameter inch
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Examples:

4"	\$42.16
6"	\$63.24
8"	\$84.32

2025. BACKFLOW PREVENTION ASSEMBLY. Monthly service charge of \$2.84.

2026. WATER SERVICE APPLICATION FEE. Applicants for water service shall pay an application fee of \$25. This charge is due when the application is submitted, in advance of the water service being provided. The application fee is charged for residential, commercial, and fire hydrant application. The application fee is in addition to any deposit, and is not refundable.

2027. DELINQUENT COLLECTIONS FEE. Accounts that are submitted to a collection agency will be charged \$20 each. The \$20 Collection Fee will be added to the amount submitted to the collection agency.

2028. LIEN FEE. Accounts that are submitted to the tax collector for lien will be charged \$30 each. The \$30 Lien Fee will be added to the amount submitted for the lien.

2029 CUSTOMER REQUESTED RE-READ FEE. Customers requesting a re-read of their water meter within six months of the last customer requested re-read shall be charged \$20 at the time of their request. The \$20 will appear on their next bill. It is refundable only if the District determines that there was a reading error.



**BOARD OF DIRECTORS
STAFF REPORT**

DATE: September 19, 2024
TO: Board of Directors
FROM: John Thiel, General Manager
SUBJECT: INTERVIEW AND APPOINTMENT TO FILL DIVISION 4 BOARD VACANCY

BACKGROUND:

06/20/24 Board meeting. Director Channing Hawkins announced that he will be resigning from the Board following the Board meeting on August 1, 2024.

Director Hawkins held the Board seat for Division 4 which is up for election on November 5, 2024 and said election has already been called. As required, the Board Clerk informed the Registrar of Voters of the vacancy and inquired what their interpretation of next steps might be, taking into account the current election cycle. The Registrar of Voters stated that since the election had already been called the District could keep the seat vacant during this election cycle. At the August 15, 2024 Board meeting the Board directed staff to move forward with the process to have candidate interviews and appointment to fill the vacancy at the September 19, 2024 Regular Board Meeting. As required by law, a notice of vacancy was published in three locations with an application deadline of September 6, 2024.

DISCUSSION:

By the filing deadline, one application was received from Estevan Bennett. The application was reviewed, requirements confirmed, and the applicant is eligible for consideration. The application is attached for Board review. As instructed, the applicant has made himself available to be interviewed. If approved for appointment, the candidate can be sworn in.

FISCAL IMPACT:

There is no fiscal impact associated with this item.

STAFF RECOMMENDATION:

Board is requested to interview the candidate, and after deliberation vote to appoint to fill the vacancy to Division 4.

ATTACHMENT(S):

1. Bennett, Estevan Application



**WEST VALLEY WATER DISTRICT
APPLICATION TO SERVE ON THE
BOARD OF DIRECTORS**

This application is for a vacancy in District 4 to expire December 2024

Please submit the completed application on or before _____

West Valley Water District
Board Secretary
855 West Baseline Road
Rialto, CA 92376
or email to: _____



By: _____

Name Estevan Bennett Number of Years lived in Rialto 30 yrs.

Address _____

Home Phone _____ Business Phone _____

Cell Phone _____ E-Mail _____

Please list work experience for the past ten years 2024 Water Workforce
2022-2023 Operation Technical Services
2005-2022 Veolia City of Rialto

Name and location of High School San Geronimo H.S. San Bernardino Ca.

College/University and degree(s) San Bernardino Valley College
Associate of Science Water Technology

Are you registered to Vote: Yes No

Application to serve on the Board of Directors

Please state your reasons you want to be a Board Member As a director I bring a
wealth of knowledge of the water industry, inno-
vative solution to establish quality and safe
drinking water to the residents.

Can you think of any reason a conflict may arise that would prevent you from serving? _____
NA

Are you a party to or have been a party to any legal action against the District? _____
NA

Have you served or volunteered for other community services? If yes, please explain As director
of Rialto Family Health services, I participated
in collaborative programs with RPD working
with unhoused, community services Veteran program
City clerk office Memorial Day committee, Angle tree

Signature: _____ Date: 09-06-2024

Eligibility Certification

- Address Verified ED Initial
- Voter Registration ED Initial

Certification completed on 9/10/24 By Elvia Dominguez