PREFACE

The Helix Water District is a public agency of the state of California whose vision is to set standards of excellence in public service. It was organized in 1913 and exists pursuant to Irrigation District Law (Water Code Section 20500, et seq.). The powers of the district are vested in a five-member board of directors elected by voters from five separate divisions. The directors select the general manager, attorney, treasurer and secretary, and establish procedures for the employment of all district personnel. They adopt policies and procedures, which relate to the actions and services rendered by the district.

The manual contains the policies, rules, regulations, practices, charges and procedures relating to the district. The basic tenets that the directors seek to follow are that policies should comply with applicable laws of the state and federal governments. These policies provide the public with access to the board and district personnel, provide for adequate water supplies of good quality to all customers, deliver water in an efficient manner and fairly allocate the costs among water users. Costs shall include a maintenance and replacement program designed to repair normal wear and tear of the water system; and provide for system improvements where necessary to meet regulations and/or changing conditions.

These policies and procedures are subject to change by the board of directors as new circumstances, new enactments of superior governments and different policies may warrant or require.

January 1, 2019
La Mesa, California
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Maps and other public records, which can be reasonably reproduced, shall be copied for the public at a charge not to exceed the actual cost of providing the copy. When available, electronic records may be requested. Nothing in this section shall be construed to require Helix Water District to reconstruct a record in an electronic format if the district no longer has the record available in an electronic format.

1.1-2  REFERENCE PRACTICE

The public records policy of the district shall control in areas of question regarding accessibility of records to the public. All record information shall only be released with the approval of the board secretary.

1.1-3  RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

1.1-4  PROCEDURE

A. Whenever possible or practical, copies of electronic records can be provided; otherwise, copies of maps, drawings or printed material shall be made in the district’s office at the same time as other printing is being done for district purposes.

B. Should it be impossible or impractical to accomplish requested reproduction work in the district office, original documents may be checked out to a bonded reproduction company. Standard 24" x 36" (“D” size) water main installation plans may be checked out to the engineer of work for necessary revisions.

C. Staff shall require the engineer’s or bonded reproduction company messenger’s signature on the approved document check-out slip before releasing the document(s).

D. The approved document check-out slip shall contain the document number; title; project number; project title; document description; name, address, fax and telephone numbers of the engineer or reproduction agency checking the document out and the time and date the document was released. All approved document check-out slips shall be turned over to the customer service department. The customer service department staff shall verify that all
materials are returned to Helix Water District in the required time or make necessary telephone contacts to assure their prompt return.

E. No document shall be released from the district office for more than 24 hours, except water main installation plans may be checked out by the engineer of work for length of time as determined by the district’s engineering department.
F. The approved document check-out slip shall take the following form:

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01/01/19
1.2-1 POLICY

Helix Water District will fluoridate its treated water in accordance with Chapter 15, Article 4.1 of Title 22 of the California Code of Regulations.

1.2-2 GENERAL

A. Fluoride levels will be maintained within the control range of 0.6 to 1.2 mg/l and as close as practical to the minimum dose of 0.7 mg/l.

B. Consumers, local health departments, pharmacists, dentists and physicians in the district’s service area will be notified if fluoride feed is suspended for more than 90 days.

C. The district will comply with the operations plan approved by the State Water Resources Control Board – Division of Drinking Water.
SECTION 2.1 WATER AVAILABILITY FOR BUILDING AND GENERAL CONSTRUCTION NEEDS (TEMPORARY METERS)

2.1-1 POLICY

Water shall be made available for building and general purpose construction under Helix Water District’s rates and rules.

2.1-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

2.1-3 PROCEDURES

A. Temporary Meters

1. The district reserves the right to deny any application for a temporary meter or remove a meter if deemed in the best interest of the district.

2. A customer wishing to have a temporary meter installed must make a request with the customer service department at the administration office.

3. Temporary meters will be installed only at locations approved by the district and shall not interfere with vehicular or pedestrian traffic compromising safety or accessibility per the Americans with Disabilities Act.

4. After the location is approved, the customer service representative will complete an installation service order, which shall show the deposit paid, the location and identifying customer information.

5. A deposit shall be required as indicated in Section 2.12-4(B) of the district’s policies and procedures manual, which will guarantee payment of all charges, damages and losses.

6. Any damage or loss to the facilities, meter fittings, meters or surrounding public improvements shall be charged to the customer. If use of the temporary meter creates a problem in the distribution system, the district will relocate and charge the service call to the customer. Such modifications and charges shall be at the discretion of the district.
7. The temporary meter shall be installed, moved or removed by Helix Water District personnel only. The district may install the temporary meter with specialized fittings, etc. that shall not be removed except by authorized district personnel.

8. The customer is responsible for the security of the meter.

9. The meter and district infrastructure the meter is installed on must remain accessible at all times.

10. When installing a temporary meter, the district shall provide a shut-off valve, which the customer shall use for regular operation. Where necessary to operate the fire hydrant valves, only a pentagonal fire hydrant wrench shall be used. Hydrant stems shall be inspected at the time of the meter installation and when the meter is removed. Any damaged parts shall be replaced or repaired and billed to the customer. Due to high volume flowing through temporary meters, care should be taken to turn the water on and off in a smooth, gradual way. Sudden operation of the temporary meter may result in system problems or customer complaints and the removal of the meter. Water should never be taken directly from a hydrant without use of a meter.

11. When the customer has completed use of the meter, the customer should request its removal. Monthly billing and charges will continue to accumulate until the meter is requested to be removed. The district will deduct the cost of the final billing from the deposit before it is returned.

12. While the temporary meter is in service, commodity, service and damage charges will be billed to the customer on a monthly basis. If the monthly billing remains unpaid past the due date, the temporary meter will be removed at the discretion of the district. Costs of removing or reinstalling the meter will be added to accrued charges and charged against the customer’s deposit.

13. Temporary meters shall be provided by the district with approved backflow devices. The district will test the backflow device in accordance with Section 5.3, Cross-Connection Control. Meters shall not be used until the backflow device is tested.

14. Temporary meter service is allowed for a maximum of 365 days unless a longer period is approved by the district.
15. Temporary water needs that cannot be met via typical methods will be considered individually and supplied at the discretion of Helix Water District. Any expense needed to provide water will be borne by the customer.
SECTION 2.2 UNAUTHORIZED USE OF WATER

2.2-1 POLICY

Water shall be distributed only to those parties with authorization for its use. No unauthorized use of water shall be allowed.

2.2-2 DEFINITIONS

Unauthorized use shall include usage through meters, which Helix Water District records indicate as locked, connections to non-approved meters and unauthorized use through fire hydrants and other district facilities.

2.2-3 RELATED PROCEDURES

See Section 2.1, Water Availability for Building and General Construction Needs (Temporary Meters).

See Section 2.12, District Fees and Charges.

2.2-4 PROCEDURES

A. Usage Through Locked Meters

1. Unlocking the meter without authorization or tampering with a district lock is a violation of state law and shall be considered stealing water. If a meter is locked for nonpayment, a tag advising the customer of this information shall be placed in the meter box whenever a meter is locked (California Penal Code Sections 498 and 625).

If there is no response by the customer after the first locking, a second investigation shall be made within seven calendar days of the meter being locked to verify that the meter remains locked. Meters which show usage on the second investigation will receive a flow blocker or be removed and the curb stop locked. The party requesting service may be required to pay the following charges: meter reinstatement fee, past due charges, unpaid water charges for usage which has registered since the meter was initially locked, charges for damages to district property including broken locks, a deposit and a penalty fee in accordance with Section 2.12-3(B).

2. Any meters which are inactive accounts noted as locked on district records and which show usage shall be relocked. If this prompts a call from a customer to establish service, they may be required to pay the
following charges: unpaid water charges for usage which has registered since the meter was locked, charges for damages to Helix Water District property including broken locks, a deposit and a penalty fee in accordance with Section 2.12-3(B).

In both cases, payment must be made by cash, money order or cashier’s check only.

B. Usage Through Laterals Without Meters

Whenever it is found that water is being used through a direct connection from a lateral, service shall immediately be discontinued. District investigators will check the location within a week to verify that unauthorized use has not been continued. See Section 2.12-3(B) for related charges.

C. Unauthorized Use Through Fire Hydrants and Other District Facilities

No water is to be taken from a district fire hydrant, blow-off or other such facility unless it is for fire protection, metered by the district or preauthorized by the district. See Section 2.1, Water Availability for Building and General Construction Needs (Temporary Meters).

D. Charges for Unauthorized Water Use

1. Unauthorized water use shall be billed to the responsible party. Water use charges shall be based on meter readings, estimation or a fee charged.

2. If unauthorized water is drawn from a fire hydrant, unmetered fire service, direct hook up on a meter lateral, backflow prevention assembly or any source not authorized by the district, the charge shall be $1,000, or as determined by the customer service manager.

3. All other charges that would have accrued if authorization for such use had been secured will be applied, including bimonthly or monthly service, installation, removal and any other applicable charges.

4. Additional charges shall be made as necessary to recover the costs of any district property which has been damaged.

E. Resale of Water

No consumer inside or outside the boundaries of the district may resell any portion of the water delivered to them by the district.
F. Unauthorized Use or Waste of Water

No consumer shall use water upon any land other than that covered by his/her application for service, nor shall knowingly permit leaks or waste of water.

G. Unauthorized Regulation of Water

No person, except duly authorized employees of Helix Water District, shall be permitted to operate any district facility.

H. State Laws

For the protection of public water supplies, many offenses are by state law made crimes for which the offender may be criminally prosecuted. These include:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>498, Penal Code</td>
<td>Stealing water, taking water without authority or making unauthorized connections.</td>
</tr>
<tr>
<td>625, Penal Code</td>
<td>Taking water after works have been closed or meter sealed.</td>
</tr>
<tr>
<td>592, Penal Code</td>
<td>Taking water without authorization.</td>
</tr>
<tr>
<td>607, Penal Code</td>
<td>Damaging tanks, flumes, reservoirs, etc.</td>
</tr>
<tr>
<td>624, Penal Code</td>
<td>Breaking, cutting or obstructing pipes, etc.</td>
</tr>
<tr>
<td>4455, Health and Safety Code</td>
<td>Bathing (swimming) in reservoirs, etc.</td>
</tr>
</tbody>
</table>
SECTION 2.3 CUSTOMER BILLING AND COLLECTIONS – WATER ACCOUNTS

2.3-1 POLICY

Customers shall be charged for all water furnished in accordance with the rates and rules as established by Helix Water District.

2.3-2 RELATED PROCEDURES

See Section 2.5, Turn Off for Nonpayment.

See Section 2.12, District Fees and Charges.

2.3-3 BILLING PROCEDURES

A. Normal Billing Procedure

1. Each water account shall be billed bimonthly.

2. Accounts are delinquent 21 calendar days after the due date.

3. Delinquent accounts shall have a late payment charge added, as shown in Section 2.12, and a past due notice will be mailed. If a customer has not been late within his/her two-year payment history, the penalty will automatically be waived.

4. If a past due notice does not result in a payment, steps outlined in Section 2.5, Turn Off for Nonpayment, shall be followed.

B. Closing Bill Procedure

1. Whenever a customer closes an account, a final reading will be taken and a closing bill rendered.

2. For amounts due on closing bills beyond 21 calendar days, a letter will be sent to the customer as a final reminder of the amount past due. At this time the customer will also be notified that additional collection steps will be taken if the district does not receive payment.

3. Unpaid balances from a customer may be added to other accounts of the same customer. Such charges shall become part of the customer’s active account and shall be subject to Section 2.5, Turn Off for Nonpayment, if the balance remains unpaid.
C. Classes of Service

The following classes of water service apply within Helix Water District.

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<thead>
<tr>
<th>CLASS</th>
<th>CODE</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>Domestic</td>
<td>(D)</td>
<td>Single-family residence, indoor or outdoor use, includes residences with second-family units, i.e. &quot;granny flats.&quot;</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>(M)</td>
<td>More than one residential unit served by the same meter (apartments, duplexes, mobile home parks, condominiums, etc.). Excludes second-family units.</td>
</tr>
<tr>
<td>Commercial</td>
<td>(C)</td>
<td>Business or mixed use (e.g. business and residential on the same meter).</td>
</tr>
<tr>
<td>Government</td>
<td>(G)</td>
<td>Government agencies (e.g. cities, state, school districts, etc.).</td>
</tr>
<tr>
<td>Irrigation</td>
<td>(I)</td>
<td>Landscape only, no dwellings, buildings or other structures, or businesses served.</td>
</tr>
<tr>
<td>Irrigation - Government</td>
<td>(F)</td>
<td>Governmental agency landscape only, no dwellings or businesses served. To be billed at irrigation class rate.</td>
</tr>
<tr>
<td>Irrigation - Agricultural Business</td>
<td>(A)</td>
<td>Single-family residence which meets agricultural business criteria. To be billed at irrigation class rate.</td>
</tr>
<tr>
<td>Temporary</td>
<td>(T)</td>
<td>Temporary meters used for construction purposes.</td>
</tr>
<tr>
<td>Medical Necessity</td>
<td>(Q)</td>
<td>Domestic account with special water rate credit due to medical condition (requires physician’s verification).</td>
</tr>
<tr>
<td>Fire Service</td>
<td>(S)</td>
<td>Fire protection lateral (not metered).</td>
</tr>
<tr>
<td>Fire Service - Government</td>
<td>(U)</td>
<td>Fire protection lateral (not metered) government agencies.</td>
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D. Disputed Classification

Any person, corporation, partnership, public agency or other entity objecting to his/her classification established by the district shall have the right to file an appeal with the district, provided the appeal is filed in writing at the offices of the district at 7811 University Avenue, La Mesa, California 91942. The written appeal shall include information on zoning, a description of types of water use, permits, licenses, business records and tax records for the subject meter(s) located at the identified parcel of property. Reclassification will be subject to
periodic inspection and submittal of information in order to qualify for continuation at the classified rate. Any such appeal shall be reviewed by the general manager, or his/her designee, and a written response will be mailed or personally delivered within 15 calendar days of receipt of the appeal. The decision of the general manager, or his/her designee, shall be final.

E. Disputed Bill Procedure

1. Any customer desiring to contest the validity or accuracy of his/her bill shall, before the delinquent date, notify the Helix Water District’s customer service department. If a customer service representative, customer service supervisor or manager is unable to satisfy the customer, his/her claim may be reviewed by the review manager.

2. The review manager shall be designated by the general manager.

3. If a customer is not satisfied with the review manager’s determination, the customer may, within seven calendar days, request a review by the board of directors. The customer shall be informed of the time and place for appearance before the board.

4. A decision by the board of directors shall be final.

5. Service will not be discontinued during the period the validity or accuracy of a bill is being contested. When a decision has been reached, the customer must pay all charges and penalties by the bill's due date for the bill or seven calendar days from the date of the decision, whichever date is later, to ensure continued service.
SECTION 2.4 DEPOSITS ON CUSTOMER ACCOUNTS

2.4-1 POLICY

If an applicant for new service or an existing customer seeking reinstatement of service has a poor payment history, a deposit may be required prior to rendering or renewing service. The deposit shall be for the purpose of guaranteeing payment of a final bill.

2.4-2 PROCEDURE

A. A deposit may be required when:

1. a customer’s account falls into the poor or high risk category within Helix Water District’s utility billing system due to a single or combination of payment events;

2. a credit check reveals an unsatisfactory record;

3. tampering or damage to district appurtenances is discovered at the property; or

4. if there is a delinquent account balance at a property.

In lieu of a deposit, a credit report showing a good credit score/record may be provided by the new customer requesting service. If service has been discontinued for nonpayment, a new customer requesting service at that address may be required to provide verification of tenancy or ownership, a valid photo identification and be subject to payment of a deposit.

Payment of the deposit for type 1 above may be in the form of cash, check, cashier’s check, money order, online or credit/debit card.

Payment of deposit for types 2, 3 and 4 above must be in the form of cash, money order or cashier’s check.

B. Deposits will be based on twice the average annual bimonthly billing for the account or as determined by the customer service manager.

C. No interest will be paid on the deposit. The deposit will not excuse future late payments.

D. When a customer has a record of prompt payment for one year (six bills), the deposit will automatically be refunded upon the seventh billing.
E. When an account is closed, the deposit will be returned less any sums owed Helix Water District.

F. When a deposit is required and the customer is unable to make immediate payment in full, half of the outstanding account balance including the deposit, must be paid to maintain service, with the remaining balance due within seven calendar days.

G. Pursuant to Section 366 of Title 11 of the United States Code, (P.L. 95-598, as amended), the district shall not alter, refuse or discontinue service to, or discriminate against a customer, or a trustee of a customer, solely on the basis of the commencement of a case under the bankruptcy laws of the United States or on the basis that a debt owed by the customer to the district for service rendered before the order for relief was not paid when due.

The district shall discontinue service if neither the customer, nor the trustee, within 20 days after the date of the order for relief, furnishes adequate assurance of payment in the form of a deposit for service after such date. As used herein, adequate assurance of payment shall mean a cash deposit in an amount equal to twice the average annual bimonthly billings for the property prior to the order for relief.

As used herein, order for relief shall have the same meaning as given to it in the bankruptcy laws of the United States. The commencement of a voluntary case under such laws shall constitute an order for relief. Such deposit shall be refunded as provided in Section 2.4-2(D).
HELIX WATER DISTRICT POLICIES AND PROCEDURES MANUAL

SECTION 2.5  TURN OFF FOR NONPAYMENT

SECTION 2.5  TURN OFF FOR NONPAYMENT

2.5-1  POLICY

Helix Water District shall discontinue water service for nonpayment of water or other district charges.

2.5-2  DEFINITIONS

Nonpayment as used herein shall mean the failure of the customer to pay all past due charges and penalties by the due date of the past due notice or other notice from the district of pending shut-off.

Turn off shall mean the discontinuance of service at an address by turning off and/or locking a meter, or the removal of a meter.

2.5-3  RELATED PROCEDURES

See Section 2.3, Customer Billing and Collections - Water Accounts.

See Section 5.3, Cross-Connection Control.

2.5-4  PROCEDURE

A. Procedure Prior to Turn Off

1. Any customer’s account which remains unpaid beyond the due date of the final notice will be subject to turn off.

2. After a late payment charge has been added, final notices shall be prepared for all delinquent accounts indicating the total amount due, and the final date for payment to avoid shut-off. For residential service, at least 48 hours before actual shut-off, the district will notify the premises of the pending termination.

For all other services, including commercial, through a master meter, multi-unit residential structure, mobile home park, farm labor camp where the owner/manager/farm labor employer is the customer of record, at least 10 days before actual shut-off, the district shall notify the premises of the pending termination.

Shut-off will occur unless the customer has requested and received approval for an extension or amortization of payments. Amortization must be requested within 13 days of mailing notice of delinquency and
impending termination. Amortization may not exceed 12 months without general manager approval and requires customers to keep all future billings current. See Section 2.3, Customer Billing and Collections - Water Accounts.

3. When a check, autopay or online payment is not honored by a customer’s bank (returned payment), the account shall be considered unpaid and subject to turn off. Only payment in the form of cash, money order or cashier’s check will be accepted to pay for the returned payment, returned payment fee and deposit charge, if applicable.

   a. If it is determined that a payment was made in person, online or placed in the drop box on the shut-off deadline date in order to avoid service interruption and/or a deposit charge being assessed and that payment is subsequently returned by the bank unpaid, a door hanger will be delivered to the service address advising the customer that payment for the returned payment and the deposit charge, if applicable, must be made within two business days to avoid interruption of service and field service charge. Payment must be made by cash, money order or cashier’s check only.

   b. In the event a customer’s check, autopay or online payment is returned by the bank unpaid three times within a year, a letter will be mailed to the customer notifying them that only cash, money order or cashier’s check will be accepted as payment for three consecutive future billing periods.

4. Any accounts with a balance due equal to or less than the amount of Helix Water District’s current shutoff fee [see Section 2.12-2(C)], shall not be turned off. The charges shall be carried forward to the next regular bill.

5. Unpaid balances for damage to district property or miscellaneous charges may result in the discontinuance of water service.

B. Turn Off of Water Accounts

1. When the meter is locked, all costs associated with damage to district appurtenances will be at the account holder’s expense. This includes replacement cost for a broken or missing lock.

2. If a customer claims by personal or telephone contact with the administration office to have mailed a payment which was not received
by the turn off date or because of other unusual circumstances, service may be continued until the scheduled follow-up shut-off.

3. Following payment of delinquent charges and/or meeting compliance criteria, customers whose water service is reinstated after 5:30 p.m. will be required to pay an after-hours unlock fee. See Section 2.12-2(C), One-Time Service Charges. Customers whose water service is reinstated prior to 5:30 p.m. will pay a regular service call charge.

C. Collection and Restoration of Water Service

1. If a customer does not have sufficient funds for full payment of the bill, water service may be restored with payment of at least one-half the outstanding charges. The balance must be received within seven calendar days of the first payment to ensure continued water service.

2. Payment of all charges, including any field service calls, as outlined in Section 2.12, will be required for restoration of service.

D. Follow-up After Turn Off

If service has been discontinued, a follow-up investigation will be made to ensure that the service is in an inoperative status. If it is found that the meter has been tampered with or turned on, Section 2.12-3(B) will apply.
SECTION 2.6 METER FAILURE – BILL ADJUSTMENT

2.6-1 POLICY

All customers shall be accurately billed based upon meter readings for each account. If a meter becomes inoperative or inaccurate, a bill should be rendered which is fair to the customer and to Helix Water District.

2.6-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

2.6-3 PROCEDURE

A. If a meter fails, an estimated bill shall be rendered. The usage from the same period one year earlier will be used to estimate the bill. Other factors which affect water use such as changes in land use, dwelling units, number of occupants, climatic conditions and usage for the period immediately preceding may be considered.

B. Any bills which are estimated must so indicate when they are sent to the customers.

C. A customer may request that a meter be tested for accuracy. The customer must pay a deposit with the district to cover the cost of the test. The amount of the deposit shall be in accordance with Section 2.12-5(B). If it is found that the meter does not register more than 2 percent above true registration, the deposit will be retained by the district. If the meter is found to register more than 2 percent above true registration, another meter will be installed by the district, the deposit will be returned to the customer and an adjustment of charges will be made to the three previous bills.
2.7-1 POLICY

Water for multiple dwelling units or commercial/industrial fire protection systems shall be furnished to the property by facilities, which are separate from the domestic service.

2.7-2 RELATED PROCEDURES

The following sections are related to this procedure and should be reviewed for additional information:

See Section 2.12, District Fees and Charges.

See Section 4.1, Land Development.

See Section 4.6, Fire Protection Policy.

See Section 5.3, Cross-Connection Control.

2.7-3 DEFINITIONS

Fire service lateral is a separate lateral, sized (typically 6-inch diameter minimum) for fire flows that shall be directly connected to Helix Water District’s distribution system. The fire service lateral shall include the connection to the district’s main, a gate valve at the main and a lateral pipeline terminating at the property line, edge of easement or other point designated by the district. The termination point is also the point at which the district’s maintenance responsibility ends. The remaining portion of the fire protection system, including the backflow prevention assembly shall be installed, certified, maintained and operated by the property owner. Backflow prevention assemblies shall be required for all fire service laterals and maintained by the property owner, as specified in Section 5.3, Cross-Connection Control, and located within the private property or at such other point designated by the district. Installation of backflow prevention assemblies shall be coordinated with and inspected by the district.

2.7-4 PROCEDURES

A. General

1. Fire service laterals shall supply water to fire protection systems only and no other water use shall be permitted from such facilities. No private fire hydrants shall be served off of fire service laterals. A fire service lateral will not be permitted on premises not served by a standard water meter.
2. Unauthorized use of a fire service lateral shall be grounds for discontinuance of service and fines as provided in Section 2.2.

3. Helix Water District shall have no responsibility for the proper functioning of the fire service system or for the availability of water from its mains for fire protection in the event of an emergency.

4. Fire service laterals may serve more than one building within a legal lot. A fire service lateral may only serve one legal lot.

B. Application and Estimate

1. The owner/developer shall request in writing or in person that the district prepare a preliminary cost estimate for installation of a fire service lateral. A fee for the preparation of the estimate will be charged, per Section 2.12, District Fees and Charges. A map showing the parcel to be served, the location of the proposed fire service lateral, the size of the lateral, legal address or legal description of the property, assessor parcel number, the approximate distances to adjacent streets or existing water facilities and improvement plans (if applicable) should accompany the request.

2. A water main estimate for private land developments, which includes the installation of a fire service system, will include the installation of the lateral as part of a water main extension project. No separate fee will be charged.

3. If there is no water main extension required for fire service, the engineering department will request a field estimate covering the installation of the fire service lateral which includes encroachment permit (if applicable), required labor, material and equipment. A fee for a field estimate and deposit for inspection of the backflow prevention assembly are required per Section 2.12, District Fees and Charges.

4. The estimate will be transmitted in writing to the developer. The amount quoted is an estimate only and the developer shall be responsible for the actual installation cost incurred by the district.

5. A copy of the standard application agreement for fire service laterals, cross-connection control guidelines and the procedure for fire service lateral installation in the district will be sent to the owner/developer, along with the cost estimate. The estimate letter will also state the limits of the district’s responsibility for the lateral (i.e. property line,
edge of easement or other point designated by Helix Water District), and an expiration date of the estimate.

C. Installation

1. The owner will complete the application for fire service installation and return it with a deposit payment for the estimated lateral installation cost. The customer service department will create a project number, receipt and process the payment. A copy of the project receipt will be given to the developer. The fire service order to install will be initiated by planning, routed to the customer service department and then forwarded to the construction section for installation.

2. The engineering department will notify the customer service department when a fire service lateral is constructed in conjunction with a main extension project. The customer service department will prepare a project number so that an account can be established. The inspection department will return the order to install to the customer service department after the lateral is in service to establish an account number and billing.

3. The application for a fire service lateral must be signed by the owner.

4. The owner and/or lessee is responsible for extending and maintaining the lateral pipeline from the termination point established by the district to the structure to be served. The sprinkler system and piping serving the structure shall be constructed to the standards of the local fire protection agency and shall include an approved backflow prevention device as specified in Section 5.3, Cross-Connection Control.

5. The district’s cross-connection control requirements are noted in the cross-connection control guidelines which is made available to the owner/developer during the fire service application process. The local fire agency with jurisdiction over the project may have additional requirements on a fire service system. The owner/developer must contact the local fire agency to determine requirements.

6. Construction of the public portion of the fire service lateral must be completed before the private piping is extended. If the lateral is installed by a private contractor, the lateral shall not be backfilled until approved by the district’s inspection department.

7. Inspection of the private piping by the agency of jurisdiction and the local fire agency is required before the line and connection can be
cleared for use. The owner is responsible for acquiring permits for the private piping from the agency of jurisdiction, if necessary.

8. Only authorized Helix Water District personnel shall operate the gate valve on the lateral.

9. The owner shall submit cut-sheets of the proposed backflow device for district review and approval prior to purchase.

D. Fire Service Lateral Activation

1. When the fire service lateral request is initiated, the customer service department will assign an account number to the lateral. After the fire service lateral is completed, the order to install will be returned to the customer service department for initiation of service, billing and final accounting of the work. All district work is billed for the actual cost of work performed. Additional costs incurred above the estimated amount will be charged to the developer.

2. The district will enter the location of the fire service lateral, the account number assigned to the lateral and the limits of district responsibility measured from the gate valve into the geographic information system.

3. The backflow prevention assembly must be tested and certified before the fire service lateral will be active and a backflow prevention assembly field testing and maintenance report must be received, with passing test results, and approved by the district’s cross-connection control coordinator within 15 days of the installation.

4. The district will notify the appropriate fire agency of the activation of the fire service lateral.

5. The customer shall maintain and test the backflow prevention assembly as specified in Section 5.3, Cross-Connection Control.

6. The bimonthly billing will continue until the owner requests that service be discontinued and the fire agency is notified by the district that a request for discontinued service has been received. If the owner elects to discontinue service or abandon the fire service, the owner shall provide a letter from the fire department stating the fire system is no longer required. The district may require abandonment of the fire service. The owner is responsible for costs associated with removal or abandonment of the fire service.
2.7-5 Fire Service Outages

Per Helix Water District’s Fire Hydrant Maintenance Agreement with the local jurisdictional fire agencies, the district will provide notification of water outages affecting building fire suppression systems to the fire agency of jurisdiction and the affected property owner. Should a fire watch be required by the jurisdictional fire agency, the property owner, agent, or lessee shall be responsible for coordinating fire watch with the fire agency, for satisfying all fire agency requirements and be responsible for all costs associated with the required fire watch per Fire Code Section 403.12.1. Failure to provide the notification does not create or impose any liability for or on the district.

Per Fire Code Section 202, fire watch is defined as follows: “A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.” Additional fire watch requirements are identified in Fire Code Section 901.7.
2.8-1 POLICY

Project numbers shall be established as herein provided to account for work performed for customers, to facilitate making and following good budgetary practices, and to accomplish clear communications between the various departments.

2.8-2 REQUIREMENTS

A. General

Project numbers will be required for the following types of projects:

- Abandonments, Relocations and Facility Adjustments
- Helix Water District Capital Projects
- Fire Hydrant Assembly Installations
- Fire Hydrant Head Changes
- Fire Service Installations
- Force Account Work
- Planning Files
- Special Studies
- Water Main Extensions
- Water Service Installations
- Various Other Projects (as deemed necessary)

B. Engineering Projects

Some or all of the above may require engineering services. Those projects requiring extensive engineering services where a permanent file and/or drawings will be established and maintained will be referred to as engineering projects. Generally they are as follows:

- District Capital Projects
- Force Account Work
- Planning Files
- Special Studies
- Water Main Extensions
- Street Improvements

Other Projects Designated by the Engineering Department:

- Abandonments, Relocations and Facility Adjustments
- Field Estimate Requests
2.8-3 PROCEDURE

A. General

Helix Water District project numbers are initiated by district personnel. All project numbers assigned will be maintained in the district’s computer system.

B. Engineering Projects

1. The district will coordinate right of way clearance from the agency of jurisdiction. Environmental evaluation will be completed in a timely sequence so the project can be constructed on schedule. Construction drawings are transmitted to the operations center as soon as they are available. For private contracts, the project will not be released for construction until the bond agreement and fire service agreement (if necessary) have been completed, cash deposit obtained, granting of easement (if necessary), encroachment agreement executed (if necessary), material submittals approved by the district, improvement plan sets (if necessary) and all of the above administrative steps accomplished. The operations center will obtain all necessary encroachment permits prior to the start of construction.

2. Direct and indirect costs incurred in completing a project will be charged to the project as follows:

   a. General

      i. All direct labor, materials, permit fees, incidental and related charges, shall be charged to the project.

   b. Private Contracts (i.e., Water Main Extensions)

      i. Labor overhead, warehousing, heavy equipment and all other indirect costs shall be added by accounting to all private project accounts.
ii. When the project number is established, charges for engineering, Helix Water District work and permit fees shall be applied to the project. Inspection and all other district work shall be charged at actual cost including both direct and indirect labor costs.

iii. When a project number is assigned, one copy of the completed receipt will go to the customer, one copy will go to the project file and the order to install will go to the operations center. The operations center will obtain all necessary encroachment permits prior to the start of construction.

iv. The operations staff will perform the work requested in the project in a timely manner charging all labor, equipment and materials [including overhead and warehousing per Section 2.8-3(B)(3)] to the project number.

v. When the work is complete, the order to install form will be returned to the customer service department for documentation and/or account establishment and then forwarded to accounting.

vi. A construction report shall be completed and routed through the administration office to the engineering, information services and customer service departments for recordkeeping purposes.

vii. Accounting will cost account the project and then refund or bill the customer and close the project.

viii. The project will not be closed until any outstanding charges are resolved. When all payments have been made to the district, accounting will close the project.

ix. Project outstanding charges shall be added to customer accounts if remaining unpaid after due date.

3. Overhead and Material Handling Charges Criteria

For the purpose of determining the total cost of the project, overhead, material handling and heavy equipment charges shall be added directly to the project as follows:
a. Overhead on labor - percentage of all labor time charged to the project.

b. Material handling costs - percentage of all material costs charged to the project.

c. Heavy equipment charges – billed for actual hours of use to complete the project.

Accounting shall annually establish the appropriate percentage multipliers for each of the above categories.

4. After all work on the project is completed and tested, the inspection department will notify the engineering department by a closing slip that the project is ready for a notice of completion, and provide as-built field plans to the engineering department and GIS.

5. Prior to recommending a notice of completion on the project, Helix Water District will finalize the cost of the project. This review will ensure that all project charges including labor, material and equipment charges inclusive of encroachment permits, and engineering and inspection costs are reasonable and complete.

6. When all charges to a project number have been verified, a tabulation of district costs will be made on the closing sheet. When the charges to the project are less than the cash deposit placed with the district at the beginning of the project, a refund shall be made. If inadequate funds were deposited with the district, the developer will be billed for the difference.

7. A notice of completion cannot be recommended until the developer pays any outstanding charges owed to the district, provides adequate easements and provides a complete set of field as-built drawings.

8. The developer’s engineer shall complete record drawings from the as-built drawings. One set of mylar drawings shall be submitted to the district prior to processing the notice of completion.

9. Recordation of the notice of completion initiates a 35-day stop notice period required by law. During this 35-day period, subcontractors, laborers or material suppliers can file a stop notice against the project.

10. Following the stop notice period, the accounting department will prepare a warrant to the developer for any refund due and take steps
to close the project. A refund cannot occur if a stop notice has been filed against the project. Helix Water District counsel should be consulted if a stop notice is filed on the work.

C. Inactive Developer Projects

Inactive or expired project numbers are existing projects that have had no activity for a period of one year or more without an executed developer agreement or a signed order to install.

1. If a project has been inactive for one year or more prior to construction, the district may start the process of closing out the project. The district shall provide a written notice to the owner of its intention to close out the project. If the district does not receive a written response within 30 calendar days, at the discretion of the district engineer, the project may be closed and any remaining deposits refunded to the owner on record.

2. When a project is closed and the project is re-opened in the future, the owner will be required to open a new project and pay the required fees and deposits per the current policies and procedures manual.
2.9-1 POLICY

Helix Water District, under normal operation, will attempt to provide adequate pressure at the meters of all of its consumers. Generally, minimum operating pressure of 35 pounds per square inch will be maintained for non-fire flow conditions.

For areas with low water pressure, the district will assist its customers in determining reasons for and solutions to low pressure.

2.9-2 GENERAL

While the district’s policy is to maintain a minimum service pressure (at meter) of 35 psi under normal conditions, a limited number of areas within the district experience pressures lower than 35 psi due to special conditions.

2.9-3 LOW PRESSURE AREA

A. The district will identify areas with potential operating water pressures below 35 psi and advise its customers at the time of application for a meter installation. Written evidence of customer notification of low pressure shall be provided.

B. New customers requiring more pressure may obtain such pressure at the customers’ sole expense and responsibility.

C. Temporary meters to be located on fire hydrants within low-pressure areas shall be restricted as to flow.

2.9-4 PRESSURE AND FLOW INVESTIGATIONS

A. When notified by any customer of a low-pressure problem, the district will attempt to assist the customer in ascertaining the nature of the problem and whether it exists in the customer’s system or the district’s system. If the customer is located in an area with low water pressure, the district will assist the customer in determining reasons for and solutions to low pressure. Any measures taken to cure a low water pressure problem will be at the customer’s sole discretion and expense.

B. Pressure and flow tests shall be conducted if required. If the problem exists in the customer’s system, the customer shall be advised to consult a plumber.
C. If the problem cannot be identified directly by the field staff, the engineering department will analyze the pressure and flow data, and in turn, advise the customer of its findings.

2.9-5 REMEDIATION

A. Notwithstanding the above, Helix Water District shall not be liable to any customer for any damage to the customer’s property for fluctuations in the pressure at which water is delivered. Further, nothing in this policy obligates the district to correct low-pressure conditions, to increase pressure or to compensate the customer in any manner for the customer’s cost to increase pressure.

B. Customer installed booster pumps, or any other devices installed to increase or decrease pressure, including any devices installed under Section 2.9-3(B), are the sole responsibility of the customer regardless of operating conditions of the district.
SECTION 2.10 MISCELLANEOUS PROCEDURES

2.10-1 POLICY

Miscellaneous services required by the general public, which are considered beyond a normal level required by the general public, shall be subject to a service charge.

2.10-2 RELATED PROCEDURES

See Section 1.1, Standard Reproduction Cost for Maps and Other Public Records.

See Section 2.12, District Fees and Charges.

See Section 4.1, Land Development.

See Section 4.2, Extension of Water Facilities.

See Section 4.4, Plans and Specifications - Issuance and Refund.

2.10-3 PROCEDURES

A. Plan Checking

1. Helix Water District’s engineering department will review all proposed public and/or private improvements submitted to the district for signature by the director of engineering or his/her designee. Prior to the district initiating work on the review, the developer/owner will pay the required fees as required in Section 2.12.

2. Public improvement projects being developed by the city/county that do not require water facilities or are not within district easements shall not be subject to a plan check fee.

3. The engineering department shall receive improvement plans. The developer/owner shall pay the appropriate initial fees when submitting improvement plans. The customer service department will process the collected fees and provide a copy of the receipt to the engineering department and developer/owner. The engineering department will log the plans into the department.

4. When the improvement plans are sent back to the developer/owner, they will be logged out of the department. When the plan check is complete to the satisfaction of the district, the original mylar drawings will be submitted to the director of engineering or his/her designee for
signature. The developer/owner shall deposit all fees as indicated on Helix Water District’s work cost estimate prior to the district’s signature and approval of the plans.

5. The engineering department will make a reproducible copy of the approved improvement plans and maintain a file of approved plans. The engineering department will keep the signed original mylars and return a reproducible copy if it is a water main extension under district title block. The engineering department will return the signed original mylars if it is a water main extension project under city or county title block, and shall receive a signed mylar copy. The engineering department will save a scanned electronic copy of the signed original mylars.

6. If work has not started on an approved plan within one year of the date of the district’s signature, the plan shall be disposed of and any proposed work after that date shall be subject to the costs and checking process as outlined in Section 2.10-3, Procedures.

7. After receipt of notification that an approved project is ready for construction, the engineering department shall send necessary copies of the approved plans for water main extension plans and necessary copies for street improvement plans to the operations center for their information and use if any adjustment work is necessary to clear conflicts with the proposed improvements. An additional copy of the approved plans will be provided to the GIS department. All required easements, bonds, agreements, fees and/or deposits shall be paid and material required submittals submitted and approved prior to releasing the project to the field for construction, unless otherwise approved by the director of engineering.

B. Right of Way Matters

1. The engineering department shall review or cause to be reviewed all proposed improvements, which may impact district lands or facilities, and get final approval before accepting improvements.

2. The customer/owner shall pay appropriate fees as outlined in Section 2.12, District Fees and Charges, after the engineering department has determined the required documentation. No right of way document shall be prepared, recorded or released until the appropriate fee has been paid.
C. Single Fire Hydrant Flow Tests

1. Helix Water District maintains flow data on many of the fire hydrants within its system. Where this data is not acceptable to the local fire agency of jurisdiction, the customer may request that a hydrant be flow tested at their expense.

2. The district reserves the right not to perform actual field fire hydrant flow tests where a hydraulic model simulation can satisfy the request or during periods of drought or water restrictions imposed by the district's drought response policy and procedure.

3. Where a field flow test is allowed and approved, and if the fire hydrant can be field tested without property damage, a fee as outlined in Section 2.12, District Fees and Charges, will be charged before the flow test can be scheduled. The engineering department will request that the flow test be scheduled by field personnel at their earliest opportunity.

4. At the district's sole discretion, as approved by the fire department, and where applicable, data from simulated flow tests using the district's hydraulic modeling software will be provided in lieu of obtaining data from actual flowing of fire hydrant.

5. Section 4.6, Fire Protection Policy, should be consulted for additional information.

D. Miscellaneous Field Estimates

Periodically, the district is required to develop a field estimate of costs to install or relocate facilities to allow for proposed work. A fee will be charged for the estimate per Section 2.12, District Fees and Charges, if not covered in other district charges.
SECTION 2.11  PUBLIC USE OF LAKE JENNINGS – RULES AND REGULATIONS DELETED, SEE SECTION 2.12-13 FOR FEES AND WWW.LAKEJENNINGS.ORG FOR RULES AND REGULATIONS
SECTION 2.12 DISTRICT FEES AND CHARGES

2.12-1 POLICY

The cost to operate Helix Water District is borne by water customers through water service and meter charges. The district does not levy taxes. San Diego County Water Authority and the Metropolitan Water District of Southern California levy taxes on district customers to help support their operating costs.

Normal water charges shall be the same for all users being provided similar services. Miscellaneous services provided by the district beyond a normal level shall be subject to special charges.

2.12-2 FEES FOR CUSTOMER BILLING AND COLLECTIONS - WATER ACCOUNTS

A. Related Procedures

See Section 2.2-4(D), Charges for Unauthorized Water Use.

See Section 2.3, Customer Billing and Collections - Water Accounts.

See Section 2.6-3(C), Meter Failure – Bill Adjustment.

See Section 2.13, Submetering for Developments.

See Section 2.14, Meters and Laterals.

See Section 2.16, Helix Water District Capacity Fees.

See Section 5.3, Cross-Connection Control.

B. District Rates for Water Service Charges

1. **Base Charge** is a standard bimonthly charge that varies with the size of meter serving a property. The base charge is designed to recover a significant portion of the district’s fixed costs, such as billing and collections, customer service, meter reading, meter maintenance and capital infrastructure. The following rates will appear on customer bills beginning January 1, 2019.

   a. All permanent meter installations shall be subject to the following rates for the base charges whether or not water is used:
**SECTION 2.12 DISTRICT FEES AND CHARGES**

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Each Billing, Effective November 1, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>5/8&quot;</td>
<td>$49.32</td>
</tr>
<tr>
<td>3/4&quot;</td>
<td>$49.32</td>
</tr>
<tr>
<td>1&quot;</td>
<td>$72.08</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>$128.95</td>
</tr>
<tr>
<td>2&quot;</td>
<td>$197.19</td>
</tr>
<tr>
<td>3&quot;</td>
<td>$413.29</td>
</tr>
<tr>
<td>4&quot;</td>
<td>$731.75</td>
</tr>
<tr>
<td>6&quot;</td>
<td>$1,493.81</td>
</tr>
<tr>
<td>8&quot;</td>
<td>$3,199.88</td>
</tr>
</tbody>
</table>

b. The base charge for compound fire flow meters will be the base charge of the largest meter that is installed, typically a 6-inch or 8-inch meter.

c. The base charge for initial bills and closing bills may be prorated on a daily basis.

2. **Commodity Charge** is a unit charge for the amount of water used. The commodity charge is designed to recover the direct costs of supplying water, including, but not limited to, water purchases, treatment, pumping and other costs attributable directly to the amount of water used. The following rates will appear on customer bills beginning on or after January 1, 2019.

In addition to the base charge, all customers shall pay the commodity charge for water used. The following rates for the commodity charges shall apply:

a. **Domestic Class** will be billed based on the units used in each of the following tiers:

<table>
<thead>
<tr>
<th>Units</th>
<th>$ Per Unit Effective November 1, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-14</td>
<td>$4.82</td>
</tr>
<tr>
<td>15-34</td>
<td>$5.65</td>
</tr>
<tr>
<td>35+</td>
<td>$7.03</td>
</tr>
</tbody>
</table>

b. **Multi-Family Class** will be billed $5.47 per unit, effective November 1, 2018.
c. **Government Class** will be billed $5.53 per unit, effective November 1, 2018.

d. **Commercial Class** will be billed $5.53 per unit, effective November 1, 2018.

e. **Irrigation Class** will be assigned a water budget and will be billed based on the units used in each of the following tiers:

<table>
<thead>
<tr>
<th>Units</th>
<th>$ Per Unit Effective November 1, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 100% of Budget</td>
<td>$5.65</td>
</tr>
<tr>
<td>101% + of Budget</td>
<td>$7.03</td>
</tr>
</tbody>
</table>

f. **Medical Necessity Class** will be billed one-half of the tier 2 domestic class rate for the first 20 units.

g. **Fire Service Class** will be billed a fixed bimonthly base charge based on the size of the fire service lateral serving the property and no commodity charge.

<table>
<thead>
<tr>
<th>Lateral Size</th>
<th>$ Per Lateral Effective November 1, 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4”</td>
<td>$10.03</td>
</tr>
<tr>
<td>1”</td>
<td>$13.37</td>
</tr>
<tr>
<td>2”</td>
<td>$26.73</td>
</tr>
<tr>
<td>4”</td>
<td>$53.45</td>
</tr>
<tr>
<td>6”</td>
<td>$80.17</td>
</tr>
<tr>
<td>8”</td>
<td>$106.89</td>
</tr>
<tr>
<td>10”</td>
<td>$133.62</td>
</tr>
</tbody>
</table>

Unauthorized, direct hook up water charge is $1,000 or such amount as determined by the customer service manager.

When a property becomes vacant or in the event of water service cancellation, the fire service lateral charges will be billed to the property owner until a new customer is established, unless the local fire agency of jurisdiction authorizes the removal of the fire service in writing and the fire service lateral is removed at the property owner’s expense.
Prior to initiating the work, Helix Water District will provide an estimate of the amount of the deposit required for the inspection and coordination of the installation of backflow prevention assembly and private plumbing. Final accounting shall be based on actual costs.

C. One-Time Service Charges

The following fees shall be charged for the noted services:

1. **Shutoff Fee** $47
   Shutoff fee is charged if the district locks the meter due to nonpayment from customer.

2. **Service Call Charge** $26
   Service call charge is charged when a customer makes a request to initiate water service, cancels a scheduled special read or district staff has to make multiple door hanger deliveries.

3. **Same Day Service Call Charge** $47
   Same day service call charge is charged if a customer requests same day service and staff is available to accommodate request.

4. **Charge for Returned Payments** $33
   Charge for returned payments is charged if a customer’s payment is returned by the bank.

5. **Meter Reinstatement Fee** $114
   Meter reinstatement fee is charged if a meter is required to be installed on an existing service lateral.

6. **After Hours Unlock Fee** $164
   After hours unlock fee is charged if customer requests meter to be unlocked during nonbusiness hours.

7. **Shutoff Fee for Backflow Noncompliance** $144
   Shutoff fee for backflow noncompliance is charged if a meter is required to be locked due to noncompliance of backflow certification requirements.

D. Delinquent Accounts

Delinquent accounts shall have a late payment charge added. If not paid on or before the due date, the account becomes past due and a late payment charge of 5 percent of the bill, but not less than $1, nor more than $35, will be added.
In the event the late payment charge is not included with payment of the past due bill, it will be added to the following bill.

E. **Submetered Accounts**

Submetered accounts billed by the owner or an agent of the owner shall not exceed the current Helix Water District commodity rate as specified in Section 2.12. Owner may be required to provide records substantiating compliance with billing criteria, if requested by the district.

F. **Refund for Overcharges or Erroneous Charges by District**

The district strives to ensure that all accounts and charges are error-free. There are times, however, when mistakes are made. In those instances where a customer is overcharged for water services or erroneously charged for services, a refund may be due to the customer. The district will be consistent in its refunds to customers and be fair and unbiased in its policy. The district also acknowledges that it is only statutorily required to refund water services that have been overpaid by customers for a period of one year. However, the general manager, or his/her designee, shall have the authority to investigate such matters and refund any such overcharges or erroneous charges for up to three years from the date of discovery, in exchange for a waiver and release by the customer. Any refund due shall be made as a credit on the customer’s account unless the customer requests the refund be paid directly to the customer.

### 2.12-3 FEES FOR UNAUTHORIZED USE OF WATER

A. **Related Procedures**

See Section 2.2, Unauthorized Use of Water.

B. **Usage Through Locked Meters or Laterals Without Meters**

1. Any meters that are noted on district records as locked and that show usage shall be relocked and charged a $50 penalty and the $6 cost of replacing the lock. A second investigation shall be made within a week to verify that the meter remains locked. Meters that show usage on the second investigation may be removed and the curb stop locked.

   a. A cash deposit, metered unauthorized usage penalty of $56 and a reinstatement charge will be required before the meter may be replaced and service reestablished. The deposit shall be twice the average bimonthly water bill.
b. Any costs for damage to Helix Water District property will also be assessed.

c. All charges relating to termination of service shall be borne by the party having had responsibility for the account. Charges relating to establishment of service shall be borne by the party requesting service.

2. Unauthorized, unmetered water use through laterals shall be subject to an administrative penalty of $1,000, or such amount as determined by the customer service manager.

a. Unauthorized use of water from a fire hydrant shall be charged in accordance with Section 2.2-4(D).

2.12-4 CHARGES FOR TEMPORARY METERS

A. Related Procedures

See Section 2.1, Water Availability for Building and General Construction Needs (Temporary Meters).

B. Temporary Meter Charge

Any person requesting a temporary water meter for construction or other purposes shall pay temporary meter charges and for the water used.

<table>
<thead>
<tr>
<th>DEPOSIT OR FEE</th>
<th>DESCRIPTION</th>
<th>CHARGED PER</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deposit</td>
<td>Meter Cost</td>
<td>Meter</td>
<td>$2,953</td>
</tr>
<tr>
<td>Fee</td>
<td>Install/Relocate</td>
<td>Occurrence</td>
<td>$161</td>
</tr>
<tr>
<td>Fee</td>
<td>Final Read and Removal</td>
<td>Occurrence</td>
<td>$85</td>
</tr>
<tr>
<td>Fee</td>
<td>Base Charge</td>
<td>Month</td>
<td>Equal to 50% of a 3” Meter Base Charge</td>
</tr>
<tr>
<td>Fee</td>
<td>Commodity</td>
<td>Unit and Billed Monthly</td>
<td>Equal to the Commercial Rate</td>
</tr>
<tr>
<td>Fee</td>
<td>Damages</td>
<td>Occurrence</td>
<td>Based on Full Cost Recovery</td>
</tr>
<tr>
<td>Fee</td>
<td>Unauthorized Meter Relocation</td>
<td>Occurrence</td>
<td>$197</td>
</tr>
<tr>
<td>Fee</td>
<td>Unauthorized Usage</td>
<td>Occurrence</td>
<td>See Section 2.2-4(D)</td>
</tr>
</tbody>
</table>
The deposit may be doubled in cases where anticipated monthly expenses are greater than the standard deposit. The following items shall be deducted from the meter deposit charge when the meter is removed from service:

1. final read and removal costs;
2. the fee for each meter relocation since the last billing period;
3. any unpaid water charges;
4. the cost of any repairs required, materials lost or damaged and missing meters since the last billing period; and
5. unauthorized use of water from a fire hydrant will be charged in accordance with Section 2.2-4(D).

### 2.12-5 DEPOSIT FOR METER ACCURACY TEST

**A. Related Procedures**

See Section 2.6, Meter Failure - Bill Adjustment.

**B. Meter Test Deposit**

When a customer requests that a meter be tested for accuracy, the customer shall place a deposit with Helix Water District to cover the cost of the test, according to the following schedule of meter size [refer to Section 2.6-3(C)]:

1. 1" and smaller $217
2. 1 1/2" and 2" $393
3. 3" and larger By field estimate only. Prior to initiating the work, the district will provide an estimate of the amount of the deposit or charge to be imposed.

### 2.12-6 CHARGES FOR METER AND LATERAL INSTALLATIONS

**A. Related Procedures**

See Section 2.7, Fire Service Lateral.

See Section 4.6, Fire Protection Policy.
B. Charges for Meter and Lateral

1. **Meter Costs and Meter Installation Fees**

<table>
<thead>
<tr>
<th>Size</th>
<th>Installation Fees</th>
<th>Meter Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot;</td>
<td>$120</td>
<td>$143</td>
</tr>
<tr>
<td>1&quot;</td>
<td>$120</td>
<td>$199</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>$143</td>
<td>$505</td>
</tr>
<tr>
<td>2&quot;</td>
<td>$143</td>
<td>$726</td>
</tr>
</tbody>
</table>

3” and larger meter installation fees will be provided by field estimate only. Prior to initiating the work, Helix Water District will provide an estimate of the amount of the deposit or charge to be imposed.

2. The district will be reimbursed the actual cost for the installation, abandonment and/or relocation of meters and laterals. A deposit, based upon a field estimate as referenced in Section 2.12-12(B), will be collected to cover the associated costs of the work. The deposit will include, but will not be limited to, all labor, material, equipment and associated permit costs required to perform the work. A refund will be
provided if actual costs for the work are less than the deposit collected. Additional fees shall be collected if costs for the work exceed the deposit collected.

3. Helix Water District will collect the San Diego County Water Authority capacity charge effective at the date of purchasing the meter based on the most current SDCWA system capacity charge policies. Refer to Section 2.14-4(C).

4. The district will collect Helix Water District capacity fees effective at the date of purchasing the meter based on the most current district capacity fee policies. Refer to Section 2.12-6(C) and Section 2.16.

C. Helix Water District Capacity Fees

1. The Helix Water District capacity fee has two components: (1) the buy-in portion and (2) the new water supply portion. Currently there are no projects identified as a new water supply. The district capacity fee will be collected based on the meter size purchased in accordance with the policies described in Section 2.16.

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Hydraulic Capacity Factor</th>
<th>Buy-In Portion</th>
<th>New Water Supply Portion</th>
<th>HWD Capacity Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4&quot;</td>
<td>1.00</td>
<td>$ 6,842</td>
<td></td>
<td>$ 6,842</td>
</tr>
<tr>
<td>1&quot;</td>
<td>1.67</td>
<td>$ 11,403</td>
<td></td>
<td>$ 11,403</td>
</tr>
<tr>
<td>1-1/2&quot;</td>
<td>3.33</td>
<td>$ 22,806</td>
<td></td>
<td>$ 22,806</td>
</tr>
<tr>
<td>2&quot;</td>
<td>5.33</td>
<td>$ 36,489</td>
<td></td>
<td>$ 36,489</td>
</tr>
<tr>
<td>3&quot;</td>
<td>10.00</td>
<td>$ 68,418</td>
<td></td>
<td>$ 68,418</td>
</tr>
<tr>
<td>4&quot;</td>
<td>16.67</td>
<td>$ 114,029</td>
<td></td>
<td>$ 114,029</td>
</tr>
<tr>
<td>6&quot;</td>
<td>33.33</td>
<td>$ 228,059</td>
<td></td>
<td>$ 228,059</td>
</tr>
<tr>
<td>8&quot;</td>
<td>53.33</td>
<td>$ 364,894</td>
<td></td>
<td>$ 364,894</td>
</tr>
</tbody>
</table>

2.12-7 CONNECTION FEES

A. Related Procedures

See Section 4.5, Connection Fee Policy.
2.12-8 FEE FOR WATER MAIN EXTENSIONS

A. Related Procedures

See Section 4.2, Extension of Water Facilities.

B. Water Main Estimate

See Section 2.12-12(B)(2)(b), Fees.

All costs associated with preparation of the water main estimate are included in the water main extension fee.

2.12-9 CHARGES FOR STANDARD SPECIFICATIONS

A. Related Procedures

See Section 4.4, Plans and Specifications - Issuance and Refund.

B. Standard Specification Charges

Helix Water District is a member of the Water Agencies’ Standards Committee, a group of local water agencies that publish the Water Agencies’ Standard Specifications. These specifications comprise the district’s standard specifications for the construction of potable water facilities and are only available at the WAS website: www.sdwas.org. There is no cost to view, download or print the documents.

2.12-10 FEES FOR REPRODUCING MAPS AND OTHER PUBLIC RECORDS

A. Related Procedures

See Section 1.1, Standard Reproduction Cost for Maps and Other Public Records.

B. Fees

Charges for any reproduction of district records for public use shall not exceed the actual cost of providing the copy/copies. The district’s schedule of charges shall be as follows:
2.12-11 FEES FOR WATER AVAILABILITY SEARCH

A. Related Procedures

See Section 4.1, Land Development.

See Section 4.2, Extension of Water Facilities.

B. Fees

In order to process requests to ascertain water availability for land development, the following planning file fee schedule shall apply:

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Availability/Will Serve Letter Only Fee</td>
<td>$132</td>
</tr>
<tr>
<td>Project Initiation Fee</td>
<td>$283</td>
</tr>
</tbody>
</table>

These fees are nonrefundable.

2.12-12 MISCELLANEOUS FEES

A. Related Procedures

See Section 2.10, Miscellaneous Procedures.

B. Fees

The following fees shall be charged for the noted services:

1. Plan Check Deposits
a. Street Improvement Plan Check $724/sheet
   This deposit includes labor costs required to communicate and plan check a typical street improvement project, assuming three plan check reviews.

b. Water Main Extension Plan Check $1,076/sheet
   This deposit includes labor costs required to communicate and plan check a typical project that involves a water main extension, assuming four plan check reviews.

c. Grading Plan Check $104/sheet
   This deposit includes labor costs required to communicate and plan check a typical grading plan, assuming two plan check reviews.

d. Final Map Plan Check $195/sheet
   This deposit includes labor costs required to communicate and plan check a typical final map, assuming two plan check reviews.

2. Project Processing Fee

   a. Street Improvements $735
      Fee includes labor costs required for a typical street improvement project, including a site investigation, office research, cost estimate preparation, all efforts related to backflow prevention and preparation of installation paperwork for construction.

   b. Water Main Extensions $1,617
      Fee includes labor costs required for a typical street improvement project, including site investigation, office research, cost estimate preparation, all efforts related to backflow prevention, Helix Water District work estimate, processing of developer agreement and bonds and preparation of installation paperwork for construction.

3. Quitclaim Deed Processing Fee $1,102 + recording fee
   Quitclaim of blanket easement, aligned easement, right of way or ingress/egress easement.

4. Document Processing Fees

   a. Right of Entry/Joint Use Agreement $625 + recording fee
b. Lease/Rental Agreement $1,243 no recording fee (except cell sites)

c. Encroachment Agreement $1,414 + recording fee

d. Reimbursement Agreement $408

5. Fire Hydrant Flow Tests

a. Simulated Fire Hydrant Flow Test – Hydraulic Model $270

b. Single Fire Hydrant Flow Tests
   By field estimate only. Prior to initiating work, Helix Water District will provide an estimate of the amount of the deposit or charge to be imposed.

6. Miscellaneous Field Estimates $362
   This fee is nonrefundable and shall not be a credit against any installation cost.

7. Annexation Feasibility Review Deposit $1,443

8. Overhead Rates Charged to Reimbursable Projects

   a. On Direct Labor 132%

   b. For Materials Handling 12%

9. Other Reports, Study or Special Investigation Deposit $2,474
   Fee is a minimum as determined by the director of engineering and can include:

   a. Water Assessment

   b. Cellular Sites – New Site Investigation

   c. Hydraulic Analysis

10. Easement Acquisition Fee $1,034

C. Waiver

Staff may waive fees to other utilities or public agencies where such waivers are reciprocated.
2.12-13 FEES FOR PUBLIC USE OF LAKE JENNINGS

Helix Water District operates Lake Jennings on a not-for-profit basis. The fee structure at Lake Jennings is established to recover the operating expenses as well as capital recovery for minor improvements in the facilities. The fee structure for all lake facilities and activities shall be as adopted by the board of directors.

For details about the recreation and campground operations at Lake Jennings, refer to the Lake Jennings General Rules and Regulations found on www.lakejennings.org.

A. Fees

Lake Entrance Fees

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily - No Fishing</td>
<td>$2 per person (adults 16 and over)</td>
</tr>
<tr>
<td>Annual - No Fishing</td>
<td>$50 per person</td>
</tr>
</tbody>
</table>

Fishing Fees

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adults</td>
<td>$9 per person per day</td>
</tr>
<tr>
<td>Seniors (65+) and Active Military</td>
<td>$8 per person per day</td>
</tr>
<tr>
<td>Children 8-15 Years of Age</td>
<td>$4 per person per day</td>
</tr>
<tr>
<td>Children Under 8 Years of Age</td>
<td>No charge when accompanied by a paying adult</td>
</tr>
<tr>
<td>HWD Retiree and Spouse</td>
<td>No charge</td>
</tr>
</tbody>
</table>

Boat Rental Fees – Regular Season (No Night Fishing)

<table>
<thead>
<tr>
<th></th>
<th>General Public</th>
<th>Active Military</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat without Motor</td>
<td>(Open to 1 p.m. and 1 p.m. to Closing)</td>
<td>$9</td>
</tr>
<tr>
<td>(Half Day)</td>
<td>$14</td>
<td></td>
</tr>
<tr>
<td>Boat without Motor</td>
<td>$19</td>
<td>$14</td>
</tr>
<tr>
<td>(Full Day)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat with Motor</td>
<td>(Open to 1 p.m. and 1 p.m. to Closing)</td>
<td>$25</td>
</tr>
<tr>
<td>(Half Day)</td>
<td>$30</td>
<td></td>
</tr>
<tr>
<td>Boat with Motor</td>
<td>$40</td>
<td>$35</td>
</tr>
<tr>
<td>(Full Day)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paddle Boat</td>
<td>$10 per hour</td>
<td>$8 per hour</td>
</tr>
</tbody>
</table>
### Kayak Fees

<table>
<thead>
<tr>
<th>Type of Equipment</th>
<th>General Public</th>
<th>Active Military</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kayak</td>
<td>$10 per hour</td>
<td>$8 per hour</td>
</tr>
<tr>
<td>Kayak (Partial Day)</td>
<td>$30 per 4 hours</td>
<td>$25 per 4 hours</td>
</tr>
</tbody>
</table>

### Boat Rental Fees – Night Fishing Season

<table>
<thead>
<tr>
<th>Type of Equipment</th>
<th>General Public</th>
<th>Active Military</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat without Motor (Half Day)</td>
<td>(Open to 1 p.m. and 1 p.m. to Closing) $14</td>
<td>$9</td>
</tr>
<tr>
<td>Boat without Motor (Full Day)</td>
<td>$19</td>
<td>$14</td>
</tr>
<tr>
<td>Boat with Motor (Half Day)</td>
<td>Open to 1 p.m. $30</td>
<td>$25</td>
</tr>
<tr>
<td>Boat with Motor (Half Day)</td>
<td>1 p.m. to Closing $40</td>
<td>$35</td>
</tr>
<tr>
<td>Boat with Motor (Twilight)</td>
<td>Last 3 Hours Open $20</td>
<td>$20</td>
</tr>
<tr>
<td>Boat with Motor (Full Day)</td>
<td>$60</td>
<td>$55</td>
</tr>
<tr>
<td>Paddle Boat</td>
<td>$10 per hour</td>
<td>$8 per hour</td>
</tr>
<tr>
<td>Kayak</td>
<td>$10 per hour</td>
<td>$8 per hour</td>
</tr>
<tr>
<td>Kayak (Partial Day)</td>
<td>$30 per 4 hours</td>
<td>$25 per 4 hours</td>
</tr>
</tbody>
</table>

### Private Boat and Kayak Launch Fees

$8 per boat or kayak

### Fishing Tournament Fees

$30 per boat
## Campground Fees

<table>
<thead>
<tr>
<th>Type</th>
<th>Rates</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Full Hookup Site</strong></td>
<td>$42 per night Sun*-Thurs</td>
<td>*A Sunday stay prior to a Monday holiday is charged the holiday rate</td>
</tr>
<tr>
<td></td>
<td>$44 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td><strong>Partial Hookup Site (no sewer)</strong></td>
<td><strong>Standard Site</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$35 per night Sun*-Thurs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$37 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Preferred View Sites (Sites 89 – 96)</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$38 per night Sun*-Thurs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$40 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*A Sunday stay prior to a Monday holiday is charged the holiday rate</td>
<td></td>
</tr>
<tr>
<td><strong>Tent/No Hookup Site</strong></td>
<td>$30 per night Sun*-Thurs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$32 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Preferred View Sites (Sites 20, 22, 24, 26, 28, 30-32, 34-36, 38, 42-45)</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$33 per night Sun*-Thurs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$35 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*A Sunday stay prior to a Monday holiday is charged the holiday rate</td>
<td></td>
</tr>
<tr>
<td><strong>Tipi Site</strong></td>
<td>$65 per night Sun*-Thurs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$75 per night Fri, Sat and Holidays</td>
<td></td>
</tr>
<tr>
<td></td>
<td>*A Sunday stay prior to a Monday holiday is charged the holiday rate</td>
<td></td>
</tr>
<tr>
<td><strong>Seven consecutive night stays</strong></td>
<td>15% discount applied to per night site fee</td>
<td></td>
</tr>
<tr>
<td><strong>Process Fee</strong></td>
<td>$8 per site</td>
<td></td>
</tr>
<tr>
<td><strong>Transfer</strong></td>
<td>$5 per site</td>
<td></td>
</tr>
<tr>
<td><strong>Cancellation</strong></td>
<td>$8 per site</td>
<td></td>
</tr>
<tr>
<td><strong>Extra Tent (applies if there is more than one camping unit and one tent or more than two tents in one site)</strong></td>
<td>$10 per tent per night</td>
<td></td>
</tr>
</tbody>
</table>
### SECTION 2.12 DISTRICT FEES AND CHARGES

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extra Vehicle</td>
<td>$2 per vehicle per night</td>
</tr>
<tr>
<td>Extra Camper (applies if more than 6 campers in one site)</td>
<td>$2 per person per night</td>
</tr>
<tr>
<td>Visitor Access</td>
<td>$2 per vehicle per night</td>
</tr>
<tr>
<td>Youth Groups</td>
<td>$100 per night</td>
</tr>
<tr>
<td>Adult/Family Groups</td>
<td>$125 per night</td>
</tr>
<tr>
<td>Long-Term Stays (One month minimum, six month maximum in full or partial hookup site)</td>
<td>$860 per month, $215 per week after first month up to 3 weeks</td>
</tr>
<tr>
<td>Pets</td>
<td>$1 per pet per night</td>
</tr>
</tbody>
</table>

#### Facility/Venue Rental Fees

<table>
<thead>
<tr>
<th>Space &amp; Availability</th>
<th>Capacity</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entire Lake</td>
<td>600 guests, 200 vehicles</td>
<td>$5,000 first 6 hours/$200 per additional hour Monday through Friday, $7,000 first 6 hours/$200 per additional hour Saturday and Sunday</td>
</tr>
<tr>
<td>Hermit Cove</td>
<td>300 guests, 100 vehicles</td>
<td>$800 first 6 hours/$50 per additional hour</td>
</tr>
<tr>
<td>Sentry Point</td>
<td>200 guests, 60 vehicles</td>
<td>$600 first 6 hours/$50 per additional hour</td>
</tr>
<tr>
<td>Campground Pavilion</td>
<td>68 guests, 20 vehicles</td>
<td>$600 first 6 hours/$50 per additional hour</td>
</tr>
<tr>
<td>Gazebo and Group Camping Area</td>
<td>30 guests, 5 vehicles</td>
<td>$500 first 6 hours/$50 per additional hour</td>
</tr>
</tbody>
</table>
### SECTION 2.12 DISTRICT FEES AND CHARGES

<table>
<thead>
<tr>
<th>Other Property Locations</th>
<th>TBD</th>
<th>$500 and up first 6 hours/$50 per additional hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleaning/Security Deposit</td>
<td></td>
<td>$200 refundable less $50 per hour excessive clean up or damage charges</td>
</tr>
</tbody>
</table>
2.13-1 POLICY

Helix Water District allows owners of new or multi-family developments to submeter their facilities under conditions established by the district to encourage conservation while ensuring fair treatment of consumers and as required by state law. For new multi-family developments, the district may require submetering of their facilities on a case-by-case basis or as required by law.

2.13-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

2.13-3 DEFINITIONS

Submetering is defined as metering of water to an individual unit that has first been master metered by the district.

Master meter is defined as the water meter, maintained by the district, serving the property.

Owner is defined as the owner of a development and/or property.

Tenant is defined as the occupant receiving submetered service.

Multi-family development is defined as a land or building development wherein more than one residential unit is included in a structure or group of structures. It includes multi-unit residential structures, mixed-use residential/commercial structures, mobile home parks, condominiums and apartments; excludes second-family units.

2.13-4 INDIVIDUAL METERING OR SUBMETERING REQUIREMENTS

Unless exempt under applicable law, each newly constructed multi-family development for which an application for one or more water service connections is submitted after January 1, 2018, shall measure the quantity of water supplied to each individual residential dwelling unit (Water Code Section 537.1). The measurement may be by individual water meters or submeters.

2.13-5 PROCEDURES

If submetering is required by the state, district or requested by the owner, the owner of a multi-family development shall install submetering for each unit, under the following conditions:
A. All charges billed to submetered accounts (including volumetric, fixed and administrative, or other charges) shall comply with state law (Civil Code Section 1954.201 et seq.) The total volume of water billed shall not exceed the amount of water on the master meter.

B. The owner may be required to provide records substantiating compliance with billing criteria, if requested by Helix Water District.

C. The water system on the private property side of the master meter, including the submeters, shall be solely the responsibility of the owner.

D. The owner shall clearly delineate on the bill that any billing, administrative or other charges associated with the submeters (to the extent such charges are allowed by state law) are costs imposed by the property owner and not by the district.

E. A district furnished application for the use or implementation of submeters for distribution of water for multi-family developments shall be submitted by the owner.

F. The owner shall comply with all federal, state and local provisions of the law applicable to the installation, maintenance, reading, billing and testing of submeters, as well as the sale, distribution and use of water (including, but not limited to, Water Code Section 537 et seq.; Civil Code Section 1954.201 et seq.; the California Plumbing Code; California Code of Regulations; Title 4, Business Regulations; Division 9, Measurement Standards; Chapter 5, Billing for Utility Services; Section 4090).

G. The submetering accuracy, accuracy of reading submeters or accuracy of billing and collection is not the responsibility of the district. The submetering and sub-billing of water does not relieve or shift the responsibility of the owner from paying the district all fees, charges and bills associated with water service.
SECTION 2.14 METERS AND LATERALS

2.14-1 POLICY

A project number shall be established to account for work performed in the installation, abandonment or relocation of meters and laterals, to facilitate making and following good budgetary practices and to accomplish clear communications between various departments.

2.14-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

See Section 5.3, Cross-Connection Control.

See Section 2.16, Helix Water District Capacity Fees.

2.14-3 DEFINITIONS

**Dual installation** means two meters installed on an existing domestic single lateral for a single-family dwelling, one of which shall be for landscape irrigation purposes only. Refer to Sections 2.14-7, 2.14-10 and 2.14-11 for specific eligibility criteria related to dual meter installations. The irrigation meter installation shall meet all the requirements of Section 5.3, Cross-Connection Control of this policy. Helix Water District retains ownership of and responsibility for the lateral, the meter and the valve on the customer’s side. The customer shall be responsible for all piping on the private plumbing side of the meter, to and including, the connection to the valve on the customer's side of the meter. The district assumes no responsibility or liability for any and all issues, including pressure loss and noise related to dual meter installations. At no point downstream of the service meters shall the irrigation piping be interconnected with piping serving indoor water use. Such physical separation of piping systems for irrigation and indoor/residential water use is subject to field verification. Dual installations are not allowed for new construction or installations, commercial or multi-family accounts.

**Meter installation** means the meter and a consumer shut-off valve on the customer’s side of the meter.

**Meter relocation** includes relocating the meter box, district shut-off valve, meter, consumer shut-off valve and reconnecting to the existing lateral and private plumbing.

**Water lateral** shall include the pipe from the district’s water main to the proposed meter location and shall include a meter box and district shut-off valve.

The **Water Agencies’ Standards** is a common set of adopted specifications for planning and design of potable water, recycled water, raw water and sewer facilities, which standardizes
2.14-4 PROCEDURES

When applying for a meter and lateral installation, abandonment or relocation, the applicant shall:

A. Furnish a legal description, zoning designation and service address of the property upon which water is to be delivered, designate the location at which he/she wishes the meter placed and advise Helix Water District whether the meter is to be installed in conjunction with the lateral installation or at a later date. The applicant shall advise the district if any street improvement plans are required by the local agency of jurisdiction, and if so, pay the appropriate fees for a district plan check review. Once a meter is installed, if service has not been initiated within 12 months, except in the event of a natural disaster, the meter may be removed and a fee will be required for meter reinstatement.

B. Pay the deposit based upon a field estimate as referenced in Section 2.12-6(B)(2) for installation, abandonment or relocation; the encroachment permit where required; all connection fees; and any other charges due and payable to the district for said property. Where service is requested for a parcel not located adjacent to an existing district main, service may be permitted at the nearest main. The district assumes no responsibility or liability for the delivery of water through private pipelines or for any damage resulting from the operation of same.

C. Pay the San Diego County Water Authority capacity charges. As required by Section 5.9 of the County Water Authority Act, the district as a member agency of SDCWA, shall collect and remit to SDCWA capacity charges imposed by SDCWA. The ordinance of SDCWA in effect at the time that a water meter is obtained from the district shall govern the amount of the charge, the persons liable therefore and the procedures to be followed. The district shall not provide a water meter to a water user until the water user has paid to the district the applicable capacity charge of SDCWA. The district does not guarantee water service until all meter and capacity fees are paid. Where a dual meter is placed on an existing lateral, no SDCWA capacity charge shall be collected on the additional meter unless otherwise determined by the district to be required; however, district base charges for the additional irrigation meter shall apply. The irrigation meter size shall be a minimum of ¾ inch. Any upsizing of the irrigation meter above the size of the existing meter shall be subject to additional district capacity fees and San Diego County Water Authority capacity charges.
D. Pay the Helix Water District capacity fees. As required by Section 2.16, the district shall collect the district capacity fees. The district capacity fees in effect at the time that a water meter is obtained from the district shall govern the amount of the charge, the persons liable therefore and the procedures to be followed. The district shall not provide a water meter to a water user until the water user has paid to the district the applicable district capacity fees. The district does not guarantee water service until all meter and capacity fees are paid. Where a dual meter is placed on an existing lateral, no district capacity fee charge shall be collected on the additional meter unless determined by the district.

E. Properties or parcel(s) outside of the district’s boundaries will be required to request annexation into the district. Government Code Section 56133 prohibits a special district from extending services outside of its boundary and/or sphere of influence without the Local Agency Formation Commission’s approval. Upon annexation request from the property owner, the district will require a deposit for the district to perform a feasibility study. All annexation requests will require the district’s board of directors’ conceptual approval. If the annexation request is approved by the board of directors, the owner will be required to go through LAFCO’s approval process, prior to the district providing water service to the property. LAFCO and/or the district may require the owner to pay for their costs of reviewing and processing the annexation. Service exchange agreements or out-of-district type of agreements in lieu of annexation will not be acceptable.

2.14-5 LOCATION

A lateral is installed at right angles to the center line of the right-of-way, clear of driveways, other water meters and other obstacles in accordance with the Water Agencies’ Standards. Special requirements of agencies having jurisdiction of the roadway may require an alternate location. Meters will not be located on pipelines in easements except where no other pipeline is adjacent to the property. The meter box shall be located per the Water Agencies’ Standards.

2.14-6 METER SIZE CHANGE OR RELOCATION

A. Increase (With District Approval)

1. When the existing lateral is reused, a meter may be increased in size upon payment of the applicable meter cost and meter installation fee referenced in Section 2.12-6(B)(1) for the requested size meter, plus the difference between the applicable district capacity fees and San Diego County Water Authority capacity charge of the existing meter size and proposed meter size.
2. When a new lateral is required, a meter may be increased in size upon payment of the applicable meter installation fee referenced in Section 2.12-6(B)(1) for the requested size meter, a deposit based upon a field estimate as referenced in Section 2.12-6(B)(2) plus the difference between the applicable Helix Water District capacity fees and SDCWA capacity charge of the existing meter size and proposed meter size.

B. Reduction

1. A meter may be reduced in size on an existing lateral upon payment of the applicable meter cost and meter installation fee referenced in Section 2.12-6(B) for the requested size meter. No refund of district or SDCWA charges will be allowed for a reduction in meter size or a surrender of service.

2. When a new lateral is required, a meter may be reduced in size upon payment of the applicable meter cost and meter installation fee referenced in Section 2.12-6(B)(1) for the requested size meter and a deposit as referenced in Section 2.12-6(B)(2). No refund of district or SDCWA charges will be allowed for a reduction in meter size or a surrender of service.

C. Relocation

1. Meters may be relocated only once and up to a maximum of five feet horizontally in any direction. If the meter relocation exceeds five feet, the installation of a new lateral and the abandonment of the existing lateral will be required. A deposit as referenced in Section 2.12-6(B)(2) will be required. At the discretion of the district, the relocation costs for individually owned single-family residences with meters 2-inch and smaller may be borne by the district.

2. Meter relocations are required when there is insufficient access for meter reading or meter maintenance as determined by the district. Should the district require the relocation of an existing meter, the customer will be contacted to review the proposed location of the relocated meter and all associated costs, if applicable, as referenced in Section 2.12-6(B)(2). Alternatively, the district and customer may agree to keep the existing meter in its current location and execute an encroachment agreement.

3. The district reserves the right to reduce the meter and lateral size in the event a relocation will result in excessive demands on the system.
2.14-7  SEPARATE METER FOR EACH OWNERSHIP/LEGAL LOT

Each legal lot shall be supplied through a dedicated water meter regardless of ownership. Delivery of Helix Water District water by one owner to another owner or from one legal lot to another legal lot is in violation of this rule and shall terminate the right to the meter and service may be discontinued until the violation is corrected. In the event of division of a parcel that currently has two or more occupancies in one ownership being supplied through one meter, separate water laterals must be installed for each newly created parcel.

2.14-8  DISTRICT’S RIGHT OF INSPECTION AND ACCESS

Authorized district personnel shall have unrestricted access at reasonable hours to all premises supplied with water by the district to inspect the supply system, meters or other measuring apparatus and to determine that the rules and regulations of the district are being observed.

2.14-9  METER SIZE

The district reserves the right to regulate the size, type, quantity and location of meters. When distribution facilities are adequate, a meter may be permitted. The minimum meter size is ¾-inch. The developer will determine and submit the required meter size based on their demand requirements. The district may require calculations or verification of the demand requirements. The district will review and approve the actual meter size to be installed.

Meter size for commercial or industrial development will be determined individually by the owner/developer.

For a single-family residence, there shall be no more than one lateral per legal lot unless approved by the director of engineering or his/her designee, or at the written request of the city or county. Commercial or multiple family developments may have more than one lateral per legal lot.

Where a dual meter is placed on an existing lateral, the size of the irrigation meter shall be equal to or less than the existing domestic meter.

2.14-10  LATERAL SIZE

The district reserves the right to regulate the size, type, quantity and location of laterals. For each legal lot, the lateral will be sized based on the meter size, but in no case will the lateral be less than 1-inch or less than the meter size.

2.14-11  IRRIGATION METERS

Irrigation meters are subject to all district requirements and fees, unless otherwise approved by the district.
A. Dedicated Meters for Outdoor Water Use

Refer to Section 4.11 for specific requirements for dedicated meters for outdoor water use.

B. Irrigation Meters Serving Single-Family Residences

1. Irrigation meters will be billed at an irrigation class rate with a water budget if they qualify as an agricultural business under Section 2.15.

2. Irrigation meters not qualifying as an agricultural business and installed after June 3, 2009, will be billed at a domestic class rate.

3. Irrigation meters not qualifying as an agricultural business and installed prior to June 3, 2009, will be billed at an irrigation class rate with a water budget until September 1, 2011, after which time they will be billed at the domestic class rate.

C. Water Budgets for Irrigation Meters

Refer to Section 4.9-15 for specific requirements on water budgets for irrigation rate classes.
2.15-1 POLICY

Since July 1991, Metropolitan Water District of Southern California eliminated all credits to Helix Water District for agricultural water use. To accommodate those businesses that after 1991 remained in full crop production at a single-family residence, the board approved criteria that, if met, would allow an agricultural business to apply for billing at the commercial rate. As a result of restructuring district water rates in 2009, agricultural businesses under this policy will no longer be billed at the commercial rate. Customers who wish to be considered as an agricultural business will need to contact the district and meet the criteria in Section 2.15-3 in order to be billed at the irrigation rate. Customers not meeting these criteria or who have not contacted the district will be billed at the single-family (domestic) rate.

2.15-2 RELATED PROCEDURES


2.15-3 PROCEDURE

A. General

For determining those customers who may qualify for an irrigation rate, see following criteria:

1. A minimum of one acre, not including residence, must be in full agricultural production for sale or market and verified by receipts of sales or tax statement; and

2. The majority of water metered at the property must be for agricultural purposes as determined by visual inspection.

B. Certification

1. Single-family residences in full agricultural production meeting the criteria above will be subject to periodic inspection in order to qualify for continuation of the irrigation rate.

2. Ineligible properties will be billed at the domestic rate.
2.16-1  POLICY

The Helix Water District capacity fee will be collected based on the meter size purchased in accordance with the policies described in this section. The district capacity fee is only charged to users creating additional demand on the district’s system.

2.16-2  RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

See Section 2.14, Meters and Laterals.

2.16-3  DEFINITIONS

The **buy-in** portion of the district capacity fee ensures that new customers are on par with old customers in that old customers have paid to construct the district’s current water system. The buy-in portion is the cost for the new customer to buy-in to the existing district infrastructure. The **new water supply** portion covers the costs associated with obtaining additional water supplies needed to serve new customers. Currently there are no projects identified as a new water supply and therefore no fee is being charged for that portion. The district capacity fee is the combination of the buy-in portion and new water supply portion.

2.16-4  PROCEDURES

When purchasing a meter, the following procedures shall be followed:

A. If the meter is a new meter, the applicant purchasing the meter shall pay the district capacity fee based on the meter size (see also exceptions below).

B. If the meter is replacing an existing meter, the applicant purchasing the meter shall pay the district capacity fee based on the new meter size minus the district capacity fee based on the existing meter size.

1. When a water meter for a single-family residential property is required to provide standby capacity for a fire sprinkler system, the capacity charge shall be determined according to the size of the meter necessary to meet the water use requirements for the property, without consideration of additional size necessary to provide the standby capacity. Standby capacity for a fire sprinkler system is required when (1) the fire sprinkler system is required by law, including any requirement imposed by statute, ordinance, or as a condition of development, permit, or occupancy, and (2) the fire chief, fire marshal,
or building official of the city, county, or special district responsible for fire protection service to the property has provided a written statement verifying the requirement for additional meter size. The determination under this subdivision will be made at the time of installation of the meter, including installation to replace a meter with one of greater size because of the later installation of a fire protection system. This subdivision does not apply to any meters greater than one inch in size.

C. Exceptions:

1. An existing residential customer purchasing an irrigation meter to separate their interior water usage from their irrigation water (dual installation per Section 2.14) and not increasing demand will not be charged the Helix Water District capacity fee.

2. A customer that is relocating a meter of the same size will not be charged the district capacity fee.

3. When a single meter or meters for a single lot are exchanged for multiple meters to serve subdivided or developed property, the district capacity fee for all the new meters minus the district capacity fee for the existing meter or meters are calculated as if it was a new meter. However, no credit or refund is given if the charge for the single meter or meters is more than the charges for the exchanged meter.

4. The district capacity fee is not required when a water meter is obtained for property within the boundary of the district provided the parcel to be served had previously been served by the district. If no records are available which indicate the previous meter size, the capacity credit equivalent to a ¾-inch meter will be applied.

5. A separate water meter obtained and used solely for fire protection purposes (such as a fire service) is exempt from the district capacity fee.

6. A water meter obtained for temporary purposes, such as construction, interim landscape maintenance, preliminary development or similar uses is exempt from the district capacity fee.

7. Submetering per Section 2.13 is not subject to district capacity fees.

D. If a meter is reduced in size on the same lateral, the customer will not be charged the district capacity fee. No refund is made when an existing water meter is replaced by a water meter of smaller size, even if the existing water meter was obtained before capacity fees were first imposed. Once a meter
When the district capacity fee is charged, the buy-in portion of the capacity fee will be charged to a separate account and the new water supply portion (if any) will be charged to a different account for accounting purposes. All funds received and interest earned in the accounts shall be used for capital facilities for the buy-in account and capital facilities or conservation measures for the new water supply account.

2.16-6 APPEALS

Any person, corporation, partnership, public agency or other entity objecting to any capacity charge of the district shall have the right to file an appeal with the district, provided the appeal is filed in writing at the offices of the district at 7811 University Avenue, La Mesa, California 91942, before payment of the capacity charge or within 10 days after payment of the charge. Any such appeal shall be reviewed by the general manager or his/her designee and a written response shall be mailed or personally delivered within 15 days of receipt of the appeal. The decision of the general manager shall be final.
3.1-1 POLICY

All purchases of goods and services shall be made at the best possible price consistent with quality. Whenever practical, competitive prices shall be obtained. If cost and quality of goods and services from local businesses are equal to those in other areas, procurement should be made from within the boundaries of Helix Water District. No purchase shall be made that is not authorized in the manner set forth herein. In general, as an irrigation district, the district is not subject to specific competitive bidding thresholds except when using bond or limited assessment proceeds. The district has chosen to utilize specific competitive bidding thresholds and guidelines even though not specifically required by state law.

The policies and procedures set forth herein are written to comply with the requirements of Sections 54201-54205 of the California Government Code (Purchases of Supplies and Equipment by Local Agencies).

3.1-2 GENERAL PROCEDURES

A. All expenditures for items classified in the district’s budget as capital assets shall be submitted to the board of directors for approval.

B. Capital assets are defined as land, buildings, water distribution and storage facilities, related structures and systems, and other non-consumable items with a purchase price of $10,000 or more and with a useful life of one year or more.

C. Standard items may be purchased regardless of dollar amount if approved in the district’s annual budget. Standard items may include, but are not limited to, meters; valves; pipes; fuel; software support, maintenance and licensing; electricity; gas; wholesale water and water treatment chemicals.

D. Expenditures greater than $50,000 shall be approved by the board unless one of the following exceptions exists:

1. The item is a standard item, or

2. The expenditure has already been approved by the board under the sole source procedures.

3.1-3 SOLE SOURCE

Sole source shall mean materials, products and/or services that are not standard items, that can only be obtained from one supplier or contractor and for which obtaining quotes or bids is
therefore impossible or not in the public interest, such that no competitive advantage can be gained by soliciting quotes or bids.

Sole source up to $50,000 may be procured by the general manager or his/her designee. When sole source over $50,000 is the appropriate procurement, the procurement requires board approval and authorization to proceed.

3.1-4  EMERGENCY WORK

An emergency is a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss of life or impairment of life, health, property or essential public services.

In an emergency where immediate action is required to procure the necessary equipment, services and/or supplies, to repair or replace a public facility or take any directly related and immediate action required by that emergency without first calling for bids, the general manager may award and execute contracts for such work.

Within 24 hours of award and execution of such contract(s), the general manager shall informally notify the board of such action. The general manager’s notification shall justify why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.

Additionally the general manager shall formally report such action to the board no later than at the next regularly scheduled board meeting if that meeting will occur within 14 days after the emergency contract is executed; or at a special board meeting to be held within seven days of contract execution, if the next regularly scheduled board meeting is not within 14 days.

At such meeting and at each regularly scheduled board meeting thereafter, the board shall review the emergency action taken by the general manager to determine by a four-fifths vote if there is need to continue. Such action shall be terminated at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to get contracts.

3.1-5  PURCHASE OF GOODS

A.  Purchase of Supplies, Materials and Inventory

1.  The general manager, or his/her designee, is authorized to purchase supplies, materials and inventory without individual approvals by the board of directors provided they are approved within Helix Water District’s annual budget. Where practical, three quotes shall be obtained.
SECTION 3.1 PROCUREMENT OF GOODS AND SERVICES

2. A yearly purchase order may be issued for routine supplies, materials or inventory.

B. Petty Cash

For details, see the petty cash policy in the administrative manual.

C. District Credit Cards

The general manager, or his/her designee, may authorize certain employees to make purchases using a Helix Water District credit card. For details, see the district credit cards policy in the administrative manual.

D. Cooperative Purchases

The district, may, subject to any limits and policies set forth in this section, award a contract for goods or services by utilizing a contract by another public agency, including, but not limited to, cooperative purchase agreements, piggyback contracting and multiple award schedules, provided the contract was awarded following a competitive selection process in compliance with California laws.

3.1-6 PROCUREMENT OF SERVICES

A. Services and Maintenance

1. Policy

This procedure applies to services (but not professional services) and maintenance contracts including, but not limited to, contracts for routine, recurring and usual work for the preservation, protection and keeping of facilities (plants, buildings, structures, ground facilities, utility systems or any real property) for their intended purposes in a safe and continually useable condition including repairs, cleaning or other operations on machinery and other equipment permanently attached to the building as fixtures.

2. Procurement Requirements

<table>
<thead>
<tr>
<th>Contract Annual Dollar Value</th>
<th>Procurement Protocol</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,000 or less</td>
<td>Minimum of three written price quotes where practical.</td>
</tr>
<tr>
<td>Over $10,000</td>
<td>Request for Quote. See administrative manual for RFQ process.</td>
</tr>
</tbody>
</table>
3. Contract Award

Any contract shall be awarded to the lowest responsive, responsible bidder.

4. General Procedure

a. The general manager is authorized to approve and his/her designee may execute contracts for services and maintenance valued at $50,000 or less. Contracts valued over $50,000 shall be approved by the board of directors prior to execution.

b. Unless otherwise approved by the board, services and maintenance contracts shall be issued for a term not to exceed 48 months.

c. For services and maintenance contracts valued at $50,000 or less, the general manager is authorized to approve and his/her designee may execute contract amendments of any value provided the total contract value does not exceed $50,000. For services and maintenance contracts valued over $50,000, the general manager is authorized to approve and his/her designee may execute contract amendments of any value provided the total value of all amendments does not exceed $50,000. Any singular or cumulative amendment to the contract that exceeds $50,000 shall be approved by the board of directors.

d. A labor and material payment bond shall be required for any contract in excess of $25,000 for public work as defined in Civil Code Section 8038 in accordance with the requirements of Civil Code Section 9550 et seq. Public work is defined as the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind. The bond shall be secured from a California admitted surety company that meets all state of California bonding requirements, as defined in California Code of Civil Procedure Section 995.120, and is authorized by the state of California. The bond shall be accompanied, upon request of Helix Water District, with all documents required by California Code of Civil Procedure Section 995.660, to the extent required by law.

e. Insurance shall be required of all services and maintenance contractors.
B. Professional Services

1. Policy

A professional services agreement is an agreement between Helix Water District and a professional service provider. Professional service providers are those entities that provide advice, opinions or technical expertise. Examples of professional service providers include accountants, attorneys, engineers, educational trainers, etc. Depending upon the trade, these individuals may or may not hold professional licenses.

2. Procurement Requirements

Where practical, three proposals shall be obtained unless the general manager or his/her designee deems otherwise.

Professional services shall be selected on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required.

Refer to the district’s administrative manual for the request for proposal procedure.

3. General Procedure

a. The general manager is authorized to approve and his/her designee may execute professional services agreements valued at $50,000 or less. Contracts valued over $50,000 shall be approved by the board of directors prior to execution.

b. Unless otherwise approved by the board, professional services agreements shall be issued for a term not to exceed 48 months.

c. For professional services agreements valued at $50,000 or less, the general manager is authorized to approve and his/her designee may execute agreement amendments of any value provided the total agreement value does not exceed $50,000. For professional services agreements valued over $50,000, the general manager is authorized to approve and his/her designee may execute agreement amendments of any value provided the total value of all amendments does not exceed $50,000. Any singular or cumulative amendment to the agreement that exceeds $50,000 shall be approved by the board of directors.
d. Insurance shall be required of all professional services consultants, unless waived by the general manager or his/her designee.

C. Construction

1. Policy

This procedure applies to construction contracts including, but not limited to, contracts for the erection, construction, alteration or improvement of any public structure, building, road or other public improvement.

2. Procurement Requirements*

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</tr>
<tr>
<td>Over $50,000</td>
<td>Formal Competitive Bidding. See Section 3.1-7.</td>
</tr>
</tbody>
</table>

*Regardless of their value, contracts covered by this Section 3.1-6(C) which are paid for with proceeds of the sale of bonds or a limited assessment are subject to formal competitive bidding in accordance with state law, notwithstanding any provision of this policy and procedure. (California Public Contract Code Sections 20561 and 20562).

3. General Procedure

a. The general manager is authorized to approve and his/her designee may execute construction contracts valued up to $50,000. Contracts valued over $50,000 shall be approved by the board of directors prior to execution.

b. The general manager is authorized to approve and his/her designee may execute change orders valued up to 10 percent each of initial contract price subject to a maximum of $50,000 each. Change orders exceeding this value shall be approved by the board of directors prior to execution.
c. A labor and material payment bond shall be required for any contract in excess of $25,000 for public work as defined in Civil Code Section 8038 in accordance with the requirements of Civil Code Section 9550 et seq. Public work is defined as the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind. The bond shall be secured from a California admitted surety company that meets all state of California bonding requirements, as defined in California Code of Civil Procedure Section 995.120, and is authorized by the state of California. The bond shall be accompanied, upon request of Helix Water District, with all documents required by California Code of Civil Procedure Section 995.660, to the extent required by law.

d. Insurance shall be required of all construction contractors.

D. Force Account Work

Force account work shall mean work performed by district personnel. It includes, but is not limited to: emergency repairs, normal operations and maintenance work, additions or modifications to the system performed in connection with private land development or other public agency work, installation of laterals and/or meters and other work of capital improvements when authorized by the board. The general manager may approve this work without price quotations/bids.

E. Work Performed by a Utility or Public Entity

Work performed by another utility for the installation and/or relocation of utilities on behalf of the district or contracts with any public entity for plan check, inspection or permitting may be approved by the general manager without price quotations/bids.

F. Design Build

Design build work shall mean work in which both the design and construction of a project are procured from a single entity. The design build work will be procured as approved by the board.

3.1-7 FORMAL COMPETITIVE BIDDING

A. Bids

1. Call for Bids
Notice inviting sealed bids shall be published as follows:

a. For work valued at greater than $50,000, notice shall be published once in a newspaper which serves Helix Water District and may also be sent to other interested parties as may be deemed beneficial by the general manager;

b. For work funded with proceeds of the sale of bonds or a limited assessment (regardless of value), notice shall be published once a week for three successive weeks in a newspaper published in the county in which the principal office of the district is kept, or if no newspaper is published in that county, in a newspaper the board deems advisable and may also be sent to other interested parties as may be deemed beneficial by the general manager.

2. Form of Call for Bids

The invitation for bids shall contain:

a. a statement that the plans and specifications of the work may be purchased at the district’s administration office or are available on-line via eBidboard;

b. a general description of the work or portion thereof advertised;

c. a statement that the board will receive sealed bids for the work advertised;

d. a statement that the contract or contracts for the work advertised will be awarded to the lowest responsive, responsible bidder or bidders, but that any or all bids may be rejected;

e. a statement of the time and place for opening the bids and

f. such other information as may be required by the board or by law.

3. Submission of Bids

Bids shall be submitted on forms supplied by the district and under sealed cover. Each bid shall be accompanied by cash, a certified or cashier’s check, or bond secured from a surety company satisfactory to
the board in the amount indicated within the bid documents, made payable to Helix Water District, as bid security.

If the bid is accepted, the bidder shall execute the contract within the time provided in the contract documents and shall furnish the necessary certificates of insurance and bonds required by the contract documents.

4. Opening of Bids

Bids shall be publicly opened at the time and place specified in the invitation for bids. After the bids are checked for conformance with the bidding requirements, they shall be presented to the board with the recommendation of district staff.

5. Bid Evaluation and Acceptance

Acceptance of any bid shall be by action of the board. The board reserves the right to waive any irregularity, to reject any or all bids, to re-advertise or to proceed with the work or any part of it using district forces.

6. Bid Award

Any contract shall be awarded to the lowest responsive, responsible bidder.

7. Relief of Bidders

As provided in California Public Contract Code, Section 5100 et seq., a bidder shall not be relieved of its bid unless by consent of the board upon a showing by the bidder to the satisfaction of the board that:

a. a mistake was made;

b. the bidder gave the district written notice within five working days after the opening of bids of the mistake, specifying in the notice in detail how the mistake occurred;

c. the mistake made the bid materially different than the bidder intended it to be; and
d. the mistake was made in filling out the bid and not due to error
in judgment or to carelessness in inspecting the site of the work,
or in reading the plans or specifications.

A bidder who claims a mistake or forfeits its bid security shall be
prohibited from participating in further bidding on the project on which
the mistake was claimed or security forfeited.

B. Prequalification

The general manager, or his/her designee, is hereby authorized to prequalify
bidders. Bidders may be prequalified on an annual basis or on a project
specific basis. Such prequalification shall be consistent with the requirements

C. Performance and Payment Bonds

Any bidder to whom a construction contract is awarded under Helix Water
District’s formal competitive bidding procedures shall supply on forms
satisfactory to the district, a faithful performance bond in an amount equal to
the total contract price.

For any contract for public work in excess of $25,000, the bidder must also
supply a labor and material payment bond in an amount equal to the total
contract price.

Each bond shall be secured from a California admitted surety company that
meets all state of California bonding requirements, as defined in California
Code of Civil Procedure Section 995.120, and is authorized by the state of
California. Each bond shall be accompanied, upon request of the district, with
all documents required by California Code of Civil Procedure Section 995.660,
to the extent required by law.

D. Insurance

Before work commences, evidence of insurance as required by the contract
must be obtained, reviewed and accepted by the department director or
his/her designee.

E. Purchasing Standards

Purchasing standards related to construction contracts for capital
improvement projects will be established and maintained by the engineering
department under the direction of the director of engineering. To the extent
the purchase of standard items is subject to the limitations of California Public Contract Code Section 3400, the director of engineering or his/her designee is authorized by the board of directors to make findings that a material, product, thing or service is designated by specific brand or trade name within job specifications relating to construction contracts for capital improvement projects for one or more of the purposes set forth in California Public Contract Code Section 3400(c). All such findings and the basis therefore shall be documented by the director of engineering or his/her designee.

F. Exclusions

The formal competitive bidding procedures set forth in this section do not apply to:

1. Force Account Work
2. Work Performed by a Utility or Public Entity
3. Emergency Work
4. Sole Source Work

3.1-8 FEDERAL PROCUREMENT REQUIREMENTS

Notwithstanding any other provisions in this section, for purchases of goods, services and public projects requiring compliance with federal purchasing requirements, including, but not limited to, CFR 200.317 through 200.326, Helix Water District shall apply the more stringent requirement.
4.1-1 POLICY

Development of land within Helix Water District shall only occur after landowners have complied with all applicable rules, regulations, ordinances and other requirements of the city and/or county (and any other legally required governmental entity) within which the land is situated. The district will aid landowners and pertinent public authorities in ascertaining the nature and extent of water availability for any parcel of land within the district.

4.1-2 RELATED PROCEDURES

The following sections are related to this procedure and should be reviewed for additional information:

See Section 2.7, Fire Service Laterals.

See Section 2.12, District Fees and Charges.

See Section 4.2, Extension of Water Facilities.

See Section 4.3, District Cost Reimbursement Policy Refund Agreement.

See Section 4.5, Connection Fee Policy.

4.1-3 FEES

Additional charges will be made against land development projects that involve the extension of water facilities. Section 4.2, Extension of Water Facilities, should be consulted.

4.1-4 PROCEDURES

A. Request for Information

Upon receipt of a request for information about the availability of water to serve a parcel of land, the district will process such request after being paid the applicable fee. The request may come from the owner/developer, a public agency or other interested person. The district shall be furnished necessary information such as a map showing the parcel, the assessor’s number, address, engineer’s name, engineer’s license number, or land surveyor’s name, surveyor’s license and owner’s name.
B. Responses to Requests

1. Helix Water District will review requests and make appropriate responses thereto.

2. Cities/County of San Diego - This request will require the district to commit that it has water available to serve the proposed development. The parcel proposed for development and its relation to existing water facilities will be identified to ascertain if the proposed structures can be served water at a minimum static pressure of 35 pounds per square inch.

3. Planning Department - This request will require additional information about the requirements to provide water service. The district will identify the parcel and its relation to existing water facilities, ascertain if the parcel can be served water and if any easements, right-of-way, encroachments or other interests in land may be needed to provide water service.

4. Fire Protection - The district requires the developer or owner to provide written documentation from the fire agency and/or agency of jurisdiction which provides fire protection for the parcel of the proper facilities needed and location of the facilities to provide fire protection. The district will verify the requirements with the entity which provides fire protection.

5. Letter Responses - The district will respond by letter to the appropriate entities with the requested information.

C. Required Agency Approval

Prior to extending water service for land development and prior to ascertaining the estimates of costs and other matters necessary for the preparation of plans and construction of new water facilities pursuant to Section 4.2 hereof, the district will require documentation from the agency of jurisdiction that the land has been approved for the contemplated development as required by the public agency which has jurisdiction thereof.

D. Requirements for Land Development

In order to fulfill the requirements of the county or the respective city for land development, it may be necessary to install or construct water facilities. If new water facilities are required, the work shall be performed in accordance with the requirements of the district. See Section 4.2.
E. Clearance for Department of Real Estate

After all prerequisites of Section 4.2, Extension of Water Facilities, have been completed, Helix Water District will authorize construction of water facilities for the land development and advise appropriate persons or entities. If a subdivision is involved and if requested by the developer, the district will prepare a letter to the California Department of Real Estate notifying them that financial arrangements have been made for the subdivision. Copies of this letter will be sent to other public agencies as requested by the customer.

4.1-5 SERVICE PRIORITY POLICY FOR LOWER INCOME DEVELOPMENTS

In accordance with SB 1087, water service priority shall be granted to any “proposed developments that include housing units for lower income households.” For purposes of this policy, proposed developments that include housing units for lower income households shall be developments that include dwelling units to be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, at an affordable cost, as defined in Section 50052.5 of the HSC, or an affordable rent, as defined in Section 50053 of the HSC.
4.2-1 POLICY

After approval has been given by the responsible public agency for land development, Helix Water District will construct or cause to be constructed the necessary water facilities to provide water service for the land to be developed. The cost for planning and constructing the new facilities shall be borne by the landowner or developer. Upon filing of the notice of completion and acceptance of the project by the district, the facilities shall be contributed to the district. The district will not allow private fire hydrants and/or private water mains serving private fire hydrants.

4.2-2 RELATED PROCEDURES

The following sections are related to this procedure and should be reviewed for additional information:

See Section 2.7, Fire Service Lateral.

See Section 2.8, Engineering and Project Cost Accounting.

See Section 2.12, District Fees and Charges.

See Section 4.1, Land Development.

See Section 4.3, District Cost Reimbursement Policy Refund Agreement.

See Section 4.4, Plans and Specifications - Issuance and Refund.

4.2-3 DEFINITIONS

Owner shall be the owner, developer or owner/developer.

4.2-4 FEES AND DEPOSITS

The payment of fees and a deposit will be required before performance of the work.

A. Fee for Water Main Extensions

A project initiation fee and processing fee will be charged prior to the district initiating work and preparing a water main estimate. See Section 2.12.
B. **Deposits for Water Main Extensions**

A plan check deposit will be required prior to Helix Water District initiating plan check work. All costs associated with plan checking will be billed on an actual cost basis. Any remaining deposit funds will be credited against the total required construction deposit. In the event district charges exceed the deposit amount during the plan check, an additional deposit will be required to continue work.

C. **Credit or Refund of Deposits**

Upon completion or other termination of a project, all deposits will be credited to total district costs for the project. If the deposit plus any other payments made to the project exceeds total district costs, the district will refund the difference. If there is a deficiency in the deposits paid the district, the owner/developer will be billed the difference. An owner/developer can request the district to terminate work on a project prior to commencement of construction.

### 4.2-5 PROCEDURE FOR WATER MAIN EXTENSIONS

A. **General**

The following are requirements of water main extensions:

1. Pipelines shall be installed in all dedicated streets or easements where the district determines it is necessary to complete a distribution system.

2. The pipelines shall extend to within one foot of the boundary of the development and extend across the frontage of all parcels to be served unless otherwise approved by the district.

3. If the boundary of the property is also the boundary of the district, the pipeline may be terminated approximately five feet inside the last parcel.

4. In instances where reservations are made for future streets and no other public improvements are being made, the developer may either install the pipeline or guarantee later installation as agreed upon by the board on a case-by-case basis.

5. The district will not allow private fire hydrants and/or private water mains serving private fire hydrants.
6. A water service connection (domestic and/or irrigation) shall be added at the end of a dead-end water main for water quality purposes.

7. When fire protection facilities are required within the development, water mains shall be extended onto a development and extended across the frontage of all parcels to be served.

8. The pipelines shall be a looped system and not dead end when feasible or deemed necessary by Helix Water District.

9. When water main facilities are developed and existing facilities are impacted, the developer shall be responsible for addressing all existing facilities including relocating the water service to the new main, abandoning the existing water service and reconnect to private plumbing.

10. Water facilities are to be designed and constructed per the latest version of the Water Agencies' Standards.

11. Any finished surface improvements other than asphalt pavement within district easement will require an encroachment agreement. Finished surface improvements addressing hydro modification requirements including but not limited to permeable pavers, bio swales or retention basins shall not be installed within district easement unless otherwise approved by the district.

B. Water Main Estimate

1. When an owner/developer has an approved tentative map or plan, a request may be made for the district to prepare a water main estimate. The estimate will graphically show the proposed development, the district’s requirements and the district’s estimated costs to install the required water facilities. The estimate shall be signed by the director of engineering or his/her designee. It shall contain a statement that if the costs incurred exceed the estimate, the owner/developer shall be responsible to pay to the district the difference between the amount initially paid and the final cost. If the final costs are less than the estimate, the district will refund the difference. The estimate will be mailed to the developer, developer’s engineer and to others as requested by the customer.

2. The estimate shall separately state the amount to cover district costs and the amount estimated to cover all other costs. District costs are
categorized into two groups, Helix Water District work and district charges. The estimate will also state the bond amount.

District work refers to direct work to be performed by the district, such as inspection, testing connections to existing facilities, tapping valves, in-line valves, etc.

District charges refers to indirect work in providing support services, such as office engineering, valve crew assistance, permits, miscellaneous work, etc.

C. Construction Drawings, Review and Approval

1. Construction drawings shall be prepared by the owner/developer’s registered professional civil engineer, who will obtain all field data, develop plans to district standard specifications (Water Agencies' Standards), and provide construction surveying when the facilities are constructed, all at the developer’s expense. The construction drawings shall comply with the requirements of the water main estimate.

2. The district shall review the construction drawings for conformance to its standards. When the construction drawings are complete to the satisfaction of the engineering department, and the agreements, bonds and deposits are submitted to the district, the drawings will be submitted to the director of engineering, or his/her designee, for approval. Copies of the district’s standard specifications (Water Agencies’ Standards) are available for download at www.sdwas.org. See Section 4.4, Plans and Specifications - Issuance and Refund.

3. Upon approval of the plans, the engineering department shall retain the original mylars if the water main extension is under district title block, or a copy of the signed originals on mylar sheets from the developer or engineer of work if the plans are on city or county title block. The engineering department will save a scanned electronic copy of the signed original mylars.

D. Acquisition of Right of Way

1. While construction drawings are being prepared, the right of way requirements will be determined by the district and transmitted to the developer.
2. The developer shall provide Helix Water District with a legal description and 8-1/2" x 11" plat of the necessary right of way to be acquired with district title block, and title reports of the subject properties.

3. The district will review and finalize the right of way documents and transmit the documents to the engineer and/or developer for signature. One fully executed copy shall be returned to the district. All right of way requirements shall be met by the owner/developer prior to plans being released to field. Developer shall provide any revised right of way documents required if changes are made in the field.

E. Required Financial Arrangements

1. Prior to issuance of the clearance for the Department of Real Estate or commencement of construction, the owner/developer shall make financial arrangements satisfactory to the district which will insure construction of the water facilities in accordance with the approved construction drawings and at no cost to the district. Refer to Section 4.1-4(E).

2. **Cash Deposit for District Portion of Estimated Cost** - The owner/developer shall deposit cash equal to the estimated cost for district work and district charges set forth in the water main estimate. If final district costs are more than estimated, the owner/developer shall be responsible to pay the difference. If final district costs are less than estimated, district will refund to owner/developer the difference.

3. **Agreement for Improvement of Water Facilities** - The owner/developer shall enter into an agreement to construct or cause to be constructed the water facilities as approved and set forth in the construction drawings. The agreement will require the owner/developer to furnish the district with a faithful performance bond in an amount equal to the water main estimate (excluding district’s costs) and, if the project is more than $25,000, excluding district’s costs, a labor and material payment bond in an amount equal to 100 percent of the faithful performance bond. The labor and material payment bond shall be a bond and not a deposit in lieu of a bond.

   a. **Form of Bonds and Agreement**

      i. The bonding company must be satisfactory to the district. The district will furnish, upon request, a copy of the form or agreement and bonds which are required to
be furnished and executed. Each bond shall be secured from a California-admitted surety company that meets all state of California bonding requirements, as defined in California Code of Civil Procedure Section 995.120, and is authorized by the state of California. Each bond shall be accompanied upon request of Helix Water District, with all documents required by California Code of Civil Procedure Section 995.660 to the extent required by law.

ii. The bonds shall remain in effect throughout the duration of the work and expire by operation of law in accordance with California law.

iii. Pursuant to California Government Code Section 66499.7, if the bonds for the project were provided pursuant to the Subdivision Map Act, the bonds shall remain in effect throughout the duration of the work and the faithful performance bond shall remain in force for a period of one year following final completion and acceptance by the district and the filing of a notice of completion. The labor and material payment bond shall remain in force a minimum of 35 days after the project’s notice of completion is filed.

iv. Following filing a notice of completion for the project by the district, the district may allow the developer to reduce the amount of the faithful performance bond for the one-year guarantee period by substituting a new bond or security in an amount not less than 25 percent of the original bond amount.

F. Projects, Encroachment Permits and Environmental Requirements

1. After financial arrangements have been completed and a planning file is opened, a project number will be assigned to the project. The district will secure necessary encroachment permit(s) with agency of jurisdiction, and complete the necessary evaluation of environmental documents by owner/customer. If there are fire services within the project, application and agreement for fire services will have to be executed by the owner/developer before releasing the project to the field for construction.
2. After the plans have been signed by Helix Water District, all the agreements have been completed, bonds executed, deposit submitted, all necessary easements granted, the encroachment permit(s) obtained, the environmental requirements completed, encroachment agreement executed (if applicable), plan sets provided by the developer and material submittals approved, the project can be released to the field for construction. The following will be provided to the operations center for construction:

   a. Necessary sets of the construction drawings;
   b. Two copies of the encroachment permit;
   c. Service to install paperwork;
   d. Approved material submittals;
   e. Fire service installation checklist (if applicable);
   f. One copy of the water main estimate;
   g. One half-size copy of the construction drawings.

G. Construction, Inspection and Testing

District representatives shall have access to all water main extension work for detailed inspection and testing. Pressure testing, compaction testing and bacteriological testing of the new facilities will be performed on all new facilities. Compaction testing charges by an independent laboratory will be at developer/owner expense. The developer’s contractor shall maintain a current and detailed set of as-built field plans, available at the site at all times. Failure to maintain as-built information as facilities are constructed may cause work to be stopped by the district until as-builts are brought up to date.

H. Notice of Completion and Acceptance of New Facilities

1. The new facilities shall be considered complete after all necessary water facilities have been completed and all work is performed in accordance with the approved construction drawings and district standards, including adjustment of all valve well covers flush with street pavement and water meter boxes set to finished grade. Meter and capacity fees are not required to be paid prior to filing the notice of completion for the project. After all work is completed and final walk through by district staff, the inspection department will notify the
engineering department that the project is ready for a notice of completion, and provide as-built field plans.

2. Section 2.8, Engineering and Project Cost Accounting, should be consulted for additional processing information regarding filing the notice of completion and closing an engineering project.

3. Developer’s engineer of work shall sign and submit, upon review and approval by Helix Water District, as-built record drawings in mylar form to the district, prior to processing of the notice of completion.

4.2-6 PROCEDURE FOR FIRE PROTECTION FACILITIES ON EXISTING MAINS

A. General

When installation of fire protection facilities on existing water mains are required, the work will be performed by the district. The owner/developer must follow the procedures herein and pay for all costs to the district.

B. Determination of Fire Protection Requirements

The developer/owner will contact the appropriate fire agency responsible for fire protection to determine the required fire protection facilities such as fire flow demands, and location of the facilities. The developer/owner will be required to provide written documents from the fire agency of jurisdiction of required fire protection facilities. Upon submitting the appropriate fees, the district will verify the requirements with the entity which provides fire protection. Generally, the requirements fall into five categories:

1. Installation of new fire hydrants;
2. Upgrading of existing fire hydrants;
3. Installation of a fire service lateral;
4. Relocation of fire hydrants or fire service laterals;
5. Abandonment of fire hydrants or fire service laterals.

C. Estimate of Cost

1. When the owner/developer requests that the new facilities be installed and upon submitting the appropriate fees, the district will prepare an
estimate of probable cost and inform the owner/developer of the amount.

2. The owner/developer shall deposit with Helix Water District, the amount of the estimated cost of the required work.

D. Acquisition of Right of Way

1. The owner/developer shall furnish easements, right of way or other interests in land necessary to install the facilities prior to releasing to field for construction and commencement of work by the district.

2. The requirements of Section 4.2-4(D) shall apply.

E. Special Agreements

1. If installation of a fire service lateral is required, the owner/developer shall execute a standard application for fire service lateral before the lateral is constructed.

2. Section 2.7, Fire Service Lateral, should be consulted for detailed information.

F. Installation of the Facilities

1. After all required charges, plan approvals, deposits, agreements and rights of way are provided, the district will perform the work required as soon as practical.

2. The district will obtain necessary encroachment permits and the owner will complete the required environmental analysis.

3. All costs involved in installing the facilities will be charged to the project. When the work is complete, a final accounting will be made. Any excess or deficiency in the account will be either refunded or billed to the owner/developer.

4. Section 2.8, Engineering and Project Cost Accounting, should be consulted for additional processing information.

5. All requested work at any property shall have the property owner's written consent or permission if submitted by a customer listed on the account that is not the owner.
4.3-1 POLICY

Owners/developers will be reimbursed for that portion of the installation costs, which are attributable to pipelines larger than 12 inches and/or other facilities that provide additional flow for the benefit of Helix Water District beyond that required to provide adequate domestic and fire service to the development.

4.3-2 REIMBURSEMENT RULES

A. Oversized Pipelines and Other Facilities

1. The developer shall pay for the cost of all water facilities for their development project. The district will reimburse the developer for any oversizing of pipelines or any other facilities beyond that required to provide adequate domestic and fire service to the project. The amount of reimbursement will be determined at the time of the water main estimate preparation and shall be approved by the board.

2. Reimbursement shall be made pursuant to written agreement, which shall provide for five substantially equal annual payments without interest commencing one year after filing the notice of completion. The district may negotiate different terms for reimbursement on a case-by-case basis.

4.3-3 PROCEDURES

A. The estimated amount and terms of any district reimbursement will be contained in the water main estimate.

B. All reimbursement agreements (resolutions) must be approved by the board of directors.
4.4-1 POLICY

Standard specifications and contract documents shall be readily available to contractors, engineers, developers and suppliers to encourage the most competitive bidding possible.

4.4-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

4.4-3 PROCEDURE

A. General

1. The intent of this practice is to make available to contractors, engineers, developers and suppliers adequate materials regarding Helix Water District’s standards and needs in order that the district will realize the most responsible price for work or materials purchased.

2. Distribution of excessive copies of standard specifications or contract documents is not in the best interest of the district and should be avoided.

B. Standard Specifications

1. The board has authorized the director of engineering to develop, approve and maintain standard specifications for the construction of water facilities. The district’s standard specifications are included in the Standard Specifications for Potable Water, Recycled Water, and Sewer Facilities (Water Agencies’ Standards).


C. Specific Project Contract Documents

Electronic copies of contract documents will be provided upon request to contractor plan rooms at no charge as required by Section 20103.7 of the California Public Contract Code. Notwithstanding this requirement, all bidders are responsible for ensuring that their bid is submitted on the latest contract documents and that all addenda are included.
1. A deposit or fee may be collected for each set of contract documents (plans and specifications) for construction projects.

2. Contract documents may be acquired in person at the customer service counter of the administration office or by downloading from an authorized electronic bidding website (ebidboard.com). Contract documents will not be delivered by U.S. Postal Service. Documents may be delivered via Federal Express or United Parcel Service and billed to the recipient’s account.

3. Contract documents shall be numerically coded prior to being issued. Helix Water District shall keep a plan holder’s list, which will show the following information on each contractor or supplier acquiring contract documents;
   a. Name, mailing address, email address and telephone number;
   b. Contractor’s license number as applicable;
   c. Number of contract documents issued;
   d. Amount of the deposit or fee received, if any;
   e. Date of the transaction.

4. Any changes to the contract documents after the notice inviting bids has been published shall be made by addenda. All addenda shall be delivered to plan holders by certified mail with return receipt. If plans are available through an electronic bidding website, addenda shall also be issued through the electronic bidding website. Addenda may be additionally faxed provided all documents included in the calculation can be faxed legibly. Notwithstanding the foregoing, bidders are responsible to verify they have received the latest project documents and all addenda.

5. The designated fee shall be collected and a receipt issued. A copy of the receipt shall be retained in the records of the customer service department.

6. The director of engineering will determine if it is in the district’s best interest to collect a fee for plans and specifications. The fee collected shall not exceed the reasonable cost of reproduction of the plans and specifications.
SECTION 4.5 CONNECTION FEE POLICY

4.5-1 POLICY

In order to facilitate the implementation of basic Helix Water District policy that the owner of land to be developed shall bear or shall have borne the cost for water facilities and contribute them to the district, connection fees shall be charged to customers in cases where the owners of the land to be served have not previously contributed to the cost of construction of an existing water main.

The district may enter into a standard 10-year contract with a developer regarding reimbursement of a portion of costs incurred by future connections. The district’s only obligation is to collect specified reimbursement fees on behalf of the developer for each future connection by other developers or applicants whose properties front the installed water main.

4.5-2 RELATED PROCEDURES

See Section 2.12-12(B), District Fees and Charges.

4.5-3 PROCEDURE

A. General

1. Connection fees shall be determined by the district based on actual design and construction costs.

2. Connection fees will be noted on the district’s GIS mapping.

3. Connection fees shall be established by the district based on a charge per lineal foot of property fronting on a water main for which fronting property owners have not contributed to a share of its cost.

4. Where service can be obtained by property on only one side of the water main, such as along a freeway frontage road or the district boundary, etc., the standard connection fee shall be doubled to recover water main installation costs.

5. No service connections shall be allowed that attempt to avoid the payment of connection fees.

B. Main Extensions Constructed with General Funds

1. Where district funds are used to construct new water mains which can serve adjacent property but the owners of which have not contributed
to the cost of construction, a connection fee charge shall be imposed to reimburse Helix Water District.

Connection fees shall not be established on a new main replacing an existing main.

2. The requirement to pay a connection fee for a specified water main shall continue until the cost of constructing the water main has been fully recovered or until a period of 10 years has passed since the notice of completion was filed. After the connection fee is paid or 10-year period is complete, the connection fee will no longer be imposed.

C. **Main Extensions Constructed by Developers**

1. In order to establish reimbursements for the design and the construction of a water main, the developer shall provide the district with a written and accurate itemization of the costs of design and construction of the expanded facilities within 30 days of filing the notice of completion of such facilities. The district shall determine the amounts subject to reimbursement and will establish connection fees against the properties not contributing to the construction cost for the new main.

2. The connection fee shall continue to be imposed for the water main until collected from adjacent developed property or until expiration of the connection fee agreement, at which time it will be removed from the district’s GIS maps. The agreement with the developer shall provide that reimbursement to a developer shall cease after a 10-year period.

3. The reimbursement contract shall be executed on a form provided by the district, covering a period of 10 years from the date of acceptance of the facilities by the district. No reimbursement contract shall be entered into by the district unless it is executed by the parties within 90 days after the board has accepted the completed facilities.

4. The reimbursement payments shall be paid to the developer for a period of 10 years from the date of acceptance of the developer installed facilities or until the developer has received the total amount specified in the reimbursement agreement, whichever occurs first. No interest shall be paid to the developer on any sum paid or payable that is associated with the agreement.
5. Water main extensions, connecting to an existing main for which a connection fee is imposed, shall not be subject to payment of connection fees. However, if laterals, fire hydrants and/or fire services are tapped onto a water main for which an existing connection fee is imposed, the connection fee shall be collected prior to making the connections.
 Helix Water District provides water to meet the needs of local fire agencies and its customers in order to minimize damage to life and property from fires. The district will use its best efforts to provide sufficient water to meet fire emergencies, but it does not guarantee the availability of any specific quantity of water at a particular time or the proper functioning of fire protection systems.

4.6-2 RELATED PROCEDURES

See Section 2.12, District Fees and Charges.

4.6-3 DESIGN CRITERIA

A. The district’s existing distribution system has been generally designed to meet peak hour demands, including fire flow capabilities.

B. Local fire agencies review new developments to determine fire protection requirements. New water mains will be designed as nearly as practical to accommodate the needs of the fire agencies.

4.6-4 INSTALLATION OF NEW FIRE PROTECTION FACILITIES

A. Fire hydrants on district mains are the property of the district. However, payment for new fire hydrant installations or fire hydrant head replacements is the responsibility of the fire protection agency or property owner concerned.

B. Charges for the installation of new fire hydrants on existing mains when required shall be based on actual cost. Charges for new fire hydrants installed on new mains contracted by the district shall be at the bid price plus 10 percent.

C. Installation of private fire protection systems via a fire service lateral shall be installed consistent with Section 2.7, Fire Service Lateral.

D. When possible, new fire hydrants shall be placed in the ultimate location based on information provided by the agency having jurisdiction over the public right of way. The location must meet the district’s operational requirements and standards.
E. Installation of fire hydrants shall be per the fire hydrant installation and maintenance agreements executed between Helix Water District and fire agencies within the district.

4.6-5 MAINTENANCE CRITERIA

A. The district will provide all labor and material for all maintenance of fire hydrants within the district to assure water tightness and operational functionality. This includes replacement in kind, if necessary, but does not include upgrading the type or capacity of the fire hydrant. The district will also provide periodic painting of fire hydrants and protective posts where applicable. Reflectors, which indicate location of the fire hydrant, are the responsibility of the fire department.

B. When a fire hydrant is damaged and the responsible party is unknown, the district will repair or replace the fire hydrant as necessary at the district's expense. When a fire hydrant is damaged and the responsible party is known, the district will repair or replace the fire hydrant as necessary and actual costs will be reimbursed by the responsible party.

C. Maintenance of fire hydrants shall be per the district fire hydrant installation and maintenance agreements executed between the district and fire agencies within the district.

4.6-6 REPLACEMENT CRITERIA

A. The district will replace fire hydrant laterals and heads that do not meet current standards when it replaces the main that serves the hydrant. As workload permits, the district will also replace fire hydrant laterals and heads that do not meet current standards on other pipelines not being replaced. Existing heads may be reused, reconditioned or replaced with a head of the same configuration.

B. If the fire agency requests an upgraded hydrant, the cost difference will be borne by the fire agency.

4.6-7 FIRE HYDRANT TESTING

A. Due to water conservation measures, the district does not routinely flow new or existing fire hydrants. However, the district will assist property owners, fire agencies, etc., with a hydraulic analysis that will simulate fire flows at a given fire hydrant location. This information will be made available to the appropriate fire agencies.
B. Before a fire hydrant is accepted by Helix Water District, it will be activated by district staff and a record made of its location.

C. In special or emergency circumstances, the district will cooperate with fire agencies in selectively flow testing hydrants, which can be safely tested without property damage or adverse effect on the district’s system. Flow testing shall be done in accordance with Section P of the fire hydrant installation and maintenance agreement between the district and the appropriate fire agency.

D. Flow data will be transmitted to the engineering department for evaluation and shall be added to the district records.

E. Periodically, the Insurance Services Office will evaluate the fire protection capabilities of the fire agencies within the district. The district will cooperate in flow testing fire hydrants.

F. The district maintains flow data on most of the fire hydrants within its system. Where this data is not satisfactory, private parties may request that a hydrant be flow tested. A fee as required in Section 2.12 will be charged for this service. The district reserves the right to provide simulated fire flow data using hydraulic modeling software in lieu of actual flowing of a fire hydrant.

G. The district reserves the right to flow new or existing fire hydrants.

4.6-8 FIRE HYDRANT RELOCATIONS

A. When it is necessary to relocate an existing fire hydrant due to public improvements (contracted and paid for by a public agency) within public right of way, the district will relocate the fire hydrant at the district’s expense.

B. When it is necessary to relocate an existing fire hydrant due to private improvements, the district will relocate the fire hydrant at the owner and/or developer’s expense.

C. When possible, fire hydrants shall be relocated to the ultimate location based on information provided by the agency having jurisdiction over the public right of way. The district shall make the appropriate contacts when easements are required. The district will prepare the necessary easement documents.
4.8-1 POLICY

Helix Water District shall comply with the requirements of the California Environmental Quality Act.

4.8-2 PURPOSE OF PROCEDURES

These procedures are intended to implement the purposes and provisions of CEQA, as set forth in Public Resources Code Section 21000 et seq., and the Guidelines for Implementation of the California Environmental Quality Act, developed by the Office of Planning and Research and adopted by the Secretary for Resources, as set forth in Title 14 of California Code of Regulations, Sections 15000 et seq.

4.8-3 SHORT TITLE

These procedures may be cited as the district’s CEQA procedures. The Helix Water District Local Guidelines for Implementing the California Environmental Quality Act as published under separate cover and on file with the board secretary.
4.9-1 POLICY

Article 10, Section 2 of the California Constitution declares that waters of the state are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare.

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

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

California Water Code Sections 375 et seq. authorizes water suppliers to adopt and enforce a comprehensive water conservation program.

Adoption and enforcement of a comprehensive water conservation program will allow the Helix Water District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code Sections 350 et seq.

San Diego County is a semi-arid region and local water resources are scarce. The region is dependent upon imported water supplies provided by the San Diego County Water Authority, which obtains a substantial portion of its supplies from the Metropolitan Water District of Southern California. Because the region is dependent upon imported water supplies, weather and other conditions in other portions of this state and of the southwestern United States affect the availability of water for use in San Diego County.

The SDCWA has adopted an urban water management plan that includes water conservation as a necessary and effective component of SDCWA’s programs to provide a reliable supply of water to meet the needs of the SDCWA’s 24 member public agencies, including Helix Water District. SDCWA’s urban water management plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This drought response policy is consistent with SDCWA’s urban water management plan.

As anticipated by its urban water management plan, SDCWA, in cooperation and consultation with its member public agencies, has adopted a drought management plan, which establishes a progressive program for responding to water supply limitations resulting from drought conditions. This policy is intended to be consistent with and implemented with SDCWA’s drought management plan.
The San Diego County Water Authority’s drought management plan contains three stages and details regional actions to be taken to lessen or avoid supply shortages. This policy contains drought response levels that correspond with the drought management plan stages.

Helix Water District, due to the geographic and climatic conditions within its territory and its dependence upon water imported and provided by SDCWA, may experience shortages due to drought conditions, regulatory restrictions enacted upon imported supplies and other factors. The district has adopted an urban water management plan that includes water conservation as a necessary and effective component of its programs to provide a reliable supply of water to meet the needs of the public within its service territory. The district’s urban water management plan also includes a contingency analysis of actions to be taken in response to water supply shortages. This policy is consistent with the urban water management plan adopted by the district.

The water conservation measures and progressive restrictions on water use and method of use identified by this policy provide certainty to water users and enables the district to control water use, provide water supplies and plan and implement water management measures in a fair and orderly manner for the benefit of the public.

### 4.9-2 DECLARATION OF NECESSITY AND INTENT

The district in this declaration of necessity and intent finds the following:

**A.** This policy and procedure establishes water management requirements necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, prevent waste of water, prevent unreasonable use of water, prevent unreasonable method of use of water within the district in order to assure adequate supplies of water to meet the needs of the public, and further the public health, safety and welfare, recognizing that water is a scarce natural resource that requires careful management not only in times of drought, but at all times.

**B.** This policy and procedure establishes regulations to be implemented during times of declared water shortages, or declared water shortage emergencies. It establishes four levels of drought response actions to be implemented in times of shortage, with increasing restrictions on water use in response to worsening drought conditions and decreasing available supplies.

**C.** The district has adopted permanent water use efficiency measures that are in effect regardless of drought level. These measures are best practices that support the efficient use of water.

**D.** Level 1 condition drought response measures are voluntary, with the exception of the permanent water use efficiency measures, and will be reinforced
through local and regional public education and awareness measures that may be funded in part by Helix Water District. During drought response condition Levels 2 through 4, all conservation measures and water-use restrictions are mandatory and become increasingly restrictive in order to attain escalating conservation goals.

E. The permanent water conservation measures and water use restrictions established by this policy during a drought response Level 2 condition or higher are mandatory and violations may be subject to criminal, civil, and administrative penalties and remedies specified in this policy.

4.9-3 DEFINITIONS

The following words and phrases whenever used in this section shall have the meaning defined below:

Grower refers to those engaged in the growing or raising, in conformity with recognized practices of husbandry, for the purpose of commerce, trade, or industry, or for use by public educational or correctional institutions, of agricultural, horticultural or floricultural products, and produced: (1) for human consumption or for the market, or (2) for the feeding of fowl or livestock produced for human consumption or for the market, or (3) for the feeding of fowl or livestock for the purpose of obtaining their products for human consumption or for the market. Grower does not refer to customers who purchase water subject to the Metropolitan Water District of Southern California interim agricultural water program or the San Diego County Water Authority special agricultural rate programs.

SDCWA means the San Diego County Water Authority.

DMP means SDCWA’s drought management plan in existence on the effective date of this policy and as readopted or amended from time to time, or an equivalent plan of SDCWA to manage or allocate supplies during shortages.

MWDSC means the Metropolitan Water District of Southern California.

Person means any natural person, corporation, public or private entity, public or private association, public or private agency, government agency or institution, school district, college, university or any other user of water provided by the district.

Conservation offset means the implementation of proven conservation techniques which, when installed, will result in a reduction equal to demand of the proposed use. Calculation of demand and saving shall be performed or verified by the member agency or the general manager based upon non-drought conditions.
Potable water means water delivered by a member agency or the San Diego County Water Authority which meets drinking water standards.

4.9-4 APPLICATIONS

A. The provisions of this policy apply to any person in the use of any water provided by Helix Water District.

B. This policy is intended solely to further the conservation of water. It is not intended to implement any provision of federal, state, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater ordinances and stormwater management plans.

C. Nothing in this policy is intended to affect or limit the ability of the district to declare and respond to an emergency, including an emergency that affects the ability of the district to supply water.

D. The provisions of this policy do not apply to use of water from private wells or to recycled water.

E. Nothing in this policy shall apply to use of water that is subject to a special supply program, such as the Metropolitan Water District of Southern California interim agricultural water program or the SDCWA special agricultural rate programs. Violations of the conditions of special supply programs are subject to the penalties established under the applicable program. A person using water subject to a special supply program and other water provided by the district is subject to this policy in the use of the other water.

4.9-5 PERMANENT WATER USE EFFICIENCY MEASURES

At all times, the following practices shall be in effect:

A. Washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts or patios, except when it is necessary to alleviate safety or sanitation hazards, is prohibited.

B. Water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc., is prohibited. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways or structures.
C. Irrigating turf and ornamental landscape during and for at least 48 hours following measurable precipitation is prohibited.

D. Irrigating ornamental turf on public street medians is prohibited.

E. Use re-circulated water to operate ornamental fountains.

F. Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high pressure/low volume wash system, or at a commercial site that re-circulates (reclaims) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.

G. Serve and refill water in restaurants and other food service establishments only upon request.

H. Offer guests in hotels, motels and other commercial lodging establishments the option of not laundering towels and linens daily.

4.9-6 DROUGHT RESPONSE LEVEL 1 – DROUGHT WATCH CONDITION

A. A drought response Level 1 condition is also referred to as a drought watch condition. A Level 1 condition applies when the San Diego County Water Authority notifies its member agencies that due to drought or other supply reductions, there is a reasonable probability there will be supply shortages and that a consumer demand reduction of up to 10 percent is required in order to ensure that sufficient supplies will be available to meet anticipated demands. The general manager shall declare the existence of a drought response Level 1 and take action to implement the Level 1 conservation practices identified in this policy.

B. During a Level 1 drought watch condition, Helix Water District will increase its public education and outreach efforts to emphasize increased public awareness of the need to implement the following water conservation practices. [The same water conservation practices become mandatory if the district declares a Level 2 drought alert condition]:

1. Irrigate residential and commercial landscape before 10 a.m. and after 6 p.m. only. Consider limiting lawn watering and landscape irrigation using spray sprinklers to no more than 10 minutes per day. Irrigation run time should be adjusted to avoid runoff.

2. Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located
3. Irrigate nursery and commercial grower’s products before 10 a.m. and after 6 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.

4. Repair all water leaks within five days of notification by Helix Water District unless other arrangements are made with the general manager.

C. During a drought response Level 2 condition or higher, all persons shall be required to implement the conservation practices established in a drought response Level 1 condition.

4.9-7 DROUGHT RESPONSE LEVEL 2 – DROUGHT ALERT CONDITION

A. A drought response Level 2 condition is also referred to as a drought alert condition. A Level 2 condition applies when the San Diego County Water Authority notifies its member agencies that due to cutbacks caused by drought or other reduction in supplies, a consumer demand reduction of up to 20 percent is required in order to have sufficient supplies available to meet anticipated demands. The district board of directors shall declare the existence of a drought response Level 2 condition and implement the mandatory Level 2 conservation measures identified in this policy.

B. All persons using district water shall comply with Level 1 drought watch water conservation practices during a Level 2 drought alert, and shall also comply with the following additional conservation measures:

1. Limit residential and commercial landscape irrigation to no more than three days per week. During the months of November through May, landscape irrigation may be limited to no more than twice per week. Watering days may be established and assigned by the general manager and posted by the district. This section shall not apply to commercial growers or nurseries.

2. Limit lawn watering and landscape irrigation using spray sprinklers to no more than 10 minutes per watering station per assigned day. Irrigation run time shall be adjusted to avoid runoff. This provision does not apply to landscape irrigation systems using water efficient devices, including but not limited to: weather based controllers,
drip/micro-irrigation systems, stream rotor sprinklers and rotating nozzles.

3. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by Section 4.9-6(B)(1), on the same schedule set forth in Section 4.9-6(B)(1) by using a bucket, hand-held hose with positive shut-off nozzle or low-volume non-spray irrigation.

4. Repair all leaks within 72 hours of notification by Helix Water District unless other arrangements are made with the general manager.

4.9-8 DROUGHT RESPONSE LEVEL 3 – DROUGHT CRITICAL CONDITION

A. A drought response Level 3 condition is also referred to as a drought critical condition. A Level 3 condition applies when the San Diego County Water Authority notifies its member agencies that due to increasing cutbacks caused by drought or other reduction of supplies, a consumer demand reduction of up to 40 percent is required in order to have sufficient supplies available to meet anticipated demands. The district board of directors shall declare the existence of a drought response Level 3 condition, shall declare a water shortage emergency pursuant to California Water Code Section 350, and shall implement the Level 3 conservation measures identified in this policy.

B. All persons using district water shall comply with Level 1 drought watch and Level 2 drought alert water conservation practices during a Level 3 drought critical condition and shall also comply with the following additional mandatory conservation measures:

1. Limit residential and commercial landscape irrigation to no more than two days per week. During the months of November through May, landscape irrigation may be limited to no more than once per week. Watering days may be established and assigned by the general manager and posted by the district. This section shall not apply to commercial growers or nurseries.

2. Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system governed by Section 4.9-7(B)(1), on the same schedule set forth in Section 4.9-7(B)(1) by using a bucket, hand-held hose with a positive shut-off nozzle or low-volume non-spray irrigation.

3. Stop filling or refilling ornamental lakes or ponds, except to the extent needed to sustain aquatic life, provided that such animals are of
significant value and have been actively managed within the water feature prior to declaration of a drought response level under this policy.

4. Stop washing vehicles except at commercial carwashes that re-circulate water, or by high pressure/low volume wash systems.

5. Repair all leaks within 48 hours of notification by Helix Water District unless other arrangements are made with the general manager.

C. Upon the declaration of a drought response Level 3 condition, the district may implement restrictions whereby no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates or letters of availability) shall be issued, except under the following circumstances:

1. A valid, unexpired building permit has been issued for the project; or

2. The project is necessary to protect the public’s health, safety and welfare; or

3. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the district.

This provision shall not be construed to preclude the resetting or turn on of meters to provide continuation of water service or to restore service that has been interrupted for a period of one year or less.

D. Upon the declaration of a drought response Level 3 condition, the district will suspend consideration of annexations to its service area.

E. The district may establish a water allocation for property served by the district using a method that does not penalize persons for the implementation of conservation methods or the installation of water saving devices. If the district establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the district customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the district, any person that uses water in excess of the allocation shall be subject to a penalty for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed.
for violation of this policy. The Helix Water District board of directors, by resolution, shall establish the amount of the penalty in accordance with applicable law.

4.9-9 DROUGHT RESPONSE LEVEL 4 – DROUGHT EMERGENCY CONDITION

A. A drought response Level 4 condition is also referred to as a drought emergency condition. A Level 4 condition applies when the San Diego County Water Authority Board of Directors declares a water shortage emergency pursuant to California Water Code Section 350 and notifies its member agencies that Level 4 requires a demand reduction of more than 40 percent in order for the district to have maximum supplies available to meet anticipated demands. The district shall declare a drought emergency in the manner and on the grounds provided in California Water Code Section 350.

B. All persons using district water shall comply with conservation measures required during Level 1 drought watch, Level 2 drought alert and Level 3 drought critical conditions and shall also comply with the following additional mandatory conservation measures:

1. Stop all landscape irrigation, except crops and landscape products of commercial growers and nurseries. This restriction shall not apply to the following categories of use:

   a. Maintenance of trees and shrubs that are watered on the same schedule set forth in Section 4.9-7(B)(1) by using a bucket, hand-held hose with a positive shut-off nozzle or low-volume non-spray irrigation;

   b. Maintenance of existing landscaping necessary for fire protection as specified by the fire marshal of the local fire protection agency having jurisdiction over the property to be irrigated;

   c. Maintenance of existing landscaping for erosion control;

   d. Maintenance of plant materials identified to be rare or essential to the well-being of rare animals;

   e. Maintenance of landscaping within active public parks and playing fields, day care centers, school grounds, cemeteries and golf course greens, provided that such irrigation does not exceed the schedule established under Section 4.9-7(B)(1);
f. Watering of livestock; and,

g. Public works projects and actively irrigated environmental mitigation projects.

2. Repair all water leaks within 24 hours of notification by the Helix Water District unless other arrangements are made with the general manager.

C. The district may establish a water allocation for property served by the district. If the district establishes a water allocation it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the district customarily mails the billing statement for fees or charges for on-going water service. Following the effective date of the water allocation as established by the district, any person that uses water in excess of the allocation shall be subject to a penalty for each billing unit of water in excess of the allocation. The penalty for excess water usage shall be cumulative to any other remedy or penalty that may be imposed for violation of this policy. The district board of directors, by resolution, shall establish the amount of the penalty in accordance with applicable law.

4.9-10 CORRELATION BETWEEN DROUGHT MANAGEMENT PLAN AND DROUGHT RESPONSE LEVELS

A. The correlation between the San Diego County Water Authority’s drought management plan stages and the district’s drought response levels identified in this policy is described herein. Under DMP Stage 1, the district would implement drought response Level 1 actions. Under DMP Stage 2, the district would implement drought response Level 1 or Level 2 actions. Under DMP Stage 3, the district would implement drought response Level 2, Level 3 or Level 4 actions.

B. The drought response levels identified in this policy correspond with the San Diego County Water Authority drought management plan as identified in the following table:

<table>
<thead>
<tr>
<th>Drought Response Levels</th>
<th>Use Restrictions</th>
<th>Conservation Target</th>
<th>DMP Stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Drought Watch</td>
<td>Voluntary</td>
<td>Up to 10%</td>
<td>Stage 1 or 2</td>
</tr>
<tr>
<td>2 - Drought Alert</td>
<td>Mandatory</td>
<td>Up to 20%</td>
<td>Stage 2 or 3</td>
</tr>
<tr>
<td>3 - Drought Critical</td>
<td>Mandatory</td>
<td>Up to 40%</td>
<td>Stage 3</td>
</tr>
<tr>
<td>4 - Drought Emergency</td>
<td>Mandatory</td>
<td>Above 40%</td>
<td>Stage 3</td>
</tr>
</tbody>
</table>
4.9-11 PROCEDURES FOR DETERMINATION AND NOTIFICATION OF DROUGHT RESPONSE LEVEL

A. The existence of a drought response Level 1 condition may be declared by the general manager upon a written determination of the existence of the facts and circumstances supporting the determination. A copy of the written determination shall be filed with the clerk or secretary of Helix Water District and provided to the board of directors. The general manager may post in the lobby of the administration office and publish a notice of the determination of existence of drought response Level 1 condition in one or more newspapers, including a newspaper of general circulation within the district. The district may also post notice of the condition on its website.

B. The existence of drought response Level 2 or Level 3 conditions may be declared by resolution of the district board of directors adopted at a regular or special public meeting held in accordance with state law. The mandatory conservation measures applicable to drought response Level 2 or Level 3 conditions shall take effect on the tenth day after the date the response level is declared. Within five days following the declaration of the response level, the district shall publish a notice of the resolution in a newspaper used for publication of official notices.

C. The existence of a drought response Level 4 condition may be declared in accordance with the procedures specified in California Water Code Sections 351 and 352. The mandatory conservation measures applicable to drought response Level 4 conditions shall take effect on the tenth day after the date the response level is declared. Within five days following the declaration of the response level, the district shall publish a notice of the resolution in a newspaper used for publication of official notices. If the district establishes a water allocation, it shall provide notice of the allocation by including it in the regular billing statement for the fee or charge or by any other mailing to the address to which the district customarily mails the billing statement for fees or charges for on-going water service. Water allocation shall be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

D. The district’s board of directors may declare an end to a drought response level by the adoption of a resolution at any regular or special meeting held in accordance with state law.

4.9-12 HARDSHIP VARIANCE

A. If, due to unique circumstances, a specific requirement of this policy would result in undue hardship to a person using district water or to property upon
which Helix Water District water is used, that is disproportionate to the impacts to district water users generally or to similar property or classes of water uses, then the person may apply for a variance to the requirements as provided in this section.

B. The variance may be granted or conditionally granted, only upon a written finding of the existence of facts demonstrating an undue hardship to a person using district water or to property upon which district water is used, that is disproportionate to the impacts to the district’s water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user’s property.

1. Application. Application for a variance shall be a form prescribed by the district and shall be accompanied by a non-refundable processing fee in the amount of $250.

2. Supporting documentation. The application shall be accompanied by photographs, maps, drawings and other information, including a written statement of the applicant.

3. Required findings for variance. An application for a variance shall be denied unless the approving authority finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the district, all of the following:

   a. That the variance does not constitute a grant of special privilege inconsistent with the limitations upon other district customers.

   b. That because of special circumstances applicable to the property or its use, the strict application of this policy would have a disproportionate impact on the property or use that exceeds the impacts to customers generally.

   c. That the authorizing of such variance will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the district to effectuate the purpose of this section and will not be detrimental to the public interest.

   d. That the condition or situation of the subject property or the intended use of the property for which the variance is sought is not common, recurrent or general in nature.
4. Approval authority. The general manager, or his/her designee, shall exercise approval authority and act upon any completed application no later than 10 days after submittal and may approve, conditionally approve or deny the variance. The applicant requesting the variance shall be promptly notified in writing of any action taken. Unless specified otherwise at the time a variance is approved, the variance applies to the subject property during the term of the mandatory drought response.

5. Appeals to the Helix Water District Board of Directors. An applicant may appeal a decision or condition of the general manager on a variance application to the district board of directors within 10 days of the decision upon written request for a hearing. The request shall state the grounds for the appeal. At a public meeting, the district board of directors shall act as the approval authority and review the appeal de novo by following the regular variance procedure. The decision of the district board of directors is final.

4.9-13 VIOLATIONS AND PENALTIES

A. Any person, who uses, causes to be used or permits the use of water in violation of this policy is guilty of an offense punishable as provided herein.

B. Each day that a violation of this policy occurs is a separate offense.

C. Administrative fines may be levied for each violation of a provision of this policy as follows:

1. One hundred dollars for a first violation.

2. Two hundred dollars for a second violation of any provision of this policy within one year.

3. Five hundred dollars for each additional violation of this policy within one year.

D. Willful violations of the mandatory conservation measures and water use restrictions as set forth in Section 4.9-8 and applicable during a Level 4 drought emergency condition may be enforced by discontinuing service to the property at which the violation occurs as provided by Water Code Section 356.

E. All remedies provided for herein shall be cumulative and not exclusive.

F. Nonpayment of penalties shall be processed under the policies of Section 2.5.
4.9-14 PROCEDURES FOR NOTICE AND APPEAL OF WATER CONSERVATION PENALTIES

A. If Helix Water District’s general manager or his/her designee, determines to impose a fine on a person (violator) who has violated any provision of Section 4.9 of the district’s policies and procedures, he or she shall cause a written notice of the violation to be sent to the violator. The notice shall provide in sufficient detail the violation(s), the amount of the penalty being imposed, and the date or times by which the penalty shall be paid to the district. Service of any notice required under this Section 4.9-13 shall be made by the following means:

1. personal service in the same manner as a summons in a civil action; or

2. registered United States mail, which service shall be completed at the time of deposit into the United States mail.

B. A violator may appeal the imposition of any penalty imposed pursuant to Section 4.9 of the district policies and procedures as follows:

1. A violator may appeal the imposition of any penalty by completing and submitting in writing to the district board secretary a form provided by the district for such purpose. All appeals shall be submitted to the district board secretary within 30 calendar days of the date of the notice of the imposition of the penalty.

2. The district general manager, or his/her designee, shall review the appeal and any related information provided by the violator, and if necessary, cause an investigation and report to be made concerning the imposition of any penalty. The district general manager, or his/her designee, shall have 20 calendar days from the submission of the appeal to render a decision on whether to grant the appeal and mail notice thereof to the violator. If the general manager, or his/her designee, grants the appeal and determines that any penalty was imposed in error or should be reduced, within 15 calendar days of such determination the general manager, or his/her designee, shall;

   a. refund the penalty or any portion thereof, if paid by the violator, for which the appeal was granted, including any additional penalties related thereto; or,

   b. determine and fix the correct amount of penalty for the violator, including any additional penalties related thereto, and give written notice thereof.
3. The decision of the general manager, or his/her designee, may be appealed by the violator to the board of directors. Such appeal must be submitted in writing and filed with Helix Water District’s board secretary within 15 calendar days of the date of decision of the general manager, or his/her designee. The board of directors shall conduct a hearing on such appeal at its next regularly scheduled board of directors meeting; provided, however, the board of directors shall have received the notice of appeal at least 15 calendar days prior to such meeting. If the appeal is not submitted within at least 15 calendar days prior to a regularly scheduled board of directors meeting, then the hearing shall be held at the next following regularly scheduled board of directors meeting. A notice of the hearing shall be mailed to the violator at least 10 calendar days before the date fixed for the hearing. The board of directors shall review the decision of the district’s general manager, or his/her designee, de novo. The determination of the board of directors shall be conclusive and constitute a final order. Notice of the determination by the board of directors shall be mailed to the violator within 10 calendar days of such determination.

a. If the appeal is granted in whole or in part, within 10 calendar days from the date of mailing of the notice of determination by the board of directors, the district shall;

i. refund the penalty or any portion thereof if paid by the violator, including any other penalties related thereto for which the appeal was granted; or,

ii. determine and impose the correct amount of the penalty for the violator, including any other penalties related thereto.

b. If the appeal is denied or granted in part, the violator shall have 20 calendar days from the date of the mailing of the notice of determination by the board of directors to pay the penalty, and any other penalties, if any, fixed by the board of directors.

C. Until the conclusion of the appeal process, all provisions and decisions under appeal shall remain in full force and effect until the conclusion of the appeal process.

4.9-15 EFFECTIVE DATE

This policy is effective immediately upon adoption or as otherwise established by state law for the district.
A. General

Water budgets will be assigned to all irrigation classes. A water budget is a tool to encourage appropriate water use during all seasons. Water budgets assign target usage for each billing cycle. Water budgets will be tied to a tiered rate billing structure. Accounts that use more water than their assigned budget target will be billed at a higher tier or tiers than the target usage tier. These higher tiers are referred to as water conservation rates.

B. Requirements

1. Water budgets are based on a property’s irrigated landscape area.

2. Water budgets are assigned on a per meter basis for sites with more than one meter. The site is responsible for providing Helix Water District staff with a map or description of the landscape areas served by each meter.

C. Procedure

1. Budgets will be calculated by district staff using the formula below in compliance with the maximum applied water allowance as outlined in California’s model water efficient landscape ordinance:

\[
\text{Water budget in HCF} = \frac{\text{LA} \times (\text{ETAF} \times \text{ETo}) \times 0.62}{748}
\]

   a. \(\text{LA}\) = Irrigated landscape area in square feet

   b. \(\text{ETAF}\) (Evapotranspiration Adjustment Factor)=

      i. 0.7 for existing, non-rehabilitated landscapes

      ii. 0.55 for residential landscapes (new or redeveloped) that are permitted on or after December 1, 2015

      iii. 0.45 for non-residential landscapes, new or redeveloped, that are permitted on or after December 1, 2015

      iv. 1.0 for schools or public sites with functional use turf (e.g. parks, picnic areas, athletic fields)
c. \( \text{ETo} = \) Reference Evapotranspiration from the closest CIMIS station (Station 153/Escondido or Station 147/Otay Lake) in inches

d. 0.62 = Conversion factor (to gallons per square foot)

e. The ETAF may be modified as Helix Water District water shortage levels change. See Table A below.

f. The California irrigation management information system lists the historical and daily ET\( \text{o} \) figures online at [http://www.cimis.water.ca.gov](http://www.cimis.water.ca.gov). The district’s water budget calculations will be in compliance with these figures. Effective with bills issued on or after November 16, 2015, CIMIS daily ET\( \text{o} \) values will be used by the district to calculate water budgets instead of historical values.

**Table A: Water Shortage Level ET Adjustment Factor**

<table>
<thead>
<tr>
<th>Water Shortage Level</th>
<th>I</th>
<th>II</th>
<th>III</th>
<th>IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETAF Existing (prior to 12/1/15)</td>
<td>0.7</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>ETAF Residential (new or redeveloped after 12/1/15)</td>
<td>0.55</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>ETAF Non-Residential (new or redeveloped after 12/1/15)</td>
<td>0.45</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

TBD = To be determined by the board.

Water budgets are calculated on a bimonthly billing cycle basis.

**D. Compliance**

1. If a customer believes that the assigned budget is too low, given their site conditions, they may apply for a variance to their water budget for potential adjustments to the irrigated landscape area, plant type or other special circumstances approved by the general manager or his/her designee.

2. Newly planted low-water-use landscapes (with a crop coefficient of less than 50 percent) are eligible to apply for an increased water budget during its establishment period not to exceed three years. The watering
schedule must be reduced to comply with the site’s standard water budget within three years. All requests are subject to field verification.

3. If Helix Water District is unable to confirm a customer's landscaped areas served by each meter, the district will calculate and assign a water budget of 1 HCF per billing period for each meter, until such time the required information is provided and confirmed.
4.10-1 POLICY

Helix Water District maintains and operates pipelines and appurtenant structures necessary to produce, transport and distribute water. In connection therewith, the district owns fee and easement interests in real property. From time to time, various public utilities, governmental agencies and private property owners request to jointly use district real property. The district hereby establishes policies and procedures whereby real property in which the district has legal interests may be jointly used by others.

4.10-2 DEFINITIONS

Whenever the following words are used in this section, they have the following meaning ascribed to them:

**Board of directors** means the board of directors of the Helix Water District.

**District** means the Helix Water District and includes all of that area included within the boundaries of the district, as originally established, and as from time to time may be amended by the board of directors and all property owned by the district.

**District interests** means the recorded legal rights owned by the district in district fee-owned real property and easements.

**District real property** means fee-owned and easement interests.

**Encroachment agreement** means a written document which sets forth the terms and conditions which govern the encroachments on district real property and easements.

**Encroachment permits** were issued prior to 2013 with terms and conditions equivalent to encroachment agreements. See above for definition of encroachment agreement.

**Major encroachment** means the placement of a publicly or privately owned facility, structure or landscaping on district real property and easements which could result in the obstruction of district access, damage to district facilities or would require significant district effort to correct.

**Minor encroachment** means the placement of a publicly or privately owned facility, structure or landscaping on district real property and easements which could result in the obstruction of district access but could be corrected without significant effort by the district.

**Owner** means any person to whom an encroachment permit or agreement is issued pursuant to this section.
**Person** means an individual, association or private or public entity given legal status by the laws of the state of California.

### 4.10-3 GENERAL REQUIREMENTS

A. No person shall make or have an existing encroachment on Helix Water District real property without an encroachment agreement for such encroachment.

B. Any encroachment permitted on district real property shall conform to the approved plans and the conditions of the encroachment agreement.

C. Any encroachment agreement shall be limited to the owner or to the owner’s agents.

D. District personnel are not authorized and shall not give oral authorization for encroachments on district real property. Authorization to encroach upon district real property may be given only in writing pursuant to the provisions of this section.

### 4.10-4 ADMINISTRATION OF DISTRICT REAL PROPERTY AND EASEMENTS

A. District real property shall be administered pursuant to this section.

B. The board of directors hereby delegates the director of engineering authority to review applications for, and to approve encroachment agreements.

C. The director of engineering, based on applicable ordinances, policies and standards shall determine the extent, type and nature of the encroachments to be permitted under this section, the type of application and agreement required, and the applicable fees.

D. The director of engineering shall administer and enforce this section and shall do all things necessary to effect its purpose and intent, including:

1. Establish standards and promulgate regulations for encroachments;

2. Accept applications and impose conditions of approval;

3. Issue, and record if applicable, encroachment agreements when all applicable conditions are met;

4. Cause the property or easement to be inspected and assure completion of any work (if applicable);
5. Suspend or cancel encroachment agreements whenever agreements are improperly issued based on any of the following grounds:
   
a. Facts are not as presented in the application;
   
b. Work is inconsistent with approved plans;
   
c. Protection of the public’s health, safety or general welfare; or
   
d. Encroachment violates other provisions of Helix Water District’s policies or procedures or applicable federal, state or local codes.

6. Terminate unauthorized encroachments by all appropriate legal means.

7. Address existing encroachments on real property by removal of encroachments at the expense of the owner, acceptance and issuance of an encroachment agreement, sale or quitclaim of real property that is no longer needed by the district (with board approval), or relocation of district facilities at the expense of the owner (cost may be shared if it is in the best interest of the district).

E. When the nature of the encroachment requested is subject to other legal requirements, administrative regulations or affects district operations, the director of engineering shall make every effort to ensure that work adheres to those other requirements and shall be guided by the policies of the board of directors in determining the disposition of the application. Applications that are not consistent with the various requirements shall be denied.

F. The director of engineering shall cause to be inspected all encroachments permitted under this section to ensure compliance.

G. If work is undertaken on district real property without a valid encroachment agreement, or an encroachment currently exists on the property, the director of engineering is authorized to:

1. Give appropriate notice that in the opinion of the district, the work constitutes or may constitute an encroachment and order the work to be stopped or removed until an encroachment agreement is executed or a determination is made that the work does not constitute an encroachment; and

2. Assess a fee of double the normal district processing and inspection fee for the encroachment agreement; agreement, is not applied for within 10 business days after the notice is given, the director of engineering
may give notice that Helix Water District’s real property or easement and any associated facilities, pump stations, pipelines or other appurtenances must be restored to its original condition at the sole cost of the person encroaching upon the property. Should restoration not begin promptly, legal action may be commenced to protect the district’s interests;

3. Order mitigation of the violation where the director of engineering determines that reasonable restoration of the site to its lawful condition is infeasible or that irreparable damage has been done to an environmentally sensitive area, habitat or structure. Mitigation requirements may include purchase or exchange by the violator of like-kind real property of similar or greater quality and quantity. Mitigation shall be at the sole cost of the violator;

4. Cause the suspension of any encroachment agreement relating to the same property until the prerequisite encroachment agreement is obtained; and

5. Promulgate additional administrative guidelines and regulations to implement and clarify the authority to require restoration and mitigation.

H. The director of engineering may cancel an encroachment permit or agreement, or may require related plans to be amended when it is in the interest of public health, safety or general welfare and under any of the following situations:

1. Upon request of the owner;

2. When the site conditions or operative facts upon which the encroachment agreement was sought were not accurately presented in the application;

3. When work as constructed or as proposed to be constructed or existing encroachments create a hazard to public health, safety or general welfare;

4. When the agreement violates district policy or provisions of federal, state or local law;

5. When the district’s repair or installation of public improvements requires the cancellation;

6. When the encroachment agreement is due for renewal; or
7. When Helix Water District requires the property unencumbered for any reason.

4.10-5 ISSUANCE OF ENCROACHMENT AGREEMENTS – NEW IMPROVEMENTS

A. Applications for encroachment agreements under this section shall be made in accordance with procedures established by the director of engineering. Applications shall be accompanied by such detailed plans, specifications, schedules and estimates as may be required to determine the nature and extent of the encroachment and the applicable fees.

B. Detailed plans shall be prepared on material and to the size and in the manner designated by the director of engineering and showing at a minimum the boundaries of the proposed development, lot lines, public and private right of way lines, district facilities and an indication of the intended use of the property. The extent and nature of the encroachment(s) shall be clearly shown.

C. All encroachment agreement applications shall be subject to the review of the director of engineering.

D. When proposed work or inquiries concerning district real property necessitates investigation, the director of engineering may require a special investigation and special investigation deposit. Special investigation deposits shall be in addition to other fees and special deposits.

E. The owner shall notify all affected public utilities of his or her request to encroach on district real property and shall coordinate with the public utilities in order that any necessary relocations of existing facilities may be done in an orderly fashion without interrupting the continuity of service or endangering life or property.

4.10-6 APPEALS

Within 10 days after receipt of a decision of the director of engineering pursuant to the provisions of Section 4.10-4(I), an owner may file with the board of directors a written request for a public hearing. Upon the filing of such a request, the board of directors shall set a time and place for the hearing and shall notify the party requesting the hearing at least five days before the hearing date. The hearing shall be held within 30 days after the request is filed. The decision of the board of directors shall be final.
4.10-7 FEES

Encroachment agreement fees or deposits required by this section shall be collected in accordance with procedures established by the director of engineering. A schedule of fees to cover the costs of processing encroachment agreement applications and related expenses incurred pursuant to this section are shown in Section 2.12. Deposit accounts will be used for costs relating to special investigations and other Helix Water District costs not covered in the fixed application fee. No encroachment agreement shall be issued and no work shall be permitted on district real property until the director of engineering has received the fees applicable under this section.

4.10-8 SITE RESTORATION

A. Restoration of work undertaken without an encroachment agreement is required and shall occur prior to any further development on the site. Restoration requires:

1. Submittal to, and acceptance by, the director of engineering of a restoration plan which may include necessary monitoring and inspection by the district or a district designated party, both at the cost of the violator; and

2. Compliance with any other reasonable requirements of the director of engineering including those established pursuant to this section.

4.10-9 TERMS AND CONDITIONS

A. In each case when the director of engineering decides to issue an encroachment agreement, the agreement may include the following terms and conditions:

1. If terms and conditions require a covenant, the covenant shall run with the land and be binding upon and inure to the benefit of successors in interest including, the future owners, encumbrancers, successors, heirs, personal representatives, transferees and assignees of the respective parties.

2. Owner shall use the district’s real property only in the manner and for the purposes described in the permit and the attached plans.

3. By accepting the benefits herein, owner acknowledges that district’s rights and obligations shall continue in full force and effect and shall not be affected by the district’s grant of permission to encroach.
4. Work authorized by an encroachment agreement must be completed within 180 calendar days of the issued date unless otherwise specified. Failure to complete the work within the specified time shall make the encroachment agreement null and void. The term of this encroachment agreement is as specified herein and may be revoked by Helix Water District at any time. The district shall mail written notice of revocation to owner that shall set forth the date upon which the encroachment agreement shall cease. Owner shall mail written notice of abandonment to the district that shall set forth the date upon which the encroachment is to cease.

5. The encroachment shall be installed and maintained in safe and sanitary condition at the sole cost, risk, and responsibility of the permittee, including but not limited to any damages to the encroachment caused by the district’s operations, repair, maintenance or construction requirements.

6. The owner shall at all times indemnify and save the district free and harmless from and pay in full, any and all claims, demands, losses, damages or expenses that the district may sustain or incur in any manner resulting from the construction, maintenance, use, repair, or presence of the encroachment installed hereunder, including any loss, damage or expense arising out of (1) loss of or damage to property; and (2) injury to or death of persons; excepting any loss, damage or expense and claims for loss, damage or expense resulting in any manner from the negligent act or acts of the district, its contractors, officers, agents or employees. The district may require the owner to carry liability insurance covering all work to be undertaken pursuant to the permit, including products and completed operations, naming the district as an additional insured.

7. The district may remove all or a portion of the encroachment in order to repair, replace or install public improvements. The district shall have no obligation to pay for or restore owner’s encroachment.

8. If either party is required to incur costs to enforce the provisions of the encroachment agreement or this policy, the prevailing party shall be entitled to full reimbursement for all costs, including reasonable attorneys’ fees.

9. Owner waives the right to assert any claim or action against the district arising out of or resulting from the revocation of this encroachment agreement or the removal of any improvements or any other action by
Helix Water District, its officers, agents or employees taken in accordance with the terms of the encroachment agreement.

10. Owner recognizes and understands that this encroachment agreement may create a possessory interest subject to property taxation and that the owner may be subject to the payment of property taxes levied on such interest.

11. As a condition precedent to owner’s right to go upon the district’s real property or easement, this encroachment agreement must first be signed by the owner, notarized and executed and recorded by the district.

12. Encroachment agreements shall be recorded in the office of the county recorder as an obligation upon the land involved.

13. A security fee for encroachment agreements may be required.

14. The failure of any one or more occasions by either party to strictly enforce any one or more of the terms of the encroachment agreement shall not constitute a waiver of either party’s right to enforce such terms in the future.

15. If any section or part of the encroachment agreement is found by a court of competent jurisdiction to be unenforceable or invalid, that section or part shall be stricken from the agreement and the remainder may be enforced according to its terms.

B. Additional terms and conditions may be added to the encroachment agreement as determined by the director of engineering.

4.10-10 UNAUTHORIZED ENCROACHMENTS PROHIBITED

A. The director of engineering may direct staff to investigate unauthorized encroachments of district property in conflict with district property or district improvements.

B. The director of engineering may request removal of encroachments, which in the director’s opinion conflict with district property or district improvements; or authorize an encroachment agreement per above-described procedures.

C. If the director of engineering is unable to satisfactorily remove, restrict or legitimize via an encroachment agreement, encroachments of property by negotiation, then the director of engineering may request the board of
SECTION 4.10 ENCROACHMENT AGREEMENTS

...directors to authorize counsel to institute litigation to remove encroachments conflicting with Helix Water District property or district improvements.

4.10-11 ENFORCEMENT AUTHORITY AND REMEDIES

A. The district’s director of engineering, general manager (or their designee) is authorized to administer and enforce the provisions of this section.

B. The remedies for a violation of this section may include, but are not limited to, injunctive relief, civil penalties, any administrative remedy set forth in this policies and procedures manual, or any remedy set forth in the enforcement agreement.
SECTION 4.11 WATER CONSERVATION AND DEVELOPMENT/REDEVELOPMENT PROCEDURE FOR WATER EFFICIENCY

4.11-1 GENERAL

Helix Water District hereby establishes a comprehensive water conservation and water efficiency program for new development or redevelopment within the district.

The district finds that water conservation and water efficiency in all new domestic or commercial development or redevelopment is essential to the district’s continued ability to provide water to new and redeveloped areas and to avoid or minimize the effects of any future shortage.

4.11-2 REQUIREMENTS

All new commercial and domestic developments or redevelopments shall install only high-efficiency appliances, use only high-efficiency watering technologies and landscape using water-wise principles as follows:

A. Install the following indoor fixtures in all residential (houses, condominiums, apartments) and commercial/industrial areas (if applicable):

1. High-efficiency toilets (1.28 gallons or less per flush).
2. High-efficiency dishwashers (Energy Star, WaterSense or equivalent).
3. High-efficiency clothes washers (meets or exceeds the CEE Tier 1 standard).
4. Low-flow shower heads (1.8 gallons per minute or less).

B. Design and install landscaping in all parks, common areas, commercial, industrial, multi-family and residential landscapes in compliance with the most recent Department of Water Resources model ordinance or the water efficient landscape ordinance and the Maximum Applied Water Allowance set forth by the local land use agency, as applicable.

C. Install dedicated meters for outdoor water use:

1. In single-family residences with one or more acre(s) of irrigated landscape.
2. In all parks and common areas.
3. In commercial/industrial/government/multi-family sites with 5,000 square feet or more of irrigated landscape.

D. Enroll all new irrigation meters (except those at single-family residences) in the Helix Water District water budget program and provide documentation of irrigated landscape area at the time of meter purchase.

E. Install automatic irrigation controllers with automatic rain delay that utilize either evapotranspiration (weather-based) or soil moisture data at all homes (residential areas), common areas, parks and commercial/industrial landscapes.

F. If using overhead spray to irrigate, high-efficiency, matched-precipitation rate sprinkler nozzles are required at all homes (residential landscapes), common areas, parks and commercial/industrial landscapes.

Any project that requires a permit, plan check or design review by local planning agencies is considered a redevelopment.

4.11-3 COMPLIANCE AND MONITORING

A. Ensure that covenants, conditions and restrictions pertaining to the proposed subdivision/development do not prohibit the use and maintenance of low-water-use plant materials, and/or the use of artificial turf.

B. Certify that all units, common areas and parks comply with all of the above requirements.

C. Schedule inspection for compliance with water efficiency requirements.

D. Provide water-use efficiency data upon request to the district for six years following installation/development.

4.11-4 PROCEDURE

Executive Order B-29-15 required the Department of Water Resources to update the existing model water efficient landscape ordinance established pursuant to the Water Conservation in Landscaping Act (California Government Code Section 65591 and following) and AB 1881. The updated Department of Water Resources model ordinance serves as a model ordinance for all cities and counties to adopt mandatory water efficient landscape ordinances for new and rehabilitated landscaping projects. EB B-29-15 makes the DWR model ordinance automatically applicable within the jurisdiction of each city and county that has not adopted its own water efficient landscape ordinance or the DWR model ordinance. Effective December 1, 2015, new
and rehabilitated landscape projects shall comply with the provisions of the most recent DWR model ordinance or the water efficient landscape ordinance as adopted or implemented by the applicable local land use agency.
SECTION 5.1 PRESSURE PROCEDURE

5.1-1 POLICY

All customers shall be notified in advance when water pressure is to be increased to more than 80 pounds per square inch or increased by more than 15 psi.

5.1-2 PROCEDURE

A. Customer’s Responsibility

It shall be the customer’s responsibility to furnish, install and maintain any required pressure regulators or safety devices necessary to protect the private plumbing system.

B. Customer Requested Increase in Water Pressure

If a customer requests that service be transferred to a main with higher pressure, customer shall be advised of the resulting water pressure and to consult a plumber to determine if private plumbing can withstand the higher pressure.

C. District Increases Water Pressure

When it becomes necessary to increase a customer’s water pressure and Helix Water District’s action results in a pressure of 80 psi or more, or if the pressure change is 15 psi or more, the district shall notify the customer in writing at least 30 days in advance. Notification shall be to the mailing address of the account and the property address. The district will furnish and install a pressure-regulating valve to protect the customer’s plumbing, provided the customer signs a statement allowing the district to enter his or her property to install the valve and the customer agrees to accept ownership and future maintenance of the valve. The customer shall be responsible for consulting a plumber to determine if there are other modifications he or she may wish to consider at their own expense.
5.2-1 POLICY

Helix Water District does not guarantee uninterrupted water service and assumes no liability for damages resulting from a system shutdown. Timely notification shall be made to customers and fire agencies prior to any system shutdown or as soon as practicable in the event of any emergency shutdown.

5.2-2 PROCEDURE

A. General

Since property and/or lives may be in danger due to lack of adequate water supply at fire hydrants and fire services, or when a portion of the district’s system is shut down for modification or repair, notification of affected customers and fire agencies is essential. Every reasonable effort shall be made to minimize inconvenience to the district’s customers.

B. Planned Shutdowns

1. Prior to any planned system shutdown, the district shall provide timely notification to customers who may be temporarily without service because of the shutdown. Affected customers shall be notified of the date, time and approximate duration of the shutdown. Customers will be notified by a door hanger card left at the customer’s home and/or by telephone or voicemail message. Notification of a densely populated area may also be by mail.

2. If fire hydrants and fire services are out of service because of the shutdown, the district shall notify affected fire agencies prior to the shutdown. Notification shall include the area affected, the specific fire hydrants and fire services out of service and the estimated duration of the shutdown.

3. Prior to any planned shutdown during normal working hours, the field operations department shall notify the customer service department of the area affected, estimated duration and the reason for the shutdown.

4. Planned shutdowns shall not be scheduled for Mondays, except under special circumstances and/or emergencies.
5. Planned shutdowns will not be scheduled for two consecutive days in the same area, except under special circumstances and/or emergencies.

C. EmergencyShutdowns

1. Emergency shutdowns may be necessary to repair or maintain a water main or other system problems. Helix Water District shall notify affected fire agencies as soon as the district becomes aware of the need to shut down the system. Notification to fire agencies shall include the area affected, the specific fire hydrants and the fire services out of service and the estimated duration of the shutdown.

2. A record shall be made of the notification to the fire agencies. The record shall reflect the time, information transmitted and the name of persons notified within the agencies.

3. If an emergency shutdown occurs during normal working hours, the customer service department at the administration office shall be notified of the shutdown immediately. If the emergency occurs after normal working hours, the duty response shall immediately notify the district’s answering service of the affected area and the estimated duration of the shutdown.

D. Restoration of Service

1. Immediately following the activation of any portion of the district’s system which had been shut down for any reason, the affected fire agencies shall be notified.

2. A record shall be made of the notification to the fire agencies. The record shall reflect the time, information transmitted and the name of persons notified within the agencies.
5.3-1 POLICY

Helix Water District recognizes its responsibility for preventing water from unapproved sources, or any substances from entering the public potable water system, and shall provide a continuing program of cross-connection control in accordance with Sections 7583 through 7605 of Title 17 of the California Code of Regulations.

5.3-2 DEFINITIONS

Cross-connection is an unprotected actual or potential connection between a public potable water system used to supply water for drinking purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover devices or other device through which backflow could occur, shall be considered to be cross-connections.

Backflow shall mean the undesirable reversal flow of water, gases, or any other foreign substances into the public potable water system from any source caused by a differential in pressure.

Approved Backflow Prevention Assembly shall mean an effective assembly approved by the district (water supplier) used to prevent water or other liquid material flowing from the customer’s (user) connection, from entering the public potable water system. (Only assemblies tested and approved by the University of Southern California Foundation for Cross-Connection Control Hydraulic Research will be accepted).

5.3-3 CROSS-CONNECTION CONTROL REQUIREMENTS

A. District customers that have an actual, potential, or existing cross-connection hazard shall install a BPA at the user’s connection, per meter protection requirements. The type of BPA required will be determined by the district based on the degree of hazard and type of backflow condition.

The following areas require mandatory backflow prevention:

1. New Construction/Redevelopment
   New construction/redevelopment classified as commercial/industrial or multi-dwelling shall install a BPA. For all new services requiring a BPA, the water service shall not be activated until the proper BPA has been installed.
2. Auxiliary Water Supplies
State regulations require a BPA when a property with an auxiliary water supply is also served by a public water supply. Auxiliary water includes, but is not limited to, well water and gray water.

3. Non-Residential Fire Service
The specific type of backflow prevention assembly shall be approved by Helix Water District prior to construction of the fire service. The owner shall also get approval for the assembly and system from the jurisdictional fire marshal.

4. Residential Fire Service
All new residential fire services to any residential dwelling shall provide a district-approved backflow prevention assembly or passive purge system, which shall be approved by the jurisdictional authority. For all new residential services requiring a BPA, the water service shall not be activated until the proper BPA has been installed.

5. Irrigation Meter
New irrigation services shall install a BPA.

6. An approved BPA shall be installed per meter protection requirements on each user’s connection serving, but not limited to, the following types of known facilities unless cross-connection staff determines there is no actual or potential backflow hazard to the public potable water system:

   a. Food and beverage establishments
   b. Metal plating facilities
   c. Hospitals, mortuaries, morgues, clinics, nursing homes
   d. Car washes
   e. Sewage treatment plants, sewage and/or storm water pump stations
   f. Auto repair facilities
   g. Radiator shops
   h. Ready-mix concrete facilities
   i. Commercial laundry facilities
   j. Potable landscape irrigation systems
   k. Veterinary and animal grooming clinics
   l. Any residential service using a private booster pump or lift station
   m. Mobile home parks, apartment complexes
   n. Complex piping facilities on private property
   o. Water tanker trucks
B. The degree of protection from an actual or potential cross-connection and the type of BPA required to be installed will be determined by Helix Water District.

Only assemblies tested and approved by the University of Southern California Foundation for Cross-Connection Control Hydraulic Research will be accepted. Reference standards; most current edition to be used:

1. Manual of Cross-Connection Control, University of Southern California
2. List of Approved Backflow Prevention Assemblies, University of Southern California
3. Water Agencies' Standards
4. Uniform Plumbing Code
5. Title 17, Public Health, California Administrative Code

C. Backflow preventers shall be tested immediately after they are installed, relocated or repaired, and not placed in service unless the assembly passed a field test performed by a certified tester. Test results shall be submitted to the district within 15 working days of the date of installation, relocation or repair. The customer is responsible for having the assembly tested annually. The district will send a reminder notice and the customer shall have test results mailed to the district within 30 days of the annual date.

D. All testing of assemblies shall only be performed by a person on the district-approved, certified backflow assembly testers list that meets the certification requirements of the American Backflow Prevention Association, American Water Works Association, American Society of Sanitary Engineering or other equivalent agency with a certification process approved by the district. Such person shall submit to the district a completed tester application, a current executed copy of the appropriate certification and current test equipment calibrations.

All district-approved certified backflow assembly testers shall exhibit the highest standard of ethics, professionalism and customer service. Failure to do so will result in the removal of the tester from the approved testers list for a
minimum of one year or as determined by Helix Water District. Actions such as, but not limited to, falsification of documents (certifications, calibration reports and test records), verbal or physical threats to customers and/or district staff, or any illegal or unapproved installations or repairs will be subject to immediate removal from the approved tester’s list.

All submitted field testing and maintenance reports must be the original preprinted by the district, a copy of the original or a blank district form with pertinent information for staff.

E. Installation, maintenance and repair of backflow prevention assemblies or passive purge systems and appurtenances are the responsibility of the customer. Copies of maintenance and repair reports shall be forwarded by the customer to the district.

F. BPAs typically cause a reduction in downstream pressure. The district assumes no responsibility or liability for mitigating any issues that may arise as a result of this pressure loss.

G. If the district identifies an existing fire service BPA that is not adequately preventing water or other materials from entering the potable water system, the property owner, at their sole expense, shall repair or replace the BPA with an in-kind or better replacement, to the satisfaction of the district.

5.3-4 INVESTIGATION PROCEDURE

A. Inspection of Customer’s Premises for Cross-Connections

The owners of property served by the district shall permit detailed inspection of their premises by the district, county, and/or state health department personnel to determine if potential or actual cross-connection hazards to the public water supply are present.

B. Written Report and Recommendation

A written report of the inspection will be made by the district, county, and/or state health department and a copy will be given to the customer upon request. The report will evaluate existing or potential hazards posed by the customer’s piping to the public water supply. Requirements may include, but are not limited to, meter protection. The customer will have 30 days to 180 days (depending on the degree of hazard), as determined by the district to comply with the requirements specified in the report.
C. Reinspection for Compliance

At the end of the period allowed for compliance, Helix Water District will reinspect the customer’s premises to verify compliance. If a customer has been found in noncompliance with the requirements specified in the written report, delivery of water to the customer shall be discontinued immediately.

5.3-5 DISCONTINUATION OF SERVICE

If it is determined that the district’s water system is being polluted or is in immediate danger of contamination from a cross-connection, service shall be discontinued immediately.

A. Delivery of water shall be discontinued if district, state or county health department personnel determine that:

1. A backflow prevention assembly or passive purge system has not been installed after due notice has been given.

2. A defect found in the BPA or PPS has not been corrected after due notice has been given to make repairs; or

3. The owner of the property has failed to submit in writing, passing test results after receipt of the district’s letter requesting annual certification of BPA.

B. The process for notifying the customer in advance of discontinuation of service consists of the following:

1. The customer is sent a letter indicating that he/she is either required to install and test a BPA or to complete and submit the results of the annual testing of their existing BPA. The customer is given 30 calendar days to complete the installation or testing and submit the results to the district.

2. The district will send the customer a second notification letter if the test results are not received after the first 30 day due date.

3. The district will send to the customer by certified, return-receipt mail a 10-day shut off notification letter if the test results are not received within 30 calendar days of the second notification letter.

4. The district will discontinue service to the customer if the test results are not received within 10 calendar days of delivery or attempted
delivery of the 10-day shut off notification letter to the customer’s property.

Service will not be restored until the backflow prevention assembly has been installed and tested, or the annual test is certified at the customer’s expense with passing test results, or the cross-connection is abated to the satisfaction of Helix Water District.

The customer may at any time but not later than 15 calendar days after the second notification letter, make an appeal of the requirement to install and/or test a BPA to the general manager, or his/her designee. The general manager's decision is the final administrative review available to a customer.

Any such turn off is subject to the district’s standard fees prior to reinstatement of service. See Sections 2.5 and 2.12.
SECTION 6.1 PUBLIC RECORDS POLICY

6.1-1 POLICY
The Helix Water District public records policy shall at all times be subject to the California Public Records Act (Government Code Sections 6250 et. seq.), as may be amended from time to time, and if there is any conflict between that act and this policy, the act shall prevail.

6.1-2 PROCEDURE

A. Any person desiring to inspect any public record shall identify the records desired to be inspected.

B. The board secretary shall determine within 10 days after the receipt of the request whether the requested record is subject to inspection. If the board secretary is uncertain whether the record is exempt from disclosure under the California Public Records Act, or whether that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record, the board secretary shall consult with counsel for the district. If the board secretary refuses to permit inspection of any record, the board secretary shall notify the person making the request of such determination and the reasons therefore. In unusual circumstances, such as the need to search for, collect and examine a voluminous amount of separate and distinct documents, the general manager or designee may extend the time for the board secretary to make a determination, and require the board secretary to notify the person making the request of the reasons therefore, provided that the extension is not for more than 14 calendar days. The person seeking such inspection may appeal the decision of the board secretary not to permit inspection to the board of directors or court.

C. The board of directors shall consider and rule upon the appeal within 30 days after the filing thereof and shall thereupon notify the applicant in writing of its decision. If the applicant has filed a written appeal with the board, the applicant shall be notified of the time and place of the meeting of the board to consider the matter, and the applicant may appear in person before the board when the matter is heard. If the board fails to give written notice of its decision within 35 days of the filing of the appeal, the appeal shall be deemed denied.

D. Inspection of public records shall be made only in the district office, and no document shall be removed therefrom. A representative of the district may be present during the inspection of any records.
E. Helix Water District will make every effort to cooperate with the persons seeking to inspect documents, however, if the request is to inspect a substantial quantity of documents or documents not readily available, the district shall have a reasonable period of time to collect such records and may require the inspection of such records to take place at a future date.

F. Any person may obtain a copy of any identifiable public record. Upon request, an exact copy shall be provided unless impracticable to do so. Computer data shall be provided in a form determined by the district. Any reasonably segmental portion of a record shall be provided to any person requesting such record after deletion of the portions which are exempt by law.

G. A request for a copy of an identifiable public record or information produced therefrom, or a certified copy of such record shall be accompanied by payment of a reasonable fee covering the direct costs of duplication. The current schedule of reproduction costs shall be maintained by the district.
SECTION 6.2 RECORDS RETENTION AND DISPOSAL POLICY

6.2-1 PURPOSE

The purpose of this policy is to provide guidelines to staff regarding the retention or disposal of Helix Water District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

6.2-2 GENERAL GUIDELINES

The Secretary of State shall establish the local government records program to be administered by the state archives to establish guidelines for local government retention and to provide archival support to local agencies in the state [Government Code Section 12236(a)].

The district has adopted a resolution authorizing a records retention schedule that meets the requirements of the state program. This records retention schedule is the district’s legal authority to receive, create, retain and dispose of official public records.

A retention period is the length of time a record must be retained to fulfill its administrative, fiscal and/or legal function. District records not listed in the state program are retained by the district according to the following guidelines:

A. Legal authority citing a specific retention period pursuant to the California code or other regulatory compliance schedule.

B. Determination of the purpose of a document and the appropriate retention for that purpose.

C. Determination of historical value.

D. Determination of the document’s availability elsewhere.

The district’s custodian of records is responsible for the appropriate destruction of records pursuant to the records retention schedule.

The records retention schedule will be reviewed, modified and updated by district counsel and the board secretary in preparation for board approval every five years.
SECTION 6.3 STATEMENT OF INVESTMENT POLICY

6.3-1 PURPOSE

This statement of investment policy is adopted pursuant to Sections 53600-53684 of the government code and provides guidelines for the investment of all Helix Water District funds except funds related to debt issues, the investment of which is controlled by specific provisions of the issuance documents and state and federal law, and deferred compensation program funds, the investment of which is directed by individual employees participating in the deferred compensation program within limitations of Section 457 of the Internal Revenue Service code.

6.3-2 OBJECTIVE

The cash management system of the district is designed to monitor and forecast expenditures and revenues, thus allowing the investment of funds to the fullest extent possible. The primary objectives for investment are safety and liquidity. Only after these two objectives are met can the third objective of higher yields be sought.

6.3-3 POLICY

Investments shall comply with the requirements of California Government Code Sections 53600 and 53684. No investment shall be made unless authorized by California Government Code Sections 16429.1, 53601 or 53635.

The district shall utilize conservative investment vehicles consistent with its safety and liquidity needs. Those investments authorized shall be:

A. Local Agency Investment Fund offered by the treasurer of the state of California. Total funds deposited shall be restricted to LAIF’s limit, currently $65 million.

B. Government securities with the full faith and credit of the federal government. Those instruments are:

1. U.S. Treasury (bills, notes and bonds);

2. Government National Mortgage Association;

3. Small Business Administration and

4. General Services Administration.

C. Federal instrumentalities which do not carry the federal guarantee but which are guaranteed or supported by the U.S. Treasury:
1. Federal National Mortgage Association;

2. Federal Home Loan Bank and


D. Bank certificates of deposit which are insured pursuant to federal law or collateralized. Collateral shall consist of mortgages or trust deeds which exceed the deposit by at least 50 percent or eligible securities which exceed the total deposit by 10 percent.

E. Money market funds which comply with the California government code, are regulated by the Securities and Exchange Commission, and whose portfolios consist only of domestic securities.

F. The treasurer shall not invest Helix Water District funds in other investments authorized by law without the prior consent of the board of directors.

G. Except for limitations as specified for the Local Agency Investment Fund, no more than 30 percent of the funds of the district shall be invested in the investments permitted in item D of this section and 20 percent in item E of this section at the time of purchase.

H. The treasurer shall review the investment policies of the district at least annually so long as any district funds are invested in these respective pools.

I. Securities in items B and C must be discount securities or securities bearing interest at a fixed rate; no floating-rate securities may be purchased for investment of district funds.

### 6.3-4 PROCEDURES

This policy also sets forth certain requirements affecting the investment of district funds as follows:

A. Any government securities dealers utilized by the district will be provided at least annually with a copy of the district’s investment policy. Each dealer will sign a statement that they have received a copy of the district’s investment policy and that they understand and agree to abide by it.

B. The borrowing of funds for investment purposes, known as leveraging, is prohibited.
C. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

D. To the extent practical, internal controls and separation of responsibility in the investment process shall occur. The person responsible for the investment transaction shall be separate from the person handling the accounting and reporting. The external auditor shall periodically review the internal control system as it applies to the investment program.

E. The treasurer shall not purchase securities with a maturity greater than 60 months without prior approval of the board of directors.

F. Investments of Helix Water District with maturities greater than one year shall be marked to market at least two times per calendar year.

G. The treasurer shall provide a report of investments and cash balances to the board of directors on a monthly basis.
6.4-1 POLICY

Unless otherwise indicated, a decision by the general manager on any matter contained within Helix Water District's policies and procedures manual shall be final.
7.1-1  POLICY

Helix Water District has established a comprehensive emergency operations plan to guide response efforts during emergencies.

The general manager or department director are authorized to activate the plan when they determine additional staff or resources are needed to manage an emergency.
SECTION 7.2 CLAIMS AND LAWSUITS

7.2-1 PROCEDURES

The following procedures apply to all claims and lawsuits filed or brought against the Helix Water District.

A. Claims Required

All claims against the district for money or damages not otherwise governed by the Government Claims Act, California Government Code Sections 900 et seq., or another state law shall be presented within the time, and in the manner, prescribed by Part 3 of Division 3.6 of Title 1 of the California Government Code (commencing with Section 900 thereof) for the claims to which that part applies by its own terms, as those provisions now exist or shall hereafter be amended and as further provided herein.

B. Form of Claim

All claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor or administrator. No claims may be filed on behalf of a class of persons unless verified by every member of that class as required by this section. In addition, all claims shall contain the information required by California Government Code Section 910.

C. Claim Prerequisite to Suit

In accordance with California Government Code Sections 935(b) and 945.6, all claims shall be presented as provided in this section and acted upon by the district prior to the filing of any action on such claims and no such action may be maintained by a person who has not complied with the requirements prescribed herein.

D. Suit

Any action brought against the district upon any claim or demand shall conform to the requirements of Sections 940-949 of the California Government Code. Any action brought against any employee of the district shall conform with the requirements of Section 950-951 of the California Government Code.

7.2-2 LIABILITY CLAIMS

A. The general manager or his/her designee has been delegated the authority to reject, accept or settle liability claims valued up to $50,000 pursuant to
Resolution 17-47 adopted by the board and in accordance with California Government Code Section 935.4.

B. Claims management activities are coordinated with Helix Water District’s liability insurance carrier and general counsel as appropriate to execute timely decisions and/or settlement actions.

C. The district has adopted a comprehensive claims procedure, which is included in the administrative manual. This procedure outlines the requirements of the California Government Claims Act, commencing with Section 900, of the California Government Code.
8.1-1 POLICY

A. As the supplier of a vital utility service in several communities, Helix Water District has obligations and responsibilities above and beyond those of most other business organizations. How well the district measures up to the expectations of the community depends on the job performance of each employee, whatever his/her assignment may be.

B. The public’s opinion of the district is based largely on its impressions of individual employees. In many instances, a lasting impression may result from a single contact with just one employee. Thus, every employee, not only those whose regular duties bring them in contact with customers, has the opportunity and shares with fellow employees the responsibility to conduct himself/herself in a positive and professional manner.

C. This section contains a statement of district objectives as well as the benefits available to employees. Also, it sets forth the rules and regulations which are considered essential to the orderly conduct of the district’s business, as well as our values and commitments that create our organizational culture. The observance of these rules will enable us to work harmoniously and with a true cooperative spirit in maintaining a high standard of efficient service to the district’s customers.

8.1-2 HISTORY

The beginning of Helix Water District took place in 1885 when the San Diego Flume Company was organized by a group of foreign investors. This company built Cuyamaca Dam for conservation of surface water in the Cuyamaca mountains, a diverting dam on the San Diego River, and a 36-mile wooden flume to carry water from the dam to the growing communities near the coast. Later, the flume company was sold to the Cuyamaca Water Company, part of the holdings of Colonel Ed Fletcher. In 1913, the La Mesa, Lemon Grove and Spring Valley Irrigation District was organized. It encompassed 14,794 acres of land of which 12,000 were devoted to agriculture. However, the district did not become an operating water agency until it concluded its purchase of the Cuyamaca Water Company in 1926.

The effects of the Great Depression of the 1930s on the district were nearly devastating, but strong leadership enabled the organization to remain solvent and continue its operations. By the early 1940s, the rapid population growth in San Diego County, coupled with a series of dry years, brought water leaders to the realization that imported water would be necessary for the survival of the area. Steps had been taken earlier by the city of San Diego to acquire water rights to the Colorado River. In 1944, the San Diego County Water Authority was organized with the La Mesa, Lemon Grove and Spring Valley Irrigation District among its original
members. Because of the emergency status of the water shortage and because of the importance of the area to the war effort, the San Diego County Water Authority was annexed to Metropolitan Water District of Southern California. The Navy constructed the first pipeline of the San Diego Aqueduct system to take water from the Colorado River Aqueduct, which had been completed by MWDSC in 1941. The first water from this system arrived in the La Mesa, Lemon Grove and Spring Valley Irrigation District in 1947, just days before rationing would have been required.

During the 1950s, the second pipeline was added to the first San Diego Aqueduct, followed during the 1960s with a third pipeline. The fourth pipeline, which equals the combined capacity of the first three pipelines, was completed in 1973. Pipeline five was completed in 1994-96. Pipeline six is on the drawing boards pending negotiations with MWDSC over future water supplies.

Although the supplies of imported water appeared to be adequate, the phenomenal population growth during the 1950s and 1960s resulted in mounting problems of distribution and storage. Under an agreement, which transferred title of Lake Murray to the city of San Diego in 1961, Helix Water District firmed up its water storage rights in the city’s El Capitan Reservoir to include 10,000 acre-feet from any source. In 1962, the district completed construction of Chet Harritt Dam, which forms Lake Jennings, a 9,800 acre-foot capacity reservoir.

During the rapid growth period of the 1950s, the area included within the district was enlarged enormously. Largest of the annexations was a large portion of the El Cajon Valley not previously entitled to imported water. Partly due to expansion, but primarily in the interest of brevity, the district’s name was changed in 1956 to Helix Irrigation District to identify it with the area’s most prominent landmark, Mount Helix.

In 1973, the name of the district was changed to Helix Water District since only a small portion of the water supplied by the district was then used for agriculture. However, the district still operates under the California Irrigation District Act.

The district occupied its first administration building on Spring Street in La Mesa, from 1926 to 1957. A second building in the La Mesa Civic Center served the district from 1957 to 1998. In 1997, a building at 7811 University Avenue, just three blocks west, was purchased and remodeled and the district has occupied it since January 1998.

The district’s first operations center in 1926 was located adjacent to the old Eucalyptus Reservoir on Nebo Street in La Mesa. A new site at Marshall Avenue and Wagner Drive was acquired in 1952 and the first building was built there in 1953. Finally, in 1957 all field operations were consolidated into this site. Then in August 1997, the Nat L. Eggert Operations Center on Vernon Way in the industrial area of the city of El Cajon was completed and occupied.
Helix Water District’s R.M. Levy Water Treatment Plant was constructed in 1965 to improve water quality. It is located in Lakeside at Lake Jennings and was named in honor of Rube Levy who served the people of the district for over 30 years as a member and president of the board of directors. In 1998, the district began an upgrade and expansion project to enlarge the plant capacity to 106 million gallons of water per day. Ozonation was also added as a disinfection process at the time of the upgrade. Ozone use was a first for San Diego County and has been used throughout the world for many years and has a proven track record of doing a superior job in treating water. The addition of ozonation was a major commitment by the district’s board of directors to provide its customers with the highest quality drinking water. The R.M. Levy Water Treatment Plant upgrade, expansion and ozonation facilities were dedicated in March 2002.

The district now serves an area of approximately 50 square miles and a population of more than 273,000. It serves more than 56,000 meters and provides 28,000 acre-feet of water, annually.

As the second largest member agency of the San Diego County Water Authority, the district has two representatives on their 36-member board of directors. In turn, the SDCWA has four representatives on the Metropolitan Water District of Southern California’s 37-member board of directors.

8.1-3 VISION, MISSION, VALUES AND COMMITMENTS

The board of directors has adopted the following:

A. Vision Statement

Setting standards of excellence in public service.

B. Mission Statement

Helix Water District is a progressive industry leader, providing high quality water through an efficient and reliable system. Our innovative and dedicated employees and board members maximize human and technological resources while providing superior service to our customers and supporting the environment for a sustainable future.

C. Values

1. Honesty, Trust and Integrity

Honesty, trust and integrity are the cornerstones of everything we do. We believe that organizational integrity is the result of our individual integrity.
2. **Commitment to our Employees**
   We value each employee’s unique contribution to the success of Helix Water District. We support our employees through training, development and recognition of their strengths and individual talents.

3. **Customer Service**
   We value excellent customer service and those who provide it by listening, anticipating, adapting and responding to our internal and external customer needs.

4. **Teamwork**
   We recognize the power of teamwork. We are committed to helping each other in the spirit of cooperation to be the best.

5. **Responsibility and Accountability**
   We are responsible for accomplishing the vision and mission of the district and are accountable to ourselves and each other.

6. **Open Communication**
   We value two-way communication that is timely, open and honest. We support an environment where people express ideas, listen with respect and provide and receive constructive feedback.

7. **Continuous Improvement**
   We are committed to continuous improvement. Creativity, innovation and growth assure a dynamic future. We challenge ourselves to improve personally, professionally and organizationally.

8. **Leadership**
   We value leadership demonstrated by employees who, by example, set standards, inspire coworkers, and serve as role models in supporting the vision and mission of the district.

9. **Cost-Effective Quality**
   We achieve excellence through programs that emphasize cost-effective quality.

**D. Commitments**

To accomplish our vision and mission, we make the following commitments:

1. Commitments to our customers and community:
   a. To provide service at the best value.
b. To develop employees committed to providing service in a courteous, efficient and professional manner.

c. To operate on a sound financial basis.

d. To consider the environmental impact of any Helix Water District action.

e. To abide by all applicable laws and regulations.

f. To provide timely information to the community on water issues.

g. To listen and respond to the public.

h. To invest in water research and development.

2. Commitments to our employees:

a. To foster an atmosphere of team spirit and open communication.

b. To provide a positive environment that encourages personal and professional growth.

c. To promote qualified personnel from within the organization, whenever possible.

d. To value the safety of all employees.

e. To provide compensation that is equitable and competitive.

f. To encourage pride in our standards of excellence regarding quality and service.

8.1-4 PERSONAL CONDUCT - RULES AND GUIDELINES

A. The success of any organization depends on the employees - how they conduct themselves, how well they know and do their jobs, and how they work with others. Employees should always endeavor to find new, better and more efficient ways to improve productivity in a cost-effective manner.

B. It is essential that employees be punctual with respect to working hours and appointments they make with others.
C. Desks, files, trucks and lockers of Helix Water District shall not be used for any purpose other than to accommodate district materials. The district reserves the right to inspect these facilities at any time. The district assumes no responsibility for the loss of personal property of an employee.

D. Computers, copy machines, fax machines, telephones and any other electronic communication devices are property of the district and tools for business communication. The district reserves the right to access electronic mail, voice mail and computer files at any time. Please refer to the computer use policy in the administrative manual for specific guidelines.

E. The purpose of the district’s computer resources and tools are to conduct business communication and assist employees in the performance of their jobs. The district’s computer, internet and email systems shall not be used for commercial ventures, religious or political causes, outside organizations or other non-business related matters. The computer, internet and email systems are not to be used in a way that may be disruptive, offensive to others or harmful to morale. For example, sexually explicit images, ethnic slurs, racial epithets, or anything else that may be construed as harassment or disparagement of others based on any classifications protected by law, may not be transmitted. See Section 8.1-5(H) for classifications protected by law.

F. Employees shall not use, carry, transport or distribute illegal drugs or alcoholic beverages during working hours or report for work while under the influence of illegal drugs or alcohol. Employees shall not operate a district vehicle or equipment while under the influence of illegal drugs or alcohol. Employees should inform their supervisors of any medications they are taking which may impact their ability to drive or operate equipment. See the alcohol and drug-free workplace policies in the administrative manual.

G. Employees shall not engage in gambling or unauthorized solicitations or schemes while on district premises or while at work. District time should not be used for personal activities such as games of chance, gambling pools and lotteries. The general manager can waive this policy for approved activities.

H. Employees shall not engage directly or indirectly in any other business or gainful employment on a regular basis, which would interfere with their ability to perform efficiently, safely and without conflicts of interest in carrying out the requirements of employment with the district.

I. Employees are prohibited from working for another employer while on any type of medical leave of absence if the duties they perform are inconsistent with the work restrictions provided to the district.
J. Employees are encouraged to take part in community and professional activities insofar as possible without interference with normal duties. In case such outside activity may require attendance at meetings during regular working hours, the employee should obtain approval from his or her supervisor or department director before engaging in the activity.

K. Employees should minimize personal telephone calls, emails, use of personal devices and visitors during working hours and minimize having their personal mail addressed in care of Helix Water District.

L. An employee must keep the district informed of his/her current address, telephone number(s), and address and telephone number of the person to be notified in case of an emergency.

M. At all times, users have the responsibility to use computer resources in a professional, ethical and lawful manner. Personal use of the computer system is a privilege that may be revoked at any time. Specific guidelines for use of district computers are in the administrative manual.

N. Since the public’s opinion of the district is largely formed from impressions created by its employees, it is important that both in personal contacts and in all daily activities, each employee conduct himself/herself in a courteous, professional and exemplary manner.

O. Employees should be courteous to the public and to other employees on all occasions. Employees shall not use profanity or inappropriate language.

P. Employees who call on the public and who enter upon private premises are furnished identification cards and in some instances are also furnished identifying shirts. Identification cards should be shown for the mutual protection of the public, district and the employees. An employee’s dress and grooming should be appropriate to his/her work situation in order to present a professional image and provide a safe and positive working environment.

Q. All tools, keys, identification cards, facility access devices, clothing and other property of the district must be returned to the proper department when employment terminates.

R. Employees shall not enter into disputes with the public. Allowances must be made for the public’s unfamiliarity with the district’s practices.

S. If a serious objection is made by a member of the public to any work which is being undertaken, the employee should always refer the matter to his/her
supervisor. The supervisor will then consult with his/her department director for resolution.

T. Employees shall not accept gratuities or tips offered for services to a customer or prospective customer. See gift policy in administrative manual for specific guidelines.

U. Employees are required to cooperate in any internal or external Helix Water District investigation.

V. Employees are required to be honest and truthful in carrying out their day-to-day activities, and when providing information to their supervisors and other employees. Intentionally omitting information that is critical to the effective operation of the district is not acceptable.

W. There are many aspects of the district’s business operations and activities that involve confidential information. Employees shall not disclose confidential information to any unauthorized person(s). In accordance with the California Public Records Act, regarding public requests for public records, employees shall use appropriate judgment in the disclosure or use of confidential information. Employees must take all necessary steps to protect confidential information and shall not provide confidential information including customer account information, personal information, confidential correspondence, notes, files, drawings, plans, programs or facilities and computer security information to any unauthorized person. See identity theft program policy in administrative manual for specific guidelines.

The foregoing rules of conduct have been proven through practice to be the most satisfactory basis for good employee relationships and working conditions for all concerned. Employees’ full cooperation and compliance is important. An employee’s effort to observe these rules is one of the considerations for a promotion or pay increase. Violation of these rules may be deemed sufficient cause for dismissal.

8.1-5 EMPLOYMENT POLICIES

A. Requirements

1. Prior to an offer of employment, and in accordance with the district’s policies regarding the use of drugs and alcohol at the workplace, a drug-screening test with negative results is required.

2. Prior to commencement of employment or shortly thereafter, several steps are required.
a. A background investigation will be conducted to include a verification of employment history, driving record review and record of criminal convictions. Criminal convictions initially identified may be disregarded if it is determined that there is evidence of factual inaccuracy. An individualized inquiry will be conducted to determine if there is a direct and adverse relationship between the crime and the duties of the job. Helix Water District will consider (i) the nature and gravity of the offense or conduct, (ii) the amount of time since the offense or conduct and/or completion of the sentence, and (iii) the nature of the job held or sought in determining whether the conviction will bar the applicant from being hired; and will consider any mitigating circumstances offered by the applicant. Applicants will be notified prior to being excluded from hiring based on a criminal conviction and provided five days to respond, and an additional five days if there is a dispute as to the accuracy to provide information. Failure to disclose conviction information can be grounds for a decision not to hire or for immediate termination. Driving records of job candidates will be reviewed. Driving record standards can be found in the district’s driver record review policy in the administrative manual.

b. Upon hire, the selected applicant will be required to sign a loyalty oath and provide documentation supporting employment eligibility in the United States.

3. The district strives to hire the best-qualified employees for all jobs, subject to the applicable restrictions on the hiring of relatives of employees and/or board members. See the nepotism policy in the administrative manual for specific guidelines.

B. Employment Status

1. Probationary Employment Status

Employment with the district is on a probationary, at-will basis for the first 12 months of service. Probationary status employees accrue fringe benefits. Probationary status employees are classified in a position whose job classification is established by board resolution. Probationary periods may be extended upon approval by the general manager. During the probationary period of employment, an employee serves at the will of the district and may be terminated at any time, with or without notice or right of appeal, with or without cause, and no reason need be given by district for such termination.
2. Regular Employment Status

A regular status employee has successfully completed his/her probationary status and is accruing fringe benefits. Regular status employees are classified in a position whose job classification is established by board resolution. A regular status employee shall be subject to disciplinary action under the procedures set forth in Section 8.1-13.

3. Temporary Employment Status

Any employee expected to work for one year or less shall be considered temporary, at-will employment status. Temporary employees shall be compensated at an hourly rate. Temporary employment status can be extended beyond one year only if approved in writing by the general manager. Temporary employees serve at the will of Helix Water District and may be terminated with or without cause and without notice or right of appeal.

Temporary, at-will employees will not be eligible for any fringe benefits that accrue to regular and probationary status employees, including paid time off, holidays or deferred compensation unless specifically approved in writing by the general manager. Temporary employees working for more than 10 months may be eligible for membership in the California Public Employees’ Retirement System if their annual hours worked equal or exceed 1,000 hours during the fiscal year.

4. Intern Employment Status

A student working for the district less than 950 hours per fiscal year is considered an intern, at-will employment status. Intern employees shall be compensated at an hourly rate. An employee in an intern employment status typically does not accrue any fringe benefits.

5. Part-Time Employment Status

Part-time status employees work an average of less than 20 hours per week. A part-time employee may be eligible for membership in the California Public Employees’ Retirement System, if the employee works at least 1,000 hours in a fiscal year. In order to minimize the risk of exceeding the CalPERS 1,000 hour threshold, the district sets 950 hours as the maximum number of hours a part-time employee may work each fiscal year. Part-time status employees shall not receive any fringe benefits other than the CalPERS membership mentioned above without
specific arrangements for their provision. Part-time employment status is considered at-will and may be terminated at any time, with or without notice, with or without cause, and no reason needs to be given by Helix Water District for such termination. Part-time employees may be eligible for paid sick leave in accordance with the Healthy Workplaces, Healthy Families Act, as described in Section 8.1-8(K).

CalPERS retired annuitants employed by the district must comply with the guidelines set forth by CalPERS to prevent reinstatement from retirement. Retired annuitants may only be employed as “extra-help” or during a recruitment for a position. CalPERS limits the number of hours retired annuitants may work for a CalPERS member agency to 960 hours per fiscal year. To minimize the risk of exceeding the CalPERS 960 hour maximum, the district sets 935 hours as the maximum number of hours a retired annuitant may work for all CalPERS employers each fiscal year. In accordance with the Healthy Workplaces, Healthy Families Act, CalPERS retired annuitants are not eligible to receive paid sick leave or any other district benefits, unless otherwise required by law.

C. Hours of Work

1. General

Working hours and rules shall be established to provide employees with consistent standards with which to comply. The district’s working hours shall be based upon the needs of the district. An employee who for any reason is not able to report for work at the scheduled time must contact the supervisor as soon as possible with an explanation of the absence and anticipated duration. He/she shall also advise the supervisor of any changed condition in the duration of absence.

Breaks are a rest during a work period and cannot be accumulated and cannot be used at the beginning or end of the workday, added to the lunch period or used in conjunction with other time off.

For those employees on a 9/80 alternative work schedule, the employees’ workweek shall start four hours into the alternating eight-hour day. The eight-hour day and flex day must be on the same day of the week. An employee who has a 9/80 alternative work schedule is not considered to have worked overtime unless he/she works greater than 40 hours within his/her defined workweek or greater than his/her normal shift. If a paid district holiday occurs on a non-exempt employee’s flex day, he/she will be required to take eight hours off.
within the week in which the holiday falls and he/she may be required to use paid time off to supplement holiday hours for the balance of the normal work schedule hours.

Alternative or flexible work schedules must be approved by the department director provided that Helix Water District and departmental needs are accommodated. Regularly moving on and off an alternative workweek schedule (i.e. 9/80) is prohibited. An approved alternative work schedule may be modified or discontinued at any time for any reason by the district.

Occasionally, at the employee’s request and with the supervisor’s approval, an employee may flex their schedule by working a longer or shorter shift one day in exchange for an equivalent number of hours worked or taken off in the same workweek.

2. Administration Office

The administration office hours are normally Monday through Friday, 8 a.m. to 5 p.m., with a one-hour lunch period and two 15-minute breaks. Lunch and break periods may be staggered to provide efficient continuous service to the public. Employees, with their supervisor’s authorization, may alter their start/end times and/or lunch break. Authorization will only be granted when the temporary change is acceptable to the district and the additional time is used in the same workweek. Unless on an alternative work schedule, the defined 40-hour workweek is from Saturday, 12:01 a.m. to Friday, at midnight.

3. Operations Center

The operations center hours are normally Monday through Friday, 7 a.m. to 3:30 p.m., with a 30-minute lunch period and two 15-minute breaks. If a crew is in transit near the designated times, it is permissible to stop for refreshments, however, groups of employees meeting off-site at restaurants should be avoided. Employees may be assigned to a shift other than the hours above at the convenience of the district and its operations. Unless on an alternative work schedule, the defined 40-hour workweek is from Friday, 3:31 p.m. to Friday, 3:30 p.m.

4. Treatment Plant

The treatment plant shall be staffed by plant operators, 24-hours per day. The treatment plant hours are normally Monday through Friday, 7 a.m. to 3:30 p.m. with a 30-minute lunch period and two 15-minute
breaks. Unless on an alternative work schedule, the defined 40-hour workweek is from Saturday, 12:01 a.m. to Friday, at midnight.

D. Employee Expenses

In determining the allowability of employees’ expenses incurred on Helix Water District business the principle applied is that employees shall neither lose nor profit. Reasonable expenses incurred on district business shall be reimbursed but must have the prior approval of the department director. Expense reimbursement requests shall be properly receipted and submitted within 45 days of the expense.

E. Service Awards

The district provides a service award in recognition of an employee’s service for each five-year interval. The employee may select a gift certificate or a donation to a charity of choice. Cash payment in lieu of a gift is not allowed. Gift certificates and gift cards are treated as taxable income.

F. Past Service

An employee with broken service due to two different regular status employment periods with the district receives credit for past service in calculating service awards and the district retirement eligibility date, but not in the accrual of paid time off or injury leave. Retirement benefits will be based on the rehire date. Past service does not accrue for an employment period that was temporary or part-time without benefits, or as a student intern. The general manager has the discretion to place an employee with past service at a PTO accrual level higher than entry level.

Anyone whose service is broken due to layoff [see Section 8.1-5(G)(2)] would not be subject to the above paragraph.

Anyone whose service is broken due to induction into military service and returns to work directly following an honorable discharge (or release from active duty in good standing) will receive past service credit for all benefits as though the employment had not been interrupted.

G. Resignation, Layoff or Reduction of Force

1. Resignation

Any notice of resignation shall be put in writing. If an employee submits a resignation of employment, the general manager or his/her
designee, has authority to terminate employment immediately if it is determined to be in Helix Water District’s best interest.

2. Layoff or Reduction of Force

Notwithstanding any other provisions of these rules, nothing provided herein shall prohibit the district from discharging, suspending or transferring an employee upon a determination by the district that the needs of the district do not require continuance of the employee’s position. Thirty working days before the effective day of any layoff, the general manager shall notify the employee and the recognized employee association of the intended action and reasons therefore and a statement certifying whether or not the services of the employee have been satisfactory. If certified as having given satisfactory service, the name of the employee laid off shall be placed on a reemployment list which shall be maintained for two years and he/she, if fully qualified, shall be given priority recognition for return to employment should a suitable opening become available during that period. If an employee is laid off after five years satisfactory employment and he or she is reemployed within two years of termination in the classification the employee formerly was assigned, he/she shall be reemployed as a regular employee rather than as a probationary employee. Any such employee rehired shall be eligible to use previous service in retaining leave accrual and service award levels.

H. Unlawful Discrimination and Harassment

All employees and volunteers (including unpaid interns) have a right to work in an environment free from harassment and discrimination based on race, color, national origin, ancestry, sex (including pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy), gender, gender identity, gender expression, religion, age (40 or over), marital status, sexual orientation, physical or mental disability, medical condition, genetic information, military and veteran status, possession of a driver’s license under Section 12801.9 of the California Vehicle Code or any other classifications protected by law.

1. Definition

Harassment, discrimination and retaliation are forms of misconduct which undermine the integrity of the employment relationship. No employee should be subjected to verbal, physical or visual harassment or discrimination regarding any classifications described in Section 8.1-5(H). Verbal harassment includes such matters as derogatory comments or slurs. Physical harassment includes such activities as
assault, impeding or blocking movement or any physical interference with normal work or movement. Visual forms of harassment are such things as derogatory gestures, posters, emails, cartoons or drawings. Unsolicited or unwelcome overtures or misconduct are also a form of harassment.

Sexual harassment does not refer to an occasional compliment of a socially acceptable nature. It refers to behavior which is not welcome, which may be personally offensive, which weakens morale, and therefore, interferes with the individual’s effectiveness and work environment. Such behavior includes: repeated offensive or unwelcome sexual flirtations, advances or propositions; continued or repeated verbal abuse of a sexual nature; graphic or degrading verbal comments upon an individual, or his or her appearance; the display of sexually suggestive objects or pictures or any offensive or abusive contact. All employees can help prevent the problems caused by sexual harassment by being businesslike in their contact and actions. In addition, no one should imply or threaten that an applicant’s or employee’s cooperation of a sexual nature (or refusal thereof) will have any effect on the individual’s employment, assignment, compensation, advancement or any other condition of employment.

2. Procedure

Any improper conduct in connection with discrimination or harassment, whether committed by supervisors, nonsupervisory personnel or nonemployees, is specifically prohibited.

Helix Water District prohibits and will not tolerate any retaliation against an employee for filing a complaint or participating in an investigation of a complaint.

An employee who feels he/she has experienced discrimination or harassment or retaliation in the workplace, should immediately inform a supervisor or human resources, orally or in writing. Supervisors are required to report any complaints under the policy to human resources immediately so that appropriate action can be taken in a timely manner. The employee has a right to file a complaint with human resources, the California Department of Fair Employment and Housing, or the Federal Equal Employment Opportunity Commission. See posted notification on district bulletin boards for information on rights and the DFEH complaint process.
Human resources will assist department supervisors in conducting a fair, impartial and complete investigation in a timely manner that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected. This may include interviewing the alleged victim, the alleged harasser and any witnesses. Documentation and tracking of the investigation will be used to ensure reasonable progress, and that a timely response to the complaining employee will be provided. Complaints will be kept as confidential as possible. Disciplinary action, up to and including termination, or other appropriate remedial action will be taken if such conduct is found to have occurred. The department director or human resources will follow-up with the individual making the complaint as deemed appropriate.

Helix Water District will not retaliate nor tolerate retaliation by others against any employee who brings forward a good-faith complaint or participates in an investigation.

To heighten awareness of harassment issues, the district reviews this policy annually with employees and provides periodic district-wide training to all employees. In addition, supervisors are required to receive training in compliance of AB 1825 every two years.

I. Whistleblower Protection

The district will not retaliate against any employee who reports to the district, or any other government or law enforcement agency, a potential violation of the federal or state laws, rules and regulations based on a reasonable belief that such violation has occurred. In addition, the district will not retaliate against an employee for refusing to participate in an activity that would result in a violation of federal or state laws, rules and regulations. The district will not take any adverse actions against an employee for exercising these rights relating to another employee. The district will also not knowingly permit this form of retaliation by management employees or co-workers.

Employees who believe they have been subject to any form of retaliation based on exercising their rights as a whistleblower should promptly report the conduct to their supervisor, human resources or the general manager who will take action consistent with the district’s harassment policy.

Employees may be subject to discipline, up to and including termination, for making accusations of improper conduct or retaliation, which they do not reasonably believe to be true.
8.1-6 COMPENSATION

A. Paydays

All employees will be paid biweekly on Thursday, except when these dates fall on a holiday, at which time payment is on the preceding business day. The biweekly payroll covers work performed through the two weeks ending at the conclusion of the regular workday on the previous Friday. Overtime earned after the end of the work shift at the end of the pay period will be paid in the following period.

B. Payroll Deduction

Payroll deductions may be authorized by an employee for several purposes including, but not limited to, an employee’s credit union, financial institution, deferred compensation program, dependent medical insurance, dependent dental insurance, long term disability insurance, computer loan program, supplemental insurance, California Public Employees’ Retirement System contribution, Employees’ Association membership dues, Middle Management Employees’ Association membership dues or contribution club. All employees are strongly encouraged to participate in Helix Water District’s direct deposit program. It is the intent of the district to minimize the issuing of paper checks.

C. Classification

1. Annually, and beginning about July 1, the board of directors establishes the rates of pay for all probationary and regular employees. In establishing salary ranges for classifications, consideration is given to the prevailing rates for similar positions in the metropolitan area of the county of San Diego, adjusted as necessary to recognize the differences, if any, in work responsibility at the district.

2. Probationary and regular employees are paid according to a standard rate classification at one of the 11 steps established for each classification range. If the classification pay ranges changed, either increased or decreased, employees will retain the same step on the new scale that was held prior to the change. Such pay range changes, if any, are usually made July 1 of each year.

There are 11 steps in the pay range for job classifications: A, B, C, D, E, F, G, H, I, J and K. If an employee starts at step A, and work performance is fully satisfactory, he/she may be recommended for annual merit increases at each appraisal date. Annual merit increases are generally 5 percent. The annual merit increase will be
recommended by the supervisor based on performance and approved by the general manager. The appraisal date is the latter of the employment date or last reclassification with a 5 percent or greater salary increase.

D. Reclassification

1. An employee may be reclassified upon evidence that he/she meets the requirements of the position and provided a vacancy exists in the classification, or he/she no longer meets the requirements of his/her current position. Any reclassification resulting in a 5 percent or greater salary increase would change an employee’s appraisal date for merit increases to the date of the reclassification. This includes reclassifications within flexibly staffed classifications.

2. All regular employees, probationary employees with at least six months service, and part-time employees with benefits on the final date to apply for an open position, shall be considered eligible to apply, unless they are on disciplinary review. A former employee who has been rehired shall be considered an eligible applicant, provided he/she completed his/her probationary period satisfactorily in previous tenure with Helix Water District and has been reemployed at least three months.

3. For manager and department director positions, the general manager will determine whether the position will be filled by appointment, internal or external recruitment. For other positions the department director will recommend an internal or external recruitment to the general manager for approval. If external applicants are being considered, any employee may apply along with external candidates.

4. An existing employee selected for the vacant position shall be placed on a 90-day trial basis. This trial basis period may be extended at the general manager’s discretion. During this time the employee’s supervisor shall make regular progress reports through his/her supervisors, to the general manager. If the employee’s work is unsatisfactory, and if it is feasible, the employee will be returned to his/her previous position and pay grade. If not feasible, the employee shall be placed in a position acceptable to the district and at a salary that is within the current pay range for the classification to which assigned.
5. The department director may make a temporary out-of-class assignment per the guidelines set forth in the selection procedures for non-competitive openings administrative manual policy.

6. Paragraphs 8.1-6(D)(2) to (4) do not apply to reclassifications within flexibly staffed classifications (i.e., meter reader I to meter reader II, etc.).

7. If a job classification on the salary resolution is reclassified to a higher salary range (e.g. 8 to 10), the employee will be reclassified to that higher range but will retain his/her current salary on the effective date of the change. If an employee’s salary is below the A step of the new range, the employee will be placed at the A step of the new range. To advance an employee’s step on the new salary range, a personnel action form must be completed and approved by the general manager, otherwise any salary increase may occur during the employee’s next merit increase.

8. If a job classification on the salary resolution is reclassified to a lower salary range (e.g. 10 to 8), the employee will be reclassified to that lower range and will be placed at the step that corresponds to his/her current salary, on the effective date of the change. If an employee’s salary on the effective date of the range change is above the K step of the new range, the employee will be placed at the K step of the new range. Exceptions may only be made by the general manager. If an employee is not at the K step when reclassified to the new range, a personnel action form must be completed and approved by the general manager to advance an employee’s step on the new salary range, otherwise any salary increase may occur during the employee’s next merit increase.

E. Overtime, Double Time, Premium Pay, Comp Time Accrual, Callback and Standby Duty for Nonexempt Full-Time Employees

1. Unscheduled

   a. Extension of a Regular Work Shift

      If, in order to complete a particular job or in an emergency, it is necessary to continue to work beyond the end of the regular work shift, overtime will be calculated at an overtime rate for all time after the regular work shift for full-time employees.
Where overtime of more than one hour beyond the end of the regular work shift is contemplated, oral notice of such overtime will be provided at least one hour prior to the end of the shift, whenever possible, so as to notify families, change personal schedules, etc.

b. Callback (Unplanned Work)

Time after an employee leaves the regular place of work and is called back to work shall consist of a minimum of two hours at an overtime rate, commencing when an employee arrives at the regular place of work. This does not apply to duty response and duty system operator positions.

In the event an employee is called back to work and is required to work more than three hours, he/she will be required as a safety precaution, to be off recuperating for eight hours before returning to work. This eight-hour period of time may be referred to as recuperation time. The employee is responsible for notifying his/her supervisor of his/her quitting time. If the required time off extends into the employee’s regular work shift, the employee will not be required to use paid time off or comp time to offset the required time off. Instead, the employee will be paid regular time for any hours that are required to meet the eight-hour recuperation period.

If an employee is called back, and works three hours or less, he/she will be required to report to work at his/her normal starting time, unless time off is approved by his/her supervisor.

c. Overtime and Double Time Pay Rates

Employees will be compensated for overtime at time and one-half except for the following conditions:

Work within eight hours prior to the employee’s normal start time will be compensated at double time, except for employees whose regular or relief work schedule requires working during these hours or when the modified workday begins two hours or less prior to the usual starting time.

Work on Thanksgiving day, Christmas day (December 25) and New Year’s day (January 1) will be compensated at double time. Refer to Section 8.1-8(B) for additional information.
d. Employee’s Ability to Continue Working

A supervisor may determine at any time that an employee has had insufficient rest to continue working. No employee will work more than 16 consecutive hours except in the case of an extreme emergency and with the approval of the department manager or director. A recuperation period which consists of a minimum of eight consecutive hours off duty is required for any employee who has worked 16 consecutive hours or more, before an employee returns to work on either a regular shift or on callback. An employee who will be leaving work after 16 hours should notify the job supervisor at least one hour in advance, so as to allow the supervisor to obtain a replacement employee.

2. Scheduled (less than 48-hour prior notice)
   a. Two Hour Notice

Two hours prior to the employee’s normal start time, Helix Water District may need to modify an employee’s work schedule to meet the needs of contractors or our customers. Such notice to an employee may be made at the end of the employee’s previous workday or earlier. Under these conditions, overtime compensation at time and one half will be provided only if the full-time employee works more than his/her regular scheduled hours for that day.

3. Scheduled (48-hour minimum prior notice)
   a. Work Schedule Modification

With a minimum 48-hour prior notice, an employee’s normal work schedule may be modified, without overtime compensation, unless the employee works greater than 40 hours in that workweek or greater than their normal shift.

In the event an employee is scheduled to work more than three hours outside his/her regular work shift, he/she will be required, as a safety precaution, to be off for eight hours (recuperation period) before returning to work. The employee is responsible for notifying his/her supervisor of his/her ending time. If the required time off extends into the employee’s regular work shift, the employee will not be required to use paid
time off or comp time to offset the required time off. Instead, the employee will be paid regular time for any hours that are required to meet the eight-hour recuperation period.

b. Overtime and Double Time Rate Payments

Under the following conditions, employees will be compensated at an overtime rate:

When an employee works greater than their normal shift (i.e. over 8, 9 or 12 hours) or greater than 40 hours in his/her workweek, the hours in excess of 40 will be compensated at time and one-half.

Work on Saturday or Sunday will be compensated at time and one-half, except for employees whose regular or relief work schedule requires working on Saturday or Sunday. An exception to the preceding paragraphs above, is that all work within eight hours prior to the employee’s normal start time, (except when the modified workday begins two hours or less prior to the usual starting time) will be compensated at double time.

Work on Thanksgiving day, Christmas day (December 25) and New Year’s day (January 1), will be compensated at double time. Refer to Section 8.1-8(B) for additional information.

4. Comp Time

Regular and probationary status employees may elect to accrue comp time in lieu of being paid overtime or double time for hours worked.

Employees have the option to use their accrued comp time or paid time off when taking time off, or they may elect to have any portion of their accrued comp time cashed out during a normal scheduled payroll process.

Comp time accrual is limited to a maximum of 40 hours. Any comp time accrued over 40 hours will be cashed out to the employee during the normal payroll processing. The general manager may waive the accrual restriction on a case-by-case basis when necessary for the efficient operation of Helix Water District.
5. **Standby Duty**

The guidelines for after-hours standby responsibilities and compensation are in the administrative manual.

6. **Shift Differential**

Five percent shift differential is paid to employees performing the duties of a plant operator I, II or III. For other job classifications such as mechanical systems technician III or plant operator trainee that may be operating the treatment plant and performing the duties of a plant operator I, II or III, shift differential is not paid when the employee is working a day shift. Shift differential pay is included in the regular rate of pay.

7. **Overtime, Double Time and Premium Pay Computation**

Computation of overtime, double time or premium pay shall be based upon the employee’s regular rate of pay in accordance with the Fair Labor Standards Act.

**F. Overtime and Comp Time for Part-Time and Temporary Employees**

Overtime pay is provided to nonexempt part-time and temporary employees who work greater than 40 hours in the workweek, in accordance with the FLSA, but those employees will not be entitled to extended shift overtime or any other overtime pay provided pursuant to Helix Water District policy. Temporary employees cannot accrue comp time.

**G. Education Reimbursement and Training**

The district will assist full-time and part-time with benefits regular status employees who desire to improve their job skills on their own time through educational study related to a district job classification.

Full-time probationary employees are eligible for education reimbursement only for courses directly related to the job currently held by the employee.

The district will reimburse up to $2,746 in any one fiscal year for tuition, registration, parking, books, exams and laboratory fees for approved courses.

For more details about the district’s guidelines regarding education reimbursement, certification and training, refer to the administrative manual.
H. Interest-Free Computer Loans

Helix Water District will provide an interest-free loan to all eligible regular status employees and board members for the purchase of computers and related equipment and software. This program is intended to increase computer literacy, which is mutually beneficial to employees and the district. Refer to the computer loans administrative manual policy for program details.

I. Deferred Compensation

The district provides probationary and regular status employees the opportunity to participate in a 457 deferred compensation plan. Effective July 1, 2001, the district began matching up to $500 per calendar year for each participating employee. Funds were matched on a dollar-for-dollar basis until the maximum total of $500 was matched by the district. Effective December 27, 2004, any matching dollars were placed in the employee’s 401a plan. The district discontinued the matching program effective July 1, 2011. Effective July 1, 2015, the district resumed matching up to $500 per calendar year for each participating employee and board member. Any matching dollars will be placed in the employee’s 401a plan.

The employee determines the investment selection(s) which best fits his/her needs and risk tolerances. There are risks to investments and the district makes no representations and gives no assurances regarding the history, safety or potential returns of such investments. The district shall not be responsible for any loss suffered or for any expectations that are not met as a result of any such investments, nor shall the district be required to replace any loss or make up any difference in return which may result from such investments.

J. Suggestion and Safety Awards

The district has suggestion and safety award programs to recognize employee suggestions which provide ideas for the administration of the district to do any job, system or procedure better, more quickly, more easily, more safely and/or at less cost; to handle additional work load with the same staff and/or equipment; or to produce a more efficient operation with better control. This recognition may be in the form of a monetary award or other form of recognition as determined by the general manager. This monetary award is treated as taxable income.

Suggestions are reviewed, analyzed and evaluated by a committee, which then makes a recommendation to the general manager. For details, refer to the award policy in the administrative manual and the employee safety recognition program.
8.1-7 INSURANCE

A. Group Medical Insurance

1. On the first of the month following employment with Helix Water District, full-time and part-time employees with benefits, or those meeting the eligibility requirements of the Affordable Care Act, are eligible to participate in a group medical insurance program. The district pays 100 percent of the medical insurance premiums for full-time probationary and regular status employees and may pay up to 100 percent of the premiums for their eligible dependents.

2. Employees contribute $50 per month for their dependent medical premium if their selected plan costs more than $50 per month more than the Kaiser plan in the same category (double or family).

3. Eligible dependents may include spouses (unless legally separated), registered domestic partners, children and stepchildren. Children and stepchildren are eligible until age 26. An exception may apply if the child has a disability and the employee applies for and qualifies for disability continuation coverage prior to the child’s 26th birthday.

4. Unless applied for when first eligible, eligible dependents may only enroll when there is a qualifying event or during open enrollment.

5. Employees shall provide the district with current information about the status of dependents.

6. Information booklets, including summaries of benefits and coverage, are available to all employees on SharePoint and by request from human resources. Employees are encouraged to familiarize themselves with the details of their plan by reading these materials.

B. Group Dental Insurance

1. On the first of the month following two months of employment, full-time employees are eligible to participate in a group dental insurance program. The district pays 100 percent of the dental insurance premiums for full-time probationary and regular status employees and 50 percent for their eligible dependents.

2. Eligible dependents may include spouses (unless legally separated), registered domestic partners, children and stepchildren. Children and stepchildren are eligible until age 19. Child dependents age 19 or older
may remain eligible if the child is the employee’s Internal Revenue Service dependent, to a maximum age of 25. An exception may apply to this age limit if the child has a disability and the employee applies for and qualifies for disability continuation coverage prior to the child’s 25th birthday.

3. Unless applied for when first eligible, eligible dependents may only enroll when there is a qualifying event or during open enrollment.

4. Employees shall provide Helix Water District with current information about the status of dependents.

5. Information booklets are available to all employees on SharePoint and by request from human resources. Employees are encouraged to familiarize themselves with the details of their plan by reading these materials.

C. Group Vision Insurance

1. On the first of the month following two months of employment, full-time employees are eligible to participate in a group vision insurance program. The district pays 100 percent of the vision insurance premiums for probationary and regular status employees and their eligible dependents.

2. Eligible dependents may include spouses (unless legally separated), registered domestic partners, children and stepchildren. Children and stepchildren are eligible until age 19. Child dependents age 19 or older may remain eligible if the child is the employee’s IRS dependent, to a maximum age of 25. An exception may apply to this age limit if the child has a disability and the employee applies for and qualifies for disability continuation coverage prior to the child’s 25th birthday.

3. Unless applied for when first eligible, eligible dependents may only enroll when there is a qualifying event or during open enrollment.

4. Employees shall provide the district with current information about the status of dependents.

5. A detailed information sheet is available to all employees on SharePoint and by request from human resources. Employees are encouraged to familiarize themselves with the details of their plan by reading the materials.
D. Group Employee Assistance Program Insurance

On the first of the month following employment with Helix Water District, all employees are eligible to receive confidential counseling services through the employee assistance program. The district pays 100 percent of the EAP premiums for all employees and their eligible dependents, which are defined as members of the employee’s household. A detailed information sheet is available to all employees on SharePoint and by request from human resources.

E. Continuation of Group Insurance

1. Employees and/or their dependents who would normally lose their medical, dental, vision or EAP insurance due to changes in family or employment status may be eligible to continue in the group plan(s). Continuation would be for a limited period and at the employee’s or dependent’s cost plus an administrative fee in accordance with federal and California COBRA guidelines. Details of this program are available from human resources.

2. If an employee who is not yet eligible for retiree insurance benefits according to Section 8.1-10(C) dies, whether active or disabled at death, that employee’s eligible dependents will be reimbursed for the costs of COBRA medical insurance coverage (at the same rate that the district pays for active employees), one month for each full year of active employment, with a six-month minimum. At the end of that duration, the eligible dependent(s) may be eligible to continue the group insurance coverage for a limited period at his or her own expense, plus an administrative fee, in accordance with federal and California COBRA guidelines. Any continued coverage beyond the COBRA period is conditioned on the carrier’s willingness to provide such coverage as part of the district’s group plan. Currently this type of continued coverage, beyond COBRA, is only allowed by the Kaiser plan.

3. If an employee who is eligible for retiree insurance benefits according to Section 8.1-10(C) dies while still employed, his/her eligible dependents will continue to be provided medical, dental and vision benefits the same as provided to dependents of retirees according to Sections 8.1-10(C) and 8.1-10(D).

F. Group Life Insurance

1. On the first day of employment, probationary and regular status employees are eligible for life insurance coverage at no cost to the
employee. This program provides life insurance at the rate of 1.75 times annual salary (rounded up to the next higher $1,000) to a maximum of $200,000. At age 70 and above, the maximum amount is $10,000.

2. Life insurance of up to $1,000 is also provided for eligible dependents as defined in the insurance policy. Employees shall provide Helix Water District with current information about the status of dependents.

3. Active board members under age 70 receive $100,000 life insurance benefit. At age 70 and above, the maximum amount is $10,000.

4. The active employees’ and board members’ life insurance provides an accidental death and dismemberment clause which provides a benefit payable in the event of a dismemberment and doubles the life insurance benefit payable in the event of accidental death.

5. The district provides a business travel life insurance policy for full-time employees working a minimum of 40 hours a week and active board members travelling on district business away from the employer’s premises. The life insurance benefit amount for full-time employees is $100,000 and for board members it is $150,000. Some exclusions apply and the policy detail is available upon request from human resources.

6. Per the life insurance policy stipulations, life insurance coverage may be continued while the employee is totally disabled and receiving long-term disability insurance benefits. If an employee separates employment with the district and is receiving long-term disability benefits, it is the employee's responsibility to apply for conversion to an individual policy and subsequent waiver of premium. Refer to the benefits booklet or human resources for detailed information.

G. Long-Term Disability Insurance

1. The district has a long-term disability insurance plan available for all probationary and regular status employees upon completion of six months employment. The major portion of the cost of this plan is paid by the district with the employee contributing one-tenth of 1 percent of salary up to a maximum salary amount of $15,000 per month.

2. In the event of a qualifying extended illness or disability during which the employee is medically unable to work for a 90-calendar day elimination period, the plan provides two-thirds of regular monthly salary, to a maximum gross monthly benefit of $10,000. The monthly
benefit may be subject to reduction by deductible sources of income such as paid time off, comp time, floating holidays, workers’ compensation, Social Security, CalPERS, etc. Refer to the benefits booklet or human resources for detailed information.

H. Unemployment Insurance

Unemployment insurance is provided by Helix Water District. To apply for benefits or to determine eligibility, employees should contact the California Employment Development Department.

8.1-8 LEAVES FROM WORK

A. Paid Time Off

1. Probationary and regular status employees shall begin to accrue PTO on the first day of employment. PTO shall be earned in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Years of Service Completed</th>
<th>Earned PTO* Days Per Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5</td>
<td>24</td>
</tr>
<tr>
<td>Over 5 but less than 7</td>
<td>29</td>
</tr>
<tr>
<td>Over 7 but less than 9</td>
<td>30</td>
</tr>
<tr>
<td>Over 9 but less than 11</td>
<td>31</td>
</tr>
<tr>
<td>Over 11 but less than 13</td>
<td>32</td>
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<tr>
<td>Over 13 but less than 15</td>
<td>33</td>
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<tr>
<td>Over 15 but less than 17</td>
<td>34</td>
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<tr>
<td>Over 17 but less than 19</td>
<td>35</td>
</tr>
<tr>
<td>Over 19 but less than 21</td>
<td>36</td>
</tr>
<tr>
<td>21 and Over</td>
<td>37</td>
</tr>
</tbody>
</table>

*A paid time off day is equal to an eight-hour day.

2. PTO is intended to provide a rest and change for the employee. For this reason, all employees are encouraged to take at least five consecutive workdays of PTO during each year of their employment. PTO leave can accrue up to a maximum of 180 days for all employees with less than 20 years of service. When PTO accrual reaches the limit, additional leave will not accrue until use brings the total below the limit. PTO will have no accrual limit for employees with 20 or more years of service.
3. Employees are responsible for managing their PTO and are expected to have accrued hours for both planned and unplanned situations where they are requesting time off from work.

4. If possible, PTO shall be requested and approved in advance. PTO shall be coordinated to maintain adequate personnel at all times. PTO can be used in minimum 15-minute increments. PTO schedules are subject to approval of the department director or their designee. If unforeseen circumstances occur, and there are no other reasonable alternatives, employees may be required to postpone their approved PTO to provide adequate coverage for staffing and deadlines. Expenses incurred by the employee which are nonrefundable and nontransferable may be reimbursed by Helix Water District with general manager approval.

Employees must contact their supervisor as soon as possible to report an absence. Failure to do so may be considered job abandonment.

All supervisory levels through the department director must approve any scheduled PTO request that is greater than 30 consecutive calendar days.

5. Employees are required to use any accrued paid leave in lieu of unpaid leave, unless the leave time is due to a pregnancy disability or an accepted workers' compensation claim and is requested by the employee.

6. Kin Care

Employees may use one-half of the PTO time they accrue each year for the diagnosis, care or treatment of an existing health condition of, or preventive care for, an employee or an employee's eligible family member or for an employee who is a victim of domestic violence, sexual assault or stalking, for the purposes described in subdivision (c) of Labor Code Section 230 and subdivision (a) of Labor Code Section 230.1 (including to seek medical attention, counseling, social services or obtain any court relief). PTO reported as kin care ensures employees receive their protected leave pursuant to Labor Code Section 233. Please refer to the attendance guidelines policy in the administrative manual for specific guidelines.

7. Employees returning to work following an accident, injury, extended illness or surgery are required to provide the district a return to work status form, which includes any restrictions. In addition, an employee may be subject to a fitness for duty/return to work evaluation. This
evaluation verifies his/her ability to return to work and safely perform the essential functions of his/her position, with or without accommodations. Such FFD/RTW evaluation may be requested by a department director in consultation with human resources, where an FFD/RTW certificate is authorized under Family Medical Leave Act, California Family Rights Act, Pregnancy Disability Leave, Americans with Disabilities Act, California disability retirement statutes, California workers’ compensation statutes or any other state or federal law. Helix Water District may deny reinstatement to an employee if an FFD/RTW evaluation is requested and the employee fails to abide by the request.

8. Upon termination of employment, accumulated paid time off in excess of the employee’s 401(a) final pay deferral election or plan contribution limit will be paid in full at the employee’s rate of pay in effect at termination. Employees terminating their employment with the district who are not eligible for retirement benefits may not extend their employment by the use of PTO or comp time, except in the case of an approved preretirement leave in which the employee has 25 years of service and is within six months of retirement eligibility. For the policy that applies to employees eligible for retirement, see Section 8.1-8 (J).

9. Conversion to Payment

PTO accumulated over 60 days can be converted to pay quarterly provided the employee has used 40 hours PTO leave in the prior 12-month period preceding the last day of the pay period before the PTO sell back pay period. Please refer to the conversion of paid time off policy in the administrative manual for specific guidelines.

10. Donation to Employees

If authorized by the general manager, PTO may be transferred by regular, full-time employees to another employee in the event of a catastrophic illness or accident that results in exhaustion of his/her PTO leave. Please refer to the PTO donation policy in the administrative manual for specific guidelines.

B. Holidays

1. The following holidays are observed for probationary and regular status employees:
### New Year’s Day
January 1

### Martin Luther King Jr. Day
Third Monday in January

### President’s Day
Third Monday in February

### Memorial Day
Last Monday in May

### Independence Day
July 4

### Labor Day
First Monday in September

### Veterans’ Day
November 11

### Thanksgiving Day
Fourth Thursday in November

### Day After Thanksgiving
Friday after Thanksgiving Day

### Christmas Day
December 25

Two floating holidays, one granted to active employees on January 1st and one granted to active employees on July 1st.

2. When the Christmas holiday (December 25) falls on a Tuesday, Monday will be observed as a holiday and when the Christmas holiday falls on a Thursday, Friday will be observed as a holiday.

When one of the official holidays falls on Sunday, the Monday following will be observed as a holiday. When one of the official holidays falls on Saturday, the Friday before will be observed. All full-time, probationary and regular status employees are granted the official holidays without reduction in their regular pay provided they are not off without a full day’s pay on their last scheduled workday before the holiday.

3. Some special shift employees are required to work on holidays. The number of work hours per year shall be the same as nonshift employees.

4. For system operators and treatment plant operators, time worked on an observed Helix Water District holiday will be compensated at time and a half. Except for Thanksgiving, December 25 (Christmas Day), and January 1 (New Year’s Day), which will be compensated at double time.

5. The floating holiday program began on January 1, 2001. Employees will be granted two floating holidays to be used subject to supervisory approval.

The first of the two floating holidays will accrue to probationary and regular status employees on January 1 of each year; the second will
accrue on July 1 of each year. Employees hired between January 1 and June 30 of any calendar year would accrue one floating holiday on July 1; employees hired between July 1 and December 31 would accrue one floating holiday on January 1.

Payment for accrued floating holidays will be made to employees who leave Helix Water District employment through voluntary or involuntary termination. Involuntary termination includes layoff, dismissal, disability or death.

Floating holidays are to be taken in eight-hour, full day amounts only, unless using a portion would prevent the employee from going into unpaid status.

Employees who do not use the floating holiday time accrued by December 31 of each year will forfeit the time off.

C. Workers’ Compensation/Injury Leave

1. All employees are included in the district’s workers’ compensation insurance coverage. Employees injured on the job receive all benefits allowed by law.

2. In addition to workers’ compensation benefits, the district also provides injury leave to probationary and regular status employees. This benefit applies when workers’ compensation temporary disability payments are being paid to allow full salary continuance. Please refer to the workers’ compensation/injury leave policy in the administrative manual for specific guidelines.

3. The district has a modified duty plan to encourage employees to return to work as quickly as possible when recuperating from injuries and/or illnesses. Please refer to the modified duty plan policy in the administrative manual for specific guidelines.

D. Extended Medical Leave

1. Provisions for Extended Medical Leave

   a. Extended medical leave may be provided to a regular status employee when an employee or employee’s spouse, registered domestic partner, child or parent experiences a serious illness or medical condition in which the employee is likely to exhaust his/her accrued paid time off at the time the illness or medical
condition arises. Extended medical leave is a four-month period during which the employee is primarily on unpaid leave and the employee’s position in his/her regular job classification is held for his/her return.

b. Unlike Family and Medical Leave Act/California Family Rights Act, extended medical leave is only applied when an employee is in an unpaid status.

c. The four-month allowance for extended medical leave is available for any qualifying medical condition, or complication related to it only once per backward rolling 12-month period. An exception is separate pregnancies that can occur more than once in a 12-month period. Each pregnancy is covered under extended medical leave.

d. The four-month allowance for extended medical leave can run concurrently with federal and California laws regarding family and medical leaves. However, California Pregnancy Disability Leave cannot run concurrently with the California Family Rights Act.

e. Please refer to the extended medical leave policy in the administrative manual for specific guidelines.

E. Family Care Leave

In accordance with California Family Rights Act and Family Medical Leave Act, employees may be eligible to take an unpaid family care leave for any of the following purposes:

1. the birth or adoption of a child, or the placement of a child in foster care;

2. to care for the employee’s child, spouse, registered domestic partner or parent with a serious health condition;

3. a serious personal health condition that prevents the employee from performing an essential function of his/her job; or

4. military spousal, and military caregiver and exigency leave (Helix Water District will comply with state and federal law, see administrative manual for details).
For purposes of this policy, a serious health condition is defined as an illness, injury, impairment, or physical or mental condition of the employee or a child, parent or spouse (including registered domestic partner) that involves either inpatient care or continuing treatment, including treatment for substance abuse.

Family care leave is a maximum of 12 weeks in a backward rolling 12-month period during which the employee’s position is held for his/her return. For military caregiver leave, employees may take 26 workweeks of family care leave during a single 12-month period, which begins on the first day the employee takes leave for this reason and ends 12 months later. Family care leave, (Family Medical Leave Act/California Family Rights Act) may run concurrently with Helix Water District’s extended medical leave.

Employees will be required to use any accrued paid time off balances in place of unpaid leave within the approved period of family care leave, unless the leave is due to an injury or illness on the job or is not otherwise unpaid. In a situation where family care leave is running concurrently with California Pregnancy Disability Leave, the employee will have the option to use accrued PTO. Employees are entitled to reinstatement to return to the same or comparable positions following a family care leave, except under very limited exceptions. Employee health benefits will be continued on the same cost-share basis as while working their regular schedule during a family care leave.

Please refer to the family care leave policy in the administrative manual for specific guidelines.

If the situation qualifies under the district’s extended medical leave benefit, the provisions set forth in the district’s extended medical leave policy would pertain. Please refer to the extended medical leave policy in the administrative manual for specific guidelines.

F. Leave Associated with Pregnancy/Childbirth

Medical conditions associated with pregnancy, miscarriage or childbirth will be treated like any medical or temporary disability under the district’s regular PTO leave and extended medical leave policies. Refer to Section 8.1-8(D). Under the California Fair Employment and Housing Act, if an employee is disabled by pregnancy, childbirth or related medical conditions, the employee is eligible to take a Pregnancy Disability Leave of up to four months (17½ weeks). Time off needed for prenatal or postnatal care, severe morning sickness, doctor-ordered bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, childbirth, recovery from childbirth, post-partum depression and loss are all covered. Under the federal Family Medical Leave Act and California
Family Rights Act, employees returning from medical leave associated with childbirth may also be eligible to request additional leave time. Refer to Section 8.1-8(E) of this manual and to the family care leave policy in the administrative manual.

If an employee is affected by pregnancy or related medical condition, the employee is also eligible for a reasonable accommodation and/or a transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this reasonable accommodation and/or transfer is medically advisable.

Employees with pregnancy-related leaves are allowed and encouraged, but not required, to use any accrued and available paid time off. Employees’ health benefits will be continued during a Pregnancy Disability Leave under California law.

G. Bereavement Leave

Probationary and regular status employees are eligible to take bereavement leave in the event of the death of a member of his or her immediate family. For purposes of this benefit, immediate family consists of the following: Employee’s spouse, registered domestic partner, child, child of a registered domestic partner, stepchild, parent, stepparent, grandparent, grandchild, brother, sister, stepbrother/sister, mother/father-in-law, or mother/father of a registered domestic partner. Leave time for the purpose of attending services and grieving will consist of up to three working days (24 hours), if less than 500 miles away, or up to five working days (40 hours), if more than 500 miles away and the employee is planning to attend. Bereavement leave is not available for employees in an unpaid status.

For the funeral of a fellow employee, retiree, or their immediate family member (as defined above), or an individual professionally related to Helix Water District, employees will be allowed up to two hours to attend services. Employees’ time will be distributed to the departments for which their labor is normally charged.

H. Civic or Military Duty

1. Jury and Civic Duty

For employees who receive a notice of required service on a jury or notice to appear in court as a witness in a case that is not related to a personal matter, the district provides regular pay for the time the employee is required to report for these matters if the service day falls
on the employee’s regular workday. Please refer to the jury, civic and emergency duty policy in the administrative manual for specific guidelines.

2. Emergency Duty

An employee unable to attend work due to emergency duty, to which he/she has been ordered for necessary civil defense or other civic activities such as sheriff’s reserve, etc., will be accommodated by Helix Water District during his/her absence from work. Please refer to the jury, civic and emergency duty policy in the administrative manual for specific guidelines.

3. Military Leave

Employees who participate in military service or military reserve organizations will be granted leave in accordance with federal and state laws governing public agencies. They will receive full pay for active duty up to 30 days per fiscal year. No salary will be paid for inactive military service. Active duty beyond 30 days will be compensated by payment of the difference between military compensation and district salary for up to one year.

Unless limited by the insurance carrier, the same group medical, dental, and vision coverage and benefits shall be provided by the district for up to 12 months of military service. Life and long-term disability insurance ends on the last day worked at the district and will resume when the employee returns to work, unless restricted by the insurance carrier.

Paid time off leave does not accrue during absence for military service that extends beyond 30 days per year. For more information see Section 8.1-5(F).

I. Leave Without Pay

1. Requests for time off that would place an employee in an unpaid leave must receive written approval from all supervisory levels through the general manager. Leave without pay, to a maximum of 30 consecutive calendar days, will be approved only if the absence can be afforded by the affected department. Paid time off, floating holiday and comp time must be used in full prior to a leave without pay and entered into time entry starting with the first day off work continuously through the date the leave is exhausted. Approved leaves may not be used in
conjunction with extended medical leave or family care leave. Refer to Sections 8.1-8(D) and 8.1-8(E) of this manual.

2. Employees on leave without pay exceeding 40 hours in a backward rolling 12-month period will be responsible for reimbursing Helix Water District from the first day of the leave for the cost of their medical, dental and vision insurance premiums, which continue during the approved leave. These costs will be prorated, based on the amount of unpaid time off exceeding 40 hours. Employees on unpaid leaves such as Family Medical Leave Act, California Family Rights Act, Pregnancy Disability Leave, the district’s extended medical leave policy or any other leaves protected by law are not required to reimburse the district for these premiums.

3. PTO and holiday leave will not accrue during leave without pay. Bereavement leave is not available during leave without pay. Service credit for purposes of service awards and higher PTO accrual rates will not be interrupted during a leave without pay. However, California Public Employees’ Retirement System service credit may be interrupted during a leave without pay.

4. Absences resulting in an unpaid leave where an employee no longer has any accrued PTO or comp time available to cover their time off may lead to disciplinary actions, up to and including termination, if prior approval was not received or when not covered by a protected leave situation such as FMLA/CFRA, PDL, the district’s extended medical leave policy or any other leaves protected by law.

J. Preretirement Leave

Preretirement leave allows an employee to choose a retirement date in advance and use his/her accrued paid leave to receive full pay until that specified retirement date. See human resources section of the administrative manual for details.

K. Paid Sick Leave

In accordance with the Healthy Workplaces, Healthy Families Act, employees who do not accrue paid leave time such as part-time without benefits employees, temporary employees and paid interns, are granted three days or 24 hours of paid sick leave each calendar year. Please refer to the Healthy Workplaces, Health Families Act policy in the administrative manual for specific guidelines.
8.1-10 RETIREMENT

A. California Public Employees’ Retirement System

1. Helix Water District participates in the California Public Employees’ Retirement System. Probationary, regular and part-time status with benefits employees who meet CalPERS membership qualifications are enrolled as local miscellaneous members effective their first day of employment. For employees who meet the membership qualifications, membership in the CalPERS system is compulsory.

Since June 29, 2002, the district has offered the 2.5 percent at 55 CalPERS formula, with an employee contribution of 8 percent, which was paid in full by the district through June 30, 2011. Effective July 1, 2011, classic members (as defined by CalPERS) hired before July 1, 2011, began paying 2 of the 8 percent employee contribution and classic members hired on or after July 1, 2011, began paying 4 of the 8 percent employee contribution. Effective July 1, 2012, all classic members began paying 4 of the 8% employee contribution. Effective July 1, 2013, classic members began paying 6 of the 8 percent employee contribution. Effective July 1, 2014, classic members are paying the full 8 percent employee contribution.

In accordance with the Public Employees’ Pension Reform Act, new members (as defined by CalPERS under that law) enrolled in CalPERS effective on or after January 1, 2013, will be enrolled in the 2 percent at 62 CalPERS formula. Per the PEPRA, new members are required to contribute a minimum of one half the normal cost of the defined benefit upon expiration, modification or extension of the memorandum of understanding which expired June 30, 2015, or if not covered by that MOU, immediately upon being enrolled in CalPERS. New members covered by that MOU paid one half of the total normal contribution, less 2 percent, for the fiscal year 2013-14 and one half of the total normal contribution for fiscal year 2014-15. The new members’ contribution for the 2014-15 and 2015-16 fiscal years was 6.5 percent. For fiscal years 2016-17, 2017-18 and 2018-19, new members are required to pay 5.5 percent, consistent with the California Public Employees’ Retirement System actuarial valuation. For fiscal year 2019-20, new members are required to pay 6.25 percent, consistent with the California Public Employees’ Retirement System actuarial valuation.
Employees will be required to pay any increases in the employee contribution above the current 8 percent level for classic members, as a result of action by CalPERS, the courts or the state legislature.

Employees who are not represented by either employee association are considered confidential employees and will receive the same benefits as employees represented by the employee associations, consistent with past practice, depending on whether they are classic or new members.

Board members who take office after June 30, 1994, are not eligible for CalPERS membership.

2. Employees shall refer to CalPERS for age and service credit retirement eligibility and retirement benefit options. An employee meeting retirement criteria with CalPERS will not be entitled to Helix Water District retirement benefits nor be considered a district retiree until meeting the requirements as outlined in Section 8.1-10(C).

3. No attempt is made here to outline the provisions of the CalPERS retirement program due to its complex nature. Booklets explaining the CalPERS retirement benefits are available upon request in human resources. Any questions should be directed to CalPERS for clarification. Please refer to www.calpers.ca.gov for more information.

B. Federal Social Security

Social Security payroll taxes are collected under the authority of the Federal Insurance Contributions Act. FICA costs are shared equally between the district and employees. Costs will change periodically as established by law. Benefits under CalPERS are integrated with Social Security benefits.

C. Insurance Benefits for Retirees

1. The district offers medical, dental, vision and life insurance benefits upon retirement for employees, and their eligible dependents, hired before January 1, 2007, per the tables below.

Full benefits with the following age and service:
(See HR for your individual lock-in date.)
Reduced benefits are available to employees age 55 or older and their eligible dependents, with less than 15 years of service, hired before January 1, 2007, based on the following formula:

<table>
<thead>
<tr>
<th>Age Attained</th>
<th>Completed Years of Service</th>
<th>Benefits Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>55 or greater</td>
<td>14</td>
<td>90%</td>
</tr>
<tr>
<td>55 or greater</td>
<td>13</td>
<td>80%</td>
</tr>
<tr>
<td>55 or greater</td>
<td>12</td>
<td>70%</td>
</tr>
<tr>
<td>55 or greater</td>
<td>11</td>
<td>60%</td>
</tr>
<tr>
<td>55 or greater</td>
<td>10</td>
<td>50%</td>
</tr>
</tbody>
</table>

Employees hired before January 1, 2007, and retired after June 30, 2011, must be married to their spouse or registered as a domestic partner for at least one year before the date of retirement for their spouse or registered domestic partner to be covered under Helix Water District’s paid health care. All eligible dependents, defined in Sections 8.1-7(A)(3), 8.1-7(B)(2) and 8.1-7(C)(2), must be eligible to be enrolled in the district’s group plans for a minimum of one year prior to the date of retirement to be covered under the district’s paid health care.

2. Effective with employees hired or rehired after January 1, 2007, the district’s eligibility formula for employee only for full medical, dental, vision and life insurance benefits upon retirement will be as follows:

<table>
<thead>
<tr>
<th>Age Attained</th>
<th>Completed Years of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>60+</td>
<td>15</td>
</tr>
<tr>
<td>60</td>
<td>15</td>
</tr>
<tr>
<td>59</td>
<td>16</td>
</tr>
<tr>
<td>58</td>
<td>17</td>
</tr>
</tbody>
</table>
Effective with employees hired or rehired after January 1, 2007, reduced benefits will be available to employees, age 55 or older, with less than 15 years of service as follows:

<table>
<thead>
<tr>
<th>Completed Years of Service</th>
<th>Benefits Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>55-60 years/age</td>
<td>60+ years/age</td>
</tr>
<tr>
<td>Age + YOS=74</td>
<td>14</td>
</tr>
<tr>
<td>Age + YOS=73</td>
<td>13</td>
</tr>
<tr>
<td>Age + YOS=72</td>
<td>12</td>
</tr>
<tr>
<td>Age + YOS=71</td>
<td>11</td>
</tr>
<tr>
<td>Age + YOS=70</td>
<td>10</td>
</tr>
</tbody>
</table>

D. Medical, Dental and Vision Insurance

1. The same coverage and benefits as are applicable for regular status employees and their eligible dependents upon retirement, shall be provided. The percentage of the insurance premium paid by Helix Water District for employees will not change upon retirement except for employees hired after January 1, 2007; see below Section (2) and Section (3). The insurance premium paid by the district will be reduced in accordance with the previous benefits' charts for service of less than 15 years. Employees retired on or after January 1, 2017, who were hired before January 1, 2007, will contribute $50 per month for their dependent premium if their selected plan costs more than $50 per month more than the Kaiser plan in the same category (double or family).

2. Retirees eligible for medical, dental and vision insurance and hired between January 1, 2007 and June 30, 2011, may elect to provide
coverage to their spouse and/or eligible dependents after retirement provided they pay for 100 percent of the costs at the group plan rates.

3. Retirees eligible for medical, dental and vision insurance and hired or rehired after June 30, 2011, may receive these benefits until the age he/she becomes entitled to Medicare. When the retiree becomes entitled to Medicare, he/she may continue their group medical, dental, vision and EAP insurance coverage for a limited period at their own expense, plus an administrative fee, in accordance with federal and California COBRA guidelines.

At the time of retirement, the employee’s spouse and/or eligible dependents may continue their group medical, dental, vision and EAP insurance until the employee becomes entitled to Medicare provided they pay for 100 percent of the costs at the group plan rates.

4. Dental insurance is provided to employees retiring after July 1, 1978. Dependent dental insurance is available to employees retiring after August 1, 1983. Vision insurance is available to employees retiring after July 1, 1988.

5. Retirees eligible for dental insurance who retired before July 1, 1995, pay 90 percent of their dependents’ dental coverage, if elected. Retirees eligible for dental insurance who retired after July 1, 1995, pay 50 percent of their eligible dependents’ dental insurance, if elected.

6. The spouse and eligible dependents of a deceased retiree shall be eligible to continue in the medical, dental and vision insurance programs on the same cost participation basis as before the retiree’s death. Continued coverage will be subject to the regulations and requirements of Helix Water District’s insurance carrier.

7. There can be no lapse in coverage between the date of retirement and the date retiree benefits begin. The employee must transfer from active status directly to retired status. The employee may not go from active to COBRA to retiree benefits eligible. If at any time a retiree is removed from the policy, he/she will not be eligible for reinstatement.

8. Employees hired before July 1, 1989, and board members who took office before January 1, 1981, and their spouses or registered domestic partners, shall be reimbursed by the district the standard monthly Medicare Part B premiums incurred. Reimbursement amounts shall be based on the standard Medicare Part B premium amount per the Medicare enrollment effective date. Reimbursement amounts shall
follow the rate increase schedule for the tier associated with the Medicare enrollment date.

9. Retirees and dependents eligible for Medicare Parts A and B must sign up, otherwise they will be responsible for the difference in the higher monthly medical premium that is charged to Helix Water District. Retirees and dependents must assign their Medicare D to their district medical plan to continue their coverage through the district.

E. **Life Insurance**

The benefit will equal one-half of the life insurance in effect at time of retirement with a $10,000 maximum. Retirees with less than 15 years of service shall have their coverage reduced by 10 percent per year in accordance with the previous reduced benefits charts. The minimum amount of insurance provided for retirees after July 1, 1972, shall be $5,000. Dependent coverage in the amount of $1,000 continues until the death of the retiree.

F. **After-Office Board Members Benefits**

1. Board Members Serving 12 or More Years
   a. **Medical, Dental and Vision Insurance**

   Without regard to the limitations for age and years of service in Sections 8.1-10(C)(1)-(2), board members who serve 12 or more years are eligible for the same medical, dental and vision benefits available for regular status employees and their eligible dependents on the following terms:

   i. Board members who took office prior to January 1, 1981, may receive medical, dental and vision benefits at the district’s expense. However, for medical and dental insurance, the district will continue to pay only up to the same percentage as on the board members’ last day as an active board member.

   ii. Board members who took office between January 1, 1981 and June 30, 2011, and their eligible dependents, may receive medical, dental and vision benefits, provided they pay for 100 percent of the costs at the group plan rates.
iii. Board members who took office after June 30, 2011, and their eligible dependents, may receive medical, dental and vision benefits, provided they pay for 100 percent of the costs at the group plan rates, until the board member becomes entitled to Medicare. When the board member becomes entitled to Medicare, he/she and his/her eligible dependents, may continue their group medical, dental and vision benefits for a limited period at their own expense, plus an administrative fee, in accordance with Federal and California COBRA guidelines.

b. Life Insurance

Without regard to the limitations for age and years of service in Sections 8.1-10(C)(1)-(2), board members who serve 12 or more years are eligible for life insurance on the following terms, based on years of service:

- 12 years, but less than 13 years = $7,000
- 13 years, but less than 14 years = $8,000
- 14 years, but less than 15 years = $9,000
- 15 years or more = $10,000

Dependent life insurance in the amount of $1,000 continues until the death of the board member.

i. Board members who took office prior to January 1, 1994, may receive these life insurance benefits at Helix Water District’s expense.

ii. Board members who took office after January 1, 1994, may receive these life insurance benefits provided they pay 100 percent of the cost at the group plan rates.

2. Board Members Serving Less than 12 Years

Board members who serve less than 12 years and their eligible dependent(s) may continue their group medical, dental, vision and EAP insurance coverage for a limited period at their own expense, plus an administrative fee, in accordance with federal and California COBRA guidelines.
8.1-11 SAFETY

A. District Vehicles

Employees operating Helix Water District vehicles are responsible for their safe operation in accordance with the law. Traffic citations, except due to faulty equipment, are the employee’s responsibility. Employees are required to report any traffic violations or citations received while operating a district vehicle to their supervisor immediately. See administrative manual for guidelines regarding the use of district vehicles and communication devices.

B. Reporting On-Duty Vehicle Accidents

When an employee is involved in a vehicle accident while conducting district business, he/she must immediately notify his/her supervisor, manager or department director. See administrative manual policy for reporting vehicle accidents in the automobile section. The employee should not make any statement concerning the responsibility for the collision to anyone but a district representative. Cooperation should be extended to law enforcement officers. In accordance with the district’s alcohol and drug-free workplace Policy, an employee may be sent immediately for drug and alcohol testing following an accident.

8.1-12 EMPLOYEE ORGANIZATIONS

A. Contribution Fund

The administration office, operations center and treatment plant employees have established funds for use in contributing to various charities, contributing toward the cost of district employee functions, etc. If an employee wishes to participate in a contrib club, a payroll deduction in accordance with the contrib club bylaws shall be authorized. These funds are administered by officers selected by the employee groups represented. All employees are encouraged to participate. Please see the contrib club bylaws in the administrative manual for more information.

B. Employer-Employee Relations

The state legislature has provided organizational rules in the Government Code (Section 3507) for public employee organizations. Resolution No. 02-06 of the board of directors of the district outlines adopted rules for the administration of employer-employee relations in accordance with Government Code Section 3507. For formal recognition, an employee organization must comply with the provisions of Resolution No. 02-06.
C. Employees’ Groups

1. In accordance with the provisions of Resolution No. 02-06, the Helix Water District employees’ association and middle management employees’ association are recognized employee organizations.

2. Both groups study and make recommendations about terms and conditions of employment. Copies of individual bylaws are available from each group.

3. The employees’ association has established membership dues paid on a voluntary basis via authorized payroll deduction to the association’s bank account. Effective with the pay period ending July 29, 2011, membership dues shall be authorized in accordance with the EA bylaws. These dues will be deducted from the paycheck of each EA member who has signed an authorized payroll deduction card. These funds are administered by the elected EA officers. Please see the employees’ association bylaws for more information.

4. The middle management employees’ association has established membership dues paid on a voluntary basis via authorized payroll deduction to the association’s bank account. Effective with the pay period ending May 4, 2012, membership dues shall be authorized in accordance with the MMEA bylaws. These dues will be deducted from the paycheck of each MMEA member who has signed an authorized payroll deduction card. These funds are administered by the elected MMEA officers. Please see the middle management employees’ association bylaws for more information.

D. Problem Resolution

If an employee is dissatisfied with an aspect of his/her employment which is not covered by another process for resolution (i.e. grievance or harassment/discrimination investigation), he/she should review the matter with his/her immediate supervisor. Most problems are resolved at this level. However, if the matter cannot be so settled, employees may refer to the employee problem resolution policy in the administrative manual.

8.1-13 DISCIPLINARY ACTION

A. Disciplinary Actions Not Subject to Notice, Meeting and Hearing Procedures

The following disciplinary actions may be taken against any employee by the general manager or such management personnel as designated without
compliance with the procedures set forth in Section 8.1-13(D). The disciplinary actions below may be reviewed in accordance with the employee problem resolution policy in the administrative manual upon the employee’s request.

1. Warning, reprimand or supervisory counseling, which may be verbal, written or both.
2. Suspension for up to five days without pay for exempt or non-exempt employees.
3. Administrative leave with pay.
4. Change in working hours.
5. Reassignment not entailing a salary reduction or demotion.

B. Disciplinary Actions Subject to Notice, Meeting and Hearing Procedures

Upon compliance with the procedures set forth in Section 8.1-13(D) hereof, the following disciplinary actions may be taken against a regular status or part-time status with limited benefits employee either by the general manager or such management personnel as designated:

1. Suspension from Duty: An ordered interruption of duties for more than five days without pay.

2. Salary Reduction: A reduction in pay from the employee’s current step within a pay range to any lower step within that same range, as such range is recorded in Helix Water District’s current salary schedule.

3. Demotion: A reduction from a position in one class to a position in another class having a lower salary range affected for disciplinary purposes. Demotions resulting from employee’s inability to perform the functions of the position or meet the minimum job requirements, organizational changes or layoffs are not disciplinary.

4. Dismissal: Discharge from Helix Water District service.

C. Causes for Disciplinary Action

It is intended that discipline be imposed primarily for corrective purposes and to address deficiencies in work performance. The following is a nonexclusive list of the more common reasons for disciplinary action:
1. Actions contrary to the rules of Helix Water District.

2. Inefficiency or incompetence.

3. Willful disobedience or insubordination.

4. Dishonesty.

5. Harassment of or threat to fellow employee or customer.

6. Possession or use of a firearm or weapon at work.

7. Chronic absenteeism or excessive unplanned absences or tardies, not to include occurrences related to a protected leave status.

8. Consumption of alcoholic beverages or being under the influence of alcohol while on duty or on district premises, in accordance with the district’s alcohol and drug-free workplace policy.

9. Illegal use, possession, distribution of drugs or being under the influence of such drugs while on duty or on district premises in accordance with the district’s alcohol and drug-free workplace policy.

10. Disorderly, unlawful, immoral, lewd, unethical or undignified conduct while on duty or while in district uniform.

11. Discourteous or disrespectful treatment of the public or fellow employee(s).

12. Conviction of a felony; plea of no contest or conviction of a misdemeanor related to job performance or ability to perform job.

13. Unauthorized absence from work.


15. Falsification of records.

16. Failure to follow safe working practices.

17. Failure to report an injury promptly.

18. Failure to report vehicle accident immediately to supervisor.
19. Failure to report significant unsafe working practices to supervisor.

20. Conduct unbecoming of a Helix Water District employee.

21. Failure to cooperate in a district investigation.

22. Negligent, inappropriate or unauthorized use of district tools and equipment including district computer equipment, software, email system or any electronic communication device.

23. Improper use or disclosure of confidential information.

24. Recording (audio or video) a private conversation while at work without the other person’s expressed verbal or written consent.

25. Working for another employer performing job duties which are inconsistent with the work restrictions provided to the district while on a medical leave of absence.

D. Disciplinary Procedures for Regular Employees

1. Purpose

To ensure that all regular employees are fairly treated when subjected to disciplinary action described in Section 8.1-13(A) hereof, this section sets forth the procedure for taking such action. Typically, the district will use progressive discipline when employees are subjected to disciplinary action; however, depending upon the seriousness of the action or behavior, the district may use its own discretion regarding the appropriate steps that need to be followed and the actions taken.

2. Notice of Proposed Action

Before dismissing or otherwise disciplining a regular or part-time status with limited benefits employee, as outlined in Section 8.1-13(A), the district shall deliver to the employee a written notice of its intention to dismiss or otherwise discipline the employee. Such notice shall be personally served on the employee or sent by registered or certified mail to the employee’s place of residence as shown on the records of the district. The notice shall be served or mailed not less than seven days prior to the effective date of the proposed disciplinary action and shall contain the following:
a. The proposed disciplinary action and the effective date of the action.

b. The specific charges upon which such action has been proposed and the reasons why such action is being taken. Such charges shall contain any information essential to give the employee a fair opportunity to answer the charges made. Such information shall include, but is not limited to, names, times, dates, places or numbers that may be pertinent to the charges made.

c. If such charges are based upon documents or materials, the notice shall inform the employee of this fact, and shall inform the employee as to the location of such documents or materials. If available and subject to duplication, copies of such documents and materials shall be furnished to the employee with the notice.

d. A time and date for the filing by the employee of a written response and for presentment of any oral response, which date shall not be less than seven days after the notice is served on or mailed to the employee, whichever occurs first.

3. Response of Employee

The employee shall have the right to respond, either orally or in writing, or both, no later than the time and date provided in the notice to the employee. The time for response may be extended by the general manager for a reasonable period if the general manager determines it to be necessary to provide the employee with a fair opportunity to answer the charges made. Written responses shall be delivered to the general manager. If the employee desires to make an oral response, the employee shall give written notice to the general manager of this fact at least two days before the time and date stated in the notice for presentment of the oral response. Failure of the employee to give such notice shall constitute a waiver by the employee of any right to present an oral response.

4. Oral Response

If the employee gives the notice provided for in paragraph 3 hereof, the oral response of the employee shall be presented to the general manager. At the time of the employee’s oral response, the employee shall have the right to be represented by counsel or by a representative of a recognized employee association, or both. The employee shall
have the right to present evidence, including documents and witnesses. If the employee desires to have any other available employee present at the time of the oral response in order to present evidence, the employee shall, at least two days before the time scheduled for the oral response, file a written request with the general manager requesting the presence of such persons at the time scheduled for the oral response. If such persons can be made available without unduly interfering with the operations of Helix Water District, the general manager shall cause such persons to be present at the time of the oral response. The general manager may continue the matter for a reasonable period until such persons can be present. The proceedings at which the oral response is presented may be, but need not be recorded.

5. Determination by General Manager

Upon expiration of the period of time set forth in the district’s notice to the employee, or if an oral response is presented, upon completion of the response, whichever is later, the general manager shall review the matter, including any response the employee and his/her representatives have presented, and shall make a determination as to whether to discharge or otherwise discipline the employee. The general manager shall have the authority to impose the recommended discipline, or impose greater or lesser discipline, up to and including discharge. Such notice shall be personally served on the employee or shall be sent by registered or certified mail to the employee’s place of residence as shown on the records of the district within 10 working days from the completion of the appeal hearing.

6. Disqualification of General Manager

If prior to the time set for consideration of the response, the general manager has become so involved in the matter as to create a bias against the employee which prevents the general manager from fairly considering the response of the employee, the general manager shall so advise the president of the board of directors who shall thereupon appoint another person to act on behalf of and in the place of the general manager. However, mere prior knowledge of the factual background of the matter shall not, in and of itself, disqualify the general manager.
7. Status of Employee

During the period prior to the determination of the matter by the general manager, the employee may be suspended from performance of his or her duties with pay or may be reassigned to other duties. If the final determination of the general manager is to discharge the employee, the effective date of the discharge shall be the date that the notice of determination is personally served or mailed pursuant to Paragraph (5) hereof. Pursuant to Government Code Section 53243, et seq. which became effective on January 1, 2012, if an employee is convicted of a crime involving an abuse of his/her office or position, and the employee has been provided with administrative leave pay pending an investigation, the employee shall be required to fully reimburse such amounts paid. For this Section, abuse of office or position means either: (1) an abuse of public authority, including waste, fraud and violation of the law under color of authority; or (2) a crime against public justice, including a crime described in Title 7 commencing with Section 92 of the Penal Code.

8. Appeal of Decision of General Manager

An employee or former employee dissatisfied with the determination made by the general manager may appeal the determination to the review committee, provided that a written notice of appeal is filed with the board secretary no later than 10 calendar days after the date of personal service or mailing of the notice of the general manager’s determination, whichever is sooner. The review committee shall consist of one or two members of the board of directors or such other person or persons as may be designated by the president of the board of directors. If a timely appeal is filed with the board secretary, the review committee shall designate a hearing date within 30 days and hold the hearing within 60 days of the filing of the notice of appeal; the board secretary shall notify the employee or former employee of the time and date fixed for the hearing. At the hearing, the employee shall have the right to be represented by counsel or by a representative of a recognized employee association, or both. The employee shall have the right to present evidence and to examine adverse witnesses. If the employee desires to have any other available employee present at the time of the hearing in order to present evidence or to examine adverse witnesses, the employee shall, at least five days before the scheduled hearing, file a written request with the general manager requesting the presence of such persons at the hearing. If such persons can be made available without unduly interfering with the operations of Helix Water District, the general manager shall cause such persons to be present at
the time of the hearing. The review committee may continue the hearing for a reasonable period until such persons can be present. The hearing shall be recorded by certified shorthand reporter or recording device.

9. Determination of Appeal

If an appeal is taken, upon conclusion of the hearing, the review committee shall review the matter, including any evidence presented at the hearing, and shall make a final determination as to whether to confirm the determination of the general manager. The review committee shall have the power to reinstate a discharged employee, to impose more severe or lesser discipline or to uphold the recommended discipline of the employee. If the review committee is unable to make a decision, the matter shall be referred to the board of directors for final determination, and the board of directors may decide the matter on the basis of the record made at the hearing or may conduct a new hearing. The employee will be notified in writing of the decision as soon as possible.

10. Judicial Review

Judicial review of any decision of Helix Water District, or of any commission, committee, board, officer or agent thereof, dismissing or otherwise disciplining an employee, which decision is subject to review under Code of Civil Procedure Section 1094.5, may be had pursuant to Code of Civil Procedure Section 1094.5 only if the petition for writ of mandate is filed within the time limit specified in Code of Civil Procedure Section 1094.6.

8.1-14 DISTRICT EQUIPMENT AND FACILITIES, USE OF

A. District Tools and Equipment

No employee may do any personal work in the facilities or shops of the district or on district premises or use district equipment, tools or facilities for such work without first securing permission from the department director. Offsite personal use of district tools, equipment and/or materials is prohibited.

B. Bulletin Boards

The district maintains bulletin boards in conspicuous places at each location and encourages every employee to examine these boards frequently for newly
posted bulletins. Required legal notifications are posted on Helix Water District bulletin boards at each location.

C. Computer and Tablet Use, Electronic Mail, Voice Mail, Personal Digital Assistant and Internet Use

The district permits employees to use various electronic communication devices such as its electronic mail system, voice mail system, district-assigned personal computers, tablets, PDAs and the Internet subject to the following:

Users of these systems should be aware that they are tools provided by the district to facilitate its business activities. As such, they may be monitored in the course of evaluation of system performance, problem solving and to maintain adequate service. In using the Internet, electronic and voice mail system, PDAs, computers and tablets, employees understand that the content of such messages are not guaranteed privacy, and by using these systems they acknowledge and give consent to this fact.

District management reserves the right to enter an employee’s personal computer, tablet, PDAs, email files, voice mail and texts, but will not do so unless there is a legitimate business need. System security features, including passwords and message delete functions, do not neutralize the district’s ability to access any messages at any time. Employees must be aware that the possibility of such access to employees’ computer and computer accounts, texts, electronic and voice mail always exists. Refer to the computer use policy in the administrative manual for more detailed information, guidelines and prohibited uses.

D. Smoking in District Facilities

Smoking or using e-cigarettes or other similar smoking instruments or paraphernalia is prohibited in all district buildings and vehicles.

8.1-15 EMPLOYEE INFORMATION

A. Personnel Files

1. The district maintains a file on each employee and board member during his/her employment or term of office, for a specified period of time (see Section 1.4). The purpose of the file is to maintain a complete work history pertinent to each employee. Examples of information, which are part of the file:

   a. Employment application and related documents.
b. Employee performance appraisals and progress reports.

c. Copies of job-related correspondence including letters of appreciation directed to Helix Water District.

d. Commendations, newspaper articles, photographs and awards related to one’s position at the district.

e. Memos and correspondence to the employee related to district service, performance or disciplinary actions.

f. Copies of employment or performance-related documents given to and received by the employee.

2. Files for merit increases, personnel actions and recruitment recommendation letters are maintained separately.

3. Separate medical and training files are maintained for each active employee.

4. An employee is entitled to review his/her individual personnel file in the presence of a human resources representative, at which time the employee may request copies of individual items from the file. No items may be permanently removed from the file without the written approval of the general manager.

5. Interview panels may make arrangements with a human resources representative to review the applicants’ performance documents.

6. Each supervisor will be permitted to review the personnel files of the employees he or she supervises.

B. Employee Performance Appraisals

The district’s performance appraisal program provides a forum for employee/supervisor discussions. The purpose of employee performance discussions is to foster growth and improve performance of employees by providing opportunities for communication, recognition of achievements and goal setting.

C. Administrative Manual

The administrative manual is available on each employee’s PC through SharePoint. Hard copies are available at the Lake Jennings work sites for
employees who do not have access to SharePoint. The administrative manual is a collection of information related to administrative procedures, which is maintained in addition to this policies and procedures manual.

8.1-16 ALCOHOL AND DRUG-FREE WORKPLACE

A. Helix Water District recognizes that behavior resulting from the use of alcohol and/or drugs may detrimentally affect safety and work performance of employees and customers of the district.

B. This policy applies to all employees, interns and volunteers of the district.

C. Violation of this policy may be grounds for discipline up to and including termination upon following the procedures provided in Section 8.1-13 of the district’s policies and procedures manual.

D. Employees may be required to submit to a drug and/or alcohol screening if there is sufficient evidence that the employee is under the influence or in possession of drugs or alcohol while on the job.

E. Refer to the administrative manual for the district’s alcohol and drug-free workplace and alcohol and drug testing policies for more detail.
9.1-1 PURPOSE AND SCOPE

The policy of the Helix Water District is to maintain the highest ethical standards for its board members. The proper operation of the district requires decisions and policy to be made within the proper channels of governmental structure, that public office not be used for personal gain, and that board members remain objective and responsive to the needs of the public they serve. Accordingly, it is the policy of the district that board members and district employees will maintain the highest standard of personal honesty and fairness in carrying out their duties. This policy sets forth the basic ethical standard to be followed by the board of directors of the district. The objectives of this policy are to (1) provide guidance for dealing with ethical issues, (2) heighten awareness of ethics and values as critical elements in board members’ conduct, and (3) improve ethical decision-making and values-based management.

9.1-2 CODE OF CONDUCT AND DECORUM

The district board of directors has adopted the following code of conduct and decorum for members of the district board in order to promote and maintain the highest standards of personal and professional conduct in the district’s governance. While recognizing conflict and disagreement are sometimes a part of the public process, the district board acknowledges and values its duty to model ethical and civil behavior for the district’s customers and staff. District board decisions and work, therefore, must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this policy.

A. Conduct of Public Meetings

Each member of the district board of directors has a duty to:

1. Diligently prepare for meetings by understanding the background, purpose and arguments for and against items of business before a meeting.

2. Seek background information about agenda items and operational matters by contacting the district’s general manager prior to a board meeting. If the general manager is unavailable, contact the general manager’s designee or the board secretary.

3. Respect confidences and information designated as confidential. Do not disclose information received during any closed session of the district board held pursuant to state law.
4. Treat everyone with respect by actively listening to other viewpoints, and do not interrupt, ignore or belittle the contributions of others. Members of the board will use professional language.

5. State views briefly and clearly during Helix Water District board and committee meetings. Refrain from discussing non-agenda items.

6. Refrain from abusive conduct, personal charges or verbal attacks upon the character, motives, ethics, morals or comments of other members of the board, staff or the public.

7. Make impartial decisions in the best interest of the district, free of narrow political interests, financial and other personal interests that impair independence of judgment or action, and are consistent with, but not limited to, the requirements of the Political Reform Act, regulations of the Fair Political Practices Commission and other state and local laws.

8. Recognize and accept legitimate differences of opinion. Act with integrity in accepting, supporting and defending the district board. Once the board takes action, board members should respect the decision of the board and not create barriers to the implementation of said action. The dissenting member(s) may continue to oppose the decision; however, when speaking publicly, the dissenting member(s) should acknowledge the decision of the board and current policy of the district.

9. Provide fair and equal treatment of all persons and matters coming before the board.

B. Conduct in Office

Each member of the district board of directors has a duty to:

1. Support and defend the Constitution of the United States and the Constitution of the state of California against all enemies, foreign and domestic; bear true faith and allegiance to the Constitutions of the United States and state of California; and will well and faithfully discharge the duties of the office.

2. Board members will strive to work in cooperation with other public officials unless prohibited from so doing by law or officially-recognized confidentiality of their work.
3. Abide by and defend all applicable laws and policies, especially the political campaign, lobbying and conflict of interest laws enforced by the Fair Political Practices Commission, state laws and Helix Water District’s policies and procedures manual.

4. Safeguard ability to make independent, objective, fair and impartial judgments by scrupulously avoiding financial and social relationships and transactions that may compromise, or give the appearance of compromising objectivity, independence and honesty.

5. Carefully consider whether an action exceeds or appears to exceed authority of office for personal or financial gain. When in doubt, avoid actions that create, in the mind of a reasonable observer, the appearance of impropriety, ethical lapses, legal violations or actions inconsistent with this policy.

6. Refrain from making unauthorized commitments or promises of any kind purporting to bind the district. Refrain from any gratuitous comments that may harm the district's position in litigation or potential litigation.

7. Refrain from using status as a public officeholder to influence the outcome of a community meeting. When attending as a citizen, indicate when expressing personal opinions and refer questions related to district policies to the district’s general manager.

8. Utilize district resources, including but not limited to, equipment, supplies, staff time, telephones, computers and fax machines in a manner consistent with district policies, the Fair Political Practices Commission Regulations and state laws.

9. Correspondence paid for with public funds or on district stationery must relate to bona fide district business and must not purport to advance or advocate a policy not previously approved by the board of directors. No individual board member shall create or transmit any district correspondence without authorization from the board to serve as spokesperson for this purpose. Board members may distribute district public information.

C. Violation of Code of Conduct and Decorum Policy

1. Presiding Officer. The presiding officer shall request that a person who is breaching the rules of decorum be orderly and comply with this policy. After receiving a warning from the presiding officer, the
presiding officer may agendize an item for the next meeting of the board to discuss the conduct and have the board determine if the conduct is in violation of this policy. If a supermajority of the board determines the conduct was in violation of this policy, the board supermajority may impose any of the following remedial actions:

a. Issue a letter of warning from the board;

b. Adopt a resolution expressing disapproval of the conduct of the board member and censure by the board;

c. Remove the board member from their position on Helix Water District committees;

d. Deny or reduce payment of per diem and/or expense reimbursement for meetings of outside organizations; or

e. Deny or reduce payment of per diem and/or expense reimbursement for the board meetings at which the violation(s) occurred.

2. Motion to Enforce. If the presiding officer of the board fails to enforce the rules set forth above, any member may move the board to require the presiding officer to do so, and an affirmative vote of a supermajority of the board shall require him or her to do so. If the presiding officer of the board fails to carry out the will of a supermajority of the board, the supermajority may designate another member of the board to act as presiding officer for the limited purpose of enforcing any rule of this policy which it wishes enforced.

9.1-3 BOARD OFFICERS

The board shall elect by resolution one of its members as president and one of its members as vice president. A board member can elect not to serve. The president and vice president shall serve a one-year term and shall serve at the pleasure of the board. A majority of the board may remove the president or vice president from their position during their term. Elections shall be held the first meeting after the first Friday in December when a full board is present.

The general manager shall chair the proceedings for election of the president. The newly-elected president shall assume office immediately and shall chair the proceedings for the election of the vice president. The president shall call for nominations from members of the board. Board members shall not nominate themselves. No second shall be required. Once all nominations have been made, the president shall call for a roll call vote and board members shall state the name of the candidate for whom they cast their vote. Three votes shall be
required for election. If only one person should be nominated for an office, the board may act by motion to elect such nominee.

A. Duties of President

The president shall preside over and conduct all meetings of the board and hearings before the board using the latest Robert’s Rules of Order as a guideline for meeting protocol. The president shall carry out duties as required or imposed by law or a majority vote of the board. In so doing, the president shall have the following powers and responsibilities:

1. to assure that business of the board is conducted in an orderly and businesslike manner and to enforce reasonable rules of decorum;

2. to appoint committees as soon as practical following an election and modify appointments to internal or external committees or organizations at any time;

3. to follow the prepared agenda unless the board concurs to changes;

4. to set reasonable limits upon the length of time a member of the public may speak at meetings;

5. to recognize board members who wish to be heard and allow them the opportunity to speak without interruption, in order to completely convey their position;

6. to restate, where necessary, and to put to a vote all questions properly before the board and to announce the result of each vote;

7. to request termination of debate after there has been reasonable opportunity for full discussion of any issue and further debate would be needlessly repetitive or otherwise not useful, and where proper, to put the matter to a vote;

8. to rule out-of-order any comment by board members, staff or members of the public not germane to the issue before the board;

9. to declare the meeting adjourned if in his/her judgment an emergency exists requiring adjournment;

10. to authenticate by signature official records of Helix Water District and to sign letters of support or opposition to legislators when time does not allow for consideration by the full board;
11. the president’s authority is granted by the full board and he/she represents the full board in any public announcements, and should speak on behalf of the board only in support of the decisions of the full board;

12. when representing the board at meetings or events other than ceremonial and those assigned as a committee representative, the president shall notify the full board prior to the meeting or event; and

13. the president shall have the same rights as the other members of the board to vote, introduce motions and participate in discussion.

B. Duties of Vice President

The vice president shall exercise the duties of the president if the president is absent or unable to act.

C. Duties of Board Secretary

The board will, after considering the recommendation of the general manager, appoint by resolution Helix Water District’s board secretary (who will report to the general manager) and two assistant board secretaries.

The board secretary shall take and prepare minutes of the board, and attest to the minutes, ordinances, resolutions and other documents of the board. The board secretary shall prepare, post and publish notices as required by law. The board secretary shall declare a meeting adjourned to a stated time and place if there is a lack of quorum. The board secretary shall maintain official records of the board and carry out other duties as required or imposed by law or a majority vote of the board.

D. Duties of Assistant Board Secretary

The assistant board secretary shall exercise the duties of the board secretary if the board secretary is absent or unable to act.

9.1-4 AGENDA PREPARATION AND DISTRIBUTION

A. The general manager, or his/her designee, will be responsible for developing the agenda for each board meeting. Agenda items will be generated by the need to conduct the district’s business in a timely manner.
B. By contacting the general manager, any board member may place an item on the agenda of a board meeting for initial discussion provided the request meets the agenda posting requirements.

If an agenda item placed by an individual board member on the agenda for initial discussion would require a significant expenditure of staff time or other resources, such as the engagement of an outside consultant, the majority of the board must authorize the agenda item and preparation of the board report to be presented at a future agenda.

C. A member of the public has the right to present items to the board under the agenda item "opportunity for members of the public to address the board" as long as those items are under the subject matter jurisdiction of Helix Water District. At that time, the board may discuss placing the item on a future agenda. As provided in (B), any board member may place this item on a future agenda for initial discussion.

A member of the public may also request that any individual board member place an item on the agenda for initial discussion, subject to that board member's discretion, pursuant to Section 9.1-4(B).

In addition, a member of the public may request that a matter be placed on the board agenda by making a written request to the general manager, who will obtain the approval of the board president before placing the item on an agenda for initial discussion.

D. The board secretary shall be responsible for the preparation and distribution of board meeting agendas and shall coordinate the assembly of supporting documents.

9.1-5 FAIR AND EQUAL TREATMENT

To ensure board members are aware of best practices and to comply with state and federal law, each board member shall attend AB 1234 Ethics and Sexual Discrimination and Harassment Prevention training every two years. Board members, in the performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability. A board member will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances. (See, e.g., Article 1, Section 31 of the California Constitution; Age Discrimination Employment Act of 1967 (29 U.S.C., Section 621-634); Americans with Disabilities Act of 1990 (42 U.S.C., Section 12101 et. seq.); Fair Employment and Housing Act (Government Code, Section 12900 et Seq.); Rehabilitation Act of 1973 (29 U.S.C.,
9.1-6 PROPER USE AND SAFEGUARDING OF DISTRICT PROPERTY AND RESOURCES

Except as specifically authorized, a board member will not use or permit the use of Helix Water District-owned vehicles, equipment, telephones, materials or property for personal benefit or profit. A board member will not ask or require a district employee to perform services for the personal benefit or profit of a board member or employee. Each board member must protect and properly use any district asset within his or her control including information recorded on paper or in electronic form. Board members will safeguard district property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust. (Article 16, Section 6 of the California Constitution, Government Code Section 8314; Penal Code Section 424; see People v. Battin (1978) 77 Cal.App.3d 635.)

9.1-7 USE OF CONFIDENTIAL INFORMATION

A. A board member is not authorized, without approval of the board of directors, to disclose information that qualifies as confidential information under applicable provisions of law to a person not authorized to receive it, that (1) has been received for, or during, a closed session meeting of the board, or (2) is protected from disclosure under the attorney/client or other evidentiary privilege.

B. This section does not prohibit any of the following: (1) making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the district, an elected official or employee, (2) expressing an opinion concerning the propriety or legality of actions taken by the district in closed session, including disclosure of the nature and extent of the allegedly illegal action, or (3) disclosing information acquired by being present in a closed session that is not confidential information. Prior to disclosing confidential information pursuant to (1) or (2) above, however, a board member will first bring the matter to the attention of either the president of the board or the full board, to provide the board an opportunity to cure an alleged violation.

C. A board member who willfully and knowingly discloses for pecuniary gain confidential information received by him or her in the course of his or her official duties may be guilty of a misdemeanor under Government Code Section 1098. (California Government Code Section 54963.)
9.1-8 CONFLICT OF INTEREST

A. A board member will not have a financial interest in a contract with Helix Water District, or be a purchaser at a sale by the district or a vendor at a purchase made by the district, unless the board member’s participation was authorized under Government Code Sections 1091 or 1091.5, or other provisions of law. See the Helix Water District Conflict of Interest Code under separate cover.

B. A board member will not recommend the employment of a relative to any person known by the board member to be bidding for or negotiating a contract with the district.

C. A board member who knowingly asks for, accepts or agrees to receive any gift, reward or promise thereof for doing an official act, except as may be authorized by law, may be guilty of a misdemeanor under Penal Code Section 70. (Government Code Sections 1090 and following and Penal Code Sections 68 and 70.)

9.1-9 SOLICITING POLITICAL CONTRIBUTIONS

Board members are prohibited from soliciting political contributions from district employees or officers at district facilities or during district work hours. Board members shall not solicit political contributions from (a) district employees or officers or (b) contractors, vendors or consultants qualifying as “designated employees” under the district’s Conflict of Interest Code, unless the solicitation is part of a solicitation made to a significant segment of the public which may include officers, employees, contractors, vendors or consultants of the district. A board member will not use the district’s seal, trademark, stationery or other indicia of the district’s identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal law. (Government Code Section 3205 and the district’s Employee Political/Election Related Activities Policy.)

9.1-10 INCOMPATIBLE OFFICES

A board member shall not hold a public office, the duties of which may require action contradictory or inconsistent with his or her duties as a board member, as determined under applicable law. See, generally, 73 Cal.Op.Atty. Gen. 357 (1990). See also Government Code Section 53227.

9.1-11 BOARD MEMBER-GENERAL MANAGER RELATIONSHIP

A. The board of directors, acting as a board, is the governing body of Helix Water District and sets policy for the district. The board shall act only at its regular, regular adjourned, special or emergency meetings. All powers of the district
shall be exercised and performed by the board as a body. Individual board members, except as otherwise authorized by the board, shall have no power to act for Helix Water District, or the board or to direct the staff of the district.

B. The district’s general manager (a) has full charge and control of the construction, maintenance and operations of the water system and other facilities of the district, (b) has full power and authority to employ and discharge employees, consistent with district policy and other provisions of law, (c) prescribes the duties of employees, consistent with district policy, and (d) fixes and alters the compensation of employees, subject to approval by the board. The board will, after considering the recommendation of the general manager, appoint by resolution the district’s financial officer/treasurer (who will report to the general manager). The financial officer/treasurer will install and maintain a system of auditing and accounting that will completely and at all times show the financial condition of the district in accordance with generally accepted accounting principles and legal requirements. The board will retain and periodically review the work of an auditor as an independent contractor of the district (other than the financial officer/treasurer), who will report to the board, to conduct an annual audit of the district’s books, records and financial affairs.

C. The district’s general manager serves at the pleasure of the board. The board will provide policy direction and instructions to the general manager on matters within the authority of the board by majority vote of the board during duly-convened board and board committee meetings. Members of the board will deal with matters within the authority of the general manager through the general manager, and not through other district employees, except as it pertains to the functions of the financial officer/treasurer. Members of the board will refrain from making requests directly to district employees (rather than to the general manager) to undertake analyses, perform other work assignments, change the priority of work assignments or request information.

9.1-12 IMPROPER ACTIVITIES AND THE REPORTING SUCH ACTIVITIES; PROTECTION OF WHISTLE BLOWERS

A. The general manager has the primary responsibility for (1) ensuring compliance with the district’s policies and procedures manual and administrative manual, and ensuring that district employees do not engage in improper activities; (2) investigating allegations of improper activities; and (3) taking appropriate corrective and disciplinary actions. The board has a duty to ensure that the general manager is operating the district according to law and the policies approved by the board. Board members are encouraged to fulfill their obligation to the public and the district by disclosing to the general manager to the extent not expressly prohibited by law, improper activities
within their knowledge. Board members will not interfere with the general manager’s responsibilities in identifying, investigating and correcting improper activities, unless the full board of directors determines that the general manager is not properly carrying out these responsibilities.

B. A board member will not directly or indirectly use or attempt to use the authority or influence of his or her position for the purpose of intimidating, threatening, coercing, commanding or influencing any other person for the purpose of preventing such person from acting in good faith to report or otherwise bring to the attention of the general manager or the board any information that, if true, would constitute: a work-related violation by a board member or Helix Water District employee of any law or regulation, gross waste of district funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of a district official or employee, use of a district office or position or of district resources for personal gain or a conflict of interest of a district board member or district employee.

C. A board member will not use or threaten to use any official authority or influence to effect any action as a reprisal against a district board member or district employee who reports or otherwise brings to the attention of the general manager any information regarding the subjects described in this section. See Labor Code Section 1102.5 and following; Government Code Sections 53298 and 53298.5.

9.1-13 COMPLIANCE WITH THE BROWN ACT

The members of the board of directors and persons elected but who have not yet assumed office as members of the board, will fully comply with the provisions of the state’s open meeting law for public agencies, the Brown Act. See Government Code Sections 54950 and following, and 54952.1 and 54959.)

9.1-14 BOARD MEMBERS’ COMPENSATION AND EXPENSE REIMBURSEMENT

A. Travel Guidelines

1. Per diems and expenses will be paid for the period of any conference attended and all conference-related activities scheduled prior to and after the conference, with a reasonable time allowed to travel to and from the conference/related activities. This guideline acknowledges that if early arrival or stay-over is required because of transportation scheduling, per diem and expenses will be paid for that period. Conference lodging expenses shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging
at the group rate is available to the board member at the time of booking. If the group rate is not available, the board member shall use comparable lodging. Government and group rates shall be used when available.

2. Expenses for travel by personal automobile will not exceed those paid to board members traveling by scheduled airlines to attend the same conference. Reimbursement for mileage will be in accordance with the Internal Revenue Service standard mileage rate.

3. If a spouse travels with the claimant, and expenses are pre-paid by Helix Water District for the spouse, those pre-paid expenses must be reimbursed to the district as soon as is practical upon the board member’s return. Generally, they are deducted from the board member’s check, through the payroll cycle subsequent to submittal of the expense report.

4. Reasonable expense to call home and use hotel Wi-Fi will be reimbursed.

5. Meal reimbursement of $75 per day per board member when traveling at district expense for conferences, seminars and/or business meetings.

6. All reimbursed expenses require itemized receipts to be attached to the expense claim form. If the itemized receipt is not provided by a vendor or is lost, an explanation of the expenditure shall be included on the expense claim form and approved by the board for payment. Alcohol will not be reimbursed. If the conference registration includes meals, substitute meals will not be reimbursed.

7. If claimant expenses are prepaid by the district and are not used, the district will require reimbursement unless the reason for not attending was due to personal illness or an event that impeded good faith efforts to attend. Such events could include flight or other public transportation delays or cancellations, meeting cancellations or date changes, or sudden events within the district which would serve the district’s best interest that the individual not be away. Claimant would still be responsible for prepaid spouse expenses.

8. The district does not make credit cards available to board members. Payment for board expenses will be made through departmental credit cards, purchase orders, checks or reimbursement through accounts payable or payroll.
B. Guidelines for Payment of Per Diems and Expenses

The board reviews its authorization for payment of per diems and expenses (preapproved activities) biennially, following reorganization of the board and election of a new chair. Following are the current guidelines:

1. The following activities/events are preapproved for all board members in attendance to receive a per diem and expenses per Government Code Section 53232.2 (unless noted otherwise):

   ACWA Conferences, ACWA Region 10 meetings
   California Special Districts Association – board meetings, conferences, chapter meetings, committee meetings, quarterly dinner meetings
   Cleantech San Diego – board meetings, conferences, meetings
   Colorado River Water Users Association conferences
   Council of Water Utilities – meetings
   Helix Water District – board subcommittee meetings
   Metropolitan Water District board meetings
   Metropolitan Water District Tours
   San Diego County Water Authority board/committee meetings
   (Appointed Helix representatives are SDCWA directors and compensated only by SDCWA; Board members who are not Helix Water District representatives may claim expenses and per diem)
   San Diego East County Chamber of Commerce – monthly breakfast meetings
   State Mandated Ethics Training
   State Mandated Sexual Harassment Avoidance Training
   Urban Water Institute conferences
   Water Education Foundation Tours
   WateReuse Association – San Diego Chapter – quarterly meetings

2. The following activities/events are preapproved for attendance, teleconference or webinar by board members designated to represent Helix Water District by the board president. Designated alternates qualify for a per diem. Any other board members who wish to attend must have approval by the board or be designated by the president to attend and receive a per diem or expense reimbursement:

   ACWA Committees and Subcommittees
   ACWA/JPIA Committees and Subcommittees
   ACWA Region 10 Board and Committees
   East County Economic Development Council and Executive Committee
   Harry Griffen Park Joint Steering Committee
   Helix Audit Committee
3. Board members may seek authorization to attend other functions that constitute the performance of official duties including but not limited to, tours of other agency facilities, state of the county/city addresses, legislative roundtables, public hearings, project update meetings, meetings of ACWA Regions 1 through 9, and association dinners and lunches. Board members desiring to attend events of this nature would require approval from the board in order to receive a per diem and/or expense reimbursement.

4. Board members may attend webinars in lieu of regularly approved activities, events or conferences. Board approved webinars will offer a significant benefit to Helix Water District and board members must provide a written report for distribution to the board, or make a brief verbal report during the next regular meeting of the board. Webinar attendance applies toward the maximum of ten per diems per month.

5. New board members may receive up to five per diems and expense reimbursements for an orientation program that meets the following criteria:
   
   a. Is part of a planned orientation schedule.
   b. The orientation meeting is at least two hours in duration.
   c. The per diems for this purpose must be claimed during the first six months of service on the board.

6. The following activities/events are not eligible for per diem or expense claims:
   
   a. Attending other districts’ board meetings (unless directed by the board).
   b. Helix employee appreciation breakfast.
   c. Retirement receptions for district employees/board members.
   d. Helix picnics or dinner dances.
   e. Chamber of Commerce business mixers.
7. Board members one-on-one meeting with general manager (one per month) informational/issues meeting to receive a per diem.

8. When the chair appoints a board member to a committee or to represent Helix Water District at a meeting, the meeting or event is preapproved for the appointed board member to receive a per diem.

9. At the following board meeting, each board member shall briefly report on meetings attended at the district’s expense or provide a written report. If multiple board members attended, a joint report may be made.

9.1-15 CHANGES IN COMPENSATION

Changes in the compensation of board members will require the approval of the board during an open meeting of the board held at least 60 days prior to the effective date of the change. See Water Code Sections 20200 and following.

9.1-16 CANDIDATE’S STATEMENT

A board member will not include false or misleading information in a candidate’s statement for a general district election filed pursuant to Section 13307 of the Elections Code. See Elections Code Section 13313.

9.1-17 VIOLATION OF ETHICS POLICY

A perceived violation of this policy by a board member should be referred to the president of the board or the full board of directors for investigation. If the conduct is found to be a violation of the district’s policy by an affirmative vote of three members of the board in an open and public meeting, the violation may be addressed by the use of such remedies as are available by law to the district, including but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of the board member who has violated this policy; (b) injunctive relief; or (c) referral of the violation to the district attorney and/or the grand jury.

9.1-18 GIFT OF TICKETS AND/OR PASSES

A. The purpose of this policy is to ensure that all tickets and/or passes to attend a facility, event, show or performance for an entertainment, amusement, recreational or similar purpose, made available to or for the district, are distributed in furtherance of governmental and/or public purposes as required under Fair Political Practices Commission Regulation 18944.1.

B. The district finds that the receipt of all such discounted, free or purchased tickets and/or passes are public resources. The district hereby desires to
distribute these public resources in a manner that furthers its governmental and public purposes as reasonably described herein, such as the promotion of water conservation, water quality, water supply, water policy, the marketing of Helix Water District services and the recognition of the district and its community and government partners for these purposes.

C. This policy shall be subject to the following limitations:

1. This policy shall only apply to the district’s distribution of tickets and/or passes to, or at the behest of, a public official for which no consideration of equal or greater value is provided by the public official.

2. Consideration of equal or greater value shall be presumed if the tickets and/or passes are distributed pursuant to this policy.

3. Unless exempted otherwise under state law, any ticket and/or pass received or directed for use by a district official not in conformance with this policy remains subject to separate disclosure requirements and the annual gift limit.

4. This policy does not generally apply to political or nonprofit fundraisers which are governed under a separate policy.

5. Tickets and/or passes to events that primarily provide informational material and are provided to assist the district official in the performance of his or her official duties or that of his or her elected office being sought are also not generally subject to this policy. As any event becomes more entertainment-oriented, this policy as well as district counsel should be consulted.

D. Definitions:

District officials shall mean all public officials and those employees as that term is defined by Government Code 82048 and Title 2 of the California Code of Regulations, Section 18701.

Tickets and passes are defined as an admission to a facility, event, show or performance for an entertainment, amusement, recreational or similar purposes. (FPPC Regulation 18944.1).

E. The general manager, or his/her designee, shall be responsible for managing all donations of tickets and/or passes and for the accounting and inventory of all donated tickets and/or passes. In such case, where the general manager desires to obtain a ticket or pass, the district’s board authorizes the board
president to exercise Helix Water District’s sole discretion in determining whether the general manager’s use or behest of tickets and/or passes is in accordance with the terms of this policy.

F. The general manager may authorize district staff to approach companies or organizations to request donation of tickets and/or passes to facilitate the achievement of the governmental and public purposes described below.

G. The district may accomplish one or more public purposes of the district through the distribution of tickets to, or at the behest of, a district official. The following list is illustrative rather than exhaustive, of the public purposes of the district that may be served by district officials attending events using tickets distributed to them by the district.

1. Promotion of water conservation, water supply, water quality and water services within the district, regionally and statewide.

2. Marketing promotions highlighting the achievements of public agencies, local residents, nonprofits, community groups and businesses in the areas of water conservation, water supply, water quality or water services.

3. Promotion and marketing of district facilities, Lake Jennings, Harry Griffen Park and the Water Conservation Garden and resources available for public use.

4. Promotion of district recognition, visibility, and/or profile on a local, state, national or international scale.

5. Promotion of district issues and interests at events sponsored by other governmental agencies, government related industry groups and nonprofit organizations, including but not limited to annual state of the city events hosted by surrounding cities, League of California Cities, Association of California Water Agencies and California Special Districts Association events.

6. Promotion of open government by district official appearances, participation and/or availability at business or community events.

7. Sponsorship agreements involving private events where district specifically seeks to enhance district’s reputation both locally and regionally by serving as hosts providing the necessary opportunities to meet and greet visitors, dignitaries and residents.
8. All written contracts where Helix Water District as a form of consideration has required that a certain number of tickets or suites be made available for its use.

9. Employment retention programs.

10. Charitable 501(c)(3) fundraisers for the purpose of networking with other community and civic leaders.

11. Spouses of Helix Water District officials in order to accompany him or her to any of the events listed above.

12. Any purpose similar to above included in any district contract.

H. Any district official or any member of the district official’s immediate family may return any ticket unused to district for redistribution pursuant to this policy. Government Code Section 82029 has defined immediate family to mean spouse and dependent children. Under no reasons, may either the district official or a member of his or her immediate family sell or further transfer any ticket and/or pass provided under this policy.

I. The transfer by any district official of any tickets and/or passes distributed pursuant to this policy to any other person, except to members of the district official’s immediate family for their personal use, is prohibited.

J. This policy shall be posted on district’s website in a prominent fashion. These forms shall be posted for 12 months and may be removed at the district’s discretion anytime thereafter.

K. The distribution of tickets or passes pursuant to this policy shall be posted on district’s website in a prominent fashion within 30 days after the ticket distribution and shall include all the information as required under Section 18944.1. Any such posting shall use Fair Political Practices Commission Form 802 or such alternative form as may be approved or amended from time to time.