



Inverness Public Utility District
Board Meeting May 26, 2021

Agenda Item No. 5

Management Report

Clerk S. Redding, J. Fox & W. Holland

- FY 2021 Financials
 - Financial Reports
 - Capital Projects Accounting April 2021
 - FY 2021-2022 Draft Budget
- Tenney Tank Project Update
- MWPA Update
- MERA Update

Inverness PUD
Profit & Loss by Class
July 2020 through April 2021

	DISTRICT	FIRE	WATER	TOTAL
Ordinary Income/Expense				
Income				
N 600 · Property Tax Income				
600-01 · Ad Valorem Property Taxes	447,449.22	0.00	0.00	447,449.22
600-02 · Special Fire Tax Assessment	0.00	71,546.90	0.00	71,546.90
600-04 · MWPA Defensible Space Program	0.00	11,184.32	0.00	11,184.32
600-05 · MWPA Local Specific Prevention	0.00	11,184.33	0.00	11,184.33
600-06 · Excess ERAF	114,662.57	0.00	0.00	114,662.57
Total N 600 · Property Tax Income	562,111.79	93,915.55	0.00	656,027.34
N 700 · Water Charges				
700-01 · Basic Charges	0.00	0.00	374,818.50	374,818.50
700-02 · Usage Charges	0.00	0.00	76,126.10	76,126.10
700-03 · Cross Connection Fees	0.00	0.00	1,080.00	1,080.00
700-04 · Miscellaneous Charges	0.00	0.00	765.30	765.30
Total N 700 · Water Charges	0.00	0.00	452,789.90	452,789.90
N 710 · Misc. Income				
710-02 · Other Income	1,511.21	800.00	50.00	2,361.21
710-05 · Chipper Day Income	0.00	3,560.00	0.00	3,560.00
710-06 · New Service Connection Fee	0.00	0.00	15,400.00	15,400.00
710-07 · Interest Income	3,921.58	0.00	0.00	3,921.58
Total N 710 · Misc. Income	5,432.79	4,360.00	15,450.00	25,242.79
Total Income	567,544.58	98,275.55	468,239.90	1,134,060.03
Gross Profit	567,544.58	98,275.55	468,239.90	1,134,060.03
Expense				
66900 · Reconciliation Discrepancies	0.00	0.00	0.00	0.00
N 810 · Personnel Expenses				
810-01 · Management	74,628.60	41,706.54	41,706.54	158,041.68
810-02 · Operations Personnel	0.00	35,932.50	169,982.05	205,914.55
810-03 · Administrative Personnel	10,757.48	0.00	25,201.70	35,959.18
810-04 · Employer Payroll Taxes	7,138.03	5,613.92	17,346.65	30,098.60
810-05 · Fire Wages - Staff	0.00	56.00	0.00	56.00
810-06 · Duty Officer	0.00	850.00	1,500.00	2,350.00
810-07 · Health Insurance Premiums	37,136.24	30,080.66	60,535.07	127,751.97
810-08 · Retirement Premiums	9,541.68	15,474.91	28,675.00	53,691.59
810-09 · Unfunded Accrued Liability	163.50	10,116.00	16,332.50	26,612.00
810-10 · Accrued Vacation	741.60	5,648.95	7,110.21	13,500.76
810-11 · Workers Comp Insurance	514.95	7,619.98	11,068.89	19,203.82
810-12 · EDD Unemployment	1,693.50	3,810.94	0.00	5,504.44
Total N 810 · Personnel Expenses	142,315.58	156,910.40	379,458.61	678,684.59
N 830 · Dispatch & Communications				
830-01 · Radio/Pager Repair	0.00	427.87	0.00	427.87
830-02 · Commo Supplies	0.00	6,374.57	0.00	6,374.57
830-03 · MERA Operations	0.00	10,431.00	0.00	10,431.00
830-04 · MERA Bonds	0.00	11,978.00	0.00	11,978.00
830-05 · MERA New Financing	0.00	1,121.00	0.00	1,121.00
Total N 830 · Dispatch & Communications	0.00	30,332.44	0.00	30,332.44
N 833 · Collection & Treatment				
833-01 · Chemicals	0.00	0.00	4,338.76	4,338.76
Total N 833 · Collection & Treatment	0.00	0.00	4,338.76	4,338.76
N 835 · Lab & Monitoring				
835-01 · BacT & Raw Samples	0.00	0.00	3,351.30	3,351.30
835-02 · Periodic Samples	0.00	0.00	3,108.00	3,108.00
835-03 · Lead & Copper	0.00	0.00	855.00	855.00
Total N 835 · Lab & Monitoring	0.00	0.00	7,314.30	7,314.30

Inverness PUD
Profit & Loss by Class
July 2020 through April 2021

	DISTRICT	FIRE	WATER	TOTAL
N 840 · Maintenance & Utilities				
840-01 · Equipment Maintenance	0.00	982.64	901.60	1,884.24
840-02 · Building Maintenance	0.00	3,062.43	672.45	3,734.88
840-03 · Grounds Maintenance	0.00	452.25	1,300.00	1,752.25
840-04 · Tank Maintenance	0.00	0.00	267.67	267.67
840-05 · Collection & Treatment Maint.	0.00	0.00	7,542.35	7,542.35
840-06 · Distribution System Maintenance	0.00	0.00	4,865.78	4,865.78
840-07 · Collection-Treatment Utilities	0.00	0.00	32,723.70	32,723.70
840-08 · Distribution System Utilities	0.00	0.00	790.54	790.54
840-09 · Firehouse Utilities	0.00	4,669.36	0.00	4,669.36
840-10 · SCADA Maintenance	0.00	0.00	3,714.11	3,714.11
Total N 840 · Maintenance & Utilities	0.00	9,166.68	52,778.20	61,944.88
N 843 · Fire Prevention				
843-02 · Chipper Day Expenses	0.00	6,582.50	0.00	6,582.50
843-03 · MWPA Defensible Space	0.00	1,300.00	0.00	1,300.00
Total N 843 · Fire Prevention	0.00	7,882.50	0.00	7,882.50
N 844 · Storage & Distribution				
844-01 · Telemetry	0.00	0.00	1,689.63	1,689.63
844-03 · Miscellaneous	0.00	0.00	2,040.00	2,040.00
Total N 844 · Storage & Distribution	0.00	0.00	3,729.63	3,729.63
N 845 · Supplies & Inventory				
845-01 · Supplies and Inventory	0.00	2,885.02	4,543.01	7,428.03
845-02 · Personal Protective Equipment	0.00	7,435.66	59.77	7,495.43
845-03 · Resale Merchandise	0.00	-15.00	0.00	-15.00
N 845 · Supplies & Inventory - Other	0.00	0.00	341.91	341.91
Total N 845 · Supplies & Inventory	0.00	10,305.68	4,944.69	15,250.37
N 850 · Training				
850-01 · Volunteer Training	0.00	1,696.15	0.00	1,696.15
850-02 · Certification & Courses	0.00	143.00	60.00	203.00
850-03 · Volunteer Appreciation	0.00	1,650.00	0.00	1,650.00
850-04 · Volunteer Stipends	0.00	1,650.00	0.00	1,650.00
Total N 850 · Training	0.00	5,139.15	60.00	5,199.15
N 860 · Vehicle Operations				
860-01 · Gas & Oil	0.00	3,354.95	3,299.34	6,654.29
860-02 · Repairs & Service	0.00	947.30	5,278.96	6,226.26
Total N 860 · Vehicle Operations	0.00	4,302.25	8,578.30	12,880.55
N 870 · Administration				
870-01 · Telephone, Internet, Cable	2,222.69	1,605.87	0.00	3,828.56
870-02 · Dues & Publications	4,501.44	836.00	1,958.65	7,296.09
870-03 · Insurance	0.00	15,000.00	17,704.46	32,704.46
870-04 · Financial Reporting/Audit	9,456.00	2,922.00	2,922.00	15,300.00
870-05 · Office Supplies, Postage, Fees	5,163.87	60.43	198.41	5,422.71
870-06 · Bank & Payroll Charges	8,606.15	0.00	0.00	8,606.15
870-07 · Legal Expenses and Attorneys	15,360.00	0.00	0.00	15,360.00
870-08 · Board & Election Expenses	399.90	0.00	0.00	399.90
870-09 · Travel & Meetings	425.00	0.00	0.00	425.00
870-10 · Public Relations & Outreach	2,514.78	0.00	2,223.64	4,738.42
870-11 · Office IT Support	1,515.00	0.00	0.00	1,515.00
870-12 · Billing & Collections	0.00	0.00	6,145.91	6,145.91
870-13 · Disaster Council	0.00	2,037.69	0.00	2,037.69
870-14 · Miscellaneous	0.54	0.00	6.40	6.94
870-15 · Other Agency Assessments	607.62	0.00	3,405.60	4,013.22
Total N 870 · Administration	50,772.99	22,461.99	34,565.07	107,800.05
Total Expense	193,088.57	246,501.09	495,767.56	935,357.22
Net Ordinary Income	374,456.01	-148,225.54	-27,527.66	198,702.81
Net Income	374,456.01	-148,225.54	-27,527.66	198,702.81

Inverness PUD
Profit & Loss Budget vs. Actual
July 2020 through April 2021

	Jul '20 - Apr 21	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
N 600 · Property Tax Income				
600-01 · Ad Valorem Property Taxes	447,449.22	391,109.35	56,339.87	114.4%
600-02 · Special Fire Tax Assessment	71,546.90	67,385.00	4,161.90	106.2%
600-03 · TOT Taxes	0.00	12,500.00	-12,500.00	0.0%
600-04 · MWPA Defensible Space Program	11,184.32	20,000.00	-8,815.68	55.9%
600-05 · MWPA Local Specific Prevention	11,184.33	20,000.00	-8,815.67	55.9%
600-06 · Excess ERAF	114,662.57	100,000.00	14,662.57	114.7%
Total N 600 · Property Tax Income	656,027.34	610,994.35	45,032.99	107.4%
N 700 · Water Charges				
700-01 · Basic Charges	374,818.50	376,750.00	-1,931.50	99.5%
700-02 · Usage Charges	76,126.10	87,334.00	-11,207.90	87.2%
700-03 · Cross Connection Fees	1,080.00	1,082.00	-2.00	99.8%
700-04 · Miscellaneous Charges	765.30	840.00	-74.70	91.1%
Total N 700 · Water Charges	452,789.90	466,006.00	-13,216.10	97.2%
N 710 · Misc. Income				
710-01 · Customer Work Overhead	0.00	420.00	-420.00	0.0%
710-02 · Other Income	2,361.21	2,480.00	-118.79	95.2%
710-03 · WMES (Burton Funds)	0.00	7,490.00	-7,490.00	0.0%
710-04 · Merchandise Sales	0.00	15.00	-15.00	0.0%
710-05 · Chipper Day Income	3,560.00	3,560.00	0.00	100.0%
710-06 · New Service Connection Fee	15,400.00	7,700.00	7,700.00	200.0%
710-07 · Interest Income	3,921.58	9,000.00	-5,078.42	43.6%
N 710 · Misc. Income - Other	0.00	0.00	0.00	0.0%
Total N 710 · Misc. Income	25,242.79	30,665.00	-5,422.21	82.3%
Total Income	1,134,060.03	1,107,665.35	26,394.68	102.4%
Gross Profit	1,134,060.03	1,107,665.35	26,394.68	102.4%
Expense				
N 810 · Personnel Expenses				
810-01 · Management	158,041.68	176,003.34	-17,961.66	89.8%
810-02 · Operations Personnel	205,914.55	129,615.66	76,298.89	158.9%
810-03 · Administrative Personnel	35,959.18	21,450.00	14,509.18	167.6%
810-04 · Employer Payroll Taxes	30,098.60	31,186.00	-1,087.40	96.5%
810-05 · Fire Wages - Staff	56.00	1,000.00	-944.00	5.6%
810-06 · Duty Officer	2,350.00	2,500.00	-150.00	94.0%
810-07 · Health Insurance Premiums	127,751.97	103,670.68	24,081.29	123.2%
810-08 · Retirement Premiums	53,691.59	61,224.18	-7,532.59	87.7%
810-09 · Unfunded Accrued Liability	26,612.00	26,613.00	-1.00	100.0%
810-10 · Accrued Vacation	13,500.76	11,584.25	1,916.51	116.5%
810-11 · Workers Comp Insurance	19,203.82	20,144.50	-940.68	95.3%
810-12 · EDD Unemployment	5,504.44			
Total N 810 · Personnel Expenses	678,684.59	584,991.61	93,692.98	116.0%
N 830 · Dispatch & Communications				
830-01 · Radio/Pager Repair	427.87	830.00	-402.13	51.6%
830-02 · Commo Supplies	6,374.57	6,450.00	-75.43	98.8%
830-03 · MERA Operations	10,431.00	10,431.00	0.00	100.0%
830-04 · MERA Bonds	11,978.00	11,978.00	0.00	100.0%
830-05 · MERA New Financing	1,121.00	1,121.00	0.00	100.0%
Total N 830 · Dispatch & Communications	30,332.44	30,810.00	-477.56	98.4%
N 833 · Collection & Treatment				
833-01 · Chemicals	4,338.76	5,400.00	-1,061.24	80.3%
Total N 833 · Collection & Treatment	4,338.76	5,400.00	-1,061.24	80.3%
N 835 · Lab & Monitoring				
835-01 · BacT & Raw Samples	3,351.30	3,750.00	-398.70	89.4%
835-02 · Periodic Samples	3,108.00	4,300.00	-1,192.00	72.3%
835-03 · Lead & Copper	855.00	1,000.00	-145.00	85.5%
Total N 835 · Lab & Monitoring	7,314.30	9,050.00	-1,735.70	80.8%

Inverness PUD
Profit & Loss Budget vs. Actual
July 2020 through April 2021

	Jul '20 - Apr 21	Budget	\$ Over Budget	% of Budget
N 840 · Maintenance & Utilities				
840-01 · Equipment Maintenance	1,884.24	3,412.00	-1,527.76	55.2%
840-02 · Building Maintenance	3,734.88	5,916.00	-2,181.12	63.1%
840-03 · Grounds Maintenance	1,752.25	750.00	1,002.25	233.6%
840-04 · Tank Maintenance	267.67	1,000.00	-732.33	26.8%
840-05 · Collection & Treatment Maint.	7,542.35	7,750.00	-207.65	97.3%
840-06 · Distribution System Maintenance	4,865.78	8,916.00	-4,050.22	54.6%
840-07 · Collection-Treatment Utilities	32,723.70	29,400.00	3,323.70	111.3%
840-08 · Distribution System Utilities	790.54	1,250.00	-459.46	63.2%
840-09 · Firehouse Utilities	4,669.36	4,350.00	319.36	107.3%
840-10 · SCADA Maintenance	3,714.11	4,160.00	-445.89	89.3%
Total N 840 · Maintenance & Utilities	61,944.88	66,904.00	-4,959.12	92.6%
N 843 · Fire Prevention				
843-01 · Public Education and Awareness	0.00	416.00	-416.00	0.0%
843-02 · Chipper Day Expenses	6,582.50	6,583.00	-0.50	100.0%
843-03 · MWPA Defensible Space	1,300.00			
Total N 843 · Fire Prevention	7,882.50	6,999.00	883.50	112.6%
N 844 · Storage & Distribution				
844-01 · Telemetry	1,689.63	2,416.00	-726.37	69.9%
844-02 · Cross Connection Maint.	0.00	1,200.00	-1,200.00	0.0%
844-03 · Miscellaneous	2,040.00	2,500.00	-460.00	81.6%
Total N 844 · Storage & Distribution	3,729.63	6,116.00	-2,386.37	61.0%
N 845 · Supplies & Inventory				
845-01 · Supplies and Inventory	7,428.03	8,750.00	-1,321.97	84.9%
845-02 · Personal Protective Equipment	7,495.43	9,766.00	-2,270.57	76.8%
845-03 · Resale Merchandise	-15.00			
N 845 · Supplies & Inventory - Other	341.91			
Total N 845 · Supplies & Inventory	15,250.37	18,516.00	-3,265.63	82.4%
N 850 · Training				
850-01 · Volunteer Training	1,696.15	2,000.00	-303.85	84.8%
850-02 · Certification & Courses	203.00	834.00	-631.00	24.3%
850-03 · Volunteer Appreciation	1,650.00	1,650.00	0.00	100.0%
850-04 · Volunteer Stipends	1,650.00	2,500.00	-850.00	66.0%
850-05 · Workers Compensation Insurance	0.00	4,644.00	-4,644.00	0.0%
Total N 850 · Training	5,199.15	11,628.00	-6,428.85	44.7%
N 860 · Vehicle Operations				
860-01 · Gas & Oil	6,654.29	8,316.00	-1,661.71	80.0%
860-02 · Repairs & Service	6,226.26	6,666.00	-439.74	93.4%
Total N 860 · Vehicle Operations	12,880.55	14,982.00	-2,101.45	86.0%
N 870 · Administration				
870-01 · Telephone, Internet, Cable	3,828.56	4,416.00	-587.44	86.7%
870-02 · Dues & Publications	7,296.09	6,252.00	1,044.09	116.7%
870-03 · Insurance	32,704.46	32,704.00	0.46	100.0%
870-04 · Financial Reporting/Audit	15,300.00	11,200.00	4,100.00	136.6%
870-05 · Office Supplies, Postage, Fees	5,422.71	4,850.00	572.71	111.8%
870-06 · Bank & Payroll Charges	8,606.15	8,333.34	272.81	103.3%
870-07 · Legal Expenses and Attorneys	15,360.00	20,000.00	-4,640.00	76.8%
870-08 · Board & Election Expenses	399.90	100.00	299.90	399.9%
870-09 · Travel & Meetings	425.00	3,080.00	-2,655.00	13.8%
870-10 · Public Relations & Outreach	4,738.42	2,154.00	2,584.42	220.0%
870-11 · Office IT Support	1,515.00	11,940.00	-10,425.00	12.7%
870-12 · Billing & Collections	6,145.91	7,500.00	-1,354.09	81.9%
870-13 · Disaster Council	2,037.69	8,406.00	-6,368.31	24.2%
870-14 · Miscellaneous	6.94	1,252.68	-1,245.74	0.6%
870-15 · Other Agency Assessments	4,013.22	1,000.00	3,013.22	401.3%
Total N 870 · Administration	107,800.05	123,188.02	-15,387.97	87.5%
Total Expense	935,357.22	878,584.63	56,772.59	106.5%
Net Ordinary Income	198,702.81	229,080.72	-30,377.91	86.7%
Net Income	198,702.81	229,080.72	-30,377.91	86.7%

Inverness PUD
Summary Balance Sheet
As of April 30, 2020

	Apr 30, 20
ASSETS	
Current Assets	
Checking/Savings	453,367.40
Accounts Receivable	92,456.39
Other Current Assets	1,047,584.97
	1,593,408.76
Total Current Assets	1,593,408.76
Fixed Assets	1,547,338.72
Other Assets	555,922.46
	3,696,669.94
TOTAL ASSETS	3,696,669.94
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	10,060.62
Credit Cards	-2,433.31
Other Current Liabilities	1,011,508.82
	1,019,136.13
Total Current Liabilities	1,019,136.13
Long Term Liabilities	116,081.00
	1,135,217.13
Total Liabilities	1,135,217.13
Equity	2,561,452.81
	3,696,669.94
TOTAL LIABILITIES & EQUITY	3,696,669.94

Inverness Public Utility District
CAPITAL PROJECTS REPORT FY2021
April 2021

<i>All projects active at any time during the current year are listed.</i>			Active Projects		Completed Projects		Capitalized 2019-20
No.	Project Name	Total Budget	Total Am't Spent	Amount Remaining	Total Spent	Total Unspent	
Water							
1-371-22	Tenney Tank Replacement Project	\$865,000	\$99,005	\$765,995			
1-371-28	D4 Access Road	\$30,000			\$30,000	\$0	
3-371-01	IT Upgrade Project	\$10,000			\$8,260	\$1,740	Yes
1-371-29	2015 Chevy Utility Truck	\$40,000	\$38,987	\$1,013			
				\$0			
	Subtotals for Water	\$945,000	\$137,992	\$767,008	\$38,260	\$1,740	
Fire							
2-371-35	Wall Heater Replacement	\$10,000	\$4,850	\$5,150	\$4,850	\$5,150	
				\$0			
				\$0			
				\$0			
				\$0			
				\$0			
				\$0			
	Subtotals for Fire	\$10,000	\$0	\$0	\$0	\$0	\$0
	Grand Totals	\$955,000	\$137,992	\$767,008	\$38,260	\$1,740	\$0

			Combined	District (General Fund)	Fire	Water (Enterprise Fund)	Reserves
Income							
	600 Taxes Income						
	600-01	Ad Valorem Property Taxes	494,502	494,502			
	600-02	Special Fire Assessment (Restricted)	72,000		72,000		
	600-03	TOT Taxes (Meas. W) Restricted			75,000		
	600-04	MWPA			20,000		
	600-05	MWPA			20,000		
	600-06	Excess ERAF	75,000		75,000		
	Total Taxes Income		641,502	494,502	262,000	0	
	700 - Water Charges						
	700-01	Basic Charge	452,100			452,100	
	700-02	Usage Charges	108,400			108,400	
	700-03	Cross Connection Fees	1,300			1,300	
	700-04	Misc Charges	9,100			9,100	
	700-05	Uncollectibles					
	Total Water Revenue		570,900	0	0	570,900	
	710 Miscellaneous Income						
	710-01	Customer Work Overhead	500			500	
	710-02	Other Income	4,900		700	4,200	
	710-03	WMES (Burton Funds) (Restricted)	7,490		7,490		
	710-04	Merchandise Sales	500		500		
	710-05	Chipper Day Income	0		0		
	710-06	New Service Connection Fee	7,800			7,800	
	710-07	Interest Income	20,000	20,000			
	710-08	CERBT OPEB Reimbursement	42,061	42,061			
	Total Miscellaneous Income		41,190	62,061	8,690	12,500	
	Total Income		1,253,592	556,563	270,690	583,400	
	Expense						
	810 Personnel Costs						
	810-01	Management	185,565	96,408	44,579	44,579	
	810-02	Operations Personnel	268,278			268,278	
	810-03	Administrative Personnel	57,845	57,845			
	810-04	Employer Payroll Taxes	40,849	11,800	3,410	25,639	
	810-05	Staff Volunteer Wages	1,000		1,000		
	810-06	Duty Officer	5,000		5,000		
	810-07	Health Insurance Premiums	62,196	5,510	9,406	47,280	
	810-08	Retirement Premiums	63,713	13,962	9,723	40,028	
	810-09	Unfunded Accrued Liability	33,411	628	12,434	20,349	
	810-10	Accrued Vacation	15,550	3,600	7,499	4,452	
	810-11	Workers Comp Insurance	11,015	490	2,651	7,874	
	810-12	Retiree Health Benefits	42,061	42,061			
	Total Personnel Costs		786,484	232,304	95,701	458,479	
	830 Dispatch & Communications						
	830-01	Radio/Pager Repair	1,920		1,920		
	830-02	Commo Supplies	1,000		1,000		
	830-03	MERA Operations	10,431		10,431		
	830-04	MERA Bonds	11,978		11,978		
	830-05	MERA New Financing	1,121		1,121		
	Total Dispatch & Communications		26,450	0	26,450	0	

		Combined	District (General Fund)	Fire	Water (Enterprise Fund)	Reserves
833 Collection & Treatment						
833-01	Chemicals	6,500			6,500	
Total Collection & Treatment		6,500	0	0	6,500	
835 Lab & Monitoring						
835-01	BacT & Raw Samples	4,500			4,500	
835-02	Periodic Samples	5,300			5,300	
835-03	Lead & Copper	1,000			1,000	
Total Lab & Monitoring		10,800	0	0	10,800	
840 Maintenance & Utilities						
840-01	Equipment Maint	3,000	1,000	1,000	1,000	
840-02	Building Maint	5,500	500	4,000	1,000	
840-03	Grounds Maint	1,000		1,000		
840-04	Tank Maintenance	700			700	
840-05	Collection & Treatment Maintenance	9,300			9,300	
840-06	Distribution System Maintenance	18,000			18,000	
840-07	Collection & Treatment Utilities	36,000			36,000	
840-08	Distribution System Utilities	5,000			5,000	
840-09	Firehouse Utilities	5,500		5,500		
84-0-10	SCADA Maintenance	3,000			3,000	
Total Maintenance & Utilities		87,000	1,500	11,500	74,000	
843 Fire Prevention						
843-01	Public Education and Awareness	500	0	500	0	
843-02	Chipper Day Expenses	4,000	0	4,000		
Total Fire Prevention		4,500	-	4,500	-	
844 Storage & Distribution						
844-01	Telemetry	2,900			2,900	
844-02	Cross Connect Maintenance	1,200			1,200	
844-03	Miscellaneous	500			500	
Total Storage & Distribution		4,600	0	0	4,600	
845 Supplies and Inventory						
845-01	Supplies and Inventory	16,000	2,000	5,000	9,000	
845-02	Personal Protective Equipment	8,800	300	7,500	1,000	
845-03	Resale Merchandise			1,000	500	
845-04	Uniforms			500	1,000	
Total Supplies and Inventory		24,800	2,300	14,000	11,500	
850 Training						
850-01	Volunteer Training	2,000		2,000		
850-02	Certification and Courses	5,000		3,000	2,000	
850-03	Volunteer Appreciation	4,000		4,000		
840-04	Volunteer Wages	3,000		3,000		
840-05	Volunteer Insurance	3,000		3,000		
Total Training		17,000	0	15,000	2,000	
860 Vehicle Operations						
860-01	Gas & Oil	10,000	0	5,000	5,000	
860-02	Repairs and Service	7,000	0	5,000	2,000	
Total Vehicle Operations		17,000	0	10,000	7,000	
870 Administration						
870-01	Telephone, Internet, Cable	4,800	3,100	1,100	600	

			Combined	District (General Fund)	Fire	Water (Enterprise Fund)	Reserves
	870-02	Dues & Publications	5,800	4,000	500	1,300	
	870-03	Insurance	27,985		15,391	12,593	
	870-04	Financial Reporting/Audit	10,400	4,400	3,000	3,000	
	870-05	Office Supplies, Postage	6,000	5,000	500	500	
	870-06	Banking Charges	11,000	11,000			
	870-07	Legal and Attorneys	10,000	10,000			
	870-08	Board & Election Expenses	800	800			
	870-09	Travel, Meetings, Training	2,500	1,000	1,000	500	
	870-10	Public Relations & Outreach	7,500	3,000	2,000	2,500	
	870-11	IT Support	6,000	6,000			
	870-12	Billing & Collections	9,000			9,000	
	870-13	Disaster Council	2,400		2,400		
	870-14	Miscellaneous	3,000	500	500	2,000	
	870-15	Other Agency Assessments	6,784		378	6,406	
	Total Administration		113,969	48,800	26,769	38,399	
	Debt Service						
		Interest					
		Principal					
	Total Debt Service		33,000.00	-	-	33,000.00	
	Total Expenses		1,099,103	284,904	203,921	646,278	
	Ordinary Net Income/Loss		154,490	271,659	66,769	-62,878	
	Interfund Allocation						
	997-01	Allocation from District to Water		-62,787		62,878	
	997-02	Allocation from Water to District					
	997-03	Allocation from District to Fire					
	997-04	Allocation from Fire to District		66,769	-66,769		
	998-01	From Water to Reserves					
	998-02	From Fire to Reserves					
	998-03	From District to Reserves		-275,641			275,641
	Net			0	0	0	275,641

**Inverness Public Utility District
TENNEY TANK CAPITAL PROJECT REPORT**

			FY1617	FY1718	FY1819	FY1920	FY2021	Active Projects	Completed Projects	Capitalized		
No.	Project Name	Total Budget						Total Am't Spent	Amount Remaining	Total Spent	Total Unspent	Total
Water												
1-371-22	Tenney Tank Replacement Project	\$865,000	\$4,000	\$49,316	\$7,381	\$4,122	\$34,186	\$99,005	\$765,995			\$0
Totals		\$865,000	\$4,000	\$49,316	\$7,381	\$4,122		\$99,005	\$765,995	\$0	\$0	\$0
Grand Totals		\$865,000						\$99,005	\$765,995	\$0	\$0	\$0
Date	Description	Expense Amount	5% Retention	Invoiced Receivable	Balance	FY Total						
	Beginning Balance	0.00			0.00							
6/30/2017	End of year balance					4,000.00	FY1617					
6/30/2019	End of year balance					49,316.32	FY1718					
6/30/2019	End of year balance					7,381.38	FY1819					
6/30/2020	End of year balance					4,121.60	FY1920					
8/18/2020	Riley F. Hurd III - Legal Review Financ	1,000.00			-65,819.30							
9/8/2020	Riley F. Hurd III - Legal Review Financ	22.88			-65,842.18							
9/29/2020	Signs.Com - Project Sign	72.77			-65,914.95							
10/15/2020	Brelje & Race Engineers - Sept 2020	10,934.75			-76,849.70							
11/15/2020	Brelje & Race Engineers - Oct 2020	11,752.50			-88,602.20							
11/24/2020	Bauer & Associates - Geotech	1,988.00			-90,590.20							
12/15/2020	Brelje & Race Engineers - Nov 2020	1,817.50			-92,407.70							
1/12/2021	Pt.Reyes Light	475.50			-92,883.20							
1/15/2021	Brelje & Race Engineers - Dec 2020	1,680.00			-94,563.20							
2/2/2021	Inverness Park Market	36.55			-94,599.75							
2/5/2021	Bauer & Associates - Geotech	1,757.00			-96,356.75							
4/1/2021	Bauer & Associates - Geotech	850.00			-97,206.75							
4/14/2021	Signs.Com - Project Signs	85.67			-97,292.42							
4/15/2021	Brelje & Race Engineers	1,712.50			-99,004.92							
4/30/2021	Current year balance					34,185.62	FY2021 to date					



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SUBMITTAL

TO:
 Brent Beazor

 Brelje & Race Consulting Engineers

 475 Aviation Blvd, Suite 120

 Santa Rosa, CA 95403

Date	May 14, 2021
Submitted By	Joel Piazza
Submittal No	04
Copies	1

Project Name:	Tenney Tank Site Water Tank Replacements
Project Number:	2630.05
Material Description:	Schedule
Subcontractor:	

I hereby certify that all material submitted has been checked for completeness, for correctness, and compliance with the drawings and specifications, that field dimensions and conditions have been verified, and that exceptions, if any are clearly noted.

LEGEND: NET = No Exceptions Taken, MCN = Make Corrections Noted, R&R= Revise and Resubmit

Item No	Description	Spec Section	NET	MCN	R&R
1	Baseline schedule (2 pages)				
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					

Comments:

ID	Task Name	Duration	Start	Finish	May 16, '21		May 30, '21		Jun 13, '21		Jun 27, '21		Jul 11, '21		Jul 25, '21		Aug 8, '21		Aug 22, '21		Sep 5, '21		Sep 19, '21		Oct 3,					
					16	21	26	31	5	10	15	20	25	30	5	10	15	20	25	30	4	9	14	19	24	29	3	8	13	18
0	Tenney Tanks_baseline_220 days	131 days	Wed 3/31/21	Fri 10/1/21																										
22	CONSTRUCTION PHASE	98 days	Mon 5/17/21	Fri 10/1/21																										
23	Mobilization	1 day	Mon 5/17/21	Mon 5/17/21																										
24	Phase 1 piping	9 days	Tue 5/18/21	Fri 5/28/21																										
25	Demo tank	2 days	Tue 6/1/21	Wed 6/2/21																										
26	Demo tank foundation	3 days	Thu 6/3/21	Mon 6/7/21																										
27	Tank 1	30 days	Tue 6/8/21	Mon 7/19/21																										
28	Excavate tank pad	4 days	Tue 6/8/21	Fri 6/11/21																										
29	Under tank piping	1 day	Mon 6/14/21	Mon 6/14/21																										
30	Tank foundation	7 days	Tue 6/15/21	Wed 6/23/21																										
31	Under tank fill	2 days	Thu 6/24/21	Fri 6/25/21																										
32	Install tank	10 days	Mon 6/28/21	Fri 7/9/21																										
33	Tank piping	6 days	Mon 7/12/21	Mon 7/19/21																										
34	Cathodic protection	3 days	Thu 7/15/21	Mon 7/19/21																										
35	Tank 1 in service	0 days	Mon 7/19/21	Mon 7/19/21																										
36	Demo tank 2	2 days	Tue 7/20/21	Wed 7/21/21																										
37	Demo tank 2 foundation	3 days	Thu 7/22/21	Mon 7/26/21																										
38	Install shed	3 days	Mon 8/2/21	Wed 8/4/21																										
39	Tank 2	37 days	Tue 7/27/21	Thu 9/16/21																										
40	Excavate tank pad	4 days	Tue 7/27/21	Fri 7/30/21																										
41	System piping	10 days	Mon 8/2/21	Fri 8/13/21																										
42	Under tank piping	1 day	Mon 8/16/21	Mon 8/16/21																										
43	Tank foundation	7 days	Tue 8/17/21	Wed 8/25/21																										
44	Under tank fill	2 days	Thu 8/26/21	Fri 8/27/21																										



Inverness Public Utility District
Board Meeting May 26, 2021

Agenda Item No. 6

Water System Report

- **April 2021 Water Production and System Reports**
- **Water Accounts Receivable Report**
- **Historical Water Usage Graph**



INVERNESS PUBLIC UTILITY DISTRICT

FIRE DEPARTMENT • WATER SYSTEM

POST OFFICE BOX 469

INVERNESS, CA 94937

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APRIL 2021 – WATER SYSTEM REPORT –

End of April Stream-Flows

End of April Statistics	April 2021	April 2020	DIVERSION	APRIL GPM	2021 GPD	Apr 2020 GPM
RAINFALL	Recorded at F1	(@ F1)	D1	4½	6,480	10
Monthly total (in inches)	0.11"	1.66"	D2	11	15,840	21
Year 7/1//2020 -> end of April	+15.32"	20.90"	D3	9½	13,680	18
Avg. yearly since 1925 (inches)	37.57"	37.72"	D4	7	10,080	15
*Comparative EoM Streamflow	Feb 2021	Mar 2021	D5	12	17,280	26
*Compare to (approx. gpd) ->	158,400	147,600	D6	10	14,400	25
Streamflow trend: Jul 20 thru Jan, > 84; 64; 54; 119.5; 72; 112; 155	110 gpm	102½ gpm	D7	12	17,280	23
MONTHLY PRODUCTION:	April 2021	Mar 2021	D8	2	2,880	7
(daily use up, except lower SH)	2,215,200 gal	1,921,300	TOTALS--	68 gpm	97,920	145 gpm
Average gallons per day ->	73,840 gal	61,977 gal	APRIL DISTRIBUTION			
Average gallons per minute ->	51.3 gpm	43.0 gpm	SYSTEM PATTERNS			
SOURCES USED	(Apr 2021)	(Apr 2020)	USE BY	ZONE	2021	2020
1 st Valley High Intakes (D 1,2,3)	39 %	47.6 %	Colby	806,000	36.4%	38.4 %
2 nd Valley High Intakes (D 4,5,6)	38 %	30.0 %	Tenney	917,900	41.4%	37.0%
3 rd Valley Intakes (2) (D 7,8)	17 %	22.0 %	Conner	106,600	4.8%	2.1 %
1st Valley lower intake	1 %	0 %	Stockstill	241,900	10.9%	12.2 %
2 nd Valley lower (L2)	0 %	0 %	Sea Haven	142,800	6.5%	10.3 %
Wells (W1, W3)	5 %	0.4 %	TOTAL	2,215,200	100.0 %	100.0 %
TOTAL	100 %	100 %				

(* gpd = gallons per day; gpm = gallons per minute; ppm=parts per million) | [Use increased for all zones except lower Sea Haven]

Water Quality

All sources Ultra and Nano filtered; chlorine and turbidity correct continuously; no positive coliform bacteria samples from distribution sample grabs. Samples of distribution water tested twice monthly and influent raw water are being collected once a month for lab analysis of coliform content. Average CL₂ dose at F1→ 0.61 parts per million (ppm); F3→ > 0.65ppm

Major Activities (Note: as reported verbally at last meeting, Kai Heimpel left to attend medical school in Berlin, Germany)

- Monthly reports sent to CA RWQCB
- Watershed roads tree-clearing, chipping, and water-bar maintenance ongoing
- Very little rain, streamflows dropping
- All customer meters read
- Customer leaks found during month, several in one day
- Filter Plants: F1: Performed CIP cleaning on Nano A unit. Pressure decay test on UF A failed from F3: Nano unit CIP performed.
- Conner Tank solar system: Intermittent but brief communication failures continue.
- Continued clearing V2 trail near F1 filter plant
- L1 dismantled and removed old pumps and electrical. Excavated and repaired influent valve to shed
- L1 New manifold and Pumps installed. Reconfigured electrical w motor protection
- L1 weir installed and L1 in service by end of month
- Start clearing and preparations for access for Tenney Tank replacement project

Water Customer Accounts Receivable Totals, March/April 2021

1. The Accounts Receivable balance on Mar. 1, 2021, consisted of:

Current balances (from bills sent out on Feb. 23)	86,169.50
Past-due balances (3.9%)	<u>3,468.70</u>
Total Accounts Receivable balance on Mar. 1, 2021:	<u>89,638.20</u>

2. During Mar/Apr, we received the following **payments** from our customers:

Electronic payments:	58,774.11	(69.5%)
Payments by check:	25,790.45	(30.5%)
Total payments received:		- 84,564.56

3. During Mar/Apr, we posted the following **charges** to our customers' accounts:

Write-offs:	--	
Adjustments:	--	
Basic charges (future):	74,934.50	(517 Basic charges billed 4/27 for <u>May/Jun</u> *)
X-C charges (future):	216.00	(18 Cross-Connection charges billed 4/27 for <u>May/Jun</u>)
Usage charges:	9,917.00	(Usage charges billed 4/27 for 2/18/21 to 4/21/21†)
Misc. charges:	50.00	
Refused payments:	--	
Refunds:	--	
Total charges posted:		+ 85,117.50

4. Thus, the Accounts Receivable balance on April 30 (the end of the period) was: **90,191.14**
(of which 6.8%, or \$6,128.69, is past due)

* Bimonthly Basic Charges (for May/Jun): 512 customers @ \$146.00; 1 Lifeline customer @ \$73.00; 3 Lifeline customers at \$36.50; 1 suspended customer @ \$0.00

† Total billed usage was \$10,989.00, less four credits totaling \$1,082.00 (for two prior-period leak adjustments and two prior-period meter read errors).

Reconciliation with BofA checking account:

There were no deposits in transit on 4/30/2021. Thus, the A/R balance on the District's books as of 4/30 should also be \$90,191.14.

Scheduled ACH receipts: \$43,066.24 on May 18, 2021 (from 262 customers, which is 62.8% of the total of 517 customers).

A temporary security debit to IPUD's checking account in the amount of \$43,066.24 will be made on or about May 14, 2021 (subject to adjustments).

Report on Number of Discontinuations of Residential Service (pursuant to paragraph (g) of IPUD Water System Regulation 303 and in compliance with Chapter 6, "Discontinuation of Residential Water Service," of Part 12, Division 104, of the Health and Safety Code (HSC) of the State of California)

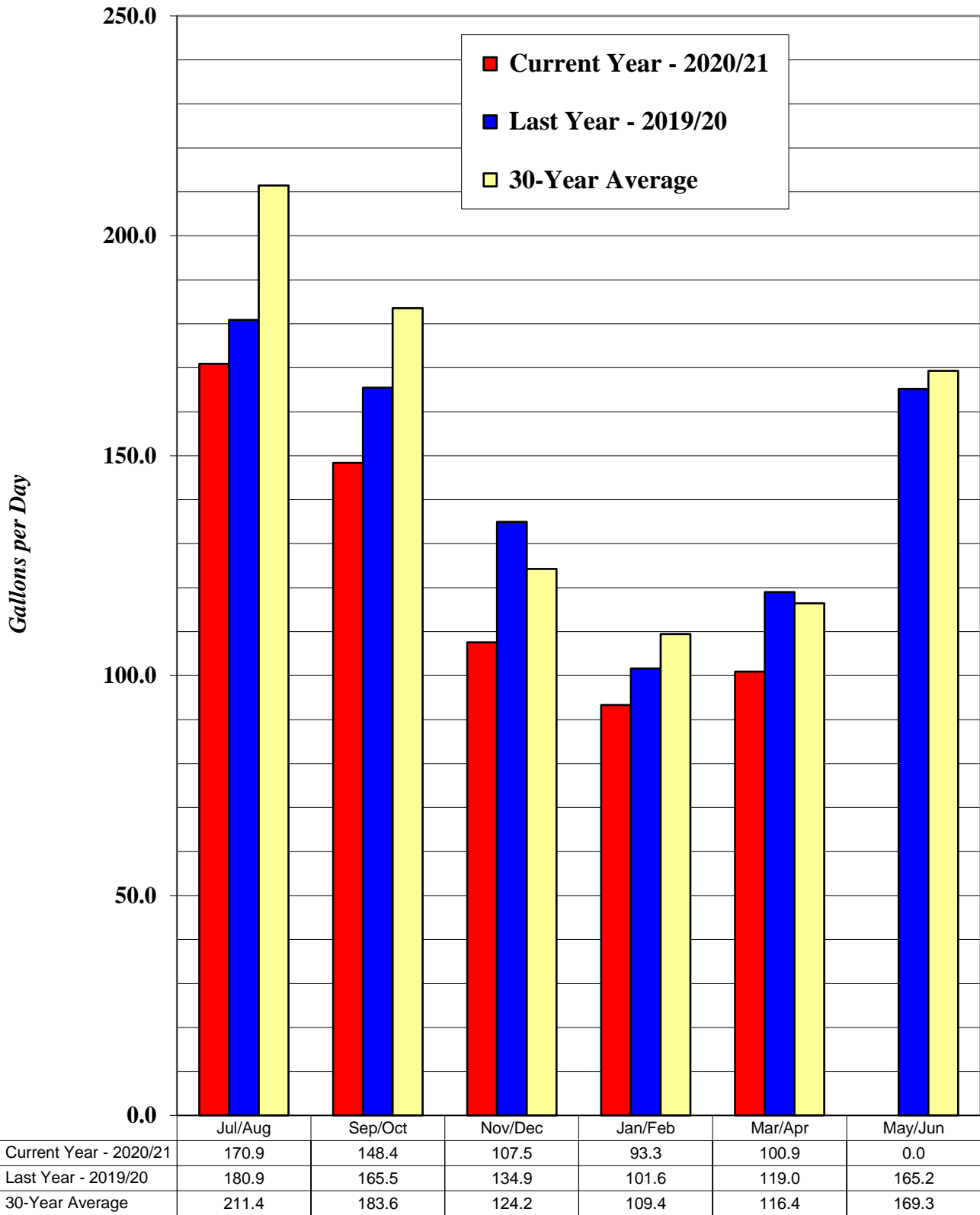
Period covered: March/April 2021

Number of residential services discontinued for inability to pay during the covered period: 0

Number of residential services discontinued for inability to pay during a previous period and still on discontinued status at the close of the covered period: 1

Inverness Public Utility District Water System

Average Daily Water Usage per Active Customer





Inverness Public Utility District
Board Meeting May 26, 2021

Agenda Item No. 7

Fire Department Report

- **April 2021**



Inverness Public Utility District
Board Meeting April 28, 2021

Agenda Item No. 8

**Approve Revisions of Water System Regulation 117
(Water Shortage Emergency)**



Inverness Public Utility District

Board Agenda Item Staff Report

Subject: Revision of Water System Regulation 117 (Water Shortage Emergency)
Meeting Date: May 26, 2021
Date Prepared: May 17, 2021
Prepared by: Wade B. Holland, Customer Services Manager
Attachments: Proposed revised Regulation 117 (dated May 17, 2021)
Existing Regulation 117

Recommended Action: Provide feedback, with intention to enact an ordinance at the June 23 meeting adopting the revised version of Regulation 117.

The first draft of a major revision of the Water System’s Regulation 117 was provided to your Board at the meeting on April 28. The purpose of Regulation 117 is to specify the Water Conservation Program that goes into effect automatically whenever the Board adopts a resolution declaring a Water Shortage Emergency. The current version of Regulation 117 was adopted in 2001; in today’s environment of climate change and record-setting drought, the existing Regulation 117 seems outdated and not well suited to the current demands of coping with a Water Shortage Emergency.

The version of the Regulation 117 revision before you today includes two major changes from the version distributed for the April 28 meeting (in addition to some non-substantive and editorial changes).

The first major change is a large expansion and rewrite of paragraph (e) “New Service Connections.” As we noted in the addendum to the Staff Report for the Bartolini/Garcia agenda item for the cancelled May 14 special meeting (and which is included in the packet for this May 26 meeting under the Bartolini/Garcia appeal item), we are proposing that the Board consider including an exception to the moratorium on new service connections that is similar to one that North Marin Water District included in its Water Shortage Emergency provisions that were adopted for that district’s West Marin service area in May of last year. This exception enables a new service connection to be approved during a Water Shortage Emergency moratorium if the applicant agrees to defer installation of landscaping until the Water Shortage Emergency has been cancelled.

The second major change is a rewrite of the existing regulation’s paragraph (i) “Exceptions and Exemptions,” and splitting it into two paragraphs, (i) “Appeals” and (j) “Exclusions.”

In recent conversations with staff at NMWD, we learned that what we are calling the “deferred landscaping exception” appears to be intended for the early days of a Water Shortage Emergency when there is a reasonable possibility that the Water Shortage Emergency will be short-lived. In our case, such an exception would have made sense when our current Water Shortage Emergency was adopted last July and it was possible that rainfall during the 2020/21 winter (just passed) would be sufficient to enable the Water Shortage Emergency to be cancelled in just a few months. NMWD’s intention is that their Board will be asked to adopt a resolution canceling their “deferred landscaping exception” as soon as it becomes apparent that the Water Shortage Emergency is becoming severe and the prospect for its cancellation does not seem at all imminent.

If we had had such a “deferred landscaping exception” as part of our Water Shortage Emergency regulation last July, it is unquestionable that staff would have asked the Board to cancel it by this time in 2021. Thus, staff’s recommendation is that the “deferred landscaping exception” be included in the new version of Regulation 117 so that it is available for future use under the appropriate conditions, but that the Board not adopt the necessary resolution to put it into effect at this time for the current Water Shortage Emergency.

Regulation 117

WATER SHORTAGE EMERGENCY

(a) **Declaration of a Water Shortage Emergency**

A Water Shortage Emergency may be declared by the Board of Directors under the conditions cited in, and pursuant to the provisions of, Sections 350 through 358 of the Water Code of the State of California.

(b) **Purpose**

The purpose of this Regulation is to provide such regulations and restrictions on the delivery of water and the consumption of water supplied for public use as will, in the sound discretion of the District's Board of Directors, conserve the District's water supply for the greatest public benefit, with particular regard to domestic use, sanitation, and fire protection. This Regulation is intended to be operative pursuant to a declaration by the Board of Directors that a water shortage emergency condition prevails within the area served by the District.

(c) **Implementation**

This Regulation and its provisions shall be in effect and shall be binding on the customers of the District's Water System with the full force of law immediately upon the adoption by the Board of Directors of the Inverness Public Utility District of a Resolution declaring that a water shortage emergency condition prevails within the area served by the District's Water System, unless said Resolution provides otherwise, and shall remain in full force and effect until the Board of Directors of the Inverness Public Utility District declares an end to the water shortage emergency. In its declaration of a water shortage emergency, the Board of Directors may provide for regulations and restrictions on the delivery and consumption of water other than as provided for in this Regulation, or in addition to the regulations and restrictions provided for in this Regulation; it may also exempt enumerated provisions of this Regulation from being placed in effect during a declared water shortage emergency.

(d) **Limited Effectiveness**

The provisions of this Regulation shall be not be effective or applicable when no duly declared water shortage emergency is in effect in the District.

(e) **New Service Connections**

At any time a water shortage emergency is in effect, the Water System may continue to receive, accept, and process applications for New Service Connections. However, the Water System shall not provide the physical connection to a system main nor install the meter for a New Service Connection the application for which was received while a declared water shortage emergency was in effect. Such connection and meter installation shall be provided only after the water shortage emergency has been duly declared ended.

(f) **Four-Stage Program**

The District's program to conserve the public water supply during a water shortage emergency shall consist of the four stages detailed in subparagraphs (1), (2), (3), and (4) below. These stages shall be implemented as provided for in paragraph (g) below.

(1) **Stage 1: General Conservation and Prohibition of Nonessential Uses of Water**

When Stage 1 is in effect, the Water System shall implement a program of encouraging customers to conserve water and informing them of the need to reduce water usage. In addition, the following non-essential uses of water shall be prohibited during Stage 1:

- a. Any use of water in conjunction with installation of new landscaping or in support of replacement of more than 25 square feet within a 90-day period of replacement landscaping, except as necessary for erosion control or for dust control at construction sites.

- b. Use of water through any service when the customer or the owner of the premises is aware of, or should have cause to be aware of, any broken or defective plumbing, sprinkler, watering or irrigation system, and the customer or owner has failed to effect necessary repairs within ten (10) days.
- c. Use of water which results in flooding or runoff into a gutter, street, roadway, or elsewhere of similar nature.
- d. Use of water through a hose not equipped with a positive shutoff mechanism for washing cars, busses, boats, trailers, or any other types of vehicles.
- e. Use of water through a hose for washing the exteriors of buildings or structures, or for washing sidewalks, driveways, patios, parking lots, athletic or game courts (such as tennis courts), or other hard-surfaced outdoor areas.
- f. Use of water for filling any new swimming pool or for refilling any existing swimming pool, except for reasonable “topping off” or reasonable backwashing-to-waste of existing swimming pools at intervals of not less than fourteen (14) days.
- g. Use of water to clean, fill, or maintain levels in decorative fountains, pools, or ponds exceeding one hundred (100) gallons capacity, except as minimally necessary to maintain existing piscine life.
- h. Use of water for construction purposes, such as consolidating backfill, unless no other source of water or method is reasonably available to be used, and a permit for said use has been issued by the General Manager of the Inverness Public Utility District.
- i. Service of water to a customer by any restaurant or food-service establishment except when requested by the customer.
- j. Use of water without a permit issued by the General Manager to fill any privately-owned water storage tank exceeding one hundred (100) gallons capacity unless said tank is directly online in and an integral part of the customer’s water service connection.

(2) Stage 2: Prohibitions on Outdoor Uses of Water and/or Restrictions on When Outdoor Watering Is Permitted

In addition to the provisions of Stage 1, which shall remain in effect during Stage 2, Stage 2 shall consist of such restrictions on outdoor uses of water as in the judgment of the General Manager are necessary to conserve the District’s water supply for essential uses. Any or all of the following restrictions on water usage may be placed in effect in any order or in any combination by the General Manager during Stage 2:

- a. Prohibition of use of water for washing vehicles (cars, busses, trailers, boats, etc.).
- b. Prohibition of use at any time of sprinkler devices for outdoor watering.
- c. Prohibition of use at any time of timer-activated automatic outdoor watering or irrigation systems.
- d. Prohibition of use of the public water supply to fill swimming pools, outdoor spas, or ornamental ponds exceeding one hundred (100) gallons capacity.
- e. Prohibition of outdoor watering on specified days of the week or month or during specified times of the day.
- f. Permitting outdoor watering only at specified times or on specified days or on a specified schedule, such as permitting outdoor watering on a schedule based on whether a property has an even-numbered or an odd-numbered address.
- g. Permitting outdoor watering only by handheld hose or by watering can or container not exceeding five (5) gallons capacity.

(3) Stage 3: Prohibition of Outdoor Watering at All Times

In addition to the applicable prohibitions of nonessential uses of the public water supply in Stages 1 and 2, which shall remain in effect during Stage 3, all uses of the public water supply for any type of outdoor watering shall be prohibited at all times while Stage 3 is in effect. Under unusual circumstances of unavoidable necessity and for the protection of the general public welfare, the General Manager may grant on a case-by-case basis permits for specified uses of water outdoors while Stage 3 is in effect.

(4) Stage 4: Water Rationing

In the event it is necessary to conserve an even greater portion of the public water supply than is achieved by implementation of Stage 3, the Board of Directors may impose mandatory rationing, either as provided for in Inverness Public Utility District Ordinance 78-2009 or as provided for by other legal means.

(g) Authorization to Implement Stages

- (1) The General Manager shall have full authority to place Stage 1 in effect.
- (2) The General Manager shall have authority to place Stage 2 and Stage 3 in effect, provided that within five (5) days of placing Stage 2 or Stage 3 in effect the General Manager shall notify in writing each of the Directors of the circumstances which, in the General Manager's opinion, made it advisable to place the stage in effect, which notification to the Directors shall also be made available to the public; however, this requirement shall not apply when the stage placed in effect is lower than the stage it replaces. The Directors may, at a subsequent regular meeting or a duly called special meeting, rescind the General Manager's action in placing the stage in effect and may direct that a lower stage be placed in effect.
- (3) Upon adoption by the Board of Directors of a water shortage emergency declaration, the General Manager shall devise and implement a program to inform the public of the applicable provisions of this Regulation.
- (4) The General Manager shall devise and implement means of informing the public whenever a stage is placed in effect or a declared water shortage emergency is ended.

(h) Enforcement

- (1) The following penalties shall be applied in the event of a use of water that is in violation of this Regulation or in violation of a restriction on water usage that is in effect pursuant to implementation of this Regulation while a declared water shortage emergency is in effect.
 - a. First violation at a customer's service: An oral warning shall be issued upon detection of the violation, and a letter explaining the violation shall be mailed to the customer within fourteen (14) days.
 - b. Second violation at the same customer's service: A surcharge of one hundred dollars (\$100.00) for the water used in violation of this Regulation shall be added to the customer's service account.
 - c. Third violation at the same customer's service: A surcharge of two hundred dollars (\$200.00) for the water used in violation of this Regulation shall be added to the customer's service account and a flow restrictor permitting a flow rate of approximately one-quarter (1/4) gallon per minute shall be placed on the customer's service connection for a period of seven (7) days.
 - d. Fourth violation at the same customer's service: A surcharge of three hundred dollars (\$300.00) for the water used in violation of this Regulation shall be added to the customer's service account and a flow restrictor permitting a flow rate of approximately one-quarter (1/4) gallon per minute shall be placed on the customer's service connection for the duration of the water shortage emergency.
 - e. In addition to the applicable penalties above, the customer's service connection shall be turned off and service shall be restored only upon payment of a fifty dollar (\$50.00) service restoration

charge if at the time the violation is detected there is no responsible adult present on the premises.

- f. In addition to the applicable penalties above, the customer's service connection shall be turned off and service shall be restored only upon payment of a fifty dollar (\$50.00) service restoration charge if at the time the violation is detected the person or persons engaged in the violation refuse to immediately cease the usage of water that is in violation of this Regulation.
- (2) A customer charged with a violation of this Regulation may submit an appeal in writing to the Board of Directors within fourteen (14) days of notification of the violation. The Board shall conduct a hearing on the appeal within thirty (30) days of receipt of the appeal. An appeal must be accompanied by a deposit in the amount of the surcharge in the case of an appeal of a second, third, or fourth violation. No flow restrictor shall be maintained on the service connection while an appeal is pending. If the Board sustains an appeal of a violation for which a service restoration charge was paid by the appellant, the service restoration charge shall be refunded to the customer. The decision of the Board of Directors on an appeal shall be final and binding.

(i) **Exceptions and Exemptions**

Applications for exceptions to and exemptions from provisions of this Regulation, other than as provided for elsewhere in this Regulation, may be submitted in writing to the Board of Directors. The Board shall conduct a hearing on the application within thirty (30) days of receipt of the application, and shall render a final and binding decision on the application within seven (7) days of concluding the hearing. Nothing in this Regulation shall limit or restrict any public agency engaged in providing emergency services from making any use whatsoever of the water supply for purposes associated with the provision of emergency services. Nothing in this Regulation shall limit or restrict the Water System itself from using water in any manner or fashion or for any use it deems necessary in order to operate the water system and maintain the public water supply.

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Regulation 117: Adopted, July 2, 2001 (Ordinance 58-2001)

July 22, 2009: The reference in paragraph (f)(4) to Ordinance 82-1 as providing the mechanisms for imposing water rationing was superseded by Ordinance 78-2009, which provides mechanisms for water rationing that are to be enforced in the event of implementation of Stage 4.

December 16, 2020: Subsection (f)(1)a rewritten; reference in subsection (f)(4) to "Ordinance 82-1" updated to "Ordinance 78-2009." (Ordinance 98-2020)

Regulation 117

WATER SHORTAGE EMERGENCY (Water Conservation Program)

(a) **Declaration of a Water Shortage Emergency**

A Water Shortage Emergency may be declared by Resolution of the Board of Directors of the Inverness Public Utility District under the conditions cited in, and pursuant to the provisions of, Sections 350 through 358 of the Water Code of the State of California. Except in the event of a wildfire or a breakage or failure of a dam, pump, pipeline, or conduit causing an immediate emergency, adoption of a Resolution declaring a Water Shortage Emergency shall be made only after a public hearing at which consumers of the water supply shall have an opportunity to be heard to protest against the declaration and to present their respective needs to the governing board. Notice of the time and place of the hearing shall be published pursuant to Section 6061 of the Government Code at least seven (7) days prior to the date of the hearing in a newspaper printed, published, and circulated within the area in which the water supply is distributed, or if there is no such newspaper, in any newspaper printed, published, and circulated in the county in which the area is located.

(b) **Purpose**

The purpose of this Regulation is to provide during a Water Shortage Emergency a “Water Conservation Program” consisting of regulations and restrictions on the demand for water, the delivery of water, and the consumption of water supplied for public use as will, in the sound discretion of the District’s Board of Directors, conserve the District’s water supply for the greatest public benefit, with particular regard to public health and sanitation, fire protection, domestic use, and preservation of the ecological health of the community and the District’s watershed by reducing wasteful uses of water and allocating the available water supply fairly and equitably among the customers and users. This Regulation is intended to be operative pursuant to a declaration by the Board of Directors that a Water Shortage Emergency condition prevails within the area served by the District’s Water System.

(c) **Implementation**

This Regulation and its provisions shall be in effect and shall be binding on the customers of the District’s Water System and users of District-provided water with the full force and effect of law immediately upon adoption by the Board of Directors of the Inverness Public Utility District of a Resolution declaring that a Water Shortage Emergency condition prevails within the area served by the District’s Water System, unless said Resolution provides otherwise, and shall remain in full force and effect until the Board of Directors of the Inverness Public Utility District declares by Resolution an end to the Water Shortage Emergency. In its Resolution declaring a Water Shortage Emergency, the Board of Directors may provide for regulations and restrictions on the demand for, delivery of, and consumption of water other than as provided for in this Regulation, or in addition to the regulations and restrictions provided for in this Regulation; it may also exempt enumerated provisions of this Regulation from being placed in effect during a declared Water Shortage Emergency.

(d) **Effectiveness**

This Regulation and all its provisions individually and collectively shall be effective, applicable, and enforceable while, but only while, a duly declared Water Shortage Emergency is in effect in the District.

(e) **New Service Connections**

(1) At any time a Water Shortage Emergency is in effect, there shall be a moratorium on connecting to the District’s Water System and providing a meter for any new service the application for which is submitted to the District while the duly declared Water Shortage Emergency is in effect.

- (2) The District's Water System shall continue to receive applications for New Service Connections while a Water Shortage Emergency is in effect (called the "moratorium period"). Applications that are received during a moratorium period, accompanied by the applicable New Service Connection fee, and deemed complete, shall become eligible to be accepted and processed for allocation of a New Service Connection only when the Water Shortage Emergency is cancelled by action of the Board of Directors.
- (3) Any application for a New Service Connection that is submitted and received during a moratorium period shall not be deemed complete unless and until the applicant acknowledges in writing that acceptance and processing by the District shall be at the risk and expense of the applicant and that receipt by the District shall confer no right upon the applicant or anyone else during the moratorium period and until the Water Shortage Emergency has been cancelled, and that the applicant releases the District for all claims of damages arising out of or in any manner connected with the moratorium on connections.
- (4) An exception, called the "deferred landscaping exception," to the moratorium in subparagraph (e)(1) may be enabled by the Board of Directors either in the resolution declaring the Water Shortage Emergency or in a subsequent resolution adopted while the Water Shortage Emergency is in effect, by which exception a New Service Connection shall be eligible for approval for a property for which the application for the New Service Connection is deemed complete, the applicable New Service Connection fee has been paid, and the applicant agrees to defer landscape installation until after the Water Shortage Emergency has been cancelled. An applicant for a deferred landscaping exception must acknowledge and accept in writing as follows: the terms of the deferred landscaping exception; a notice that the District does not in any way represent, suggest, or warrant that the deferred landscaping exception will be recognized or accepted by any other agency or will insure that permits by other agencies will be granted; and that willful violation of the terms of the deferred landscaping exception after reasonable notice may result in forfeiture of connection to the District's Water System. At any time this exception is enabled, its effectiveness and applicability to subsequent applicants may be withdrawn and cancelled by action by resolution of the Board of Directors.
- (5) For purposes of this paragraph (e), an application for a New Service Connection for which an extension of Water System facilities is required cannot be deemed complete until all applicable and necessary agreements for provision of the required extension facilities have been executed by the applicant.

(f) **Three-Stage Water Conservation Program**

The District's program to conserve the public water supply during a Water Shortage Emergency shall consist of the three stages detailed in subparagraphs (1), (2), and (3) below. These stages shall be implemented as provided for in paragraph (g) below.

(1) **Stage 1: General Conservation and Prohibition of Nonessential Uses of Water**

While Stage 1 is in effect, the Water System shall implement a program to encourage its customers and users to conserve water and informing them of the need to reduce water usage. In addition, the following nonessential uses of water shall be prohibited during Stage 1:

- a. Any use of water in conjunction with installation of new landscaping or in support of replacement within a 180-day period of more than 25 square feet of existing landscaping, except as necessary for erosion control or for dust control at construction sites.
- b. Use of water through any service when the customer, the user, or the owner of the premises is aware of, or should have cause to be aware of, any broken or defective plumbing, sprinkler, watering or irrigation system, and the customer or owner has failed to effect necessary repairs within ten (10) days.

- c. Use of water which results in flooding or runoff into a gutter, street, roadway, or elsewhere of similar nature, including any runoff of any nature off the property intended to be served by the meter.
- d. Use of water through a hose not equipped with a positive activation mechanism for washing cars, busses, boats, trailers, or any other types of vehicles.
- e. Use of water through a hose for washing the exteriors of buildings or structures, or for washing sidewalks, driveways, patios, parking lots, athletic or game courts (such as tennis courts), or other hard-surfaced outdoor areas.
- f. Use of water for filling any new swimming pool or for refilling any existing swimming pool, except for reasonable “topping off” or reasonable backwashing-to-waste of existing swimming pools at intervals of not less than fourteen (14) days.
- g. Use of water to clean, fill, or maintain levels in decorative fountains, pools, or ponds exceeding one hundred (100) gallons capacity, except as minimally necessary to maintain existing piscine life.
- h. Use of water for construction purposes, such as consolidating backfill, unless no other source of water or method is reasonably available to be used and a permit for said use has been issued by the General Manager of the Inverness Public Utility District.
- i. Service of water to a customer by any restaurant or food-service establishment except when requested by the customer.
- j. Use of water without a permit issued by the General Manager to fill any privately-owned water storage tank whose capacity exceeds one hundred (100) gallons unless said tank is directly online in and an integral part of the customer’s water service connection.

(2) Stage 2: Prohibitions on Outdoor Uses of Water and/or Restrictions on When Outdoor Watering Is Permitted

In addition to the provisions of Stage 1, which shall remain in effect during Stage 2, Stage 2 shall consist of such restrictions on outdoor uses of water as in the judgment of the General Manager are necessary to conserve the District’s water supply. Any or all of the following restrictions on water usage may be placed in effect in any order or in any combination by the General Manager during Stage 2:

- a. Prohibition of use of water for washing vehicles (cars, vans, trucks, busses, trailers, boats, etc.).
- b. Prohibition of use at any time of sprinkler devices for outdoor watering.
- c. Prohibition of use at any time of timer-activated automatic outdoor watering or irrigation systems.
- d. Prohibition of use of the public water supply to fill swimming pools, outdoor spas, or ornamental ponds whose capacity exceeds one hundred (100) gallons.
- e. Prohibition of outdoor watering on specified days of the week or month or during specified times of the day.
- f. Permitting outdoor watering only at specified times or on specified days or on a specified schedule, such as permitting outdoor watering on a schedule based on whether a property has an even-numbered or an odd-numbered street address.
- g. Requiring that any use of water outdoors be by handheld hose equipped with a positive activation and automatic shutoff mechanism or by watering can or container not exceeding five (5) gallons capacity.
- h. Prohibition of the use of the public water supply for any type of outdoor watering at any time, except that under unusual circumstances of unavoidable necessity and for the protection of public health welfare, the General Manager may grant on a case-by-case basis permits for specified

uses of water outdoors while a general prohibition on use of the public water supply outdoors is in effect.

(3) Stage 3: Water Rationing

In the event the Board of Directors receives from the General Manager a recommendation that it is necessary to conserve an even greater portion of the public water supply than is achieved by implementation of Stage 2 restriction(s), the Board of Directors may impose mandatory water rationing throughout the service area of the Inverness Public Utility District Water System by adopting a Resolution activating mandatory rationing, as provided for in the District's most recently enacted Mandatory Water Rationing Ordinance. Said Resolution shall be adopted only after a public hearing at which consumers of the water supply shall have an opportunity to be heard to protest against the rationing proposal and to present their respective needs to the governing board. Notice of the time and place of the hearing shall be published pursuant to Section 6061 of the Government Code at least seven (7) days prior to the date of the hearing in a newspaper printed, published, and circulated within the area in which the water supply is distributed, or if there is no such newspaper, in any newspaper printed, published, and circulated in the county in which the area is located.

(g) Authorization to Implement Stages

- (1) The General Manager shall have authority to place Stage 1 in effect.
- (2) The General Manager shall have authority to place any or all of the restrictions of Stage 2 in effect, provided that within five (5) days of placing any Stage 2 restriction in effect the General Manager shall notify in writing each member of the Board of Directors of the circumstances which, in the General Manager's judgment, make it necessary to place said Stage 2 restriction or restrictions in effect, which notification to the Directors shall also be made available to the public. The Directors may, at a subsequent regular meeting or a duly called special meeting, rescind the General Manager's action placing any Stage 2 restriction(s) in effect.
- (3) Only the Board of Directors shall have authority to place Stage 3 (mandatory water rationing) in effect, as provided in subparagraph (f)(3) of this Regulation.
- (4) Upon adoption by the Board of Directors of a Resolution declaring a Water Shortage Emergency to be in effect, the General Manager shall devise and implement a program to inform the public of the applicable provisions of this Regulation.
- (5) The General Manager shall devise and implement means of informing the public whenever a stage or restriction is placed in effect or a declared Water Shortage Emergency is ended.

(h) Enforcement

- (1) While Stage 1 or any Stage 2 restriction is in effect, the following penalties shall be applied in the event of a use of water that is in violation of a provision of this Regulation. Violations are cumulative only during the same duly declared Water Shortage Emergency.
 - a. First violation at a customer's service: An oral warning shall be issued upon detection of the violation, and a letter explaining the violation shall be mailed to the customer within seven (7) working days.
 - b. Second violation at the same customer's service: An administrative fine of one hundred dollars (\$100.00) shall be added to the customer's service account, and a letter explaining the violation and the fine penalty shall be mailed to the customer within seven (7) working days.
 - c. Third violation at the same customer's service: An administrative fine of two hundred dollars (\$200.00) shall be added to the customer's service account, and a letter explaining the violation and the fine penalty shall be mailed to the customer within seven (7) working days.
 - d. Fourth violation at the same customer's service: The General Manager shall notify the Board of Directors and shall place on the agenda for the next duly noticed meeting of the Board of Directors for which an agenda has not yet been posted a public hearing to consider restricting or dis-

continuing water service to the property at which the violation occurred, and shall notify the customer of record for said property of the impending hearing at which the Board of Directors may take action to restrict or discontinue water service to the customer's property. The Board of Directors at such public hearing may, in its sole discretion, based on testimony received and findings of fact, place such restrictions on water service to the affected property as it deems in its sole discretion to be necessary to protect the public water supply, including but not limited to directing Water System staff to place a flow restricting device at the service's water meter or to discontinue water service to the property, pursuant to Section 356 of the Water Code of the State of California. The Board may set a period of time during which a flow restriction device will be in place or a period of time during which service will be discontinued, but no such restriction shall remain in effect past the date on which the declared Water Shortage Emergency is declared ended by the Board of Directors, except that any service restriction or discontinuance that is in effect shall remain in effect as long as any currently unpaid rates and charges assessed to the property for water service remain unpaid.

- e. If at the time a violation is detected there is no responsible adult present on the premises, the customer's service connection shall be turned off and service shall be restored only upon payment of a service restoration charge of fifty dollars (\$50).
 - f. If at the time a violation is detected there occurs a refusal by the person or persons engaged in the violation to immediately cease the usage of water that is in violation of this Regulation, the customer's service connection shall be turned off and service shall be restored only upon payment of a service restoration charge of fifty dollars (\$50)
- (2) A customer charged with a violation of this Regulation may submit an appeal in writing to the Board of Directors within fourteen (14) days of notification of the violation. The Board shall conduct a hearing on the appeal at its next duly noticed meeting that is no fewer than ten (10) days subsequent to the date the appeal is received in the District office. An appeal must be accompanied by a deposit in the amount of the administrative fine in the case of an appeal of a second or third violation. If the Board sustains an appeal of a violation for which a service restoration charge was paid by the appellant, the service restoration charge shall be refunded to the customer. The decision of the Board of Directors on an appeal shall be final and binding.

(i) **Appeals**

Appeals of enforcement of provisions of this Regulation, other than as provided for elsewhere in this Regulation, may be submitted in writing to the Board of Directors, which Board shall conduct a public hearing on the appeal at its next duly noticed meeting that is no fewer than ten (10) days subsequent to the date the appeal is received in the District office. The Board shall grant, or partially grant, such an appeal only upon making findings that granting the appeal would resolve an inequity of enforcement, or is necessary to protect the general health and welfare of individuals or of the community, or is necessary to protect property and public safety; economic hardship shall not be considered to constitute grounds for granting an appeal from any requirement or provision of this Regulation. The Board of Directors shall not grant an appeal of any provision of paragraph (e) of this Regulation ("New Service Connections") when doing so would weaken or diminish the comprehensiveness of the moratorium on installation of new service connections in subparagraph (e)(1) (other than as provided for in subparagraph (e)(4)) or would expand the applicability of the exception in subparagraph (e)(4).

(j) **Exclusions**

Nothing in this Regulation shall limit or restrict any public agency engaged in providing emergency services from making any reasonable use of the water supply for purposes associated with the provision of emergency services. Nothing in this Regulation shall limit or restrict the Water System itself from using water in any manner or fashion or for any use it deems necessary in order to operate the Water System and maintain the public water supply.

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Regulation 117: Adopted, July 2, 2001 (Ordinance 58-2001)

July 22, 2009: The reference in paragraph (f)(4) to Ordinance 82-1 as providing the mechanisms for imposing water rationing was superseded by Ordinance 78-2009, which provides mechanisms for water rationing that are to be enforced in the event of implementation of Stage 4.

December 16, 2020: Subsection (f)(1)a rewritten; reference in subsection (f)(4) to “Ordinance 82-1” updated to “Ordinance 78-2009.” (Ordinance 98-2020)

Regulation 117

WATER SHORTAGE EMERGENCY

(a) **Declaration of a Water Shortage Emergency**

A Water Shortage Emergency may be declared by the Board of Directors under the conditions cited in, and pursuant to the provisions of, Sections 350 through 358 of the Water Code of the State of California.

(b) **Purpose**

The purpose of this Regulation is to provide such regulations and restrictions on the delivery of water and the consumption of water supplied for public use as will, in the sound discretion of the District's Board of Directors, conserve the District's water supply for the greatest public benefit, with particular regard to domestic use, sanitation, and fire protection. This Regulation is intended to be operative pursuant to a declaration by the Board of Directors that a water shortage emergency condition prevails within the area served by the District.

(c) **Implementation**

This Regulation and its provisions shall be in effect and shall be binding on the customers of the District's Water System with the full force of law immediately upon the adoption by the Board of Directors of the Inverness Public Utility District of a Resolution declaring that a water shortage emergency condition prevails within the area served by the District's Water System, unless said Resolution provides otherwise, and shall remain in full force and effect until the Board of Directors of the Inverness Public Utility District declares an end to the water shortage emergency. In its declaration of a water shortage emergency, the Board of Directors may provide for regulations and restrictions on the delivery and consumption of water other than as provided for in this Regulation, or in addition to the regulations and restrictions provided for in this Regulation; it may also exempt enumerated provisions of this Regulation from being placed in effect during a declared water shortage emergency.

(d) **Limited Effectiveness**

The provisions of this Regulation shall be not be effective or applicable when no duly declared water shortage emergency is in effect in the District.

(e) **New Service Connections**

At any time a water shortage emergency is in effect, the Water System may continue to receive, accept, and process applications for New Service Connections. However, the Water System shall not provide the physical connection to a system main nor install the meter for a New Service Connection the application for which was received while a declared water shortage emergency was in effect. Such connection and meter installation shall be provided only after the water shortage emergency has been duly declared ended.

(f) **Four-Stage Program**

The District's program to conserve the public water supply during a water shortage emergency shall consist of the four stages detailed in subparagraphs (1), (2), (3), and (4) below. These stages shall be implemented as provided for in paragraph (g) below.

(1) **Stage 1: General Conservation and Prohibition of Nonessential Uses of Water**

When Stage 1 is in effect, the Water System shall implement a program of encouraging customers to conserve water and informing them of the need to reduce water usage. In addition, the following non-essential uses of water shall be prohibited during Stage 1:

- a. Any use of water in conjunction with installation of new landscaping or in support of replacement of more than 25 square feet within a 90-day period of replacement landscaping, except as necessary for erosion control or for dust control at construction sites.

- b. Use of water through any service when the customer or the owner of the premises is aware of, or should have cause to be aware of, any broken or defective plumbing, sprinkler, watering or irrigation system, and the customer or owner has failed to effect necessary repairs within ten (10) days.
- c. Use of water which results in flooding or runoff into a gutter, street, roadway, or elsewhere of similar nature.
- d. Use of water through a hose not equipped with a positive shutoff mechanism for washing cars, busses, boats, trailers, or any other types of vehicles.
- e. Use of water through a hose for washing the exteriors of buildings or structures, or for washing sidewalks, driveways, patios, parking lots, athletic or game courts (such as tennis courts), or other hard-surfaced outdoor areas.
- f. Use of water for filling any new swimming pool or for refilling any existing swimming pool, except for reasonable “topping off” or reasonable backwashing-to-waste of existing swimming pools at intervals of not less than fourteen (14) days.
- g. Use of water to clean, fill, or maintain levels in decorative fountains, pools, or ponds exceeding one hundred (100) gallons capacity, except as minimally necessary to maintain existing piscine life.
- h. Use of water for construction purposes, such as consolidating backfill, unless no other source of water or method is reasonably available to be used, and a permit for said use has been issued by the General Manager of the Inverness Public Utility District.
- i. Service of water to a customer by any restaurant or food-service establishment except when requested by the customer.
- j. Use of water without a permit issued by the General Manager to fill any privately-owned water storage tank exceeding one hundred (100) gallons capacity unless said tank is directly online in and an integral part of the customer’s water service connection.

(2) Stage 2: Prohibitions on Outdoor Uses of Water and/or Restrictions on When Outdoor Watering Is Permitted

In addition to the provisions of Stage 1, which shall remain in effect during Stage 2, Stage 2 shall consist of such restrictions on outdoor uses of water as in the judgment of the General Manager are necessary to conserve the District’s water supply for essential uses. Any or all of the following restrictions on water usage may be placed in effect in any order or in any combination by the General Manager during Stage 2:

- a. Prohibition of use of water for washing vehicles (cars, busses, trailers, boats, etc.).
- b. Prohibition of use at any time of sprinkler devices for outdoor watering.
- c. Prohibition of use at any time of timer-activated automatic outdoor watering or irrigation systems.
- d. Prohibition of use of the public water supply to fill swimming pools, outdoor spas, or ornamental ponds exceeding one hundred (100) gallons capacity.
- e. Prohibition of outdoor watering on specified days of the week or month or during specified times of the day.
- f. Permitting outdoor watering only at specified times or on specified days or on a specified schedule, such as permitting outdoor watering on a schedule based on whether a property has an even-numbered or an odd-numbered address.
- g. Permitting outdoor watering only by handheld hose or by watering can or container not exceeding five (5) gallons capacity.

(3) Stage 3: Prohibition of Outdoor Watering at All Times

In addition to the applicable prohibitions of nonessential uses of the public water supply in Stages 1 and 2, which shall remain in effect during Stage 3, all uses of the public water supply for any type of outdoor watering shall be prohibited at all times while Stage 3 is in effect. Under unusual circumstances of unavoidable necessity and for the protection of the general public welfare, the General Manager may grant on a case-by-case basis permits for specified uses of water outdoors while Stage 3 is in effect.

(4) Stage 4: Water Rationing

In the event it is necessary to conserve an even greater portion of the public water supply than is achieved by implementation of Stage 3, the Board of Directors may impose mandatory rationing, either as provided for in Inverness Public Utility District Ordinance 78-2009 or as provided for by other legal means.

(g) Authorization to Implement Stages

- (1) The General Manager shall have full authority to place Stage 1 in effect.
- (2) The General Manager shall have authority to place Stage 2 and Stage 3 in effect, provided that within five (5) days of placing Stage 2 or Stage 3 in effect the General Manager shall notify in writing each of the Directors of the circumstances which, in the General Manager's opinion, made it advisable to place the stage in effect, which notification to the Directors shall also be made available to the public; however, this requirement shall not apply when the stage placed in effect is lower than the stage it replaces. The Directors may, at a subsequent regular meeting or a duly called special meeting, rescind the General Manager's action in placing the stage in effect and may direct that a lower stage be placed in effect.
- (3) Upon adoption by the Board of Directors of a water shortage emergency declaration, the General Manager shall devise and implement a program to inform the public of the applicable provisions of this Regulation.
- (4) The General Manager shall devise and implement means of informing the public whenever a stage is placed in effect or a declared water shortage emergency is ended.

(h) Enforcement

- (1) The following penalties shall be applied in the event of a use of water that is in violation of this Regulation or in violation of a restriction on water usage that is in effect pursuant to implementation of this Regulation while a declared water shortage emergency is in effect.
 - a. First violation at a customer's service: An oral warning shall be issued upon detection of the violation, and a letter explaining the violation shall be mailed to the customer within fourteen (14) days.
 - b. Second violation at the same customer's service: A surcharge of one hundred dollars (\$100.00) for the water used in violation of this Regulation shall be added to the customer's service account.
 - c. Third violation at the same customer's service: A surcharge of two hundred dollars (\$200.00) for the water used in violation of this Regulation shall be added to the customer's service account and a flow restrictor permitting a flow rate of approximately one-quarter (1/4) gallon per minute shall be placed on the customer's service connection for a period of seven (7) days.
 - d. Fourth violation at the same customer's service: A surcharge of three hundred dollars (\$300.00) for the water used in violation of this Regulation shall be added to the customer's service account and a flow restrictor permitting a flow rate of approximately one-quarter (1/4) gallon per minute shall be placed on the customer's service connection for the duration of the water shortage emergency.
 - e. In addition to the applicable penalties above, the customer's service connection shall be turned off and service shall be restored only upon payment of a fifty dollar (\$50.00) service restoration

charge if at the time the violation is detected there is no responsible adult present on the premises.

- f. In addition to the applicable penalties above, the customer's service connection shall be turned off and service shall be restored only upon payment of a fifty dollar (\$50.00) service restoration charge if at the time the violation is detected the person or persons engaged in the violation refuse to immediately cease the usage of water that is in violation of this Regulation.
- (2) A customer charged with a violation of this Regulation may submit an appeal in writing to the Board of Directors within fourteen (14) days of notification of the violation. The Board shall conduct a hearing on the appeal within thirty (30) days of receipt of the appeal. An appeal must be accompanied by a deposit in the amount of the surcharge in the case of an appeal of a second, third, or fourth violation. No flow restrictor shall be maintained on the service connection while an appeal is pending. If the Board sustains an appeal of a violation for which a service restoration charge was paid by the appellant, the service restoration charge shall be refunded to the customer. The decision of the Board of Directors on an appeal shall be final and binding.

(i) **Exceptions and Exemptions**

Applications for exceptions to and exemptions from provisions of this Regulation, other than as provided for elsewhere in this Regulation, may be submitted in writing to the Board of Directors. The Board shall conduct a hearing on the application within thirty (30) days of receipt of the application, and shall render a final and binding decision on the application within seven (7) days of concluding the hearing. Nothing in this Regulation shall limit or restrict any public agency engaged in providing emergency services from making any use whatsoever of the water supply for purposes associated with the provision of emergency services. Nothing in this Regulation shall limit or restrict the Water System itself from using water in any manner or fashion or for any use it deems necessary in order to operate the water system and maintain the public water supply.

* * * * *

Regulation 117: Adopted, July 2, 2001 (Ordinance 58-2001)

July 22, 2009: The reference in paragraph (f)(4) to Ordinance 82-1 as providing the mechanisms for imposing water rationing was superseded by Ordinance 78-2009, which provides mechanisms for water rationing that are to be enforced in the event of implementation of Stage 4.

December 16, 2020: Subsection (f)(1)a rewritten; reference in subsection (f)(4) to "Ordinance 82-1" updated to "Ordinance 78-2009." (Ordinance 98-2020)



Inverness Public Utility District
Board Meeting May 26, 2021

Agenda Item No. 9

Approve Ordinance 100-2021 (Mandatory Water Rationing)

Memorandum Memorandum

INVERNESS PUBLIC UTILITY DISTRICT
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MEMO DATE: April 16, 2021
TO: Board of Directors
FROM: Wade Holland, Customer Services Manager
SUBJECT: Revising the District's Protocols Leading Up to Water Rationing

We reported to you during the Board meeting on March 24, 2021, that we are laying the groundwork for the possibility that water rationing will become necessary at some point during the coming months. This effort has included taking a critical look at our current Water System regulation on water shortage emergencies (Regulation 117) and the District's current ordinance on mandatory water rationing (Ordinance 78-2009).

Regulation 117 was adopted in July 2001 (with minor amendments in 2009 and 2020). Ordinance 78-2009 was enacted in July 2009. Both seem out of date and in need of major revision before we attempt to activate a rationing program.

In preparing new versions of Regulation 117 and a water rationing ordinance,¹ we have paid particular attention to incorporating flexibility, so that the current and future Boards can activate a rationing program that best responds to the current situation and the circumstances under which a particular water shortage emergency has been declared.

Types of Rationing

We have examined other local water districts' rationing programs (either used in the past or recently placed on the books in anticipation of being used during the current drought).

We have identified three principal approaches to water rationing:

- By meter
- By resident
- By ratio (percentage)

We also discovered two variations that seemed reasonable to also consider:

- By resident with indexing for household size
- By combining rationing by meter and rationing by resident

The following is a brief overview of each of these five approaches to rationing, **as applied to residential water connections** (in all cases, it appears that non-residential users are rationed by ratio (percentage)).

- 1. Rationing by meter.** The water allocation is applied to each water meter; all residential services receive the same allocation (such as a maximum number of gallons per day per

¹ Note that we are proposing an entirely new water rationing ordinance (Ordinance 100-2021), rather than attempting to amend the existing Ordinance 78-2009 (which we are proposing that you withdraw and cancel).

meter). This is the quickest type of rationing to put into place, and it is the simplest and easiest to administer and enforce. On the negative side, it does not consider household size, so that a meter serving a family of seven, for example, would be entitled to the same amount of water as a meter serving a weekender residence at which there are no fulltime residents. (Bolinás is planning to use a by-meter rationing scheme in the event they have to institute rationing during the current drought.)

2. **Rationing by resident.** A water allocation is assigned to each resident (each fulltime occupant). The daily allocation for each meter is the number of gallons assigned per person times the number of people living fulltime on the property. This approach is more complicated to implement and administer, but it resolves the problem with the by-meter method of not taking family size into account. However, it may result in a very small household (only one or two residents) having to scrimp, while providing more water than might be reasonably necessary for a very large household. Implementation requires that a census be conducted in advance to determine the number of people residing at each property, and it also requires some means of providing an allocation to weekender houses at which there are no fulltime residents. (This is the approach Marin Municipal used when it rationed water in the 1975-77 drought.)
3. **Rationing by ratio (percentage).** Each residential service is limited to a percentage of the average amount of water used over the preceding year. Typically, the percentage is the same for all residential customers (or classes of residential customers, if applicable). This approach can get complicated to administer, especially when you have many properties at which the usage pattern is variable (used as a weekend house part of the year, but occupied fulltime during the summer months, for example). The principal drawback is that it penalizes households that have already been conscientious about conserving water, while it rewards customers who have not been making much of an effort to cut back. In fact, basing rationing on past usage may result in some households receiving an unrealistically small allotment, while others (who have a history of high usage) will be able to get along quite comfortably. (This is the approach North Marin Water District has set up for its West Marin service area in the event it has to institute rationing during the current drought.)
4. **Rationing by resident with indexing for household size.** A water allocation is assigned to each resident (each fulltime occupant), but the number of gallons allotted per person depends on the size of the household – i.e., the larger the household, the smaller the allocation per person. For example, a one-person household might be allocated 75 gallons per day, a 2-person household might be allocated 65 gallons per person per day (135 gallons total per day), a 3-person household might be allocated 55 gallons per person per day (165 gallons total per day), etc. This method resolves the problem with the simple by-resident approach in which very small households may be stressed to keep within their allocation while large households might receive a more-than-adequate total allocation. As with simple by-resident rationing, this option requires a census of the number of fulltime residents at each residential property and a decision on providing an allocation to weekender properties.
5. **Rationing by a combination of by-meter and by-resident.** A fixed amount of water is allocated to each residential service, plus each service is allocated a fixed amount of water for each fulltime resident. As an example, the per-meter allocation might be 50 gallons per day and the per-person allocation might be 40 gallons per day, thus a one-person household would be entitled to 90 gallons per day (50 + 40), a two-person household would receive 130 gallons per day (50 + 40 + 40), a five-person household would receive 250 gallons per day (50 + (5 x 40)). This approach appears to come closest to resolving

the various equity shortcomings of the other types of rationing. It also solves the problem of determining an allocation for weekender houses: they would receive only the per-meter allocation (for instance, continuing with the example of a per-meter daily allocation of 50 gallons, a weekend property's visitors would have seven days' worth of per-meter allocation available for their use over their weekend visit, or a total of 350 gallons).

Our intention was to present these five approaches to rationing and ask the Board to select the one you want us to write into a new rationing ordinance. On reflection, and to support flexibility, it seems preferable to include all five in the ordinance as options (called "tracks"), enabling any particular Board to select the one that it feels will work best at that particular time.

Outline of the Process

The authority to declare a water shortage emergency is found in the California Water Code beginning with Sec. 350. The process begins with the Board adopting a resolution declaring a "Water Shortage Emergency" and placing a "Water Conservation Program" into effect. When the situation becomes most dire, the Board may adopt a Resolution that activates a mandatory water rationing program.

Here is an outline of the steps for our water system.

1. **Resolution Declaring a Water Shortage Emergency (WSE).** The General Manager prepares a resolution that explains the circumstances that necessitate a declaration of a Water Shortage Emergency. The Board holds a public hearing and decides whether to adopt the resolution. In addition to stating the case for a WSE, this resolution activates a Water Conservation Program. In our case, the Water Conservation Program is embedded in Regulation 117 of the Regulations of the IPUD Water System.
2. **Regulation 117: Water Conservation Program.** The resolution declaring a WSE places Regulation 117 and its "Water Conservation Program" into effect. The two most significant provisions of Regulation 117 are to prohibit installation of New Service Connections during the WSE and to provide for a three-stage Water Conservation Program whose stages can be put into effect progressively as necessary. The first stage focuses on common-sense actions to conserve water, the second stage enables a series of increasingly more restrictive limitations on outdoor watering to be placed into effect, and the third stage triggers the process to activate water rationing.
3. **Resolution Activating Water Rationing.** The General Manger prepares a resolution that states the case for rationing and specifies options and parameters for the proposed rationing program. The Board holds a public hearing and decides whether to adopt the resolution and place the District's Ordinance 100-2021 into effect.
4. **Ordinance 100-2021: Mandatory Water Rationing Program.** The resolution activating water rationing places Ordinance 100-2021 into effect as of a date stated in the resolution. Various options and rationing parameters are provided in Ordinance 100-2021; the rationing activation resolution must state which of the applicable options and parameters are going to be used (for example, which one of the listed types of water rationing is to be used and the number of gallons of water to be allocated to each class of users).

At any time there arises a need to declare a Water Shortage Emergency, Regulation 117 and Ordinance 100-2021 will already be in existence legally but not actually in effect. The purpose of the two resolutions is to place these two documents' programs into effect: the resolution declaring a Water Shortage Emergency places into effect Regulation 117 and its Water Conservation Program, and the rationing activation resolution places into effect Ordinance 100-2021 and its Mandatory Water Rationing Program. These resolutions must be written at the time they are

needed so that they can be tailored to the specific situation at that time. What we are doing here at this time (Spring 2021) is to rewrite Regulation 117 and to write a new water rationing ordinance so that (we hope) they will have sufficient generality and flexibility to enable them to be usable in a wide variety of different water shortage situations.

Once water rationing is no longer needed, the Board adopts a resolution cancelling water rationing. If possible, it can terminate the water shortage emergency at the same time (in the same or a separate resolution). In some cases, it may be advisable to only cancel water rationing but not to terminate the water shortage emergency. In such a case, the District would revert to the water conservation program in Regulation 117 (that is, step back to either Stage 2 or Stage 1 of the water shortage emergency's water conservation program).

Uncertainties

There are many challenges to implementing a water rationing program, and we are not sure exactly how we will accomplish some of the things we will have to do. This discussion lays out some of our uncertainties.

The staffing dilemma. Our most significant uncertainties concern whether we have sufficient staff to take on a rationing program and make it work effectively, efficiently, and in a timely manner. Here are some of the extra-work tasks we will have to be able to cover:

- Determine the daily usage allocation to be assigned to each individual service connection (when any rationing track other than by-meter is adopted).
- Conduct a census to determine the number of fulltime occupants at each residential service property (if a by-resident rationing track is adopted).
- Determine each individual service connection's average daily water usage over the preceding year (for all non-residential service connections and for residential connections when the by-ratio track is adopted).
- Notify each customer of the daily allocation assigned to that customer's service. Except when the by-meter track is used, this will have to be done individually for each customer (if it takes 5 minutes of staff time per customer, that equates to roughly one employee working fulltime for a week).
- Read meters on a frequent basis. It seems that to make rationing workable, we should read every customer meter probably every two weeks. In fact, we do not see how, with our current staff, we could manage to read every meter every other week on a sustained basis; probably, once in three weeks is the best we could hope for. For our normal bi-monthly meter readings for billing purposes, we set aside three days for the operations staff to visit all 517 customer properties and read their meters (these employees have other normal system operations tasks to tend to each day, so typically no one ever reads meters exclusively for an 8-hour day). It would appear that some additional staffing is going to be required in order for a rationing program to be functional, especially if rationing goes on for a long period of time (an ominous possibility if the current drought extends into next winter).
- Process the meter reading results. How will we handle the data from these special meter readings (it's questionable that these readings can be processed through our service bureau's billing system)? How do we match the meter reading data against each individual customer's usage allocation to identify customers who are exceeding their allocation? How do we notify every customer on a frequent basis (every two or three weeks) about how they are doing – and do it quickly enough so that the customer has time to act on the information before the next time we show up to check their meter?

- Handle customer inquiries. We expect, especially at the beginning, to be deluged with inquiries from customers about the rationing program, how it applies to them specifically, whether their usage is complying, etc. We worry that we don't have the depth of staffing to handle the expected number of phone and email inquiries in particular, especially at the same time we expect to be stressed to keep up with the workload noted in the preceding item.
- Handle appeals. We can expect some customers to appeal for a larger rationing allocation, and there will doubtless be some appeals filed of fines that are assessed for noncompliance. These can become sources of unhappiness and contention, so it will be important that they be handled carefully and sensitively, all of which is a further draw on staff time and effort.
- Keep the District going. At the same time, staff has all its normal tasks to keep up with.

The IT dilemma. We face an initial problem of having the means to inform each customer in a timely manner about what their allocation is going to be. Then, on an ongoing basis, there is the big problem of the turnaround time from reading a customer's meter to producing a status notice and getting it to the customer. We do not at this time know how we will do this; one possibility might be to find some way to interface our existing customer database (which is maintained by our service bureau, Diversified Technology Corporation in Bloomsburg, PA) with each customer's rationing allowance (which may or may not be constant) and current meter reading results, and produce a usage and compliance report that can be emailed to the customer (with capability to use USPS mail for the approximately 10% of customers for whom we do not have an email address). Ideally, each day's meter reads would be processed and distributed the next day (at the latest) so that the customers learn very quickly after their meters have been read whether they are complying with their rationing requirement.

A possible approach. If we have the appropriate software, one possibility might be to take on a temporary-hire person who would be responsible for the entire rationing endeavor, with the goal of having this person read all the meters every two weeks (and not burdening our existing operations staff with the rationing effort). Each two-week interval would constitute one cycle, and each cycle would consist of three units of three workdays each (with the 10th workday at the end of each two-week cycle as an extra day to be used for whatever). On Day 1 in each cycle, the person would read one-third of the meters, then on Day 2 the person would process those readings and get status notices out to that set of users, then on Day 3 the person would tend to the many other demands that will be placed on this position (dealing with violations, responding to customer inquiries and problems, doing the record keeping that will be critical for monitoring whether the rationing parameters are set appropriately, etc.). The second third of the meters would then be handled in the same way on Days 4, 5, and 6, and finally the last third of the meters would be handled similarly on Days 7, 8, and 9 (followed by Day 10 as the "extra" day). This two-week cycle which would start over again the next week. The key to this (in addition to finding and funding this employee) will be having software available that can handle the processing and notification tasks.

Next steps

The upcoming April 28 meeting will include an agenda item for the Board to receive public comment on and discuss the draft rewrite of Regulation 117 and the draft Ordinance 100-2021. Based on direction from the Board at the April 28 meeting, staff will bring both of these items back to the Board at the May meeting (scheduled for May 26) for action. If they are adopted in May, both will go into effect 30 days later, which will provide the District before the end of June with the legal underpinnings needed to put a mandatory water rationing program into effect at any time thereafter that the Board determines it has become necessary.

Attachments and other documents that are available

The following are being sent to you together with this memo:

- Draft rewrite of Water System Regulation 117 (“Water Shortage Emergency (Water Conservation Program)”)
- Draft of proposed Ordinance 100-2021 (“Mandatory Water Rationing Program”)

Also, please let me know if you would also like to be sent any of the following:

- Current Water System Regulation 117
- Current Water System Regulation 117 with underlining and strikeout type showing all the changes that were made to produce the rewritten version
- Ordinance 78-2009, the current water rationing ordinance (proposed to be replaced by Ordinance 100-2021)
- Copy of Resolution 255-2020 that declared the current Water Shortage Emergency (adopted by the Board on July 22, 2020)

ORDINANCE 100-2021

MANDATORY WATER RATIONING PROGRAM

WHEREAS, Regulation 117 of the Rules and Regulations of the Inverness Public Utility District Water System sets forth guidelines and procedures for declaration of a Water Shortage Emergency and for conservation of the water supply during a duly declared Water Shortage Emergency; and

WHEREAS, paragraph (f)(3) of Regulation 117 provides for implementation of mandatory water rationing at such time during a duly declared Water Shortage Emergency that the Board of Directors of the Inverness Public Utility District determines that it is necessary to conserve a greater portion of the public water supply than is achieved by implementing water conservation Stage 2 of Regulation 117; and

WHEREAS, the Board of Directors of the Inverness Public Utility District desires to define procedures for implementing and enforcing a program of mandatory water rationing,

NOW, THEREFORE, BE IT ENACTED by the Board of Directors of the Inverness Public Utility District that the following shall constitute the District's Mandatory Water Rationing Program.

SECTION 1. PURPOSE OF THIS ORDINANCE AND OF A MANDATORY WATER RATIONING PROGRAM. The purpose of this ordinance is to conserve the District's water supply for the greatest public benefit, with particular regard to public health and sanitation, fire protection, domestic use, and preservation of the ecological health of the community and the District's watershed, by reducing wasteful uses of water and allocating the available water supply fairly and equitably. This ordinance is adopted pursuant to California Water Code Sections 350 through 358 and Sections 375 through 378.

SECTION 2. EFFECTIVENESS. Implementation of a mandatory water rationing program pursuant to the provisions of this ordinance shall become effective on any date set therefore by the Board of Directors of the Inverness Public Utility District in a resolution, called the "rationing activation resolution," adopted by said Board of Directors during a duly declared Water Shortage Emergency, which resolution finds it necessary to implement water conservation Stage 3 of Water System Regulation 117 within the service area of the Inverness Public Utility District Water System. The applicable provisions of water conservation Stage 2 shall remain in effect until Stage 3 is duly cancelled by action of the Board of Directors. During a duly declared Water Shortage Emergency, the Board of Directors shall consider adoption of a rationing activation resolution to implement water conservation Stage 3 when advised by the District's General Manager that the water supply, water production, or capability to treat, store, or distribute water can no longer be maintained at a level adequate to service the existing demands and requirements of the System's customers without endangering maintenance of adequate reserves for fire protection, sanitary use, and preservation of the ecological health of the community and the District's watershed. A rationing activation resolution shall specify the optional provisions of this Ordinance's mandatory water rationing program that shall be placed in effect. The mandatory water rationing program that is placed in effect shall be legally binding on all customers of the Inverness Public Utility District Water System and of all users of System-provided water. It shall be unlawful for any customer or user to use, or cause or permit to be used, System-provided water in excess of the water allotment assigned to the service at which the excess usage occurs.

SECTION 3. RESIDENTIAL SERVICE WATER ALLOTMENT. The Board of Directors shall determine and specify in the "rationing activation resolution" the water allotment "track" that is to be placed in

effect for residential services. A service's designation as a residential service shall be determined by the rate schedule applicable to the service.

Under Track 1, each residential service's usage allotment shall be set at a specified number of gallons per day (the allotment will be the same for all residential service connections).

Under Track 2, each residential service's usage allotment shall be set at a specified number of gallons per day per fulltime resident on the premises.

Under Track 3, each residential service's usage allotment shall be set at a specified ratio of the average amount of water used at the service over the preceding year.

Under Track 4, each residential service's usage allotment shall be set at a specified number of gallons per day per fulltime resident on the premises, such number of gallons to be determined in accordance with an occupancy schedule.

Under Track 5 (a combination of Track 1 and Track 2), each residential service's usage allotment shall be set at a specified number of gallons per day (this base allotment will be the same for all residential service connections) plus a specified number of gallons per day per fulltime resident on the premises.

(a) TRACK 1: Uniform allocation

The Board of Directors shall determine and specify in the rationing activation resolution the number of gallons per day to be allocated to each residential service. At any time, the General Manager may reduce this allocation temporarily by up to 25% on an emergency basis if the General Manager determines that such reduction is necessary to protect the public health, safety, and welfare or to spread more equitably the availability of water among the classes of users; any such temporary reduction must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the number of gallons per day to be allocated to each residential service.

(b) TRACK 2: Per-person allocation

The Board of Directors shall determine and specify in the rationing activation resolution the number of gallons per day to be allocated for each reported fulltime occupant of a residential service, as well as a default per-connection allocation for residential services for which no fulltime occupants have been reported. At any time, the General Manager may reduce temporarily these allocations by up to 25% on an emergency basis if the General Manager determines that such reductions are necessary to protect the public health, safety, and welfare or to spread more equitably the availability of water among the classes of users; any such temporary reductions must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the number of gallons per day to be allocated for each reported fulltime occupant of a residential service, as well as a default per-connection allocation for residential services for which no fulltime occupants have been reported.

(c) TRACK 3: Ratio-based allocation

The Board of Directors shall determine and specify in the rationing activation resolution the ratio (percentage) of preceding-year average daily usage to be allocated uniformly to each service. As necessary, the General Manager may utilize any appropriately applicable period other than the preceding year to determine a service's average daily usage. The Board of Directors may establish a schedule of varying ratios together with triggers for implementing the various ratio levels. At any time, the General Manager may reduce temporarily the allocation that is currently in effect by up to 25% on an emergency basis if the General

Manager determines that such a reduction is necessary to protect the public health, safety, and welfare; any such temporary reduction must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the ratio (percentage) of preceding-year average daily usage to be allocated uniformly to each service or the schedule of varying ratios and the triggers for implementing the various ratio levels.

(d) TRACK 4: Occupancy-adjusted per-person allocation

The Board of Directors shall determine and specify in the rationing activation resolution a schedule of fulltime residential occupancy levels and for each occupancy level the number of gallons per day to be allocated for each fulltime occupant, as well as a default daily allocation for each residential service for which no fulltime occupants have been reported. At any time, the General Manager may reduce these allocations temporarily by up to 25% on an emergency basis if the General Manager determines that such reductions are necessary to protect the public health, safety, and welfare or to spread more equitably the availability of water among the classes of users; any such temporary reductions must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the schedule of fulltime residential occupancy levels and for each occupancy level the number of gallons per day to be allocated for each fulltime occupant, as well as the default daily allocation for each residential service for which no full-time occupants have been reported.

(e) TRACK 5: Uniform allocation plus per-person allocation

The Board of Directors shall determine and specify in the rationing activation resolution the number of gallons that will constitute the base number of gallons per day to be allocated uniformly to every residential service plus the number of gallons per day to be allocated for each reported fulltime occupant of a residential service. At any time, the General Manager may reduce these allocations temporarily by up to 25% on an emergency basis if the General Manager determines that such reductions are necessary to protect the public health, safety, and welfare or to spread more equitably the availability of water among the classes of users; any such temporary reductions must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the number of gallons that constitute the base number of gallons per day allocated uniformly to every residential service and the number of gallons per day allocated for each reported fulltime occupant of a residential service.

SECTION 4. NON-RESIDENTIAL SERVICE WATER ALLOTMENT. The Board of Directors shall determine and specify in the “rationing activation resolution” the ratio (percentage) of preceding-year average daily usage to be allocated uniformly to each non-residential service. A service’s designation as a non-residential service shall be determined by the rate schedule applicable to the service. As necessary, the General Manager may utilize any appropriately applicable period other than the preceding year to determine a service’s average daily usage. The Board of Directors may establish a schedule of varying ratios together with triggers for implementing the various ratio levels. At any time, the General Manager may reduce temporarily the allocation that is in effect by up to 25% on an emergency basis if the General Manager determines that such a reduction is necessary to protect the public health, safety, and welfare; any such temporary reduction must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the ratio (percentage) of preceding-year average daily usage to be allocated uniformly to each non-residential service.

SECTION 5. DETERMINATION OF INDIVIDUAL CUSTOMER WATER ALLOTMENTS. The General Manager shall, as necessary, take appropriate measures to determine each service's daily water allotment and shall communicate in timely manner to the customer of record for each service connection that service's daily allotment. In the event a track is used that bases daily water allotments on a per-person basis, the General Manager shall devise and implement a program to conduct a census of the occupancy of each residential property. If a customer of record for a residential service fails to respond to a census inquiry, that customer's served residence shall be presumed to have no fulltime residents.

SECTION 6. DETERMINATION OF A FULLTIME RESIDENT. For purposes of implementing any provisions of this ordinance, a fulltime resident is a human being who is domiciled overnight on the property for more than 30 consecutive nights or more than 30 nights within a 60-day period; residency can be demonstrated by the address listed on a driver license, voter registration card, property tax bill with homeowner property tax exemption, lease agreement, income tax return, utility bill, local school enrollment, parental, custodial, or caregiver relationship to an adult who demonstrates full-time residency, or other means satisfactory to the General Manager.

SECTION 7. ALLOTMENT PERIOD, ALLOTMENT BANKING, ALLOTMENT TRANSFER, USAGE NOTIFICATION. For purposes of enforcement of this ordinance, each customer's total allotment and total usage shall be computed for each of the System's bimonthly billing periods (as defined in paragraph (c) of Water System Regulation 301). Each customer's total allotment for a billing period shall be determined by multiplying the service's applicable daily allotment by the number of days in the billing period. No unused portion of a customer's allotment in a billing period may be applied to a subsequent billing period (carryover shall not be allowed; any unused allotment shall expire at the time the meter is read for the applicable billing period), nor may any portion of a service connection's allotment be transferred to any other service connection. The General Manager shall devise and implement a program to notify each customer of record of the average daily water usage at the served property at regular intervals during each billing period during which water rationing is in effect.

SECTION 8. HARDSHIP. On request, the General Manager may increase a service connection's daily water allocation upon making a finding that enforcement of the service's existing allocation would (a) cause or result in a severe hardship to the customer or to any of the service location's fulltime residents (excluding economic hardship); (b) be detrimental to the public interest; or (c) cause or result in an emergency condition affecting the health, sanitation, fire protection, or safety of the customer, the residents, or the public. In the event an application for an increase in a service connection's daily water allocation is denied by the General Manager or is not acted upon by the General Manager within ten (10) working days, the applicant may within ten (10) working days file in writing an appeal to the Board of Directors, which body shall conduct a hearing on the appeal at its next duly noticed meeting that is no fewer than seven (7) days subsequent to the date the appeal is received in the District office; the decision on an appeal by the Board of Directors shall be final and binding.

SECTION 9. ENFORCEMENT. At the conclusion of each bimonthly billing period, the General Manager shall determine the customers-of-record whose service location used an amount of water during the billing period that exceeded the total allocation that had been established for the service for the billing period.

- (a) Excess usage not in excess of 10% of allocation. The General Manager shall issue a written warning to each customer that had excess usage but whose excess usage did not exceed ten percent (10%) of the allocation that had been established for the service for the billing period.

- (b) Excess usage in excess of 10% of allocation. The General Manager shall notify in writing each customer that had excess usage and whose excess usage exceeded ten percent (10%) of the allocation that had been established for the service for the billing period and shall inform the customer that an administrative fine is being applied to the customer's water account.
- (c) Administrative Fine. The administrative fine that is assessed shall be fifty dollars (\$50.00) for each unit of one hundred (100) cubic feet (ccf), or fraction thereof, of the customer's usage during the billing period that was in excess of the allocation that had been established for the service for the billing period.
- (d) Repetition of Excess Usage. The second time during the same Water Shortage Emergency that a customer's usage during a billing period exceeds by more than ten percent (10%) the allocation that had been established for the service for the billing period, the administrative fine that is assessed shall be one-hundred dollars (\$100.00) per unit of one hundred (100) cubic feet (ccf), or fraction thereof, of the customer's usage during the billing period that was in excess of the allocation that had been established for the service for the billing period. The third time during the same Water Shortage Emergency that a customer's usage during a billing period exceeds by more than ten percent (10%) the allocation that had been established for the service for the billing period, the administrative fine that is assessed shall be two-hundred dollars (\$200.00) per unit of one hundred (100) cubic feet (ccf), or fraction thereof, of the customer's usage during the billing period that was in excess of the allocation that had been established for the service for the billing period.
- (e) Appeal of an Administrative Fine. Within ten (10) working days of being notified that an administrative fine has been assessed, the customer of record for the service account to which the administrative fine has been posted may file in writing an appeal to the Board of Directors of the assessment of the administrative fine. The Board of Directors shall conduct a hearing on the appeal at its next duly noticed meeting that is no fewer than seven (7) days subsequent to the date the appeal is received in the District office; the decision on an appeal by the Board of Directors shall be final and binding
- (f) Chronic Excess Usage. The fourth time during the same Water Shortage Emergency that a customer's usage during a billing period exceeds by more than ten percent (10%) the allocation that had been established for the service for the billing period, the General Manager shall notify the Board of Directors and shall place on the agenda for the next duly noticed meeting of the Board of Directors for which an agenda has not yet been posted a public hearing to consider restricting or discontinuing water service to the property at which the chronic excess usage has occurred, and shall notify the customer of record for said property of the impending hearing at which the Board of Directors may take action to restrict or discontinue water service to the customer's property. The Board of Directors at such public hearing may, in its sole discretion, based on testimony received and findings of fact, place such restrictions on water service to the affected property as it deems in its sole discretion to be necessary to protect the public water supply, including but not limited to directing Water System staff to place a flow restricting device on the service's water meter or to discontinue water service to the property, pursuant to Section 356 of the Water Code of the State of California. The Board may set a period of time during which a flow restriction device will be in place or a period of time during which service will be discontinued, but no such restriction or service discontinuance shall remain in effect past the date on which the declared Water Shortage Emergency is declared ended by the Board of Directors, except that any service restriction or discontinuance that is in effect shall remain in effect as long as any currently unpaid rates, charges, or fines assessed to the water service account remain unpaid.

SECTION 10. TAMPERING. It shall be unlawful for anyone to draw, or permit to be drawn, any water through a service meter to which service has been discontinued pursuant to Section 9(e) of this ordinance. It shall be unlawful for anyone to engage in an attempt to remove, adjust, modify, bypass, or otherwise tamper with a flow restriction device installed on a meter pursuant to Section 9(e) of this ordinance. Pursuant to Section 356 of the Water Code of the State of California, a violation of this section shall constitute grounds for the District to initiate proceedings to remove the subject water meter, cap the service lateral from the District's water main, and officially declare the subject property as not served by the Inverness Public Utility District Water System.

SECTION 11. APPLICABILITY. The provisions of this ordinance shall be in effect and applicable only while a duly declared mandatory water rationing program is in effect during a duly declared water shortage emergency. No provisions of this ordinance shall have any effect or applicability once a resolution cancelling water rationing or a resolution declaring an end to a declared water shortage emergency has been adopted by the Board of Directors or at any other time during which no duly activated mandatory water rationing program or duly declared water shortage emergency is in effect.

SECTION 12. SEVERABILITY. If any section, subsection, paragraph, sentence, clause, phrase, or provision of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have adopted the ordinance and each section, subsection, paragraph, sentence, clause, phrase, and provision thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or provisions be declared invalid.

SECTION 13. This Ordinance shall be and hereby is declared to be in full force and effect as of thirty (30) days from and after the date of its adoption. The Clerk of the Board shall cause this Ordinance to be published in a newspaper of general circulation in the District at least one (1) week before the expiration of said thirty (30) days and shall also cause copies of this Ordinance to be posted in at least three (3) public places in the District for the said thirty (30) days, and said publication and said posted copies shall show the names of the Directors voting for and against adoption of this Ordinance.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Inverness Public Utility District on the 26th day of May, 2021, by the following vote, to wit:

AYES: **Directors**

NOES:

ABSTAINING:

ABSENT:

Kenneth J. Emanuels, President

ATTEST:

Shelley Redding, Clerk of the Board

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I hereby certify that the foregoing instrument is a true and correct copy of the original of Ordinance 100-2021 on record in this office, and that subsequent to its adoption no provision of Ordinance 100-2021 has been amended, modified, or revoked by the governing body.

Clerk of the Board, Inverness Public Utility District, County of Marin, State of California.

By _____ Date _____

DRAFT