SPECIAL MEETING OF THE BOARD OF DIRECTORS ROSAMOND COMMUNITY SERVICES DISTRICT

3:00 PM Closed Session
3:30 PM Special Board Meeting
Wednesday December 2, 2026
District Board Room
3179 35th Street West
Rosamond, CA 93560

Zoom Instructions
Meeting ID: 661 256 3411
Passcode: 2026
Zoom App: Click the blue "Join" button with the plus sign
Web page: Visit zoom.com and click "Join" at the top of the page
Phone: Dial (669) 444 9171, enter the meeting ID and press #, do not enter a participant ID and press #, enter the passcode and press #. Use *6 to mute/unmute

Agenda

CALL TO ORDER Time: _____

ROLL CALL
Director Jose Hernandez Jr.
Director Byron Glennan
Director Rick Webb
Vice President Greg Wood
President Gregory Washington

General Manager (GM) Kim Domingo
Assistant GM Ben Stewart
AGM Patrick Tsang

Director of Administration/Board Secretary Sherri Timm
LegalCounsel, John Komar, Esq.

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA Motion: _____ 2nd: _____

PUBLIC COMMENTS

(At this time, any person may address the Board on any subject within the District's jurisdiction which is not on the agenda. However, any non-agenda matter will be referred to staff for a report and/or action at a subsequent Board meeting and no action can be taken on any such item discussed unless the action has been authorized under §54954.2(b) of the Government Code. Any person may also address the Board on any agenda matter at the time that matter is discussed, prior to Board consideration and action. Speakers are requested to limit comments to three (3) minutes.)

VOLUNTARY PUBLIC ROLL-CALL VIA TELECONFERENCE
(If any member of the public on the teleconference/video conference wishes to identify themselves as present for this meeting, please do so for the records/minutes)

CLOSED SESSION Time: _____

Motion_____ 2nd_____

CS 1. Public Employee Appointment (G.C. § 54957) Title: General Manager

PUBLIC REPORT ON ACTION TAKEN IN CLOSED SESSION

Time Out of Closed Session: _____

Motion_____ 2nd_____

____ No Reportable Action ____ Reportable Action by: _____

3:30 P.M. OPEN SESSION Time: _____

PUBLIC COMMENTS

(At this time, any person may address the Board on any subject within the District's jurisdiction which is not on the agenda. However, any non-agenda matter will be referred to staff for a report and/or action at a subsequent Board meeting and no action can be taken on any such item discussed unless the action has been authorized under §54954.2(b) of the Government Code. Any person may also address the Board on any agenda matter at the time that matter is discussed, prior to Board consideration and action. Speakers are requested to limit comments to three (3) minutes

VOLUNTARY PUBLIC ROLL-CALL VIA TELECONFERENCE

(If any member of the public on the teleconference/video conference wishes to identify themselves as present for this meeting, please do so for the records/minutes)

NEW BUSINESS

NB 1. Approve Change Order No. 5 to Mike Bubalo Construction for the WWTP Biosolids Removal Project – Phase 1. (Presenter Kim Domingo)

Motion:_____ 2nd: _____

NB 2. Adoption of Resolution No. 2026-18 Amending The District Administrative Code. (Presenter Kim Domingo)

Motion:_____ 2nd: _____

ADJOURNMENT Time: ____

Requirements Regarding Disabled Access: In accordance with Government Code §54954.2(a), requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting, should be made to the RCSD Board Secretary at least 48 hours in advance of the meeting to ensure availability of the requested service or accommodation. Please contact the Board Secretary by telephone at (661) 256-3411, Email: stimm@rosamondcsd.com or in writing at the Rosamond Community Services District, Attn: Board Secretary 3179 35th Street West, Rosamond, CA 93560.

Pursuant to Government Code Section 54957.5, any writing that: (1) is a public record; (2) relates to an agenda item for an open session of a regular meeting of the Board of Directors; and (3) is distributed less than 72 hours prior to that meeting, will be made available for public inspection at the time the writing is distributed to the Board of Directors. Any such writing will be available for public inspection at the District offices located at 3179 35th Street West, Rosamond, CA 93560. A complete agenda packet containing all accompanying reports for this agenda is available by contacting the Board Secretary stimm@rosamondcsd.com or 661-256-3411, or in person or writing to Rosamond Community Services District, Attn: Board Secretary 3179 35th Street West, Rosamond, CA 93560.

Board meetings are subject to audio recording.

STAFF REPORT

Rosamond Community Services District

DATE: December 2, 2026

TO: Board of Directors

FROM: Kim Domingo, General Manager

Subject: Approve Change Order No. 5 to Mike Bubalo Construction for the WWTP Biosolids Removal Project – Phase 1

Strategic Plan Element Addressed: 5.0 Maintain our Water and Wastewater Systems

RECOMMENDATION:

Approve Change Order No. 5 to Mike Bubalo Construction for the WWTP Biosolids Removal Project – Phase 1 in the amount of $210,000.00 with no time extension, and Authorize the President to Execute.

BACKGROUND:

The District Wastewater Treatment Plant operates under Regional Water Quality Control Board, Lahontan Region (Lahontan) Board Order No. R6V-2019-0251 (Order), which includes a time schedule requirement to submit a Work Plan to remove and dispose sludge from the existing evaporation/oxidation ponds by March 1, 2021. A Work Plan was submitted to Lahontan on May 2, 2023 in compliance with the Order. The Work Plan included a time schedule in which the District would complete the removal of the sludge.

A revised Work Plan was submitted to Lahontan on February 6, 2024, modifying the alternatives to be considered and extending the sludge removal deadline to January 31, 2026. An updated Work Plan was submitted to Lahontan on March 24, 2026 extending the sludge removal deadline to September 30, 2027.

On July 23, 2025, the Board adopted Resolution 2025-11, authorizing the solicitation of private financing proposals to fund the project. On October 8, 2025, the Board adopted Resolution 2025-15, approving the execution of loan documents to fund the project. The borrowed amount is $10,200,000.

On April 8, 2026, the Board approved the bid documents for the project and authorized the advertisement to bid. On June 24, 2026, the Board awarded the construction contract to Mike Bubalo Construction in the amount of $5,799,000.00, under Capital Project No. 22600.

Four change orders have been approved by the board to add and delete scope items related to the project as well as extend the contract completion date to February 3, 2027.

Change Order No. 5 is for the purchase and delivery of 60 mil high-density polyethylene (HDPE) liner material for the Overflow Pond. As with the work under Change Orders No. 3 and 4, the Overflow Pond rehabilitation was not included in the original project scope and is being added at

the direction of the District. This change order covers the purchase and delivery of the liner material.

The work scope changes amount to an increase in the contract by $210,000.00. No additional contract time is included in this change order, and the contract completion date remains February 3, 2027.

ANALYSIS:

Change orders are generally negotiated between the Owner and Contractor. The liner material is part of the Overflow Pond rehabilitation that Mike Bubalo Construction is currently performing under Change Orders No. 3 and 4. Procuring the liner through the existing contract allows the material delivery to be coordinated with the rehabilitation work while the contractor is mobilized at the plant. Staff has reviewed the change order and recommends approval.

FISCAL REVIEW:

The Change Order results in an increase in the contract by $210,000.00 from $5,121,233.00 to $5,331,233.00. The table below summarizes the contract value.

Original Contract Price	$5,799,000.00
Change Order No. 1	502,077.00
Change Order No. 2	210,000.00
Change Order No. 3	175,000.00
Change Order No. 4	(1,564,844.00)
Change Order No. 5 (this action)	210,000.00
New Contract Amount	**$5,331,233.00**

The costs for the project are funded under Capital Project No. 22600 from the secured loan proceeds, and funds are available in the Capital Projects budget to cover this increase in cost.

LEGAL REVIEW:

N/A

CONCLUSION:

Approval of Change Order No. 5 is recommended.

Kim Domingo, General Manager

Sherri Timm, Director of Administration

ATTACHMENTS:

Change Order No. 5

CHANGE ORDER

PROJECT:
WWTP Biosolids Removal Project - Phase 1

DATE: 12/2/2026

PROJECT NO.: 22600

CHANGE ORDER NO.: 5

CONTRACTOR:
Mike Bubalo Construction, Inc.
5102 Gayhurst Ave.
Baldwin Park, CA 91706

DESCRIPTION OF CHANGE	ADD	DEDUCT
1. Purchase and deliver 60 mil HDPE liner material for the overflow basin.	$210,000.00	

CHANGE ORDER NO. 5	**TOTAL (ADD)**	$210,000.00
CHANGE ORDER NO. 4	**TOTAL (DEDUCT)**	($1,564,844.00)
CHANGE ORDER NO. 3	**TOTAL (ADD)**	$175,000.00
CHANGE ORDER NO. 2	**TOTAL (ADD)**	$210,000.00
CHANGE ORDER NO. 1	**TOTAL (ADD)**	$502,077.00
ORIGINAL CONTRACT PRICE		$5,799,000.00
NEW CONTRACT AMOUNT		$5,331,233.00

ORIGINAL CONTRACT COMPLETION DATE	January 13, 2027
CHANGE ORDER NO. 1	Zero Days
CHANGE ORDER NO. 2	Zero Days
CHANGE ORDER NO. 3	21 Days
CHANGE ORDER NO. 4	Zero Days
CHANGE ORDER NO. 5	Zero Days
REVISED CONTRACT COMPLETION DATE	February 3, 2027

REASON FOR CHANGE

1. Overflow Pond rehabilitation was not in original scope; Owner directs this scope addition.

Funds are available in the Capital Projects budget to cover this change.

CONFORMANCE WITH SPECIFICATIONS:

All work shall be done in conformance with the specifications as applied to work of a similar nature.
If the contractor refuses to sign this document, the work listed herein shall be performed on a force account basis.

SUBMITTED BY:

BY: _____
Mike Bubalo Construction, Inc.
Dave Sorem, President

APPROVED BY:

BY: _____
Rosamond Community Services District
Gregory Washington, President, Board of Directors

RECOMMENDED BY:

BY: _____
Rosamond Community Services District
Kim Domingo, General Manager

STAFF REPORT

Rosamond Community Services District

DATE: December 2, 2026

TO: Board of Directors

FROM: Kim Domingo, General Manager

Subject: Adoption of Resolution No. 2026-18 Amending the District Administrative Code, Title 2 Board Administration, Article 4000 Board of Directors, Section 4055 Election of Board Officers

RECOMMENDATION:

Adopt Resolution No. 2026-18 amending the District Administrative Code, Title 2 Board Administration, Article 4000 Board of Directors, Section 4055 Election of Board Officers, and re-adopting the Administrative Code as set forth in Exhibit "A" of the resolution.

BACKGROUND:

Over time, the District adopted, amended, and revised multiple handbooks without a unified code of operating procedures and without consistent redline practices, resulting in fragmentation, conflicting provisions, and difficulty in tracking the current, operative policies. To address this, on November 18, 2026, the Board of Directors adopted a unified Administrative Code via Resolution No. 2026-17, which replaced prior policies and handbooks relating to general governance. This resolution fixes missed text adopted in Resolution 2020-2 that was not included in the unified Administrative Code.

Section 4055 of the Administrative Code established the procedure for electing officers of the Board of Directors. The provisions of Section 4055 were previously established by Resolution Nos. 2015-07, 2018-07, and 2020-02. Resolution No. 2026-18 amends Section 4055 to reflect the language as noted in Resolution No. 2020-02 and updates the Administrative Code Disposition Table to record the amendment.

ANALYSIS:

Pursuant to Government Code Section 61045(g), the Board of Directors shall adopt policies for the operation of the District, including administrative and personnel policies. The Administrative Code provides that it may be revised by resolution, with each revision recorded in the Disposition Table.

As amended, Section 4055 provided the following:

> **4055.1** At the Annual Organizational Meeting, as described in Section 5010.5 of the Administrative Code, the Board of Directors shall elect its officers in accordance with Government Code Section 61403. The officers shall be the President and Vice President.

4055.2 The Board of Directors may create additional offices and elect members to those offices, provided that no member of the Board of Directors holds more than one office.

4055.3 No Board Member shall serve more than one term as Board President before stepping down for a minimum of two (2) years.

4055.4 If the Board membership does not change through the election process and all members desire to serve as Vice President and then move up to President, it would be eight (8) years before an individual Board Member would serve as President again.

4055.5 If more than one Board Member has the same seniority (election date), the position is first offered to the member who received the most votes in the last election cycle. Board seniority applies to all terms of office, and previous Board service counts toward seniority.

Adoption of Resolution No. 2026-18 will confirm the officer election procedure in the Administrative Code in advance of the Board's Annual Organizational Meeting. The resolution replaces the existing Administrative Code in its entirety with the restated code attached as Exhibit "A" and includes a redline as Exhibit "B" for reference. No other sections of the Administrative Code are changed by this action. The resolution becomes effective upon adoption.

FISCAL REVIEW:

There is no fiscal impact associated with this action.

LEGAL REVIEW:

None

CONCLUSION:

Staff recommends adoption of Resolution No. 2026-18. Upon adoption, staff will update the Administrative Code and Disposition Table to reflect the amendment to Section 4055.

Kim Domingo, General Manager

Sherri Timm, Director of Administration

ATTACHMENTS:

Resolution No. 2026-18 including the following exhibits:

Exhibit "A" – Administrative Code (Restated)
Exhibit "B" – Redline of Section 4055

RESOLUTION NO. 2026-18

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSAMOND COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT ADMINISTRATIVE CODE

WHEREAS, the Rosamond Community Services District ("District") is a district duly organized and existing under and pursuant to the Community Services District Law Section 61000 et seq. of the Government Code of California; and

WHEREAS, pursuant to Section 61045(g) of the Government Code, the Board of Directors shall adopt policies for the operation of the District including, but not limited to, administrative and personnel policies; and

WHEREAS, over time the District has adopted, amended, and revised multiple handbooks without a unified code of operating procedures and without consistent redline practices, resulting in fragmentation, conflicting provisions, and difficulty in tracking the current, operative policies; and

WHEREAS, the Board of Directors adopted an Administrative Code via Resolution 2026-17 on November 18, 2026

WHEREAS, the Board desires to amend the District Code, Title 2 Board Administration, Article 4000 Board of Directors, Section 4055

WHEREAS, the Board finds it necessary and in the public interest to adopt the District Code as set forth in Exhibit A,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rosamond Community Services District as follows:

1.0 Adoption of Restated Documents. The Board hereby adopts the Administrative Code, as set forth in Exhibit A. Existing Administrative Code is hereby replaced in its entirety with the attached hereto and incorporated herein by reference as "Exhibit A". For reference, “Exhibit B” is included as a redline to reflect the amended language.

2.0 Supersession of Prior Policies. Effective upon adoption of this Resolution, all prior policies, procedures, handbooks, codes, and amendments previously adopted by the board relating to General Governance are hereby repealed in their entirety and replaced by the restated documents attached hereto as Exhibits A. The Administrative Code and related policies adopted herein shall constitute the sole and authoritative policies of the District in this subject area.

3.0 Effective Date: This Resolution shall become effective as of the date of adoption.

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

held invalid.

5.0 Incorporation of Recitals: The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

PASSED AND ADOPTED at a special meeting of the Board of Directors of the Rosamond Community Services District held this 2nd day of December, 2026.

By: _____
President, Board of Directors
Rosamond Community Services District

ATTEST:

By: _____
Secretary, Board of Directors
Rosamond Community Services District

EXHIBIT “A”

Rosamond Community Services District

ADMINISTRATIVE CODE

Last Update: 12/02/2026
Resolution 2026-18

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE

DISPOSITION TABLE

This Rosamond Community Services District Administrative Code was adopted on November 18, 2026, by Resolution No. 2026-17. This Code may be revised by Resolution. When revisions occur, the version will be noted on this page and on revisions to the Disposition Table.

Date Adopted	Res. No.	Section	Description
November 18, 2026	2026-17	Entire Code	Adopt New Administrative Code
December 02, 2026	2026-18	Section 4055	Article 4000 Board of Directors, Section 4055 as noted in Resolution 2020-02

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE

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TITLE 1 GENERAL PROVISIONS

ARTICLE 1000 GENERAL

1000 PURPOSE OF BOARD POLICIES

1000.1 It is the intent of the Board of Directors of the Rosamond Community Services District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.2 If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over Rosamond Community Services District, said rules, regulations or legislation shall prevail.

1010 ADOPTION/AMENDMENT OF POLICIES

1010.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment are submitted to the District, and distributed to individual directors by District staff via the normal agenda distribution routine

1010.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a simple majority vote (3/5) affirmative vote of the entire Board of Directors.

1010.3 Copies of the proposed new or amended policy/policies shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration. A copy of the proposed new or amended policy/policies shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy/policies are to be considered.

1020 CONFLICT OF INTEREST

1020.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Rosamond Community Services District.

1020.1 Designated employees shall file statements of economic interests with the Clerk of the County of Kern.

1030 PUBLIC COMPLAINTS

1030.1 The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

1030.3 The method of resolving complaints shall be as follows:

1030.3.1 The individual with a complaint shall first discuss the matter with the Customer Service Supervisor with the objective of resolving the matter informally.

1030.3.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the Customer Service Supervisor, it shall be forwarded to the Office Manager. At the option of the Office Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The Office Manager shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.3 **I**f the individual registering the complaint is not satisfied with the disposition of the complaint by the Office Manager, it shall be forwarded to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.4 If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at its next regular meeting, or call a special meeting. In making a decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the individual registering the complaint being provided a copy.

1040 CLAIMS AGAINST THE DISTRICT

The purpose of this policy is to provide direction to District staff for processing and resolving account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

1040.1 Property (Land and Improvements) Damage Claims. In the course of the District's operations damage to land and improvements thereon occasionally occurs due to the proximity of the District's facilities to the private property. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible. It is required to obtain the property owner's consent or a court order prior to any District employee entering the private property.

When a property owner informs a District employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the Operations Superintendent. The General Manager/Public Works Superintendent, or his/her designee, shall investigate the property owner's allegations

If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager. Directors should not independently investigate claims, but may go with staff to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report shall be submitted to the General Manager.

If the investigating staff person is convinced that the damage was caused by District personnel, equipment, or infrastructure, he/she shall prepare a work order to have the damage repaired, subject to the following conditions:

(a) Property owner agrees that the proposed repairs are appropriate and adequate;
(b) Property owner agrees to allow District personnel access to their property to perform the repair work;
(c) District personnel have the necessary tools, equipment, and expertise to perform the necessary work;
(d) Repair work can be accomplished within a reasonable amount of time; and,
(e) Cost of material for the repairs will not exceed $500.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed $500, the owner will be asked to submit their claim in writing on a District claim form.

The General Manager shall review the damage claim and the proposed repair work. If he/she determines that the damage is the District's responsibility and that the proposed repair work is appropriate, he/she may authorize the work if the cost of material for the repairs will not exceed $1,500. A report shall be submitted to the Finance Committee describing the damage claim, including a description of the manner in which it was resolved.

If the cost of material for repairs is stated by claimant or estimated to exceed $1,500, the claim will be submitted to the Finance Committee. The Finance Committee shall review the claim and receive input from staff in closed session. After reviewing the damage claim, the Committee may authorize the work if the cost of material for the repairs will not exceed $3,000, or may make a recommendation to the Board of Directors. A report shall be submitted to the Board describing the damage claim, including a description of the manner in which it was resolved, or a recommendation for Board action. The claimant shall be notified of any action by the Committee regarding their claim.

If the cost of material for repairs is stated by claimant or estimated to exceed $3,000, the claim will be submitted to the Board of Directors for its consideration. The Board will consider the claim during a closed session of a regular or special meeting. Action to accept or reject the claim shall be taken in open session. The claimant shall be notified of the Board's action regarding their claim. Notification that a claim has been rejected shall be accompanied by proof of service.

The Board will not consider a claim of an amount in excess of the insurance deductible (currently $10,000), including the cost of investigation, without prior written approval of the District's insurance company.
Claims in excess of the District's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.
Claims for personal injury/wrongful death shall not be investigated by District staff or directors but shall be immediately forwarded to the District's insurance company.

1040.2 Property (Vehicles and Unsecured Property) Damage Claims. All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed $1,500. A report shall be submitted to the Finance Committee and Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed $1,500. A report shall be submitted to the Finance Committee and Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed $1,500.

1040.3 Property Damage Claims On District Form. Except for damage to land and improvements estimated to cost less than $500, all damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

(a) The name and post office address of the claimant.
(b) The post office address to which the person presenting the claim desires notices to be sent.
(c) The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
(d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known as the time of presentation of the claim.

(e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.

(f) The amount claimed if it totals less than ten thousand dollars ($10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars ($10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

Section 910.2 of the California Government Code specifies the following:
The claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.

If the filed letter/claim does not meet the requirements of the California Government Code §910 and §910.2, then a letter shall be sent to the claimant informing them of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

1040.4 Account Adjustment Requests. The General Manager, or the Director of Finance/Accountant in his/her absence, is authorized to adjust a customer's water service account when their bill reflects usage that is significantly greater than normal, due to accidental loss of water through broken pipes or when faucets are turned on in the owner's absence, subject to the following conditions:

(a) the customer requests the account adjustment in writing
(b) a similar request has not been made within the past 12 months; and,
(c) the account shows no record of being delinquent for more than 60 days during the past 24 months.

1050 COPYING PUBLIC DOCUMENTS
RESOLUTION NO. 2015-7

1050.1 Individuals requesting copies of public documents shall be charged twenty-five cents (25¢) per sheet copied to defray expenses associated with the copying process.

1050.2 Individuals requesting regular subscriptions of Regular Board Meeting, Special Board Meeting, or Committee Meeting agendas will be required to pay the following charges:

1050.2.1 A one (1) year subscription of Regular Board Meeting Agenda Packets will cost $770.00 a year, with a $50.00 discount if subscription is paid in full at time of subscription enrollment. A quarterly payment plan is available at the regular cost of $770.00.

1050.2.2 A request for Regular Board Meeting, Committee Meeting, and/or Special Board Meeting agendas, not to include supporting documents or the Agenda Packets, will be charged a fee based on number of pages of each agenda times, the $0.25 normal copying fee. In the event an agenda package is requested, the fee will be based on the .25 cent normal copying fee plus the cost of the index tabs and Agenda cover. In the alternative, an individual may pay for a one (1) year subscription for all Regular Board Meeting, Committee Meeting, and/or Special Board Meeting agendas, not to include supporting documents or the Agenda Packages, for $85.00, with a $5.00 discount if said subscription is paid in full at time of enrollment..

1050.2.3 In addition, requests to have agenda items mailed will be subject to shipping charges.

1050.3 All payments for all services will be required to be made at the time and date as determined by the applicable RCSD policy and/or the Board Secretary.

1050.4 Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. Individuals requesting copies of such documents prior to the Board meeting will be charged twenty-five cents (0.25c) per sheet. The copy charge will be levied at Board meetings for copies of documents if more are needed and/or requested in addition to those normally prepared for the public at Board meetings.

1051 REQUEST OF PUBLIC DOCUMENTS
RESOLUTION NO. 2015-7

1051.1 Any request for information from Employee, Constituent or other entity is subject to this Policy and the requirements of the California Public Records Act (PRA).

1051.2 During the regular business hours of the District, members of the public may inspect the documents on file in the District which are subject to public inspection and not exempt from disclosure or otherwise confidential as specified in the PRA.

1051.3 Copies of documents, subject to disclosure under the PRA, will be furnished by our agency to any person making a request and paying the appropriate fee. The fee will be $0.25 per page requested as set forth in Policy 1050 Copying of Public Documents and is required at time of request.

1051.4 In your written request, include a clear description of an identifiable record and be as specific as possible to help us expedite your request. The Board Secretary, or his/her designee, will assist requestors to identify records that may be responsive to the request.

1051.5 Granting of Request – Upon receipt of a request, Rosamond Community Services District (RCSD) staff shall determine, within the time periods set forth in the PRA, whether the request, in whole or in part, identifies disclosable public records in the possession of the District. RCSD shall promptly notify the requestor of its determination and the reasons therefore.

1051.6 Denial of Request – The District may not disclose certain documents under the PRA. . The requestor will be notified in writing if the District does not have or can not disclose the requested records.

1060 POLICY COMPAINTS

1060.1 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute by which the individual has been adversely affected.

1060.2 The Board of Directors of the Rosamond Community Services District desires that public complaints be resolved logically and systematically.

1060.3 The process for resolving complaints shall be as follows:

1060.3.1 The citizen with a complaint shall first discuss the matter with the appropriate Division Manager with the objective of resolving the matter informally.

1060.3.2 If the citizen registering the complaint is not satisfied with the disposition of the complaint by the Division Manager, it shall be forwarded to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager's decision shall be memorialized in writing with a copy being provided to the plaintiff.

1060.3.3 If the citizen filing the complaint is not satisfied with the disposition of the matter by the General Manager, they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at the next regular meeting, or call a special meeting. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the plaintiff being provided a copy.

1060.4 This policy in no way prohibits or is intended to deter a member of the community or staff from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

1070 PUBLIC CONTRIBUTIONS
RESOLUTION NO. 2015-07

1070.1 Donations from members of the public to the District for a public purpose that is within the scope of the District's responsibilities will be accepted. The Accountant or Director of Finance, as applicable, will provide a receipt for said donation and include the District's tax identification number thereon.

1070.2 Donations must be clearly marked as such. Deposits by a property owner with a service account will be treated as a payment toward their account's unpaid balance, or payment in advance of billing in the event the account does not have an unpaid balance, if the deposit is not clearly marked as a being a donation for a specific public purpose.

1070.3 By accepting donations, the District is not claiming to be qualified by the Internal Revenue Service as being a charitable organization for which donations may be considered tax deductible. Determination of how donations to the District are to be treated relative to the donor's tax liability is strictly the responsibility of the donor.

TITLE 2 BOARD ADMINISTRATION

ARTICLE 4000 BOARD OF DIRECTORS

4010 CODE OF ETHICS

4010.1 The Board of Directors of Rosamond Community Services District is committed to providing excellence in legislative leadership that result in the provision of the highest quality services to its constituents. In order to assist in the governance of the behavior between and among members of the Board of Directors, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocs based on personalities rather than issues should be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may ask the General Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office.

Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, see Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

4010.1.9 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

4010.3 Board and Staff Relation

4010.4 A majority of the board shall establish district policies, i.e. mission and program, at public meetings.

4010.5 The General Manager shall recommend policies. The General Manager shall recommend programs to implement the District’s policies to the Board at public meetings.

4010.6 The general manager shall carry out the projects approved by the board.

4010.7 A Director will not instruct management or staff how to implement policies, programs or the day to day operations of the District.

4010.8 Directors are encouraged to ask the General Manger who shall promptly provide requested information

4010.9 Directors may request information from subordinate staff only if the general manager fails to provide the information.

4015 VOLUNTARY CANDIDATE EXPENDITURE CEILING

4015.1 In accordance with Government Code 85400§ (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of Rosamond Community Services District, and controlled committees of such candidates, shall be one dollar ($1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to $250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to $100.

4020 ATTENDANCE AT MEETINGS

4020.1 Members of the Board of Directors shall make every effort to attend all regular and special meetings of the Board unless there is good cause for absence.

4020.2 A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three consecutive months except as authorized by the Board of Directors.

4040 BOARD PRESIDENT

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

4050 MEMBERS OF THE BOARD OF DIRECTORS

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. It is prohibited for a majority of directors (through serial meetings or otherwise) from discussing agenda items for the purpose of gaining a collective decision.

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

4055 ELECTION OF BOARD OFFICERS
RESOLUTION NO. 2018,7, 2015-7, 2020-02, 2026-18

4055.1 At the Annual Organizational Meeting, as described in § 5010.5 of the Administration Code, the Board of Directors shall elect its officers in accordance with Government Code § 61403. The officers shall be the president and vice president.

4055.2 The Board of Directors may create additional offices and elect members to those offices, provided that no member of a Board of Directors shall hold more than one office.

4055.3 No Board Member shall serve more than one term as Board President before stepping down for a minimum of two (2) years.

4055.4 If the Board Membership did not change through the election process and assuming that all members desire to serve as Vice-President, then move up to President, it would be eight (8) years before the individual Board Member would serve as President again.

4055.5 If more than one Board Member has the same seniority (election date) then the determining factor would be the first member offered the position would be the member who received the most votes in the last election cycle. Board seniority applies to all terms of office, previous Board service does count.

4060 COMMITTEES OF THE BOARD OF DIRECTORS RESOLUTION NO. 2025-1, 2022-2

4060.1 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.2 The following shall be standing committees of the Board:

4060.2.1 Wastewater Committee

4060.2.2 Policy Committee;

4060.2.3 Personnel Committee;

4060.2.4 Finance Committee;

4060.2.5 Government Relations Committee; and,

4060.2.6 Water Committee

4060.3 The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

4060.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.4.1 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

4060.4.2 The Committee Chair shall provide a report to the Board of Directors at the regular or special meeting where the minutes of the Committee Meeting are approved.

4060.5 The Board's standing Wastewater Committee shall be concerned with the operation, management and related capital improvements of its sewer system and wastewater treatment system as well as reclamation activities.

4060.6 The Board's standing Policy Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

4060.7 The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

4060.8 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

4060.9 The Board's standing Government Relations Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large. This Committee shall also be concerned with cooperative relationships with other governmental entities that benefit the community and District.

4060.10 The Board's standing Water Committee shall be concerned with the operation, management and related capital improvements of its water system, water conservation and acquisition of water, when necessary.

4070 BASIS OF AUTHORITY

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

4080 MEMBERSHIP IN ASSOCIATIONS

4080.1 The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

4080.2 The Board of Directors shall maintain membership in the California Special Districts Association and shall ensure that annual dues are paid by the District.

4080.3 At the regular Board meeting in June a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

4095 ETHICS TRAINING

All directors of Rosamond Community Services District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

4095.1 This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

4095.2 All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

4095.3 Directors shall obtain proof of participation after completing the ethics training.

4095.3.1 District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

4095.4 District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

4095.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

4095.6 Any director of Rosamond Community Services District that serves on the board of another agency is only required to take the training once every two years.

4096 CANDIDATES RUNNING FOR OFFICE

4096.1 The cost of printing, handling, and mailing candidates' statements shall be charged to the candidate;

4096.2 That candidates not permitted to submit additional materials to be sent to the voter with the sample ballot;

4096.3 That the candidate statement is limited to 200 words.

4098 AFFIRMING MEMBERS OF THE BOARD OF DIRECTORS MUST SERVE ON THE FOUNDATION
RESOLUTION NO. 2020-16

4098.1 Notwithstanding any other provision of the Foundation's bylaws, members of the Districts Board of Directors shall serve on or appoint a designee to the Foundation's Board of Directors by Virtue of their seat on the Rosamond Community Services District Board of Directors.

4100 BOARD OF DIRECTORS DEVICES
RESOLUTION NO. 2025-20

4100.1 The Board of Directors of Rosamond Community Services District is committed to consistency in selection of data devices in order to protect District data assets, to promote public transparency and to ensure orderly transition. In order to ensure these goals are practiced among members of the Board of Directors, the following rules shall be observed.

4100.1 Board Members may choose between a laptop or a tablet to receive and review information disseminated by the District. Only one device may be selected by each Board Member. The devices shall be as recommended by Information Technology staff.

4100.2 Board Members shall utilize issued devices for District business. The use of personal devices for District business is strongly discouraged.

4100.3 District-issued devices shall remain the property of the District.

4100.4 Board Members shall be trained in and shall practice Cybersecurity measures for District-issued devices. Board Members shall contact District Administrative staff immediate upon suspicion of malware infection.

4100.5 Board Members shall promptly return devices and associated accessories upon retirement from the Board, including providing access passwords.

ARTICLE 5000 BOARD MEETINGS

5010 BOARD MEETINGS
RESOLUTION NO. 2018-20, 2018-02, 2015-22, 2015-07

5010.1 Regular meetings of the Board of Directors shall be held on the 2nd & 4th Wednesday of each calendar month in the Board Room, located at 3179 35th Street West Rosamond, Ca 93560. The closed session portion of each regular meeting, if any, will begin at 5:30 p.m.; the open session portion of each regular meeting will begin at 6:00 p.m. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.(2018-20)

5010.2 Special meetings (non-emergency) of the Board of Directors may be called by the Board President or by a majority of the members of the Board of Directors.

5010.2.1 All Directors and the General Manager shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least 24 hours prior to the meeting.

5010.2.2 Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54963) shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as practicable.

5010.2.3 An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above.

5010.2.4 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

5010.3 Special Meetings (emergency). In the event of an Emergency Situation as defined in Section 54956.5 of the Government Code, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.2.1, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board President or Vice President in the President's absence.

5010.3.1 Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54963)

shall be notified by at least one hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the General Manager, or his/her designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

5010.3.2 No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

5010.4 Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if a quorum of the Board of Directors is not present at any regular or adjourned regular meeting, the General Manager or his/her designee may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above.

5010.5 Annual Organizational Meeting. After each general election or unopposed election, the Board of Directors shall hold an organizational meeting in accordance with Government Code Section 61043. On the alternate non-election years, the Board of Directors shall hold an organizational meeting on the first regularly scheduled Board meeting in December and shall elect the officers of the Board of Directors. The officers of the Board of Directors shall be the president and vice president. The Board of Directors may create additional offices and elect members to those offices, provided that no member of a Board of Directors shall hold more than one office. (2018-02)

5010.6 The Board President shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

5010.7 The Board President and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

5020 BOARD MEETING AGENDA
RESOLUTION NO. 2015-07

5020.1 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may contact the General Manager and direct that any item be placed on the agenda for the next meeting at which it is legally appropriate to consider such item no later than 12:00 P.M. on the Wednesday prior to the meeting date.

5020.2 Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5020.2.1 The request must be in writing and be submitted to the General Manager or Board Secretary together with supporting documents and information, if any, no later than 5:00 p.m. on the Wednesday prior to the meeting date;

5020.2.2 The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the General Manager's decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting;

5020.2.3 No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy;

5020.2.4 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5020.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District office

5020.4.1 The agenda for a special meeting shall be posted conspicuously for public review within the District office at least 24 hours before the meeting in the same location.

5030 BOARD MEETING CONDUCT

5030.1 Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

5030.2 All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

5030.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

5030.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

5030.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

5030.4 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

5030.4.1 The board will set a maximum time for each subject to be discussed and divide the time equally between the number of public members interested in speaking.

5030.4.2 No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

5030.5 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

5030.5.1 After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

5030.5.2 Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

5040 BOARD ACTIONS AND DECISIONS

5040.1 Actions by the Board of Directors include but are not limited to the following:

5040.1.1 Adoption or rejection of regulations or policies;

5040.1.2 Adoption or rejection of a resolution;

5040.1.3 Adoption or rejection of an ordinance;

5040.1.4 Approval or rejection of any contract or expenditure;

5040.1.5 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

5040.1.6 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

5040.2 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three votes to be effective (unless a 4/5 vote is required by policy or other law).

5040.2.1 A member abstaining in a vote is considered as absent for that vote.

5040.2.1.1 Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

5040.2.1.2 Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

5040.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

5040.3 The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

5040.3.1 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

5040.3.2 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

5040.3.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

5050 REVIEW OF ADMINISTRATIVE DECISIONS

5050.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

5050.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

5060 MINUTES OF BOARD MEETINGS

5060.1 The Board Secretary or other designated employee of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications.

Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

5060.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fireproof vault or in fire-resistant, locked cabinet for a minimum of 2 years. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

5060.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

(a) Date, place and type of each meeting;
(b) Directors present and absent by name;
(c) Administrative staff present by name;
(d) Call to order;
(e) Time and name of late arriving Directors;
(f) Time and name of early departing Directors;
(g) Names of Directors absent during any agenda item upon which action was taken;
(h) Summary record of staff reports;
(i) Summary record of public comment regarding matters not on the agenda, including names of commentators;
(j) Approval of the minutes or modified minutes of preceding meetings;
(k) Approval of financial reports;
(l) Record by number (a sequential range is acceptable) of all warrants approved for payment;
(m) Complete information as to each subject of the Board's deliberation;
(n) Record of the vote of each Director on every action item for which the vote was not unanimous;
(o) Resolutions and ordinances described as to their substantive content and sequential numbering;
(p) Record of all contracts and agreements, and their amendment, approved by the Board;
(q) Approval of the annual budget;
(r) Approval of all polices, rules and/or regulations;
(s) Approval of all dispositions of District assets;
(t) Approval of all purchases of District assets; and,
(u) Time of meeting's adjournment.

5070 RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS RESOLUTION NO. 2016-1

5070.1 General.

5070.1.1 All Board and District Committee Meetings shall be conducted pursuant to the most recent published edition of the Robert's Rules of Order Newly Revised.

5070.2 Decorum.

5070.2.1 The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

5070.2.2 The President may also declare a short recess during any meeting.

5070.3 Amendment of Rules of Order.

5070.3.1 The Board may adopt rules of order to be used in place of, or in conjunction with, Robert's Rules of Order, in whole or in part.

TITLE 3 FINANCE

ARTICLE 3000 FINANCE ADMINISTRATION

3010 BUDGET PREPARATION
RESOLUTION NO. 2015-12

3010.1 The District shall continue to strive to maintain financial stability over time. Financial stability is not only a prudent financial management goal; it can also minimize financial costs in the long-term (e.g., unnecessary borrowing). Above all, financial stability will provide the community with the confidence of knowing a strong, consistent management team is successfully managing the District.

3010.2 An annual budget will be developed and presented by the General Manager.

3010.3 The Board's standing Finance Committee shall meet with the General Manager and review his/her annual budget proposal. All proposals, changes and concerns shall be presented to the Board of Directors at a Budget Workshop.

3010.4 The proposed preliminary annual budget as amended by the Board during its review shall be adopted by the Board of Directors prior to July 1 and the final annual budget shall be adopted at its regular meeting in September or earlier pursuant to State Law. The proposed annual budget will be posted via the public posting guidelines 2 weeks prior to the meeting.

3010.5 The General Manager or in the absence of the General Manager, his/her designee shall have authority to modify line items within the approved budget as long as the modification does not exceed the total budget and meets the requirements set forth in Policy 3010.5.3.

3010.5.1 A “Fund” is a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

3010.5.2 An “Expenditure Code” is a general ledger expenditure line item, assigned a five (5) digit “code” in the sixty and seventy thousand range (60000 - 79999) for purposes of costing, tracking, assigning and reporting expenditures.

3010.5.3 Budget modifications shall be approved as follows:

3010.5.3.1 Budget modifications between $1.00 and $24,999.00 within a Fund and Expenditure Code shall be at the sole discretion of the manager overseeing that budget line item.

3010.5.3.2 Budget modifications between $25,000.00 and $49,999.00 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item and must be approved by the Accountant or Managerial member of the finance department.

3010.5.3.3 Budget modifications between $50,000.00 and $249,999.00 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item, must be reviewed by the Accountant or Managerial member of the finance department and approved by the General Manager or his/her designee.

3010.5.3.4 Budget modifications above $250,000 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item, must be reviewed by the Accountant or Managerial member of the finance department, approved by the General Manager or his/her designee and taken to the Board of Directors for final approval.

3010.5.3.5 Budget modifications of any amount between Funds must be approved by the Board of Directors.

3010.5.4 Any and all budget modifications shall be approved at the appropriate managerial level, as outlined above, and submitted to the finance department for filing and entry to the accounting and budgeting software system.

3010.6 In addition to the annual budget, the General Manager shall present to the Board a minimum five-year Capital Improvement Plan Budget (CIP). The adopted CIP budget shall be updated annually in conjunction with the annual budget.

3010.7 Any modifications to the approved CIP budget must adhere to the provisions outlined in 3010.5.3., except that the General Manager shall also approve any modifications, regardless of amount.

3010.8 The adopted Budget shall be reviewed quarterly by the Finance Committee and may be recommended for review by the Board of Directors as its discretion.

3015 REVENUES

3015.1 Annual revenues shall be established during the annual budget preparation. The estimated revenue forecasts shall be based on an objective, analytical process and be conservative.

3015.2 Revenue Diversification- The District will strive to keep the total revenue mix that encourages growth and keeps the District economically competitive. The District needs to balance the needs for service with the overall ability to raise fees and charges to support those services.

3015.3 Fees and Charges- All fees and charges for services shall be reviewed annually to ensure proper funding for said service.

3015.4 Reserve Withdrawals- All expenditures drawn from reserve accounts require prior Board of Director approval unless authorized with the annual budget or Capital Improvement Plan (CIP) budget. All withdrawals require documentation which consists of the reason for the withdrawal and the impact, if any, due to the withdrawal.

3015.5 Unanticipated Revenues- Revenues of an indefinite term will be used for CIP or one-time operating expenditures to ensure service-oriented programs do not lose the revenue stream when such revenues are reduced or discontinued.

3020 FIXED-ASSET ACCOUNTING
RESOLUTION NO. 2015-7

3020.1 The purpose of this policy is to ensure proper accounting control resulting in the maintaining of accurate financial reports of fixed assets.

3020.2 An accounting, or inventory, of all fixed assets shall be conducted on an annual basis. After the conclusion of said inventory, the District Accountant shall certify its completeness and report the results thereof to the Board of Directors at its next regular monthly meeting.

3020.3 Applicable purchases for inclusion in said accounting shall be the following:

3020.3.1 Equipment, tools, and vehicles that individually have an original total cost of $5000 or more;

3020.3.2 All land and building acquisitions regardless of price; and,

3020.3.3 Additions or major improvements to the District's service infrastructure with a cost of $5000 or more.

3020.4 When any item defined in Section 3020.3. above is received, a tag with a unique identification number shall be affixed to said item, and the number recorded in the permanent inventory records.

3020.5 Permanent inventory records shall be maintained in either a paper file or electronic (computer data base) format. Said records shall be updated whenever a change in the status of a particular fixed asset occurs (e.g., original purchase, sale, destruction, loss, theft, etc.).

3020.6 Information to be maintained in said inventory records shall include at least the following:

3020.6.1 Asset number;
3020.6.2 Description;
3020.6.3 Manufacturer's serial number;
3020.6.4 Storage location;
3020.6.5 Original cost;
3020.6.6 Acquisition date;
3020.6.7 Life expectancy; and,
3020.6.8 Classification code (e.g., office equipment, vehicle, etc.)

3023 FIXED-ASSET CAPITALIZATION
RESOLUTION NO. 2015-07

3023.1 The purpose of this policy is to provide criteria for determining when assets and associated costs are to be capitalized and depreciated.

3023.2 Single-item purchases with at least an anticipated useful life of five years and exceeding $5,000 each shall be capitalized as a fixed asset. The purchase of these fixed assets shall be included on the District's statement of net assets and depreciated over the asset's estimated useful life. The purchase of fixed assets for less than $5,000 shall be expensed.

3023.3 Other expenditures of $5,000 or more that provides a significant increase in future service potential of a fixed asset shall also be capitalized as part of the existing asset.

3023.3.1 To meet the criteria for a capital expenditure, the purchase should extend the useful life of an asset, increase the quantity of service provided by an asset, or increase the quality of service by an asset.

3023.3.2 Capital expenditures may include the following: additions (enlargements, expansions or extensions of existing assets), replacements and improvements, and rearrangement and/or relocation of an asset.

3023.4 Expenditures for normal repairs and maintenance shall not be considered as capital expenditures.

3023.5 Depreciation will be computed over the estimated useful lives of the assets as follows:

DEPRECIATION LIFE	Fixed Asset Useful Life (years)
General Plant/Structures	40
Reservoirs, Dams, etc.	50
Water/Sewer Piping	40
Water/Sewer Processing/Distribution Equipment	20 - 30
Vehicles	5
Other Heavy Equipment (normal use)	7 – 10
Other Light Equipment (normal use)	5 – 7
Office Equipment	3-5
Office Furniture	10
Computer Equipment	5

3026 ACCOUNTING, AUDITING AND FINANCIAL REPORTING

3026.1 Accounting practices shall conform to state law and to Generally Accepted Accounting Practices (GAAP) established by the Governmental Accounting Standards Board (GASB). The District shall apply a current standards issued by the Financial Accounting Standards Board (FASB) not in conflict with standards issued by GASB.

3026.2 The District is to account for the water, waste water and parks and recreation services as separate entities. Each is intended to be self-supporting operating through user charges and taxes/assessments as appropriate.

3026.3 All funds shall be segregated in separate accounts and utilized in accordance with legal requirements stated in state law, resolutions, bond covenants with legal requirements stated in state law, resolutions, covenants and other legal documents.

3026.4 An independent audit of the District will be performed annually. The completed and accepted audit shall be available to all required and interested parties.

3026.5 An independent audit of the District's facilities/connection fee revenues will be performed annually.

3026.6 Any Inter-fund loans will be recorded and authorized by the Board of Directors by resolution. The resolution will identify the amount of the loan, the fund receiving the loan, interest to be paid and the term of the loan.

3026.7 Procedures will be followed that will ensure proper authorization has been obtained for all transactions of a financial nature

3030 CUSTOMER PAYMENT ARRANGEMENTS

3030.1 Upon request, the General Manager or his/her designated representative may grant approval of special arrangements to be made for payment of the following fees when an extreme hardship exists:

3030.1.1 Regular water service.

3030.1.2 Reasonable payment schedule following receipt of delinquency "shut-off" notice.

3030.1.3 Connection fee.

3030.2 Monthly payments over a period not to exceed 12 payments. When payments are to be made at the close of escrow but property is not sold, arrangements must be made for payments to continue on a regular basis.

3031 UNCOLLECTIBLE ACCOUNTS RECEIVABLE

3031.1 The purpose of this policy is to ensure that all reasonable diligence has been used to collect accounts receivable, improve measurement of the District's accounts receivable and ensure the most efficient use of District revenue collection resources. It is the policy of the District to actively pursue collection of past-due accounts receivable, regularly review the status of past-due accounts, and write-off amounts determined to be uncollectible. A write-off of uncollectible accounts receivable from the District's accounting records does not constitute forgiveness of the debt or gift of public funds.

3031.2 Collection procedures are established by the responsible departments and will vary depending on the nature of the receivable. Types of receivables covered by this policy include but are not limited to: water, sewer and street lighting utility billings; fees for services; recovery for damage to District property; fines and penalties; and legal judgments.

3031.3 Accounts receivable should generally be written-off during the fiscal year in which it is determined to be uncollectible. Subsequent collection of an account receivable previously written-off will be treated as new revenue in the appropriate fund.

3031.3.1 Designation of an Account as Uncollectible. An account will be considered uncollectible if it meets one or more of the following criteria:

(a) The debt is disputed and the District has insufficient documentation to pursue collection efforts;
(b) The cost of further collection efforts will exceed the estimated recovery amount;
(c) The amount is under $20 and remains unpaid after one year;
(d) The account remains unpaid after the lesser of one year or the applicable period for commencement of a recovery action (statute of limitations);
(e) The debtor cannot be located, nor any of the debtor's assets;
(f) The debtor has no assets and there is no expectation they will have any in the future;
(g) The debtor has died and there is no known estate or guarantor;
(h) The debtor is a company which is no longer in business;
(i) The debt is discharged through legal action (bankruptcy or court judgment);
(j) The debt has been forgiven by action of the District Counsel.

3031.4 Approval Authority for Write-Off Requests. The qualified accounts to be written-off will be presented to the appropriate authorizing official for approval:

(a) The Director of Administration or Assistant General Manager is authorized to approve the write-off of accounts with an outstanding balance due of up to $5,000;
(b) The District General Manager is authorized to approve the write-off of accounts with an outstanding balance in excess of $5,000 and up to $10,000;
(c) Write-off of accounts with an outstanding balance due in excess of $10,000 must be approved by action of the District Board of Directors.
(d) Staff will generate a write off report in regular meeting financial reports.

3034 RATE SETTING

3034.1 Rates shall be established utilizing a "generally accepted" rate setting methodology. When reviewing rates, it is important to use a methodology that is "generally accepted" in the financial rate setting community as well as in the water/sewer utility industry. This will ensure a legally defensible approach as well as consistency of the analysis over time.

3034.1.1 It is recommended that the District use the following "generally accepted" approaches to establish rates for each utility.

(a) Revenue Requirement Analysis
(b) Cost of Services analysis
(c) Rate Design analysis

3034.2 Revenue Requirements

3034.2.1 Revenue requirements will be established on a "cash basis" approach that will include operation & maintenance expenses (O&M), taxes/transfers, debt service (Principal & Interest), repair and replacement, and capital expenditures

3034.2.2 Revenues and costs will be projected for a minimum of a five-year time period.

3034.2.3 Projections of O&M costs shall include any estimated incremental O&M costs associated with future repair and replacement or capital improvement projects. (Refer to District's Current Purchasing Policy # 3040.1.3)

3034.2.4 Costs associated with state and federal mandated program requirements (i.e., NOEDS, etc.) will be identified and included within the "cash basis" approach.

3034.3 Cost of Service.

3034.3.1 A cost of service study will be utilized to equitably allocate costs to the customer classes of service.

3034.3.2 The cost allocation methodology will utilize techniques that are "generally accepted" by the industry (e.g. American Water Works Association or Water Environment Federation).

3034.3.3 The cost of service will, at a minimum, consider the following components:

(a) Volume costs – those costs that vary with total flow of wastewater contributed by a customer over an extended period of time.
(b) Strength costs – those treatment related costs associated with the strength of wastewater (Biochemical oxygen demand and suspended solids).
(c) Customer related costs – that vary with the number of customers on the system (e.g. postage, meter maintenance expense).
(d) Revenue related costs – those costs associated with the amount of revenue received by the District (e.g. a gross proceeds tax, delinquent fees).

3034.3.4 The cost of service study will consider the specific circumstances and unique characteristics of the District's sewer and water system in the cost allocation methodology.

3034.4 Rate Design

3034.4.1 User charges (rates) will be established so that operating revenues are at least equal to the direct and indirect operating costs, and include costs of administration for the District.

3034.4.2 Rate designs will be reflective of the District's needs, and also reflect the greater public purpose and policy goals of the District Board (e.g. conservation, economic development, ability to pay, etc.).

3034.4.3 Rates will recognize and attempt to incorporate a fixed charge for the upfront fixed costs associated with serving customers and a usage or volumetric charge that attempts to recover the variable costs of operating the District.

3034.4.4 Rates will be set a level that recovers costs, by classification, yet flexible enough to accomplish the District's objectives (e.g., public purpose programs).

3034.4.5 Rates should be designed to be equitable and detailed to a level to reflect the service provided.

3034.5 Rate Stability

3034.5.1 Rates should be stable over time. Financial stability of a District (utility) also provides rate stability. Rate stability and the perception that rate changes from year to year are reasonable reinforcement that costs are being managed and controlled, thereby gaining customer confidence of the management team's credibility.

3034.5.2 Rates shall be stable in their ability to generate sufficient revenues

3034.5.3 Rates shall be reviewed by the District no less that every two years, to ensure they provide sufficient revenues.

3034.5.4 The rate review will consider a minimum five year projected period to attempt to stabilize and minimize rates over time.

3034.5.5 Rate resolution shall reflect pass-through components (Gov. Code sec 53756) for costs that fluctuate and are not controllable by the District, such as energy, regulatory and imported water costs.

3034.5.6 A comprehensive rate study will be conducted at least every five years in order to assess the fairness of the rates to the District's rate payers and to ensure that the necessary revenue is available for the District's operating and capital needs.

3034.5.7 The implementation of rate adjustments will follow all legal requirements (i.e. Prop 218, etc.) for the District.

3034.6 Establishment of Specific Financial/Rate Policies

3034.6.1 Through the establishment of specific financial/rate policies the District will attempt to shelter the district's ratepayers, as much as reasonably possible, from the financial/rate impacts of growth. Within the District's CIP and rate study, growth-related capital projects shall be clearly identified.

3034.6.2 The financing of growth-related capital projects may be funded from any of the available funding resources of the utility. However, to better meet the District's stated policy, the use of long-term debt to finance growth related projects will allow the District to better match financing of these facilities to the timing of the customers as they connect to the system.

3034.6.3 The District shall analyze and calculate cost-based Facility Capacity Fees/ connection fees. The District Board will establish and maintain a connection fee that balances the goal of sheltering customers from the cost of growth, and the District's goals as they may relate to economic development.

3034.6.4 The District will establish the following fees:

(a) Water Impact Fee
(b) Sewer Impact Fee
(c) Park Impact Fee
(d) Water Banking Fee

3034.7 Rate Understanding and Rate Increases Kept to a Minimum

3034.8 Rate for the District will be structured to promote understanding by the Districts customers (e.g. bills that are easy to read calculate and understand).

3034.9 Rate adjustments will be phased in over time, when large financial impacts to the customer are anticipated (e.g. eliminate rate shock) when financially viable**.**

3035 INVESTMENT OF DISTRICT FUNDS RESOLUTION NO. 2014-07

3035.1 Premise. The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code (CGC) §53600.6 and §53630.1); and,

Government Code Sections 5921 and 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,

The District Accountant or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (CGC §53646(a)).

For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of Rosamond Community Services District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds.

3035.2 Scope. This investment policy applies to all financial assets of Rosamond Community Services District. These funds are accounted for in the Independent Annual Financial Report and include:

Demand Account:	Investments:
General Fund	Local Agency Investment Fund
Secretary Revolving Fund	
Operation and Maintenance Fund	
Enterprise Funds	

3035.3 Prudence. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (CGC §53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations for expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

3035.4 Objectives. As specified in CGC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of the investment activities, in priority order, shall be:

3035.4.1 Safety: Safety of principal is the foremost objective of the investment program. Investments of Rosamond Community Services District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

3035.4.2 Liquidity: The investment portfolio will remain sufficiently liquid to enable Rosamond Community Services District to meet all operating requirements which might be reasonably anticipated.

3035.4.3 Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

3035.5 Delegation of Authority. Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the District Accountant, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the District Accountant. The District Accountant shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Under the provisions of California Government Code §53600.3, the District Accountant is a trustee and a fiduciary subject to the prudent investor standard.

3035.6 Ethics and Conflicts of Interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

3035.7 Authorized Financial Institutions and Dealers. The District Accountant will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness that are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the District Accountant shall select only broker/dealers who are licensed and in good standing with

the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the District Accountant shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for Rosamond Community Services District's account with the firm has reviewed Rosamond Community Services District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to Rosamond Community Services District that are appropriate under the terms and conditions of the Investment Policy.

3035.8 Authorized and Suitable Investments. The Rosamond Community Services District is empowered by California Government Code §53601, et seq., to invest in the following:

3035.8.1 Bonds issued by Rosamond Community Services District.

3035.8.2 United State Treasury Bills, Notes & Bonds.

3035.8.3 Registered state warrants or treasury notes or bonds issued by the State of California.

3035.8.4 Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County, other local agencies or Joint Powers Agencies.

3035.8.5 Obligations issued by agencies or instrumentalities of the United States Government.

3035.8.6 Bankers' acceptances with a term not to exceed 270 days. Not more than 40% of surplus funds can be invested in bankers' acceptances and no more than 30% of surplus funds can be invested in the banker's acceptances of any single commercial bank.

3035.8.7 Prime commercial paper of U.S. corporations with assets greater than $500 million, with a term not to exceed 180 days and the highest ranking issued by Moody's Investors Service (Moody's) or

Standard & Poor's Corporation (S&P). Commercial paper cannot exceed 15% of total surplus funds, provided that, if the average maturity of all commercial paper does not exceed 31 days, up to 30% of surplus funds can be invested in commercial paper.

3035.8.8 Negotiable certificates of deposit issued by federally or state chartered banks or associations. Not more than 30% of surplus funds can be invested in certificates of deposit.

3035.8.9 Repurchase/reverse repurchase agreements of any securities authorized by this section. Securities purchased under these agreements shall be no less that 102% of market value. (See special limits in CGC §53601.i.)

3035.8.10 Medium term notes (not to exceed 5 years) of U.S. corporations rated "A" or better by Moody's or S&P. Not more than 30% of surplus funds can be invested in medium term notes.

3035.8.11 Shares of beneficial interest issued by diversified management companies (money market mutual funds) investing in the securities and obligations authorized by this Section. Such funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than 15% of surplus funds can be invested in money market mutual funds.

3035.8.12 Funds held under the terms of a trust indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.

3035.8.13 Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.

3035.8.14 Any mortgage pass-though security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a nationally recognized rating service. Not more than 30% of surplus funds may be invested in this category of securities.

3035.8.15 Any other investment security authorized under the provisions of CGC §5922 and §53601.
(Also, see CGC §53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. CGC §53601 is included by reference in this investment policy.)

3035.8.15.1 Prohibited Investments. Under the provisions of CGC §53601.6 and §53631.5, Rosamond Community Services District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

3035.9 Collaterization. All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under CGC §53601(i)(2).

3035.10 Safekeeping and Custody. All security transactions entered into by Rosamond Community Services District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to Rosamond Community Services District by book entry, physical delivery or by third party custodial agreement as required by CGC §53601.

3035.11 Diversification. Rosamond Community Services District will diversify its investments by security type and institution. It is the policy of Rosamond Community Services District to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or

a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

3035.11.1 Portfolio maturities shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.

3035.11.2 Maturities selected shall provide for stability of income and liquidity.

3035.11.3 Disbursement and payroll dates shall be covered through maturities investments, marketable U.S. Treasury bills or other cash equivalent instruments such as money market mutual funds.

3035.12 Reporting. In accordance with CGC §53646(b)(1), the District Accountant shall submit to each member of the Board of Directors a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for Rosamond Community Services District by third party contracted managers. The report will also include the source of the portfolio valuation. As specified in CGC §53646 (e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that: (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy; and, (2) Rosamond Community Services District will meet its expenditure obligations for the next six months as required by CGC §53646(b)(2) and (3), respectively. The District Accountant shall maintain a complete and timely record of all investment transactions.

3035.13 Investment Policy Review. This Investment Policy shall be reviewed on an annual basis, and the Board of Directors must approve modifications.

3036 RESERVES
RESOLUTION NO. 2018-02, 2004-04

3036.1 The District will maintain utility reserves/funds required by law, ordinance and bond covenant, to provide cash working capital for normal and ordinary operations, and also provide some insurance against economic downturns and emergencies. Minimum reserve funds, excluding bond reserve funds, will be as follows:

3036.1.1 Operations and Maintenance Fund — this fund reflects the timing difference between billing for revenues and payment expenses. This fund can also be used to cover unanticipated cash operating expenses or lower than expected revenue collections. The basis for establishing a minimum total operating reserve level for the District the District will be three (3) months of O&M levels for the upcoming year where O&M is made up of Personnel Expenses and Direct Operating Expenses and are taken from the most current approved budget.

3036.1.2 Debt Service Fund — the District will maintain a debt service fund as required by law, legal and or contractual, obligation and or bond covenant, and will be 125% of the next required debt service payment for internal loans.

3036.1.3 Repair and Replacement Fund —the minimum balance of this fund should be based upon 25% of the annual accumulated depreciation.

3036.1.4 Rate Stabilization Fund — this fund is available for the District to transition any needed rate increases over a year or a number of years. It is recommended the minimum balance be based on 10% of the District's annual rate revenues.

3036.1.5 Facilities Capacity Fee/Connection Fee Fund — this fund accounts for capacity and connection fee revenues and interest and shall be maintained separate from other District funds. Resources shall be used solely for capital facilities and related debt service required to serve new development, consistent with the District's most recently adopted capacity and connection fee study. Expenditures shall be limited to the growth-related share of eligible projects as identified in the study; for projects benefiting both existing and future customers, fee revenues shall be applied only to the portion attributable to future growth. Use of funds shall be approved by the Board through the capital project or budget process. The District shall periodically update study assumptions, project eligibility, and the distribution of project costs between replacement and new capacity to ensure alignment with current capital needs. All expenditures shall maintain a clear and defensible nexus between the fee revenues collected, the type of development served, and the capital facilities funded. Fee revenues shall not be used to subsidize existing customers or non-growth related projects.

3036.1.6 Catastrophe/Emergency Fund — the catastrophe/emergency reserve is intended to protect the District against the financial impacts of unanticipated emergencies. It provides funding for emergency repairs or failure of essential equipment that needs to be replaced immediately. At a minimum the catastrophe/emergency reserve will be set at $1,000,000. This level of catastrophe/emergency reserves will be deemed sufficient to finance the required cash flow until adequate emergency financing can be secured from outside conventional sources. Cash reserve accounts for all debt instruments, not limited to bonds SFR etc., shall be fully funded in the timeline reflected in current and future bond covenants. The appropriate reserves shall be formally transferred and restricted in accordance with all legal requirements..

3036.1.7 Water Acquisition Fund — this fund accounts for revenues generated for the purposes of acquiring additional water rights. This fund would be accounted for separately from all other funds.

3036.1.8 Unfunded Mandate Fund – **t**he Unfunded Mandates Reserve addresses costs associated with new or expanded legal, regulatory, and compliance requirements, enabling timely compliance without disruption to core operations. The District shall maintain a target reserve balance of approximately $6.0 million, achieved over a rolling five-year planning horizon and coordinated with the District's long-term financial planning and rate-setting processes. Use of funds requires Board approval and is limited to eligible compliance-related expenditures. Following any use, the District shall incorporate funding adjustments through the budget and rate-setting process to restore the reserve consistent with the rolling five-year funding approach. The target reserve level shall be periodically reassessed through the budget and planning process.

3036.1.9 The District's Board may establish other reserves for specific needs that are over and above the reserves noted above.

3038 ADJUSTING JOURNAL ENTRIES
RESOLUTION NO. 2012-07

3038.1 The Senior Accounting Clerk is assigned the preparation of specific journal entries by the District Accountant. These entries will be reviewed and signed off by the District Accountant.

3038.2 All other adjusting journal entries are prepared by the District Accountant. These entries will be reviewed and signed off by the District General Manager or in the absence of the District General Manager the Assistant General Manager prior to the month being closed.

3038.3 The signed journal entries along with any supporting documentation will be filed by sequential entry number, as assigned by the accounting system, in binders maintained by the District Accountant.

3039 FUND BALANCE
RESOLUTION NO. 2021-07

3039.1 Accountants employ the term fund balance to describe the net assets of governmental funds calculated in accordance with generally accepted accounting principles. Budget professionals commonly use this same term to describe the net assets of governmental funds calculated on a government's budgetary basis. In both cases, fund balance is intended to serve as a measure of the financial resources available in a governmental fund.

3039.2 Accountants distinguish up to five separate categories of fund balance, based on the extent to which the government is bound to honor constraints on the specific purposes for which amounts can be spent: Non-spendable fund balance, Restricted fund balance, Committed fund balance, Assigned fund balance, and Unassigned fund balance. The total of the last three categories, which include only resources without a constraint on spending or for which the constraint on spending is imposed by the government itself, is termed Un-restricted fund balance.

3039.3 It is essential that governments maintain adequate levels of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable levels of operation. Fund balance levels are a crucial consideration, too, in long-term financial planning.

3039.4 This policy is intended to provide guidelines for the preparation and execution of the annual budget and financial planning, and to further the goals of a strong fiscal position for the district. It is also the intent of this policy to promote clear communication of district financial constraints to users of district financial reports.

3039.5 Definitions

3039.5.1 Fund Balance - Fund balance or fund equity is generally the difference between a fund's assets and liabilities.

3039.5.2 Fund Balance Categories- The Fund Balance consists of five possible categories: Non-spendable, Restricted, Committed, Assigned, and Unassigned.

3039.5.3 Non-spendable Fund Balance consists of amounts that cannot be spent due to their form (e.g. inventories and prepaids) or amounts that legally or contractually •must be maintained intact.

3039.5.4 Restricted Fund Balance consists of funds that are mandated for a specific purpose as required by external parties, constitutional provisions or enabling legislation.

3039.5.5 **C**ommitted Fund Balance consists of funds that are set aside for a specific purpose by the district's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.

3039.5.6 Assigned Fund Balance consists of amounts that are set aside with the intent to be used for a specific purpose by the district's highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.

3039.5.7 Unassigned Fund Balance consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

3039.6 Authority to Commit Funds The District's governing board serves as the District's highest level of decision making authority and will have sole authority for establishing constraints on the use of governmental fund balances classified as Committed. Formal board action to establish, modify or rescind fund balance Commitments will require either board approved policy designations or a majority approved resolution acted on before June 30th of each fiscal year. Committed funds cannot be used for any other purpose unless likewise modified by formal action of the board. The Committed amount subject to the constraint may be determined after June 30th.

3039.7 Authority to Assign Funds. The District's governing board has authority to set aside or designate authority to set aside funds as Assigned for an intended purpose. The Board hereby authorizes the General Manager as designee of the Board in identifying intended uses of funds and so assigning residual balances. Any such assignments will be presented at regular financial and budget reporting periods including the year-end unaudited actuals. Board action to approve such financial and budget reports will represent ratification of any such assignments. The Board may also, from lime to time, determine the need to assign funds for an intended use. Any such assignment will be documented by Board Action at a regularly scheduled meeting.

3039.8 Order of Expenditure of Funds When expenditures are incurred for purposes for which both restricted and unrestricted fund balances are available, Restricted Fund Balance will be considered to have been spent first. When expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance

classifications can be used, committed amounts should be reduced first, followed by Assigned amounts and then Unassigned amounts.

3039.9 Minimum Unassigned Fund Balance Unassigned Fund Balance is the residual amount of fund balance. It represents the resources available for future spending. An appropriate level of Unassigned Fund Balance should be maintained in order to cover unexpected expenditures and revenue shortfalls.

3040 PURCHASING AND EXPENSE AUTHORIZATION RESOLUTION NO. 2021-1

3040.1 Approval for Commitments of District Funds.

3040.1.1 Recurring operating or capital purchases or expenditures that are included in the approved budget may be approved by department managers.

3040.1.2 Non-recurring operational purchases for less than $5,000 made for the District by staff shall be authorized by the department manager or General Manager prior to purchase. Non-recurring operational purchases greater **than $5,000 shall be** approved by the General Manager and shall be in conformance with the approved District operational budget.

3040.1.3 Prior approval by the Board of Directors is required for all commitments of District funds that are not included in the approved operational budget and exceed $5,000.

3040.1.4 Emergency purchases may be approved by the General Manager or the Assistant General Manager to meet the requirements of the District operations. The emergency purchase information must be presented to the appropriate party for approval, according to the above requirements, on the next business day or as soon as possible after the purchase.

3040.1.5 Splitting or separating purchases into smaller units for the purpose of evading the provisions of this policy is prohibited.

3040.1.6 Prior approval by Board of Directors is required for all Real Estate transactions.

3040.2 Approval of Invoice and Payments

3040.2.1 Invoices with approved purchase requisitions and packing slips will be matched by Accounts Payable and entered for payment processing. All other invoices will be reviewed and approved according to the approval levels in section 3040.1 and then entered for payment processing.

3040.2.2 Payments for all approved invoices will be reviewed by the Treasurer or other person as designated by the Treasurer.

3040.2.3 Request for checks not supported by an approved invoice must have approval per section 3040.1.

3040.2.4 Request for checks not supported by an approved invoice must have approval per section 3040.1.

3040.2.5 Checks for amounts of $50,000 or less may be signed by the General Manager, Assistant General Manager, Treasurer and/or members of the Board of Directors.

3040.2.6 Checks greater than $50,000 require at least one Board member signature.

3040.2.7 All checks require two signatures.

3040.2.8 A listing of all checks issued since the last Board meeting will be presented at each Board meeting for review by the Board of Directors.

3040.3 Petty Cash

3040.3.1 A "petty cash" fund shall be maintained in the District office having a maximum balance-on-hand of $150.00. The custodian of this fund will be the Treasurer or other person designated by the Treasurer.

3040.3.2 Petty cash may be advanced to District staff for amounts up to $100.00 for the purpose of procuring item(s) or service(s) appropriately relating to District business. Receipts and remaining funds shall be returned to the custodian of the petty cash fund when the purchase is completed.

3040.3.3 No personal checks shall be cashed in the petty cash fund.

3040.3.4 The petty cash fund shall be included in the District's annual independent accounting audit.

3040.3.5 District employees may receive reimbursement for "out of pocket" expenses from the petty cash fund if the amount is less than $50.00 and is related to District business. This reimbursement must be supported by valid receipts. When a receipt is not obtainable, the requested reimbursement shall be approved by the Treasurer or General Manger.

3040.3.6 Reimbursements for the General Manager shall be reported on the consent calendar with copies of the appropriate receipts.

3041 WIRE TRANSFERS
RESOLUTION NO. 2012-07

3041.1 Wire transfers between the Enterprise Bank Account and Local Agency Investment Fund (LAIF) Account will be requested by the Rosamond Community Services District Accountant and approved by the Rosamond Community Services District General Manager or in his absence the Assistant General Manager. The General Manager will review all approvals made in his absence immediately upon his/her return. Once approval has been obtained, the District Accountant will notify representatives of the banking institution and LAIF of the amount and type of transfer. A Rosamond Community Services District LAIF Request to Transfer Funds form will be completed reflecting the General Manager's signed approval and the transfer information. This form will be used as supporting documentation for the journal entry reflecting the transfer.

3041.2 The next business day the transfer will be confirmed by reviewing the transaction on the banking institution system. A copy of the ledger activity sheet will be included with the transfer journal entry. Transfers from the banking institution to LAIF should be further verified by performing a transaction search and printing out a copy of the checking account debit form which should also be included with the transfer journal entry.

3042 EMPLOYMENT OF OUTSIDE CONTRACTORS AND CONSULTANTS RESOLUTION NO. 2023-10, 2021-1

3042.1 Approval for requisitions or agreements with outside contractors and consultants will be subject to the approval levels shown below:

3042.1.1 Services related to operating repairs and maintenance will be subject to the approval requirements in Policy 3040.1

3042.1.2 All services for advisory or professional services not included in the operational budget must go to the Board of Directors for approval.

3042.1.3 All contracts are to be reviewed by the General Manager and Legal Counsel, prior to presentation to the Board. Approved contracts may be signed by the General Manager or Treasurer.

3042.2 Public works projects in the minimum bid amounts set forth by federal or state regulations shall be advertised for bids in periodicals or newspapers and/or the Contractors Exchange as applicable under federal or state laws and regulations.

3042.2.1 Public works projects estimated to be greater than $200,000 in cost shall be procured under formal bid procedures per Public Contract Code, Section 20680, et seq.

3042.2.2 The District has elected to adopt the Uniform Public Construction Cost Accounting Act (Act) procedures. Public works projects estimated to be less than $200,000 shall be procured under the provisions of the Act, including informal bid procedure as described in Policy 3046, unless the public works project is less than or equal to $60,000, which is exempt from bid procedures under the Act.

3042.2.3 The bid opening is open to the public and time and location of bid opening will be specified in the bid documents. Staff will present the bid information, with a recommendation, to the Board for selection and approval of the contract. The Board of Directors will make their selection based on the Contactor/Consultant's experience, qualifications, performance on similar types of projects as well as cost estimates or proposals contained in the bid documents.

3042.2.4 The Board of Directors may reject any and all bids presented with or without cause and readvertise if desired. The Board of Directors may waive any minor irregularities in bids received.

3042.2.5 All change orders shall be brought to the Board for approval prior to beginning the change order work.

3042.3 Dividing contracts into smaller component contracts for purpose of evading the provisions of this policy is prohibited. Contracts may be divided to meet unique scheduling, labor and material availability and limitations, budget and funding modifications or other needs of a project such as the purchase of equipment with a long lead-time or to accommodate necessary time frames.

3042.4 Invoices or requests for payment from approved contractors and consultants are subject to the approval requirements in Policy 3040.2.

3046 INFORMAL BID PROCEDURES RESOLUTION NO. 2023-10

3046.1 Informal Bid Procedures

3046.1.1 Public projects, as defined by the Uniform Public Construction Cost Accounting Act may be let to contract by informal procedures as set forth in Section 22032, et seq, of the Public Contract Code.

3046.1.2 Informal bid procedures shall be used to obtain bids when the public project construction cost is estimated to be greater than $60,000 and less than $200,000, or within the cost range listed in Section 22032 of the Public Contract Code.

3046.2 Contractors List - Notice Inviting Informal Bids

3046.2.1 In lieu of maintaining a Contractors List, the District elects to mail, fax or email a notice inviting informal bids to the construction trade journals specified in Section 22034 of the Public Contract Code**.**

3046.2.2 Until modified by Section 22034 of the Public Contract Code, the trade journals to receive informal bid invitation notices are: Construction Bidboard (Ebidboard), Dodge Data & Analytics, and two (2) of the following: Central California Builders Exchange (Fresno), Tulare & Kings Counties Builders Exchange (Visalia), Kem County Builders Exchange (Bakersfield), San Luis Obispo County Builders Exchange (San Luis Obispo) or BidAmerica (Murietta).

3046.2.3 If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

3046.3 Award of Contracts under this policy shall be approved by the Board of Directors at a Scheduled Meeting.

3055 CREDIT CARD USAGE

3055.1 A credit card shall be issued to the General Manager, the Treasurer and other District employees as approved by the General Manager. Credit cards shall not be issued or used by members of the Board of Directors.

3055.2 This policy applies to all individuals who are authorized to use District credit cards and/or who are responsible for managing credit card accounts and/or paying credit card bills.

3055.2.1 All credit card expenses shall be reasonable and necessary to the furtherance of District business and shall comply with the approval requirements in Policy 3040. No personal expenses shall be charged on a District credit card. If there is an overlap on a transaction between personal and District business, the employee shall pay for the transaction personally and then request reimbursement by the District.

3055.2.2 Receipts for purchases on the District credit card shall be submitted attached to an expense report form indicating the purpose for each purchase and submitted to Accounts Payable Department or other person as designated by the Treasurer as soon as possible after the purchase, but no later than two (2) weeks from the date of purchase.

3055.2.3 The Board of Directors shall review credit-card transactions by the General Manager. The Treasurer shall review and approve credit-card transactions by other district employees. The General Manager shall review and approve credit-card transactions by the Treasurer.

3055.2.4 Payment of the credit card bill is to be made in a timely manner to avoid late fees and finance charges. Payment of the bill without supporting receipts is to be approved by the Treasurer or other person as designated by the Treasurer.

3060 TRAVEL EXPENSES
RESOLUTION NO. 2019-01

3060.1 Business Purpose. The District will pay in advance and/or reimburse Directors and employees for costs of travel, lodging, and other expenses reasonably and necessarily incurred for travel that is conducive to and substantially related to the advancement of the interests of the District ("Business Trips"). Business Trips generally involve: (i) attending District sponsored events; (ii) meeting with consultants, professionals or governmental entities in the performance of the participant's District duties; (iii) meeting with representatives of regional, state and national government regarding District policy positions; (iv) participating in regional, state and national organizations which affect the District's interests, as long as the District is a member of the organization; or (v) attending education seminars, conferences or activities designed to improve the participant's skill and information levels, as long as the District is a member of the organization sponsoring the activity.

3060.1.1 Errands. Brief travel carried out pursuant to regular duties of an employee that has an estimated total reimbursable cost under $50 ("Errand") shall be reimbursed separately from the requirements for Business Trips and, instead, is governed by the expedited reimbursement procedures set forth under this subsection. Errands generally include trips in execution of clerical duties including, but not limited to, deliveries to a post office, Fed Ex location, or governmental entity.

3060.1.1.1 Employees may carry out a one-time or recurring Errand only after receiving verbal or written approval from the Director of Administration/Board Secretary, or his/her designee, prior to the Errand. Employees shall submit an expense report form ("Expense Report"), as provided by the District, to the Director of

Administration/Board Secretary for approval within thirty (30) days of incurring the expense.

3060.1.1.2 Automobile mileage is reimbursable at the Internal Revenue Service rate in effect at the time of the Errand. The reimbursable amount shall be based on the actual mileage traveled for the purposes of the Errand.

3060.2 Travel Requests. For all Business Trips, Directors and employees shall fill out and sign a "Request to Attend" form provided by the District ("Request Form"), and submit the Request Form to the Director of Administration/Board Secretary. The Director of Administration/Board Secretary, or his/her designee, shall review the Request Form for completeness and, if complete, present it to the General Manager for approval. The General Manager shall approve Business Trips that conform to the standards of this Policy.

3060.2.1 Deadlines. Directors and employees shall submit the Request Form at the earliest time reasonably possible to ensure that the District can book the least expensive rates for travel, lodging and other expenses. For conferences that offer less expensive "early bird" rates or impose late fees for registration, hotels and/or other expenses, Directors and employees shall submit the Request Form no fewer than seven (7) days prior to the "early bird" or late fee deadline, whichever is earlier. If the Request Form is not submitted by the foregoing deadline due to an unreasonable delay on the part of the Director or employee, the Director or employee may be required to pay the difference in price and/or any late fees incurred by the District. The General Manager may waive the deadline if he or she deems a waiver is appropriate under the circumstances.

3060.2.2 Expense Limit. The District will pay no more than $6,150.00 per Director per fiscal year ("Yearly Maximum") for voluntary attendance at conferences, seminars, and /or trainings that are not Business Trips. Such Yearly Maximum for such non-Business Trip-conferences, seminars, and trainings shall not carryover from one fiscal year to another or transfer between Directors, unless authorized by the General Manager. Directors shall pay from their own personal funds any expenses exceeding the Yearly Maximum for non-Business Trip-conferences, seminars, and trainings.

3060.3 Travel Arrangements. Once a Business Trip has been approved by the General Manager, Directors and employees shall make specific transportation and lodging arrangements through the Director of Administration/Board Secretary, or his or her designee. To conserve District resources and keep expenses within reasonable standards, the Director of Administration/Board Secretary, in consultation with the Director or employee requesting the Business Trip, shall follow the guidelines below.

3060.3.1 Transportation. The District shall pay for the most economical mode and class of transportation with the most direct route that reasonably satisfies scheduling needs and cargo requirements. Generally, airfare or train fare for travel in coach or economy class and car rental fees for compact or mid-sized cars will be approved.

3060.3.1.1 Special Rates. Government and group rates offered by a provider of transportation shall be used when available.

3060.3.1.2 Personal Automobiles. Automobile mileage is reimbursable at the Internal Revenue Service rate in effect at the time of the Business Trip. The reimbursable amount shall be based on the actual mileage traveled for the purposes of the Business Trip.

3060.3.2 Lodging. The District shall pay for standard accommodations in hotels, motels, or similar lodgings when a Business Trip reasonably requires an overnight stay.

3060.3.2.1 If the lodging is in connection with a conference or other organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director or employee at the time of booking. If the group rate is not available, the Director or employee shall use comparable lodging that is (i) consistent with the reimbursable per diem rates for lodging as established by the U.S. General Services Administration; or (ii) offered at a governmental rate by the provider of lodging.

3060.3.2.2 If the lodging is not in connection with a conference or other organized educational activity, the Director or employee shall use comparable lodging that is (i) consistent with the reimbursable per diem rates for lodging as established by the U.S. General Services Administration; or (ii) offered at a governmental rate by the provider of lodging.

3060.3.3 Meals and Gratuity. The District shall pay for the basic cost of meals, sales tax and customary gratuity, including, but not limited to, gratuity for wait staff, valet parking, bellhops and housekeeping, by advancing Directors and employees with a per diem allowance at the rate set by the U.S. General Services Administration ("GSA") for "Meal and Incidental Expense" ("M&IE") for the most expensive region(s) of the state to which they travel, regardless of the region within that state where the Business Trip actually takes place. For the first and last calendar days of the Business Trip, the per diem allowance shall be 75% of the aforementioned GSA rate.

3060.4 Incidental Expenses. The District shall reimburse Directors and employees for actual expenses incurred under conditions conducive to and substantially related to the Business Trip. Directors and Employees are expected to use prudence and good judgment and incur the fewest expenses that conform to this Policy.

3060.4.1. Incidental expenses that generally will be reimbursed in full include the following: (i) fares for shuttle, airport bus service or public transportation; (ii) fares for taxi or equivalent only when less expensive transportation is unavailable or inefficient; (iii) bridge and road tolls, (iv) parking fees; (v); (vi) Charges for telephone calls, fax, internet and similar services required for business purposes; (vii) charges for laundry services for trips of five (5) or more days.

3060.4.2 The District will not reimburse for personal expenses including, but not limited to, the following: (i) mileage for a personal portion of any trip; (ii) expenses for guests, including a partner's expense when accompanying the Director or employee on the Business Trip, (iii) entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage

and/or golf-related expenses), or other cultural events. (iv) family expenses such as day care for children or boarding for pets; (v) Non-mileage personal automobile expenses, including traffic citations; (vi) political or charitable contributions or events; (viii) personal care items; and (ix) personal losses incurred while on District business. If the Director or employee uses a vehicle owned, leased, or rented by the District, it may not be used for personal reasons unless prior approval has been granted by the General Manager.

3060.5 Travel Alterations. A Business Trip may be altered after its commencement if the proposed alteration is (i) conducive to and substantially related to the advancement of the interests of the District and (ii) approved in advance by the General Manager. The District shall reimburse Directors and employees for actual costs for additional transportation, lodging, meals and incidental expenses necessarily incurred by the Director or employee due to the alteration. Such additional expenses must conform to the cost-efficient standards set forth in this Policy.

3060.5.1 Travel Delays. The District shall reimburse Directors and employees for actual costs for additional transportation, lodging, meals and incidental expenses necessarily incurred by the Director or employee due to delays caused by a public emergency or dangerous weather. Such additional expenses must conform to the cost-efficient standards set forth in this Policy.

3060.5.2 Personal Emergencies. If a Director or employee must abandon the Business Trip early due to (i) an incapacitating illness or injury which is not due to the employees own misconduct or (ii) an emergency situation involving serious illness, injury or death of a family member, the District may, upon approval by the General Manager, reimburse the Director or employee for actual transportation costs incurred by the Director or employee for his or her return travel.

3060.5.3 Per Diem. Directors and employees must reimburse the District for any per diem advanced to them for days or meals that become unnecessary due to an alternation to the Business Trip.

3060.5.4 Travel Cancellation. If a Director or employee is fails to or is otherwise unable to attend a Business Trip for reasons other than a Personal Emergency under Section 3060.5.2, the Director or employee will be required to reimburse the District for any unrecovered expenses within 30 days of the Business Trip, unless additional time has been approved by the General Manager. The Director or employee can submit a request to the General Manager to cancel the reimbursement. The request must be in writing and must contain the reason for the failure to attend the Business Trip, if it was not due to a Personal Emergency. The General Manager will respond to the request within 10 business days.

3060.6 Reimbursement. In order to be reimbursed by the District, Directors and employees must submit an Expense Report pursuant to the requirements below within thirty (30) days of incurring the expense.

3060.6.1 Employees. Employees must submit an Expense Report to their respective department supervisor for the supervisor's signed approval. The employee shall then submit the Expense Report to the Director of Administration/Board Secretary, or his/her designee, who shall review the Expense Report for

completeness pursuant to the requirements set forth below and, if complete, present it to the Finance Department for processing.

3060.6.2 Directors/General Manager. Directors must submit an Expense Report to the Director of Administration/Board Secretary, or his/her designee, who shall review the Expense Report for completeness pursuant to the requirements set forth below and, if complete, present it to the General Manager for Approval. Expense Reports submitted by the General Manager shall be reviewed and approved by the Board of Directors on the Consent Calendar with documentary evidence provided. Once approved by the General Manager or Board of Directors, the Director of Administration/Board Secretary, or his/her designee, shall forward the Expense Report to the Finance Department for processing.

3060.6.3 Documentation. The Expense Report must (i) include a declaration, signed by the Director or employee under the penalty of perjury, declaring that all expenses listed are accurate and were necessary, reasonable and incurred in conformity with this Policy and (ii) be accompanied by documentary evidence, such as a receipt, canceled check or bill, for each expense.

3060.6.3.1 The documentary evidence should show the amount, date, place, and essential character of the expense. If the evidence submitted is a bill, it must be itemized so as to sufficiently indicate which costs the Director or employee claims are in connection with the Business Trip and for what purpose such costs were incurred. For example, an itemized hotel bill listing the incidental expense claimed would contain sufficient level of detail to meet this requirement.

3060.6.3.2 If documentary evidence is unavailable, the following limitations on reimbursement shall apply: (i) no expense in excess of $75.00 shall be reimbursed; and (iii) expenses of less than $75.00 shall be reimbursed where substitute documentary evidence is provided**.**

3060.6.3.3 In order to qualify for reimbursement using substitute documentary evidence the substitute evidence must corroborate the following: (i) the amount of the expense; (ii) the time and place where the expense was made; (iii) the business purpose of the expense; and (iv) the business relationship between the person making the expenditure and the person benefiting from the expenditure, if any. Acceptable forms of substitute documentary evidence may include, but is not limited to, written statements from the Directors' or employees' co-travelers or other witnesses, setting forth detailed information about the expense.

3060.6.4 Disputed Expenses. An employee seeking reimbursement of an expense that was denied by his/her supervisor may appeal the supervisor's decision to the General Manager, who may approve reimbursement if he/she determines that the expense is proper under this Policy. A Director seeking reimbursement of an expense that was denied by the General Manager may appeal the General Manager's decision to the Board of Directors, which may approve reimbursement, in open session, if it determines that the expense is proper under this Policy.

3060.7 Reporting. Each Director and employee shall provide a brief oral report on any event attended at the District's expense at the next available Board meeting. If more than one Director or employee attends the same event, the Board President shall designate one attendee to give the report. The other attendees will be permitted to briefly report on any topics omitted by that designated attendee.

3060.8 Assistance. The Director of Administration/Board Secretary, or his or her designee, may give guidance and assistance on procedures related to travel arrangements, Expense Reports or other travel issues. Any question regarding the propriety of a particular type of expense should be resolved before the expense is incurred.

3060.9 Abuse. The District considers abuse of this Policy to be a very serious matter. Abuse includes falsifying Expense Reports to reflect costs that were not actually incurred or that were not business-related. Pursuant to California Government Code Section 53232.4, penalties for misuse of public resources or falsifying Expense Reports in violation of Expense Reporting policies may include, but are not limited to, the following: (i) the loss of reimbursement privileges; (ii) restitution to the local agency; (iii) civil penalties for misuse of public resources pursuant to Section 8314 and (iv) prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code. Furthermore, failure to follow this business travel expense Policy may be grounds for disciplinary action including, but not limited to employment termination.

3062 ESCHEATMENT

3062.1 PURPOSE. The purpose of this policy is to establish guidelines for the escheatment of unclaimed checks issued and unclaimed money by the Rosamond Community Services District (District), and to ensure the propriety of the related accounting transactions.

3062.2 APPLICATION OF POLICY. This policy applies to unclaimed checks issued and unclaimed money held by the District over three years in accordance with California Government Code Sections 50050-50056. In the event of any conflict between the provisions of the Government Code and the provisions of this Policy, the provisions of the Government Code shall prevail.

3062.3 DEFINITIONS

3062.3.1 Uncashed check – A check mailed or delivered to the payee that has not been cashed.

3062.3.2 Unclaimed checks – Funds which are not the property of the District, but remain in the District Treasury for three or more years without a claim being filed by the legal owner(s).

3062.3.3 Outstanding check – Any District check that has not cleared the bank, been cancelled, or written off. Outstanding checks include both uncashed and unclaimed checks.

3062.3.4 Outstanding check register – A list or record of outstanding checks.

3062.3.5 Treasurer – Position is appointed by the Board of Directors (Board) of the District. The Treasurer, or his designee is responsible for the receipt, investment, disbursement, and safekeeping of all District funds.

3062.3.6 Stale dated – A check that is older than six months.

3062.4 California Commercial Code Section 4404 stipulates a bank is under no obligation to a customer having a checking account to pay a check, other than a certified check, which is presented more than six months after its issue date**.**

3062.5 It is the policy of the District to properly account for unclaimed checks in a manner which follows California Government Code Sections 50050 through 50056. Checks that remain unclaimed for at least three years will become the property of the District after the procedures identified herein have been followed.

3062.6 Disposition procedures for unclaimed checks and monies will not include individual items of less than $15.00, or any amounts in which the depositor's name is unknown. These funds will become the property of the District after being unclaimed for a period of at least 12 months by order of the Board without the necessity of publication of a public notice in a newspaper (Gov. Code Section 50055).

3062.7 PROCEDURES

3062.7.1 During the monthly bank reconciliation process, the outstanding check register will be reviewed for items six months or older. For those checks, a letter and affidavit form for replacement checks will be mailed to the address on record (Exhibit I).

3062.7.2 Every June 30th and December 31st, all remaining outstanding checks will be reviewed. Any checks issued more than 12 months prior to review date will receive a second letter and affidavit form. If no response is received within 30 days, the check will be identified as stale dated. Stale dated checks shall be voided and cleared in the system. A journal entry shall be prepared to record the total amount of stale dated checks in a hold account called "Aged Un-Cashed Checks".

3062.7.3 A list of stale dated checks containing the check number, issue date, amount, and payee shall be maintained by Finance. If a stale dated check is presented, or the payee files a claim after the check is voided, the check shall be reissued by debiting the "Aged Un-Cashed Checks" account, and the original check shall be removed from the stale dated list.

3062.7.4 Also on June 30th and December 31st, the stale dated list shall be evaluated to determine which checks are more than three years old from the date of issue. Checks that are more than three years old will be handled as follows:

3062.7.4.1 After three years from the check date, if the check remains unclaimed, the check may become the property of the District, after notice is given to potential claimants (Gov. Code Section 50050). Any time after three years, the Treasurer, or his designee, shall publish a notice once a week for two successive weeks in a local newspaper of general circulation (Exhibit II). Notice will state the amount of money, the fund in which

it is held, and that it is proposed that the funds will become the property of the District on a designated date not less than forty-five (45) days nor more than sixty (60) days after the first publication of the notice (Gov. Code Section 50051).

3062.7.4.2 Before or after the notice, and before the date the unclaimed funds become the District's property, any interested party may file a claim for the funds with the District's Treasurer (Gov. Code Section 50052). The claim must include the claimant's name, address, amount of the claim, the grounds on which the claim is founded, and any other information that may be required by the District Treasurer (Exhibit III).

3062.7.4.3 The Treasurer may either accept or reject the claim (Exhibit IV). However, even if the procedures listed above are not followed, the Treasurer has the discretion, upon submission of satisfactory proof to the Treasurer, to release unclaimed funds to the depositor of the unclaimed funds or their heirs, beneficiaries, or duly appointed representatives, if the funds are claimed before it becomes the District's property (Gov. Code Section 50052.5).

3062.7.4.4 If the Treasurer rejects the claim, the claimant may file a verified complaint in a Kern County Court seeking to recover all or a dedicated part of the funds (Gov. Code Section 50052). A copy of that complaint must be served on the District Treasurer within 30 days of receiving notice that the claim was rejected. When a complaint has been filed, the Treasurer must withhold the release of the portion of unclaimed funds until a court renders its decision.

3062.7.4.5 If the funds are located in a special fund, the Board may transfer the funds to the General Fund (Gov. Code Section 50053).

3063 DEBT ISSUANCE AND MANAGEMENT

3063.1 PURPOSE. The purpose of this Debt Issuance and Management Policy {the "Policy"} is to provide written guidance to policymakers regarding the timing and purposes for which debt may be issued, types and amounts of permissible debt, and method of sale that may be used. Adherence to a debt policy helps maintain a sound financial position and optimal credit ratings by ensuring the District's debt is prudently issued and managed.

This Policy is intended to comply with the requirements of Senate Bill 1029, codified as part of
Government Code Section 8855 {i}, effective on January 1, 2017, as may be amended from time to time.

This Policy is applicable to all entities for which the District Board of Directors acts as legislative body.
When used in this Policy, the term "District" shall refer to each of such entities and "debt" or "bonds".

3063.2 POLICY OBJECTIVES. The main objectives of this Policy include, but are not limited to:

- Maintain the District's sound financial position by ensuring the debt capacity is adequately considered and minimizing the District's interest payments and issuance costs.
- Protect the District's creditworthiness and achieve the highest practical credit ratings, when applicable.
- Provide complete financial disclosure and reporting.
- Ensure the District's debt is consistent with the District's planning goals and objectives and capital improvement program and/or budget, as applicable.
- Ensure the District is in compliance with all relevant State and Federal securities laws and other applicable laws and regulations.

3063.3 ACCEPTABLE USES OF DEBT PROCEEDS. The District will consider the use of long-term debt financing primarily for the acquisition, substantial refurbishment, replacement, or expansion of capital assets and capital improvement projects only if the project's useful life will equal or exceed the term of the financing or will otherwise comply with Federal tax law requirements. Short-term debt will not be issued to finance the District's capital projects or supplement cash flows. Refunding issues will be considered only if they comply with the refunding parameters and objectives discussed herein.

3063.3.1 Long-Term Debt

3063.3.1.1 Long-term debt may be issued to finance or refinance the construction, acquisition, substantial refurbishment, replacement or expansion of capital assets such as improvements and facilities, equipment and land to be owned and/or operated by the District. Long-term debt financing will not generally be considered for the payment of current operating expenses and routine maintenance expenses. Long-term debt financings are appropriate when any of the following conditions exist:

- When the financed project is necessary to provide basic municipal services.
- When the financed project will provide benefit to the District's constituents over multiple years.
- When the total effect of the debt financing would not impose an unreasonable burden on the District and its taxpayers and/or ratepayers, as applicable.
- When the debt is issued to refinance outstanding debt in order to restructure debt or produce debt service savings.

3063.3.1.2 When at least one of the above conditions are met, the District may issue long-term debt subject to the following additional conditions:

- The project being financed has been, or will be, included in the District's capital improvement plan or budget and approved by the District Board of Directors.
- The weighted average maturity of the debt allocated to the project will not exceed 120% of
- the average reasonably expected economic life of the project being financed, subject to exceptions described herein.

- The District estimates that sufficient income and revenues will be available to pay debt service until final maturity.
- The District determines that the debt issuance will comply with the applicable requirements of State and Federal law.
- The District considers the project to be of vital, time-sensitive need for the community and there are no plausible alternative financing sources, such as pay-as-you-go funding, the use of grants or any combination thereof.

3063.3.1.3 The District will undertake periodic reviews of outstanding long-term debt to identify refunding opportunities. Refunding's may be considered (within the federal tax law constraints, if applicable) if there is a net economic benefit from the refunding. Refunding's which have no economic benefit may be considered to alter covenants, call provisions, provide operational flexibility, change tax status, or to restructure the debt service profile in order to achieve District objectives or provide other benefits to the District. Generally, the District shall strive to achieve a minimum of 3% net present value savings for a current refunding and a minimum of 5% net present value savings for an advance refunding. Refunding's producing less than 3% net present value savings will be considered on a case-by-case basis by the District Board of Directors. Upon the advice of the finance department and with the assistance of the District's municipal advisor and bond counsel, the District will consider undertaking refunding's for other than economic purposes based upon a finding that such a restructuring is in the District's overall best financial interest.

8001 DISPOSAL OF SURPLUS EQUIPMENT RESOLUTION NO. 2025-10

8001.1 Sale or Donation of Surplus Equipment.

8001.1.1 Department Managers will identify items as surplus or obsolete.

8001.1.2 Request to dispose of asset will be submitted to Finance Department with description of item and asset number as available.

8001.1.3 Finance Department will determine the book value of the item and submit request to dispose of equipment to District Accountant or General Manager for approval.

8001.1.4 District will submit the request for disposal with recommended method of disposal to the Board of Directors. Board of Directors will take action at a Board meeting to approve recommended method or direct another method.

8001.1.5 Surplus or obsolete items may be exchanged or traded-in on new goods, sold using competitive procedures, sold at District public auction or sold as scrap or destroyed and disposed of if there is no resale or trade-in value.

8001.1.6 Junked Certificates are obtained for vehicles that are sold to protect the District from liability.

8001.1.7 All items determined to have no monetary value shall be submitted to the District Accountant for tracking and approved by the General Manager prior to disposal. The General Manager shall submit a written report to the Board of Directors at the first Board Meeting following its disposition.

8001 DISPOSAL OF SURPLUS PROPERTY RESOLUTION NO. 2025-10

8002.1 Purpose. The purpose of this Disposal of Real Property Policy (Policy) is to establish the procedure by which the District may determine if a parcel or a portion of a parcel of real property owned by Rosamond Community Services District (District) is no longer needed for daily and/or future operations. Further, this Policy establishes how the District should relinquish or dispose of such property and how revenue derived should be handled.

8002.2 Disposal of Surplus Property Policy. In carrying out this Policy, staff shall follow the Surplus Land Act (Gov. Code,§ 54220, et seq) and all applicable conflict of interest laws (i.e., the Political Reform Act (Gov. Code,§ 87100, et seq) and Government Code section 1090, et seq).

8002.3 Real Property Definition "Real Property" means "any parcel of land or portion of a parcel of land owned by the District."

8002.4 Disposal of Real Property The District shall comply with the Surplus Land Act as follows:

8002.4.1 Staff shall identify Real Property that no longer meets the needs of daily, emergency, and/or future operations of the District. Further, staff shall prepare a report to document why the identified pieces of Real Property are no longer needed and shall provide this report to the Board of Directors (Board) for its consideration.

8002.4.2 Staff shall determine if any identified piece of Real Property is subject to the notice and offer requirements set forth under the Surplus Land Act. In accordance with the Surplus Land Act, Real Property is exempt from the statutory notice and offer requirements, in part, if it:

1. Is less than 5,000 square feet in area; or
2. Is less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or 5,000 square feet in area, whichever is less; or Has no recorded access and is less than 10,000 square feet in area and is not contiguous to land owned by a state or local agency that is used for open-space, low- or moderate-income housing, and is sold to the owner of the contiguous land.

8002.4.3 If staff determines that an identified piece of Real Property is not exempt from the Surplus Land Act, then the Board shall declare the Real Property as surplus. Further, the District shall obtain a qualified appraisal of any such piece of Real Property and submit a written notice of availability to any and all specified public agencies, within whose jurisdiction the property is located before the property can be sold to other public agencies or a private party. Those specified public agencies are as follows:

1. Housing Agencies, Housing Sponsors.

2. Local City, County, Regional and State Park and Recreation Agencies.
3. Local School Districts.
4. Neighborhood Enterprise Entities.
5. Successor agencies to former Redevelopment Agencies, Public Transportation
6. Authorities, and House Authorities. If more than one agency competes for the same piece of Real Property, the agency that proposes to build the greatest number of low or moderate-income housing on the property shall have priority to purchase the Real Property.

8002.4.3 If none of the qualifying agencies provide written interest in buying the piece of Real Property to the District within 60 days after receiving notice or make an offer meeting the appraised value, then the District shall provide a notice of sale to each owner of land contiguous to the piece of Real Property.

This notice shall contain a description of the Real Property, the appraised value, unless the Board authorizes a different price, and a statement of time and place for opening bids. Bids for the purchase of Real Property shall be accepted or rejected by a resolution of the Board. If there is only one contiguous landowner to the piece of Real Property, then the District shall only provide notice to that landowner and that landowner shall have the first right of refusal to the piece of Real Property. Documents for the conveyance of title to the piece of Real Property shall be executed by the General Manager, upon authorization by the Board.

8002.4.4 If none of the owners of land contiguous to the piece of Real Property purchase the piece of Real Property, then the District shall sell the piece of Real Property by advertised public sale. The District shall post notice of the public sale at the District office at least 14 days before the date of sale.

This notice shall contain a description of the Real Property, the appraised value, unless the Board authorizes a different price, and a statement of time and place for opening bids. Bids for the purchase of Real Property shall be accepted or rejected by a resolution of the Board. Documents for the conveyance of title to surplus Real Property shall be executed by the General Manager, upon authorization by the Board. Alternatively, the District may list the Real Property for public sale with a licensed real estate broker in good standing, who advertises the piece of Real Property through multiple listing service or similar listing system at a fair market value determined by the broker using comparable sales data. Documents for the conveyance of title to surplus Real Property shall be executed by the General Manager, upon authorization by the Board.

8002.4.5 If staff determines that an identified piece of Real Property is exempt from the Surplus Land Act the District shall not be required to obtain a formal appraisal of the property or submit a written notice of availability. Instead, the District shall adhere to Sections 8002.4.3 and 8002.4.4, above, except that in place of the appraised value of the property, the District may offer the exempt piece of Real Property for fair market value. If circumstances warrant an exempt piece of Real Property may be sold for less than fair market value. In such cases, the General Manager or his/her designee shall prepare a staff report documenting why the exempt piece of Real Property was not appraised, why It may be sold for less than fair market value, the fiscal impact of selling the property, and why It is exempt

from the Surplus Land Act's notice and offer requirements. After review, the Board may approve the sale of the exempt piece of Real Property by Resolution, authorizing the General Manager to make the sale.

8002.5 Prohibited Director, Officer and Employee Transactions. No employee, officer, consultant or member of the Board shall make, participate in making, or in any way attempt to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest. An employee, officer, consultant or member of the Board shall be deemed to have a disqualifying financial interest if the decision will have a reasonably foreseeable material financial effect, distinguishable from the effect on the public generally, directly on them, or their immediate family, or on any financial interest described in California Code of Regulations, title 2, section 18700, subsections (c)(6)(A-F). Further, no employee, officer, or member of the Board shall be financially interested in any contract made by them in their official capacity, or by the board or body of which they are a member. An officer shall not be deemed to be interested in a contract entered into by a board or body of which the officer **is a** member if the officer has only a "remote interest," as that tennis defined under Government Code section 1091, subdivision (b), and that interest is disclosed to the board or body, the disclosure is noted in the District's official records, and the board or body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting on the vote or votes of the officer or member with the remote interest. Additionally, an employee, officer, or member of the Board shall not be deemed to be interested in a contract if 0) his or her interest is that of a recipient of public services generally provided by the District on the same terns and conditions as if he or she were not a member of the board or body: (ii) the employee, officer, or member of the Board participates in a public auction for surplus property where he or she did not participate or influence the decisions pertaining to the sale, or the purchase of the property; and (iii) any other applicable "non-interest listed under Government Code section 1091.5.

8002.6 Sale of a Portion of a Parcel Exempt from Statutory Notice. The sale of Real Property to a purchaser who owns contiguous real property shall include, as a condition of sale, a requirement that the purchaser bear the cost related to any necessary lot-line adjustment.

8002.7 Prohibition Against Upgrades. Unless necessary to ensure the safety, merchantability and/or serviceability of surplus real property, staff shall not make any repairs or upgrades to any real property recommended or already deemed to be surplus.

8002.8 Revenue from Disposal of Surplus Real Property. All revenue received from the disposal of surplus real property shall be deposited in the District's general operating fund unless otherwise specified by the Board.

8025 USER FEES POLICY RESOLUTION NO. 2022-09

8025.1 It shall be the policy of the Rosamond Community Services District ("District") Board of Directors that the District Staff shall prepare and maintain a schedule of fees and charges for those facilities where such revenues are necessary or desirable to support their continuation.

(a) Fees shall be charged to the general public, individuals and groups, in amounts which are reasonably related to the cost to the extent reasonable to recover all, or a portion of, direct and/or indirect costs associated with the delivery of programs, services or events provided by the District. The purposes of the fees so generated shall be:

(1) To obtain revenue to supplement or completely replace maintenance and operational costs.
(2) Reduce the impact on District Funds.
(3) Control area visitation.
(4) Amortize capital investments.
(5) Enable the District to provide facilities for which funds might not otherwise be available.
(6) To provide sufficient revenue to cover costs, provide for appropriate reserves, and for expansion of services.

(b) Staff will review user fees annually to determine not only how the District's fees compare to the fee levels in other communities, but also the extent to which these fee charges are supporting the real costs involved in providing the services.

(c) User fees are established by the Board of Directors resolution after following the applicable procedures for adoption. Said fees are based on the actual cost of providing the service, including labor, materials and overhead as described in the District's schedule of Rates, Fees and Fines. The amount of said fees shall not exceed the costs reasonably borne by the District in providing the applicable facilities, programs, services and events.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 3

Exhibit "A"

User Fees

Standard Operating Procedures

GENERAL: The Board may establish rates and other charges for services and facilities which the District provides. Such fees will cover the cost of services which the District provides or the cost of enforcing any regulation for which a fee is charged. The fees will not exceed the costs reasonably borne by the District in providing the service or enforcing the regulation for which the fee is charged. Where appropriate, fees shall be charged for services and facilities when one or more of the following factors exist:

(1) Cost per user-hour of the service or the facility is high. This may be so where:
- The service uses consumable materials;
- The service requires a facility with high capital, operating or maintenance costs;
- The service requires special preparation or clean-up;

(2) Use of the service or facility is limited to a relatively few individuals or certain groups of a private character; therefore those who benefit to the exclusion of others should pay their proportionate share for the privileges enjoyed.

(3) Public property is used for private economic gain; therefore, the fees charged for use of public facilities by private and closed membership groups should be comparable to commercial rates.

(4) Demand for the service is not a budgeted service

8030 FEE WAIVER AND FEE EXEMPTION RESOLUTION NO. 2022-09

8030.1 Fee Waiver. In an effort to provide support for organizations providing valuable community services that the District would otherwise provide or is unable to provide, the Rosamond Community Services District recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. The Board of Directors, in its reasonable discretion, may approve requests for a fee waiver that conform to the standards of this Policy. All decisions of the Board of Directors will be final.

8030.1.1 Requests. A request for a fee waiver must be submitted by the requestor in writing to the Director of Administration/Board Secretary with a copy of an IRS Letter of Determination, if applicable, in a timely fashion in order to be placed on a future agenda.

8030.1.2 Event Requirements. To qualify for a fee waiver, the proposed event or activity must not disrupt normal District staffing patterns and must meet one of the following criteria:

(a) The event directly benefits the District facilities, programs or services.
(b) The event is conducted by a non-profit group which meets all of the following criteria:
    (1) The organization is a valid non-profit or community service organization;
    (2) The imposition of the fees would create a financial hardship on the organization or would have a detrimental effect upon the services provided to the public;
    (3) The program or event is of significant value to the community or to a significant portion of its residents;
    (4) The event or program is open to the public and is in compliance with the District's non-discrimination policy;
    (5) The proposed event or program will have no significant impact on the facilities or Division activities, that the permittee will provide volunteer services and materials to mitigate any impacts created by the event or program or that the impacts that are created are adequately offset by the public benefit provided by the program or event; and
    (6) If a fee is charged at the event or program, a reasonable portion of the proceeds will be paid to the District to offset Division costs created by the event or program.
(c) The entity making the fee waiver request is a government entity that provides direct service to the community.
(d) The event is conducted by an organization in a formal partnership, cooperative venture, or other arrangement with the District (e.g. School District, Chamber, Little League, etc.).
    (1) The co-sponsoring agency has or is in the process of receiving 501 (c)3 status;
    (2) The program or event is within the scope of services normally provided by the Parks & Recreation Division;
    (3) Appropriate recognition as co-sponsor of the event or program is provided for the Parks & Recreation Division on all promotional materials and at the event or program; and

(4) All resources provided by the District in sponsorship of the event must be provided for within the Division's current allocations without a reduction of services.

8030.1.3 General Requirements. For all uses, the following standards will apply, as determined in the Board's reasonable discretion:

(a) Good cause exists and substantial evidence supports conclusions that fees would be a burden on the entity making the request and will not be recoverable through a fee for service.
(b) A certificate of insurance or statement of self-insurance and hold harmless agreement must be provided.
(c) Scheduling and use of facilities and events are subject to availability of requested facilities.
(d) Reasonable steps shall be made to minimize impact to District facilities, programs and residents. Contributions of volunteer efforts or materials to the Park Maintenance program are encouraged from all users to promote the concept of "improving the parks by our use".
(e) The Board of Directors may, at its discretion, place conditions upon the permit to minimize impacts to facilities or costs to the District or to restore facilities used to prevent condition.
(f) A refundable security deposit will be required even for events for which fees have been waived.

8030.1.4 Budget Requirements. Fee waivers have a budgetary impact. The fully allocated costs to the District shall be identified in a staff report that shall accompany the waiver request. Staff shall provide quarterly reports to the Parks & Recreation Committee and an annual report to the Board of Directors regarding all fee waivers that have been approved or implemented and the effectiveness of the fee waiver program in providing additional recreation and community services through private and non-profit partnerships. The budgeted maximum amount for all fee waivers in a fiscal year shall be $5,000.

TITLE 4 DISTRICT OPERATIONS

ARTICLE 6000 FACILITIES DEVELOPMENT

6005 EMERGENCY PREPAREDNESS

6005.1 It is the policy of Rosamond Community Services District to create and maintain an active emergency preparedness program that includes an emergency plan that will help manage the District's critical functions during any emergency and protect the safety of staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency duties.

6005.2 Emergency: Emergency means the actual or threatened existence of conditions of disaster or of extreme peril to the provision of critical District functions and the health and safety of staff or the public, caused by such conditions as fire, severe storm, riot, hazardous materials releases, earthquake, power outages, dam failures, freezes, water supply contamination, and other conditions which may be beyond the capability of the services, personnel, equipment, and facilities of this District, and may require the combined forces of other political subdivisions to help respond.

6005.3 Emergency Preparedness: The Board of Directors authorizes the establishment of an Emergency Preparedness Program, which consists of the nationally-recognized four phases of emergency management: mitigation, preparedness/planning, response, and recovery. District actions will include developing and maintaining an District-wide emergency plan, identifying and training District staff to activate and use the plan, appointing District staff to critical positions identified in the emergency plan, and appointing staff to represent the District in negotiations or consultations with public and private agencies on matters pertaining to response to the emergency and recovery of damaged systems and financial costs incurred during the emergency.

6005.4 Standardized Emergency Management System: The California Office of Emergency Services regulates the Standardized Emergency Management System (SEMS), which was created by Government Code §8607 following the East Bay Hills Firestorm in 1991. To ensure reimbursement for claims filed after a disaster, all District emergency plans, procedures, and training will follow the SEMS regulations, and coordinate with the District-wide emergency plan.

6005.5 District Emergency Declaration: When an emergency condition arises, the General Manager may, in consultation with the Board President, declare a "District Emergency." The Board must ratify the declaration within 14 days at a regular, special or emergency Board meeting.

6005.6 Authorization During District Emergencies: The General Manager's Declaration of a District Emergency is a public acknowledgement of the serious situation the District faces, and that the District's resources may not be adequate to respond to the emergency. The Board of Directors, in consultation with the General Manager, may delegate to the General Manager the authority to suspend competitive bidding and enter into emergency contracts of up to $250,000, as authorized by Public Contract Code §20567 and §22050.

6005.7 Mutual Aid: The California Master Mutual Aid Agreement (Government Code §8561, §8615, and §8617) allows for the implementation of mutual aid during threatened, actual, or declared emergencies. The General Manager, in accordance with the Emergency Plan, may request mutual aid assistance from other local government and public agencies, or commit District resources to other agencies requesting aid. The General Manager may sign appropriate documents to effectuate mutual aid and other emergency response agreements.

6005.8 Continuity of Management: The District's emergency plan will list at least two successors to critical staff identified in the plan, including the General Manager. In the event the primary person is unable to respond to an emergency, each successor, in order, may assume all the duties and powers of the primary staff.

6005.9 Status Reports: The General Manager will provide annual reports to the Board of Directors on the progress of the Emergency Preparedness Program. Additional reports will be given to the Board on the effectiveness of the plan and District response within 60 days of the occurrence of a declared District Emergency.

6010 DEVELOPMENT IMPROVEMENT STANDARDS

6010.1 In order to provide a uniform and consistent method of regulating and guiding the design and preparation of plans for construction of water and sewer facilities; and, of insuring proper installation of all private works involving water and sewer, Improvement Standards, including Standard Details, shall be maintained by the District.

6010.2 The purpose of the Improvement Standards is to provide standards to be applied to water and sewer improvements and private works to be dedicated to the public and accepted by the District for operation and maintenance. This is necessary in order to provide for coordinated development of required facilities to be used by the public.

6010.3 It is recognized that it is not humanly possible to anticipate all situations that may arise or to prescribe standards applicable to every situation. Therefore, any items or situations not included in the Improvement Standards shall be designed and/or constructed in accordance with accepted engineering practice, the State of California "Standard Specifications" and "Highway Design Manual" and as required by the District Engineer.

6010.4 Proposed changes in the Improvement Standards shall be presented to the Board of Directors for their review and consideration. If the proposed change(s) is approved by the Board, staff shall incorporate said change(s) in the originals of said Standards, and shall annotate the date of said revision approval upon the documents.

6010.5 Copies of the current Improvement Standards shall be available at the District office and shall be available to interested parties upon request and payment of the cost of producing the requested copy.

6012 ENVIRONMENTAL, HEALTHY & SAFETY PROGRAM

6012.1 The Board of Directors of Rosamond Community Services District recognizes the importance of an effective environmental, health, and safety-compliance program for the well-being of each District employee, to the District's customers, to the public at large, to

the environment, and to the productivity of District operations. Therefore, it is the firm and continuing policy of the Board of Directors that environmental, health and safety compliance and accident prevention shall be considered of primary importance in all phases of the District's operation and administration, at all levels of the organization.

6012.2 Within the District, therefore, the General Manager is authorized to approve programs, standards, rules, and procedures to protect and promote the safety and health of District employees, customers, the public at large, the environment, and the productivity of District Operations. Under the General Manager's supervision, the Operation Manager shall review accidents and compliance issues, and recommend new or revised environmental, health, and/or safety programs, standards, rules, and procedures for approval by the General Manager and implementation within the District.

6012.2.1 Each division manager and supervisor shall make environmental, health, and safety compliance an integral part of their regular duties, including the provision of proper training, materials, and equipment so that work can be performed safely and in compliance with regulations and other applicable standards.

6012.2.2 It is equally the duty of each employee to accept and follow established programs, standards, rules, and procedures, as well as instructions and directives relating to the efficient performance of their work. Every effort will be made to provide adequate training to employees. However, if an employee is ever in doubt about how to do a job safely and correctly, it is their duty to ask a qualified person for assistance. Everyone is responsible for housekeeping duties that pertain to their jobs. Unsafe conditions must be reported.

6012.3 By maintaining an effective environmental, health, and safety compliance program, the risk of personal injury, operational interruptions, and regulatory fines are reduced, and the mission of the District is manifested. The cooperation of all District employees is required.

6017 EASEMENT ABANDONMENT

6017.1 Abandonment by the District of its interest in public utility easements and other easements dedicated to the District for installation, maintenance, repair, etc., of its facilities, shall require approval of the Board of Directors.

6017.2 Commitments to abandon easements or assurances that easements will be abandoned may be provided by staff only after approval of same by the Board of Directors.

6020 ENVIRONMENTAL REVIEW GUIDELINES

6020.1 ARTICLE I – GENERAL.

6020.1.1 Section 1. Purposes. These guidelines implement the California Environmental Quality Act of 1970 (CEQA) as amended and ensure that consideration is given to the environmental effects of projects that are subject to CEQA. An EIR, or environmental impact report, is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways either to mitigate or avoid the effects. It is an information

document which, when fully prepared in accordance with CEQA and these guidelines, will inform public decision makers and the general public of the significant environmental effects of projects proposed to be carried out or approved. The information in an EIR constitutes evidence that the District shall consider along with any other information that may be presented to the District. While CEQA requires that major consideration be given to preventing EIR damage, it is recognized that public agencies have obligations to balance other public objectives including economic and social factors in determining whether and how a project should be approved. Economic information may be included in an EIR or may be presented in whatever form the District desires. The District retains its existing authority to balance environmental objectives with economic and social objectives and to weigh the various long term and short-term costs and benefits of a project in making the decision to approve or disapprove it.

6020.1.2 Section 2. General Implementing Procedures. The regulations contained in Title 14, Division 6, Chapter 3 of the California Administrative Code are incorporated by reference as if set out in full and shall be applicable, except as modified herein, to these procedures. (14 Code of Cal. Regs. Section 5022).

6020.1.3 Section 3. Definitions.

(a) "District" means the Rosamond Community Services District.
(b) "Board" means the District's Board of Directors.
(c) "District staff" means the District's General Manager or other delegated District employee.
(d) "Lead Agency" means the public agency that has the principal responsibility for carrying out or approving a project.
(e) "Responsible Agency" means the public agency that proposes to carry out or approve a project, for which the Lead Agency is preparing or has prepared an EIR.
(f) "Trustee Agency" means the state agency with legal jurisdiction over natural resources held in trust for the people of the state, and which are affected by a project.
(g) "Substantial evidence" means facts, fact-related reasonable assumptions and expert opinion.
(h) "Cumulative Impact" means two or more environmental effects which, when considered together, are considerable or which compound or increase other environmental impacts.
(i) Other definitions as found in 14 Code of Ca. Regs. Section 15350, et seq.

6020.2 ARTICLE II – APPLICABILITY.

6020.2.1 Section 4. Scope of Applicability. These Guidelines apply to all discretionary projects that are carried out, approved or financed by the District.

6020.2.2 Section 5. Statutory Exemptions. The following activities are exempt from the requirements of CEQA and these Guidelines and consequently no environmental documents are required therefore.

(a) Ministerial Projects. Generally speaking, a ministerial project is one requiring approval by the District as a matter of law or the use of fixed standards or objective measurements without personal judgment. Examples of such projects include but are not limited to individual utility service connections and disconnections, agreements to install in-tract utility facilities to subdivisions, development of which has been approved by other appropriate governmental agencies, utility service connections and disconnection's to potential customers within such subdivision and the District's issuance of facility encroachment permits. (14 Code of Cal. Regs. Section 15369).

The decision as to whether or not a proposed project is ministerial in nature, and thus outside the scope of this enactment, shall be made by the District Board on a case-by-case basis or as part of these Guidelines as set forth hereafter.

(b) Emergency Projects. The following emergency projects: (14 Code of Cal. Regs. Section 15269).

(1) Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.
(2) Emergency repairs to public service facilities necessary to maintain service.
(3) Specific actions necessary to prevent or mitigate an emergency.

(c) Feasibility and Planning Studies. A project involving only feasibility or planning studies for possible future actions that the District has not approved, adopted or funded, does not require the preparation of environmental documentation, but does require consideration of environmental factors. (14 Code Cal. Regs. Section 15252).

(d) Pipelines in Public Right of Ways. A project of less than one mile in length within a public street or highway or any other public right of way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, replacement, removal, or demolition of an existing pipeline. A pipeline includes subsurface facilities but does not include any surface facility related to the operation of the underground facility. (Public Resources Code, Division 13, Paragraph 21080.21).

6020.2.3 Section 6. Categorical Exemptions. The Secretary of Resources, State of California has found that specific classes of projects do not have a significant effect on the environment and they are declared to be categorically exempt from the requirement for the preparation of environmental documents. A list of these exemption classes commonly found in District operations, along with the specific activities that the District has found to be within these categorical exemptions follows. The categorical exemptions listed herein are not intended to be, and are not to be construed to be a limitation of the exemption classes set forth in 14 Code Cal. Regs. Section 15300, et seq.

(a) Class I: Existing Facilities. Operation, repair, maintenance or minor alteration of all existing District facilities, structures, equipment or other property of every kind which activity involves negligible or no expansion or use beyond that previously existing, including, but not limited to:

(1) treated water conveyance facilities and appurtenant structures;
(2) water connection facilities, including meter boxes;
(3) fire hydrants;
(4) storage reservoirs;
(5) pump stations;
(6) treatment plants;
(7) recreational facilities;
(8) buildings; and,
(9) dams.

(b) Class II: Replacement or Reconstruction. Replacement or reconstruction of any existing District facilities, structures or other property where the new facility or structure will be located on the same site and have substantially the same purpose and capacity as the replaced or reconstructed facility or structure, including but not limited to:

(1) treated water conveyance facilities and appurtenant structures;
(2) water connection facilities, including meter boxes;
(3) fire hydrants;
(4) storage reservoirs;
(5) pump stations;
(6) buildings;
(7) treatment plants;
(8) recreational facilities, and
(9) dams and appurtenant structures.

For the purpose of determining the extent of this class exemption for buried pipelines under the water conveyance facility category, the following shall apply. A replacement of a buried pipeline will be considered as categorically exempt under Class II if the replacement is within 30 feet of the existing pipeline, the nominal inside diameter of the replacement pipe is no larger than the existing pipeline or 8-inch, whichever is greater, and no substantial clearing of mature trees or bushes is necessary.

(c) Class III. New Construction or Conversion of Small Structures. Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to:

(1) Raw water conveyance facility appurtenances, including control and measuring structures.

(2) Treated water conveyance facility appurtenances, including meter boxes, fire hydrants, blow offs and air release valves.
(3) Water conveyance facility appurtenances, including water meters, booster pumps, gate, ball and check made in the interior of the structure. Examples of this exemption include but are not limited to valves, blowoffs, valve boxes, etc.

(d) Class IV: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature, scenic trees, including but not limited to:

(1) small water diversion facilities;
(2) grading on land with a slope of less than ten percent (10%), except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;
(3) new gardening or landscaping but not including tree removal;
(4) filling of earth into previously excavated land with material compatible with the natural features of the site;
(5) minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities that result in improvement of habitat for fish and wildlife resources or greater fish production;
(6) minor temporary uses of land having negligible or no permanent effects on the environment;
(7) maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal agencies.

(e) Class V: Information Collection. Basic data collection, research, experimental management and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource. These activities may be undertaken strictly for information-gathering purposes or as part of a study leading toward the undertaking of a project.

(f) Class VI: Inspection. Inspection activities, including but not limited to inquiries into the performance of an operation and examination of the quality, health or safety of a project.

(g) Class VII: Accessory Structures. The construction or placement of minor structures accessory to or appurtenant to existing commercial, industrial or institutional facilities, including small parking lots.

(h) Class VIII: Surplus Government Property Sales. Sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in 14 Code Cal. Ergs. Section 15206. However, if the surplus property to be sold is located in any of those areas even its sale is exempt if:

(1) the property does not have significant values for wildlife habitat or other environmental purposes; and,

(2) any of the following conditions exist:
  (i) the property is of such size or shape that it is incapable of independent development or use, or
  (ii) the property to be sold would qualify for an exemption under any other class of categorical exemption in Section 6 of these Guidelines, or
  (iii) the use of the property and adjacent property has not changed since the time of purchase by the District.

(i) Class IX: Annexations of Existing Facilities and Lots for Exempt Facilities. The following annexations:

(1) annexations to the District of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
(2) annexations of individual small parcels of the minimum size for facilities exempted by Class III, New Construction or Conversion of Small Structures.

(j) Class X: Changes in Organization of the District. Changes in the organization or reorganization of the District where the changes do not modify the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

(1) establishment of an improvement district;
(2) consolidation of two or more districts having identical powers;
(3) merger with a district lying entirely within the boundaries of the District.

(k) Class XI: Small Hydroelectric Projects at Existing Facilities. Installation of hydroelectric generating facilities in connection with existing dams, canals, and pipelines where:

(1) the capacity of the generating facilities is 5 megawatts or less;
(2) operation of the generating facilities will not change the flow regime in the affected stream, canal, or pipeline including but not limited to:
  (i) rate and volume of flow:
  (ii) temperature;
  (iii) amounts of dissolved oxygen to a degree that could adversely affect aquatic life, and;
  (iv) timing of releases.

(3) new power lines to connect the generating facilities to existing power lines will not exceed one mile in length if located on a new right of way and will not be located adjacent to a wild or scenic river;
(4) repair or reconstruction of the diversion structure will not raise the normal maximum surface elevation of the impoundment;

(5) there will be no significant upstream or downstream passage of fish affected by the project;
(6) the discharge from the powerhouse will not be located more than 300 feet from the toe of the diversion structure;
(7) the project will not cause violations of applicable state or federal water quality standards;
(8) the project will not entail any construction on or alteration of a site included in or eligible for inclusion in the National Register of Historic Places; and,
(9) construction will not occur in the vicinity of any rare or endangered species.

(l) Class XII: Acquisition of Land for Wildlife Conservation. Acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

6020.3 ARTICLE III - ENVIRONMENTAL REVIEW PROCEDURES

6020.3.1 Section 7. General. The requirements set forth in these Guidelines apply to projects which may have a significant effect on the environment and which involve discretionary governmental action. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not covered by the requirements set forth in CEQA. However, these Guidelines should be consulted to determine the procedures necessary to verify that conclusion.

The procedures to be followed are summarized in the flow chart included as Exhibit "A" of these Guidelines.

6020.4 ARTICLE IV - PRELIMINARY REVIEW AND INITIAL STUDY

6020.4.1 Section 8. Preliminary Review. At the outset, a proposed activity shall be examined by District staff for the purpose of determining whether it is either statutory or categorically exempt or involves another agency as the lead agency (14 Code Cal. Regs. Section 15050, et seq.). If it is determined that the project is exempt from CEQA, or the District is not the lead agency, District staff may complete the form provided as Exhibit "B" of these Guidelines, Preliminary Environmental Assessment. If the District staff determines that the project is exempt from CEQA and the District approves or determines to carry out the project, the District may file with the County Clerk of the county in which the project will be located, a Notice of Exemption on the form provided as Exhibit "C".

6020.4.2 Section 9. Initial Study. If the project is determined not to be exempt and the District is the lead agency, the District staff shall conduct an initial study to determine if there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect. In making such a study, the District staff shall prepare a written determination using the Environmental

Checklist Form attached as Exhibit "D" of these Guidelines. Prior to determining if a Negative Declaration or Environmental Impact Report (EIR) is required for a project, District staff shall consult informally with all responsible agencies and all trustee agencies responsible for resources affected by the project. If the project is determined to be of statewide, regional, or area wide significance as defined in 14 Code Cal. Regs. Section 14206, District staff will consult with transportation planning agencies and other public agencies which have transportation facilities within their jurisdictions which could be affected by the project. Consultation will be conducted in the same manner as for responsible agencies and will be for the purpose of obtaining information concerning the project's effect on major local arterials, public transit, freeways, highways, and rail transit service within the jurisdiction of a transportation planning agency or a public agency. "Transportation Facilities" includes major local arterials and public transit within five (5) miles of the project site and freeways, highways, and rail transit service within ten (10) miles of the project site.

If there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared.

6020.4.3 Section 10. The Existence of Public Controversy. The mere existence of public controversy over the environmental effects of a project is no longer enough to require the preparation of an EIR. Substantive evidence is needed including facts, reasonable assumptions predicated upon facts and expert opinion supported by facts. If there is disagreement among expert opinion then the District will treat the effect as significant and prepare an EIR.

A mitigated Negative Declaration will be prepared instead of an EIR when the initial study has identified potentially significant environmental effects but, prior to public review of the proposed Negative declaration, the initial study was revised, providing for the mitigation of the effects of the proposed project to less than significant levels, and when there is no substantial evidence "in light of the whole record" that the project as revised will have a significant environmental effect.

6020.4.4 Section 11. Development and Publication Criteria. The District is encouraged to develop and publish the thresholds that it uses to determine the significance of environmental effects caused by projects it reviews. By identifying criteria that it uses, the District can show some predictability in its determination process and an interested party can ascertain the standard of significance for a particular resource in the community. If thresholds are to be adopted as part of the District's environmental review process then they must be adopted by ordinance, resolution, rule, or regulation after a public review period.

6020.4.5 Section 12. Consideration of Cumulative Effects. The cumulative effects of a project will be considered in the decision of whether an EIR is needed. An EIR must be prepared if the cumulative impacts may be significant and the project's incremental effect is cumulatively considerable and will not be lessened through the mitigation measures set forth in a Mitigated Negative Declaration. "Cumulatively considerable" means that the incremental effects of an individual

project are considerable when viewed in connection with the effects of past, current, and probable future projects. (14 Code Cal. Regs. Section 15064(I). If the cumulative impact will not be considerable then a Negative Declaration can be prepared.

The District Staff, at the conclusion of the initial study, will complete an Environmental Impact Assessment form, Exhibit "E" of these Guidelines, or include a similar statement in the initial study document.

6020.5 ARTICLE V – NEGATIVE DECLARATION

6020.5.1 Section 13. Proposed Negative Declaration. If the District staff determines that there is no substantial evidence "in light of the whole record" that the project will have a significant environmental effect, the District will give notice that the District proposes to adopt a Negative Declaration. (14 Code Cal. Regs. Section 15072). The format for this notice is given in Exhibit "F" of these Guidelines.

Notice will be provided to the public no less than twenty (20) calendar days prior to adoption by the District of Negative Declaration in the following manner:

(a) Mailed to the last know name and address of all organizations and individuals who have previously requested such notice in writing;
(b) Mailed to all responsible and trustee agencies;
(c) Posted in the office of the County Clerk of each county in which the project will be located within 24 hours of receipt for a period of at least twenty (20) days.
(d) Sent to the State Clearinghouse, Office of Planning and Research, if any state agencies or trustee agencies are responsible and the review period is extended to thirty (30) calendar days.
(e) Where the project meets the definition of statewide, regional or area wide significance as defined in 14 Code Cal. Regs. Section 15206, notice will also be submitted to the State Clearinghouse and to the appropriate Metropolitan Area Council of Governments for review and comment.

The public review period is thirty (30) days unless a shorter period is approved by the State Clearinghouse (not less than 20 days). Notice will also be given by at least one of the following procedures:

(a) publication at least one time by the District in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, publication in the newspaper with largest circulation from among the newspapers of general circulation in those areas;
(b) posting of notice by the District on and off site in the area where the project is to be located;
(c) direct mailing to owners and occupants, as shown on the latest equalized assessment roll, of property contiguous to the project.

The alternatives for providing notice specified above shall not preclude the District from providing additional notice by other means if the District so desires, nor shall these requirements preclude the District from providing the public notice

at the same time and in the same manner as public notice required by any other law for the project.

The District shall make copies of the proposed Negative Declaration available for public inspection for at least 20 days. Copies of the Negative Declaration may be provided to any person upon payment to the District of a fee established by the Board to cover nominal copying and staff processing costs.

The Board shall hold a hearing on the proposed Negative Declaration after notice is given as provided above. Comments relating to the inadequacies of a proposed Negative Declaration should identify the environmental effect, explain why the reviewer believes the effect would occur and explain why they believe the effect would be significant. Reviewers should explain the basis of their comments and whenever possible, should submit data or references in support of the comments. Prior to approving the project, the Board shall consider the proposed Negative Declaration together with any comments received during the public review process. If the Board determines that here is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it shall require that an EIR be prepared.

6020.5.2 Section 14. Recirculation of Negative Declaration. A Negative Declaration will be recirculated for public review before it is adopted and the project approved when it has been significantly revised. This happens when a new, avoidable significant effect is identified and mitigation measures or project revisions must be added to reduce the effect or when the District determines proposed mitigation measures will not properly reduce effects thus new measures or revisions are required. There will not be a recirculation when: 1) mitigation measures are replaced with equal or more effective measures; 2) new project revisions are added which are not new, avoidable significant effects; 3) measures or conditions are optional under CEQA that do not create new significant effects and are not necessary to mitigate an avoidable a significant effect; 4) or new information is added to clarify, amplify, or make insignificant modifications. (14 Code Cal. Regs. Section 15073.5)

6020.5.3 Section 15. Adoption of Negative Declaration. At a hearing, if the Board determines that there is no substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it shall adopt the Negative Declaration on the form provided as Exhibit "G" of these Guidelines. If the Negative Declaration is to be prepared under contract, such contract must be executed within forty-five (45) days. From the District's determination that it is required.

6020.5.4 Section 16. Notice of Determination for Negative Declaration. After the final approval has been made on the Negative Declaration, and the project is approved by the Board, the District staff shall prepare a Notice of Determination in the form attached as Exhibit "H" and file it with the County Clerk of the county in which the project will be located. Such filing shall be done within five (5) working days of the approval of the project, be posted for thirty (30) days, and be retained in the agency files for nine (9) months. If the project requires discretionary approval from a State agency, the Notice of Determination shall be filed with the State

Clearinghouse in the Office of Planning and Research (OPR). For a project of statewide, regional, or area wide significance, a transportation planning agency or public agency which provides information to District staff shall be notified of and provided with copies of, environmental documents pertaining to the project.

6020.5.5 Section 17. Proposed Mitigated Negative Declaration. If the District staff determines through the initial study that there are potentially significant effects to the environment, but (1) revisions in project plans or proposals made or agreed to by the applicant prior to release for public review of the Proposed Negative Declaration and initial study will avoid or mitigate the effects, and (2) there is not substantial evidence "in light of the whole record" that the revised project will have a significant effect on the environment, then the District will give the same notice as for a Negative Declaration. The format for this notice is given Exhibit "F" of these Guidelines.

6020.6 ARTICLE VI – ENVIRONMENTAL IMPACT REPORT

6020.6.1 Section 18. Notice of Preparation. If the Board determines that there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it will require that an EIR be prepared. Immediately after deciding that an environmental impact report is required for the project, the District staff shall send to each responsible or trustee agency, any public agency which has jurisdiction by law with respect to the project, and any city or county which borders on a city or county within which the project is located, a Notice of Preparation by certified mail on the form attached as Exhibit "I" of these Guidelines, by certified mail or any other method of transmittal which provides a record that the notice was received, stating that an EIR will be prepared. Such Notice of Preparation must also be published in a newspaper of general circulation.

The Notice of Preparation shall provide the addressee agencies with a brief description of the project, project location, and project effects on the environment; the date, time and place of a public hearing on the notice; the address where documents relating to the projects are available and where written comments may be sent and the deadline for submitting comments. Within thirty (30) calendar days after receiving the Notice of Preparation, each addressee agency shall provide the District with specific details about the scope and content of the environmental information related to each affected agency's area of statutory responsibility, which must be included in the draft EIR.

When one or more State agencies will be a responsible or trustee agency, the District shall send a Notice of Preparation to each State affected agency with a copy to the State Clearinghouse.

A copy of the Notice of Preparation will be posted at the District's main office. The Notice shall also be posted in the Office of the County Clerk of the county or counties in which the project will be located and shall remain posted for a period of thirty (30) days.

6020.6.2 Section 19. Draft EIR. The draft EIR shall be prepared directly by or under contract to the District. If it is prepared under contract, such contract must be executed within forty-five (45) days after a project application has been accepted as complete. The required contents of a draft EIR are discussed in 14 Code Cal. Regs. Section 15120, et seq. A standard format must be used whenever feasible.

If the project is determined to be of statewide, regional, or area wide significance, the draft EIR shall be submitted to the State Clearinghouse and should be submitted also to the appropriate Metropolitan Area Council of Governments, as well as to a transportation planning agency or public agency which provides transportation information to District staff for review and comment.

Prior to completing the draft EIR, the District may consult directly with any person or organization it believes will be concerned with the environmental effects of the project.

6020.6.3 Section 20. Notice of Completion of Draft EIR. As soon as the draft EIR is completed and approved by the Board, the District will file, with the State Clearinghouse, a Notice of Completion of Draft EIR on the form attached as Exhibit "J" of these Guidelines or electronically by diskette or e-mail.

6020.6.4 Section 21. Review of Draft EIR. After completing a draft EIR, the District shall consult with and obtain comments from public agencies having jurisdiction by law with respect to the project and should consult with persons having special expertise with respect to any environmental impact involved. Others might need to be consulted including any city or county bordering the city or count of the project; transportation planning and public agencies which have transportation facilities within their jurisdictions that might be affected, for statewide, regional or area wide projects; and California Department of Water Resources for a subdivision project within one mile of a facility of the State Water Resources Development System. The District shall provide the general public with an opportunity to comment on the draft EIR.

The District shall provide Public Notice of the Completion of a Draft EIR, on the form attached as Exhibit "K", at the same time as it sends a Notice of Completion of Draft EIR to the State Clearinghouse. Notice shall be mailed to all organizations and individuals who have previously requested such notice and shall also be given by:

(a) publication at least one time by the District in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, publication in the newspaper with largest circulation from among the newspapers of general circulation in those areas;
(b) posting of notice by the District on and off site in the area where the project is to be located;
(c) direct mailing to owners and occupants, as shown on the latest equalized assessment roll, of property contiguous to the project.

The alternative for providing notice specified above will not preclude the District from providing additional notice by other means if it so desires, nor will these

requirements preclude the District from providing the public notice at the same time and in the same manner as public notice required by any other law for the project.

The District shall use the State Clearinghouse to distribute EIRs and other environmental documents to state agencies for review. The District will identify to the State Clearinghouse those state agencies that are likely to be interested and provide at least 10 copies of the Draft EIR to the State Clearinghouse along with an electronic format on diskette or by e-mail.

In making copies of draft EIRs available to the public, the District will, whenever possible, make environmental information available on the Internet on a Web site maintained or used by the District.

In order to provide sufficient time for public review, review periods for draft EIRs will not be less than thirty (30) calendar days, nor longer than sixty (60) calendar days from the date of the notice except in unusual situations. If a State responsible or trustee agency is reviewing the draft EIR, the public review period must be not less than forty-five (45) calendar days.

Public hearings may be conducted by the Board on the draft EIR, either in separate proceedings, or in conjunction with other proceedings of the District. Reviewers of a draft EIR should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

6020.6.5 Section 22. Final EIR. The District staff shall evaluate comments on environmental issues received from persons and organizations that reviewed the draft EIR and shall prepare a written response to all comments received during the review period.

The District staff shall prepare a final EIR, which shall consist of:

(a) The draft EIR or a revision of the draft.
(b) Comments and recommendations received on the draft EIR either verbatim or in summary.
(c) A list of persons, organizations, and public agencies commenting on the draft EIR.
(d) The responses of the District to significant environmental points raised in the review and consultation process.
(e) Any other information added by the District.

The response of the District to comments received may take the form of a revision to the draft EIR or may be a separate section in the final EIR, as an attachment. The major issues raised when the District's position is at odds with the recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted and listing factors of importance warranting an override of the suggestions.

The District may provide an opportunity for review of the final EIR by the public or commenting agencies. When significant new information is added to the EIR

after the close of public comments period but before certification of the Final EIR, then the Draft EIR will be recirculated.

6020.6.6 Section 23. Certification of Final EIR. After completion of the review period, the Board shall consider by resolution certifying that:

(a) the final EIR has been completed in compliance with CEQA; and
(b) the final EIR was presented to the Board; and the Board reviewed and considered the information contained in the final EIR prior to approving the project; and
(c) the Final EIR represents the Board's independent judgment and analysis.

CEQA requires the District to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects may be considered acceptable through the Board passing a statement of overriding considerations (14 Code of Cal. Regs. Section 15093). Moreover, when evaluating the feasibility of mitigation measures, the Board may cite legal, social and technological factors, as well as the provision of highly trained job opportunities as reasons for deciding that certain mitigation measures are infeasible.

After Board approval of the project, copies of the certified final EIR shall be filed with the appropriate planning agency of any city or county where significant effects on the environment may occur and to each responsible and trustee agency. The Board must hear all appeals concerning the District decision to certify an EIR.

6020.6.7 Section 24. Notice of Determination for EIR. After said approval or a determination to carry out the project is made by the Board, the District shall prepare a Notice of Determination in the form attached as Exhibit "H" and file it with the County Clerk within five (5) working days of the approval of the project. The Notice of Determination shall include a statement of overriding considerations if adverse environmental impacts have been identified and not mitigated. If the project requires discretionary approval from a State agency, the Notice of Determination shall also be filed with the State Clearinghouse. (14 Code of Cal. Regs. Section 15094).

6020.7 ARTICLE VII – MASTER EIR

6020.7.1 Section 25. Process. The filing of a Master EIR is an optional process designed to streamline the entire CEQA process. A Master EIR may be filed in lieu of an EIR for the adoption of plans, phased or multiple approval projects, development agreement projects and rules and regulations to be carried out in subsequent projects. The Master EIR can be used to limit subsequent project reviews for subsequent projects within five (5) years of the Master EIR's certification.

6020.7.2 Section 26. Contents. A Master EIR must contain the same information as a standard EIR. In addition, a Master EIR must give sufficient information concerning the anticipated projects within its scope. Such additional information must include the size, location and alternatives for the subsequent projects; the

intensity; and the schedule governing the submission and approval of the subsequent projects.

The Master EIR must also discuss the potential impacts of the anticipated subsequent projects, which cannot be fully assessed at the time the Master EIR is prepared.

6020.7.3 Section 27. Subsequent Projects. When the anticipated subsequent projects are up for approval, the District must conduct an Initial Study to determine if the subsequent projects and its significant environmental effects were included in the Master EIR. If no new impacts are discovered, and if no new mitigation measures or alternatives are necessary, the District may simply adopt a finding that the subsequent project was adequately covered by the Master EIR. The District must also provide public notice, using the form provided as Exhibit "M", of its intent to approve the project and incorporate all feasible, applicable mitigation measures.

Public notice will be mailed to the last known name and address of all organizations and individuals that have previously requested notice in writing and in at least on e of the following ways:

(a) Publication at least one time in a newspaper of general circulation in the area affected by the proposed project or if more than on area is affected then in the newspaper with the largest circulation form those areas,
(b) Posting notices on and off the site in the area where the project is to be located.
(c) Direct mailing to the owners as shown on the last equalized assessment roll and occupants of the property contiguous to the project location.

After the District approves the subsequent project a Notice of Approval of a Subsequent Project will be filed with the OPR using the form provided as Exhibit "N".

If the District finds during its Initial Study that there do exist new environmental impacts, which may now be mitigated, it must prepare a mitigated Negative Declaration or a Focused EIR for the subsequent project. See Sections 17 and 28. A Master EIR must be reviewed periodically to determine that it is still an adequate analysis of the significant environmental effects of the project for which it was prepared. This can be done by using the Environmental Checklist provided as Exhibit "D". Updating the Master EIR, including preparing subsequent or supplemental EIRs, maintains its effectiveness as the basis for streamlined review of projects that are within its scope.

If the District discovers new impacts, which cannot be mitigated, it must prepare either a new EIR or a Focused EIR before it may approve the project. See Section 18-24 and 28.

6020.7.4 Section 28. Focused EIR. District has the choice of preparing a Focused EIR, instead of a completely new EIR, prior to approval of a project that was previously covered by a Master EIR when new significant impacts have been discovered and a Mitigated Negative Declaration cannot be prepared. The Focused EIR must examine the additional significant environmental effects not covered by the Mater

EIR and any new mitigation measures not covered in the Master EIR. It must also analyze the significant environmental effects previously covered in the Master EIR for which substantial new information exists that demonstrates that these effects may be more significant than described in the Master EIR.

The District must also examine those mitigation measures previously found to be infeasible in the Mater EIR which new information shows may now be feasible. The Focused EIR need not cover the effects successfully mitigated by the measures as discussed in the Master EIR for which mitigation is the responsibility of another agency.

6020.7.5 Section 29. Time Limits. The Master EIR may be used to limit the review of subsequent projects for five years. After the five year period has run, the lead agency may only use the Master EIR after it has reviewed its adequacy and found no new information is applicable and no new changes are apparent.

6020.7.6 Section 30. Other Projects. If, during the approval of a later project not within the scope of the Master EIR, substantial changes are made to or new relevant information concerning the Master EIR is discovered, the lead agency must: (1) prepare a new or supplemental Master EIR based upon the changes and/or new information; (2) prepare a mitigated Negative Declaration for all subsequent projects within the scope of the Master EIR; or (3) prepare a Focused EIR for all subsequent projects within the scope of the Master EIR.

6020.8 ARTICLE VIII – MICELLANEOUS

6020.8.1 Section 31. Mitigation Monitoring or Reporting. To ensure mitigation measures and project revisions identified in the EIR or Negative Declaration are implemented, the District must adopt a program for monitoring or reporting on the revisions it has required in the project and the measures it has imposed, to mitigate or avoid significant environmental effects. The District can delegate such reporting and monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however the District remains responsible for ensuring implementation of the mitigation measures until such measures have been completed.

The District has the choice of monitoring mitigation, reporting on mitigation, or both. "Reporting" consists of a written compliance review presented to the decision making body or authorized staff person. It ensures that the District is informed of compliance. "Monitoring" is an ongoing or periodic process of project oversight. It ensures that compliance is checked on a regular basis. At times there is no clear distinction between reporting and monitoring, but the following, form 14 Code Cal. Regs. Section 15097, provides a guide:

(a) Reporting is suited to projects with readily measurable or quantitative mitigation measures or already involves regular reviews.
(b) Monitoring is suited to projects with complex mitigation measures that may exceed the expertise of the local agency to oversee, are expected to be implemented over time, or require careful implementation to assure compliance.

(c) Both are suited to all but the simplest projects.

6020.8.2 Section 32. District Projects. The District, when it is the lead agency on a Non-District Project, can require the proposed project applicant to submit information that the District considers necessary for preparing the environmental documentation.

The applicant shall pay all costs incurred for administration and preparation of environmental documentation. The costs for environmental impact report preparation and administration shall include public hearing attendance, printing costs, consultant's fees, and any other relevant expenses incurred by the District. The applicant will be required to deposit with the District the estimated cost of preparation of the required environmental documentation as determined by the District. The applicant will be responsible for paying all related costs on a time and material basis. If the costs are greater than the deposit, the applicant shall pay the additional amounts within ten (10) calendar days of notice by the District. In the event that payment is not received for the additional amounts, the District will immediately cease processing the environmental documentation.

6020.8.3 Section 33. De Minimis Impact Finding. In order to determine the necessity of paying Department of Fish and Game fees, the District must determine if the project has an adverse effect on wildlife resources. Projects found by the District in the initial study to be categorically exempt or to be de minimis in their effect on wildlife resources shall pay no fee.

The District will file two (2) copies with the County Clerk of the county in which the project will be located a Certificate of Fee Exemption on the form provided as Exhibit "L" if either of the following findings can be made.

(a) The District determines, when considering the record as a whole, that there is no evidence before the District that the project will have a potential for adverse effect on wildlife resources as defined in Fish and Game Code Section 711.2.
(b) The District rebuts the presumption of adverse effect on wildlife resources contained in 14 Code of Cal. Regs. Section 753.5(d).

For purposes of signing the Certificate of Fee Exemption, the District's General Manager is considered the Chief Planning Official.

6020.8.4 Section 34. Historic and Archeological Resources. A project that may cause a "substantial adverse change" in the significance of a historical resource may also have a significant effect on the environment. A historical resource is included in a local historical register or any object, building, structure, site, area, place, record, or manuscript which a District determines "in light of the whole record" to be historically significant because of the architectural, engineering, economic, agricultural, educational, social, political or cultural significance to California. If the project affects a state-owned historical resource, the State Historic Preservation Office (SHPO) will be consulted.

If a project will impact an archaeological site it will be determined whether the site meets the definition of a historical resource. If it is a historical resource it will be treated as such. If not, it will be determined if it is a "unique archaeological resource" as defined in Pub. Res. Code sec. 21083.2. If the project meets neither definition then the impact will not be considered significant.

6020.8.5 Section 35. Partial Invalidity. In the event any part or provision of these Guidelines shall be determined to be invalid, the remaining portions of these Guidelines that can be separated from the invalid unenforceable provisions shall nevertheless continue in full force and effect.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

CEQA GUIDELINES

EXHIBIT INDEX

INDEX	TITLE
A	CEQA Process Flow Chart
B	Preliminary Environmental Assessment
C	Notice of Exemption
D	Environmental Checklist Form
E	Environmental Impact Assessment
F	A Notice of Preparation of Negative Declaration
G	Negative Declaration Regarding Environmental Impact
H	Notice of Determination
I	Notice of Preparation of Draft EIR
J	Notice of Completion of Draft EIR
K	Public Notice of Completion of a Draft EIR
L	Public Notice of Intent to Approve Subsequent Project Under Master EIR
M	Notice of Approval of Subsequent Project
N	Certificate of Fee Exemption and Attachment

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "B"

PRELIMINARY ENVIRONMENTAL ASSESSMENT

Rosamond Community Services District
3179 35th St West, Rosamond, Ca 93560

Name of Project: _____

Location: _____

Entity or Person Undertaking Project

A. Rosamond Community Services District

B. Other

Name: _____

Address: _____

Staff Determination:

The District's staff, having undertaken and completed a preliminary review of this project in accordance with the District's Guidelines Implementing the California Environmental Quality Act, has concluded that this project does not require further environmental assessment because:

_____1. The activity does not involve the exercise of discretionary powers by a public agency.

_____2. The Activity will not reasonably foreseeable indirect physical change on the environment.

_____3. The proposed action does not constitute a Project within the meaning of 14 Code of Cal. Regs. Section 15378.

_____4. The project is Statutorily Exempt under Section 15260 *et seq.*

Applicable Exemption Class _____

_____5. The project is Categorically Exempt under Section 15300 *et seq.*

_____6. The project involves another public agency that constitutes the Lead Agency.

_____7. The project will be rejected or disapproved by a public agency.

Name of Lead Agency _____

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "C"
NOTICE OF EXEMPTION

To: County Clerk
County of _____
_____

Rosamond Community Services District
3179 35th St West
Rosamond CA 93560

OR: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

_____
Project Title

_____
Project Location - Specific

_____
Project Location - City

Project Location - County

_____
Description of Nature, Purpose, and Beneficiaries of Project

_____
Name of Public Agency Approving Project

_____
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

_____ Statutory Exemption. Type and section number _____

___ Ministerial Exemption. Type and section number_____

___ Declared Emergency. Type and section number_____

___ Emergency Project. Type and section number _____

___ Categorical Exemption. Type and section number _____

Reasons why project is exempt:

_____

_____
Contact Person Telephone

If filed by applicant:

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? _____ yes _____ no

_____ _____

Date [signature of chief planning officer of district]

Date received for filing at OPR:_____

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "D"

ENVIRONMENTAL CHECKLIST FORM

Project title:_____

1. Lead agency name and address:
2. Contact person and phone number:
3. Project location:
4. Project sponsor's name and address:
5. General plan designation:
6. Zoning;
7. Description of Project (describes the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attached additional sheets if necessary):
8. Surrounding land uses and setting. (Briefly describe the project's surroundings):
9. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

□	Aesthetics	□	Utilities/Service	□	Mandatory findings of Significance
□	Biological	□	Agriculture Resources	□	Air Quality Resources
□	Hazards &	□	Cultural Resources Hazardous Materials	□	Geology/Soils
□	Mineral Resources	□	Hydrology/Water	□	Land/Use/Planning
□	Public Services	□	Noise	□	Transportation/Traffic
□	Recreation				

ROSAMOND COMMUNITY SERVICES DISTRICT
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EXHIBIT "E"

ENVIRONMENTAL IMPACT ASSESSMENT

Name of Project:

Location:

Entity or Person Undertaking Project

A. Rosamond Community Services District

B. Other

Name:

Address:

Staff Determination:

The District's staff, having undertaken and completed an Initial Study of this project in accordance with Title 14 Code of Cal. Regs. Section 15063 for the purpose of ascertaining whether the proposed project might have a significant effect on the environment, has reached the following conclusion:

_____1.The project could not have a significant effect on the environment; therefore, a Negative Declaration should be prepared.

_____2.The project could have a significant effect on the environment; therefore, an EIR will be required.

_____ _____

Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "F"
NOTICE OF PREPARATION OF NEGATIVE DECLARATION OR
MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: _____

PROJECT LOCATION: _____

_____

PROJECT DESCRIPTION: _____

_____

_____

The site is\is not present on any of the lists enumerated under Government Code Section 65962.5.

Pursuant to the CEQA Guidelines adopted by [name of district], a Proposed Negative Declaration on the above named project has been prepared and is available for review starting _____ _____until_____during which the District will receive comments, at the District's main office complex located at [physical address of district].

Final adoption of the Negative Declaration will be considered at the District Board of Directors' Regular Meeting, the [date of regularly monthly meeting] each month commencing at [time of meeting at [meeting location]; or on any other date, time or place as is properly noticed.

Any appeals to this action may be made to the District in writing at any time prior to said Board meeting, or verbally during said Board meeting.

Mailing Address: Board Secretary
3179 35th St
Rosamond, Ca 93560

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
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EXHIBIT "G"

NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACT

1. NOTICE IS HEREBY GIVEN that the project described below has been reviewed pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, *et seq.*) and a determination has been made that it will not have a significant effect upon the environment.

2. PROJECT NAME: _____

3. DESCRIPTION OF PROJECT: _____

4. LOCATION OF PROJECT: _____

5. NAME AND ADDRESS OF PROJECT PROPONENT: _____

6. MITIGATION MEASURES FOR MITGATED NEGATIVE DECLARATIONS: _____

7. A copy of the initial study regarding the environmental effect of this project is Attached (MUST BE ATTACHED).

   This study was:
   _____ Adopted as presented.
   _____ Adopted with changes. Specific modifications and supporting reasons are attached.

8. A public hearing on this Negative Declaration was held by the District Board of Directors on _____(date).

9. Determination:
   On the basis of the initial study of environmental impact, the information presented at hearings, comments received on the proposal and our own knowledge and independent research:

   ____ We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

   ____ We find that the project COULD have a significant effect on the environment but will not in this case because of attached mitigation measures described in Item 6 above which are by this reference made conditions of project approval. A conditional NEGATIVE DECLARATION is hereby adopted.

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "H"
NOTICE OF DETERMINATION

To: County Clerk, County of

From: Rosamond Community Services District
3179 35th Street
Rosamond, Ca 93560

OR

To: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination on compliance with.21108 or □21152 of the Public Resources Code.

_____
PROJECT TITLE

_____
State Clearinghouse Number (If submitted to State Clearinghouse)

_____
CONTACT PERSON Area Code Phone Extension

_____
PROJECT LOCATION:

_____
PROJECT DESCRIPTION:

This is to advise that the [name of district] approved the above-described project on _____, after complying with CEQA, and has made the following determinations regarding the above-described project:

1. The project ____ will ____ will not have a significant effect on the environment.

2. ____ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ____ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   The EIR or Negative Declaration and record of project approval may be examined at the District's office at [physical address of district].

3. Mitigation measures ____ were, ____ were not, made a condition of the approval of the project.

4. A Statement of Overriding Considerations ____ was, ____ was not, adopted for this project.

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "I"
NOTICE OF PREPARATION OF DRAFT EIR

TO: (Responsible Agency)

FROM: Rosamond Community Services District

_____(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report.

[Name of district] will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is/is not attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to [District] (phone [xxx-xxx-xxx]) at the address shown above. We will need the name of a contact person in your agency.

PROJECT TITLE: _____

PROJECT APPLICANT, IF ANY: _____

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
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TITLE 4

EXHIBIT "J"

NOTICE OF COMPLETION OF DRAFT EIR

TO: State of California
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Project Title

Project Location - Specific

Project Location - City Project Location - County

Description of Nature, Purpose, and Beneficiaries of Project

Lead Agency

Address Where Copy of EIR is available: [physical address of district

Review Period

Contact Person Area Code Phone Extension

Date

[signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

Exhibit "K"

PUBLIC NOTICE OF COMPLETION OF A DRAFT EIR

PROJECT TITLE: _____

PROJECT LOCATION: _____

PROJECT DESCRIPTION: _____

_____

SIGNIFICANT ENVIRONMENTAL IMPACTS:

_____

_____

HAZARDOUS WASTE SITE:_____

_____

Pursuant to the CEQA Guidelines adopted by [name of district], a draft environmental impact report on the above named project has been prepared and is available for review at the District's main office complex located at [physical address of district].

Written comments on this document will be received by the District until_____
_____.

(date)

Mailing Address: 3179 35th St Rosamond, Ca 93560

(A public hearing to receive verbal comments relating to the draft EIR will be held at the Rosamond Community Services District Board of Directors' meeting at [meeting location address].

ROSAMOND COMMUNITY SERVICES DISTRICT
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TITLE 4

EXHIBIT "L"
PUBLIC NOTICE OF INTENT TO APPROVE SUBSEQUENT
PROJECT UNDER MASTER EIR

□ [Name of district] has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in 14 C.C.R. □753.5(d).

□ In addition, [name of district] has considered the following items to determine whether the project is or is not *de minimis*:

a. Department of Fish and Game has not concluded that the project is subject to the filing fee.

b. Habitat types present on the project site.

c. Habitat types adjacent to the project site.

d. Cumulative impacts of this and similar projects on existing fish or wildlife habitat.

e. Project impacts on the natural and biological resources of the community.

FINDING OF NO ADVERSE IMPACT:

When considering the record as a whole, there is no evidence before [District] that the proposed project will have a potential for adverse effect on wildlife resources defined as all wild animals, birds, plants, fish, amphibians, and related ecological communities including the habitat on which the wildlife depends for its continued viability. (Fish & Game Code □711.2).

Dated: _____ [name of district]

By_____

Dated: _____ CHIEF PLANNING OFFICIAL

By_____

Distribution:

Once signed by the Chief Planning Official, [name of district] retains the original as part of the Environmental Record. File two copies of certificate with the County Clerk along with the Notice of Approval or Notice of Determination.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "N"

CERTIFICATE OF FEE EXEMPTION

NAME & ADDRESS OF PROJECT PROPONENT:

_____

_____

PROJECT DESCRIPTION:

Describe the project and its location, including County. For example, this is an project whereby a section of District open canal will be enclosed with pipeline.

ENVIRONMENTAL IMPACT STUDY:

OWID has conducted an initial study to determine if the project may have a significant effect on the environment. In making the study, [District] staff prepared a written determination using the District's CEQA Guidelines Environmental Checklist form.

☐ The initial study conducted by [District] evaluated the potential for adverse environmental impact and found no evidence that the proposed project will result in changes to the resources listed below: (14 C.C.R. 753.5(d)

a. Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction.

b. Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;

c. Rare and unique plant life and ecological communities dependent on plant life; and

d. Listed threatened and endangered plants and animals and the habitat in which they are believed to reside.

e. All species of plants or animals as listed as protected or identified for special management in the Fish & Game Code, the Public Resources Code, the Water Code, or regulations adopted thereunder.

f. All marine and terrestrial species subject to the jurisdiction of the Department of Fish & Game and the ecological communities in which they reside.

g. All air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

6025 EASEMENT ACCEPTANCE

6025.1 It is the policy of Rosamond Community Services District to create and maintain an active emergency preparedness program that includes an emergency plan that will help manage the District's critical functions during any emergency and protect the safety of staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency duties.

6025.2 Acceptance by the District of any interest in public utility easements or other easements dedicated to the District for installation, maintenance, repair, etc., of its facilities, shall require approval of the Board of Directors.

6025.3 Commitments to accept easements or assurances that easements will be accepted may be provided by staff only after approval of same by the Board of Directors.

6025.3.1 Acceptance of easements shall be accomplished by the Board of Directors by adoption of a resolution. Said resolution shall be in the following format:

Resolution Name
Rosamond Community Services District

Accepting [Specify type of Service]

WHEREAS, a permanent easement is needed for the purpose of constructing, maintaining, servicing and/or replacing [specify type of service] facilities for the parcel listed below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Rosamond Community Services District that the District shall accept the easements offered to it by the owners of the parcels hereinafter listed:

Assessor's Parcel No.'s Property Owner

BE IT FURTHER RESOLVED that the Secretary of the Board cause a copy of this Resolution certified by the Secretary of the Board of Directors to be filed for record in the office of the Recorder of the County of Kern, State of California.

6030 ANNEXATION PROCEDURES

6030.1 Property must be annexed to the District prior to receiving any District Services. Furthermore, unconditional commitments to provide service to property and/or proposed developments will not be granted until said property is annexed to the District.

6030.2 In conformance with Policy #6040, District approval of residential, commercial, industrial or other types of development projects will not be granted by the Board of Directors until the entire site has been annexed to the District, or will be granted with the condition that the entire project site be successfully annexed to the District.

6030.3 Annexation Procedures.

6030.3.1 Determine suitability. Property owners or project developers desiring annexation to the District should first determine several factors regarding their property's suitability for [service(s) provided]:

6030.3.1.1 Is the property presently not within the District's boundaries?

6030.3.1.2 Is the property within the sphere of influence established for the District by the Local Agency Formation Commission (LAFCo)?

6030.3.1.3 Where are the District's existing [service(s) provided] facilities relative to the property?

6030.3.1.4 Is the excess capacity in the District's existing facilities adequate for the property's proposed development density?

6030.3.1.5 Information regarding District annexation, sphere of influence, and the location of existing any District services facilities and available excess capacity will be provided by District staff upon request. Determination of the property's suitability for development and/or connection to the any District services is the responsibility for the property owner, and his/her use of professional engineering and/or development consultants is encouraged.

6030.3.2 Application to LAFCo. LAFCo has been established by the State Legislature to, among other duties, review and approve or disapprove proposals for annexation of territory to special districts. Approval by LAFCo of any annexation proposal is required before the District can approve the annexation and provide any District services.

6030.3.2.1 To initiate the LAFCo application procedure, owners of the property proposed for annexation, or the registered voters residing within the area proposed for annexation, shall submit a petition (§56704, Ca. Gov. Code) to LAFCo. The contents of the petition, itemized below, shall conform to §56700 of the California Government Code.

6030.3.2.2 With the petition, annexation proponents shall submit to LAFCo a map and legal description of the proposal. The contents of the map and legal description, itemized below, shall conform to LAFCo and the State Board of Equalization requirements.

6030.3.2.3 Also with the petition, annexation proponents shall submit to LAFCo a completed application form and appropriate filing and environmental review fees.

6030.3.3 Application to District. If annexation proponents desire to receive confirmation of District acceptance of their proposal prior to initiating the LAFCo

application, the petition, map, legal description and LAFCo application form, discussed in 6030.3.2.3 above, should be submitted to the District office. A deposit of $_____ must also accompany said submittal to cover LAFCo's filing and environmental review fees, State Board of Equalization fees, and District processing costs. When the annexation process is complete or terminated, cost overruns will be billed to the applicant, and underruns will be refunded.

6030.3.3.1 The Board of Directors will consider the annexation proposal at a regularly scheduled meeting. Acceptance by the Board of the proposed annexation shall be formalized by the adoption of a resolution. Said resolution shall contain the following:

(a) all of the information required in the petition, as itemized below, excepting provisions regarding signatories and signatures;
(b) the annexation map and legal description as attachments;
(c) verification that the District desires to annex the subject territory;
(d) authorization for the resolution to be submitted as an application for annexation approval by LAFCo; and,
(e) a request that LAFCo approve and authorize the District to conduct proceedings for the annexation without notice and hearing and without an election (only if the petition has been signed by all of the owners of land within the boundaries of the proposed annexation).

6030.3.4 District Approval of Annexation. If LAFCo accepts the annexation proposal it will adopt a resolution and forward same to the District. After confirmation of LAFCo acceptance, and after the annexation proponent(s) tenders to the District applicable annexation fees (discussed below) and appropriate recording and State Board of Equalization fees, as determined by LAFCo, the District's Board of Directors, at a regularly scheduled meeting, will consider approval of the proposed annexation. Approval by the Board of the proposed annexation shall be formalized by the adoption of a resolution.

6030.3.4.1 Said resolution shall contain the following provisions:

(a) That a description of the annexed lands shall be attached to said resolution;
(b) The annexed land shall be subject to the District's policies, rules and regulations, charges made, and assessments levied pursuant to the provisions of the laws pertaining to [*TYPE OF*] districts to pay for outstanding obligations of said district, and also shall be subject to all and any combination of assessments, tolls and charges as may exist at the adoption of the resolution and as thereafter may be established and/or levied by the County of Rosamond Community Services District and/or the District for any District purpose;
(c) The District shall be under no obligation to install a any District service system or any facilities in connection with the subject

annexation and the owners of the land to be annexed shall install, as and when [service(s) provided] is desired, without cost, charge or obligation to the District, a complete [*service(s) provided*] system as may be specified by the District, in accordance with plans and specifications approved by the District Engineer [*General Manager, Consulting Engineer, etc.*], in a manner meeting his/her approval, and shall convey, at no cost to the District, all of said any District Service system, including rights of way over all parts thereof, to the District; and,

(d) The project developers and/or owners of the annexed property, and their heirs, successors and assigns shall agree to abide by all Board policies, rules and regulations of the District presently established and as shall be established by the Board in the future.

6030.3.4.2 After adoption of said resolution of approval by the Board of Directors, it shall be sent to LAFCo along with necessary fees, for processing of State filings, local recordings, and filing with the State Board of Equalization.

6030.3.5 Annexation Petition. In accordance with §56700 of the California Government Code, the petition proposing annexation of property to the District shall do all of the following:

6030.3.5.1 State that the proposal is made pursuant to said §56700;

6030.3.5.2 State the nature of the proposal (i.e., annexation of property to Rosamond Community Services District;

6030.3.5.3 Include a description of the boundaries of the affected territory accompanied by a map showing the boundaries;

6030.3.5.4 State any proposed terms and conditions;

6030.3.5.5 Explain the reason for the proposal (e.g., to receive any District Services;

6030.3.5.6 State whether the petition is signed by registered voters or owners of land;

6030.3.5.7 Designate no more than three persons as chief petitioners, including their names and mailing addresses;

6030.3.5.8 Request that proceedings be taken for the proposal pursuant to said §56700; and,

6030.3.5.9 State whether the proposal is consistent with the sphere of influence designated by LAFCo for the District.

6030.3.6 Descriptions and Maps. In accordance with State Board of Equalization and District requirements, annexation descriptions and maps shall conform to the following conditions:

6030.3.6.1 All documents must be capable of producing a readable photographic image;

6030.3.6.2 Every description must be self-sufficient within itself and without the necessity of reference to any extraneous document, with references to deeds of record used only as a secondary reference;

6030.3.6.3 When writing a metes and bounds description of a contiguous annexation, all details of the contiguous portion(s) of the boundary may be omitted, with the points of departure from the existing boundary clearly established;

6030.3.6.4 A specific parcel description in sectionalized land is permissible without a metes and bounds description of the perimeter boundary;

6030.3.6.5 A parcel description making reference only to a subdivision or a lot within a subdivision is not acceptable, unless all dimensions needed to plot the boundaries are given on an accompanying plat, and the relationship of lot lines with street rights of way must be clearly indicated;

6030.3.6.6 Every map must clearly indicate all existing streets, roads and highways within and adjacent to the lands to be annexed, together with the current names of these thoroughfares;

6030.3.6.7 Every map shall be a scale and a north point;

6030.3.6.8 The point of beginning of the legal description must be shown on the map;

6030.3.6.9 The boundaries of the lands to be annexed must be distinctively shown on the map without obliterating any essential geographic or political features;

6030.3.7 All maps must be professionally drawn or copies (rough sketches of maps or plats will not be accepted); and,

6030.3.7.1 All descriptions must be prepared by a surveyor or civil engineer licensed in the State of California, and his/her stamp and signature shall be affixed to said description.

6030.3.8 In addition to LAFCO filing, environmental review, State filing, recording, State Board of Equalization and any other applicable non-District fees, an annexation fee shall be paid to the District prior to adoption by the Board of Directors of the resolution approving any annexation. Said annexation fee is

presently established at $_____ per acre [or other appropriate rate], and may be adjusted from time to time by the Board of Directors.

6035 ENCROACHMENT PERMITS

6035.1 Whenever a property owner desires to install or construct physical improvements - landscaping, fencing, retaining walls, culverts, bridges and/or other structures or improvements - on, above or below the surface of any portion of their land which is encumbered by a district facility or dedicated easement or right of way, they shall, prior to commencement of said installation or construction, apply for and receive an Encroachment Permit from the General Manager, or his/her designated representative.

6035.1.1 Plans for said structures or improvements may be required by the General Manager to ensure than the resulting installation adequately accommodates existing district facilities.

6035.1.2 The Encroachment Permit will specify those conditions by which approval for the proposed improvements are granted, including specifications for construction materials and procedures.

6035.1.3 A fee in the amount of $50.00, together with actual county recording costs, shall be charged to cover District administrative and inspection costs, and the cost to record the Encroachment Permit with the County Recorder.

6035.1.4 The form of the Encroachment Permit shall be as designated by the General Manager.

6040 DEVELOPER REQUIREMENTS

6040.1 The District's goal is for its service facilities to have a maximum useful life, to reduce overall maintenance costs and to provide dependable service to existing and future customers. Toward that end, and to ensure orderly development and the use of high-quality materials, proper installation and acceptable project management, developers of residential, commercial, industrial or other type projects shall obtain approval from the District prior to:

6040.1.1 Construction of associated facilities which they proposed to connect to the District's system; or,

6040.1.2 Relocation of existing District facilities.

6040.1.3 "Project" shall be defined as the proposed construction of any development involving the District's any District services system and/or alterations to provide additional capacity in existing facilities in order to obtain any District Services.

6040.2 The developer initiates a request for project approval by submitting, to the District Engineer, plans for the proposed improvements. The initial plan submittal shall be prepared by a registered civil engineer. The District Engineer shall review the project plans and related information to insure their conformance with the Improvement

Standards, District policies, good engineering judgment and the best interests of the District.

6040.3 The project shall be submitted by the District Engineer to the Board of Directors for approval consideration when the following have been accomplished:

6040.3.1 The improvement plans satisfy the requirements of the Improvement Standards and the District Engineer;

6040.3.2 The developer and project-property owner have executed a development agreement (see Policy #6050) as prepared by the District Engineer ;and,

6040.3.3 The project site has been annexed to the District.

6040.4 Upon written request from the project developer and/or project engineer, the Board will review the requirements specified by the District Engineer for the involved improvement plans, development agreement, or other related items, to determine if they are in keeping with the Improvement Standards, District policies, and/or the best interests of the District. If the subject of the request involves general engineering judgment, the Board may request an impartial opinion of another professional engineer (one who is not involved with the project or its principals).

6040.5 Upon approval of the project by the Board of Directors, the President of the Board shall be authorized to execute the development agreement on behalf of the District, and the District Engineer shall be authorized to affix his/her signature of approval on the project's improvement plans.

6040.6 Approval of a project by the Board of Directors is valid for one year. If significant construction of the project has not commenced by the end of one year from the date of approval, or if construction commences and then is halted for more than one year, project approval shall expire.

6040.7 Developer's Responsibility. The Developer is responsible for compliance with the regulations and implementation of these requirements. This includes responsibility for the preparation and content of the plans and specifications, construction of the facilities, and fulfillment of the terms of the Conveyance Agreement. The Developer is responsible for overseeing and directing the Developer's engineer and contractor. The District or its employees shall not act as, nor shall the Developer rely upon same to act as, an agent or protectorate of the Developer.

6040.8 Plans and Specifications. The plans and specifications must be prepared by a civil engineer registered in the state of California. These documents will be reviewed by District staff for compliance and must be approved by the District's engineer.

6040.8.1 Facility Design. Design of the facilities will be governed by District regulations. The District’s engineer will determine broad design concepts. District system master plans will be consulted. The Developer's design engineer shall employ sound design using current standards to achieve a reliable, long-lasting facility

with operational flexibility. The plans and specifications shall include all applicable District standard specifications and details.

6040.8.2 Environmental Requirements. The Developer is responsible for preparing environmental documents per the California Environmental Quality Act (CEQA). Approved environmental documents must be delivered to the District's engineer for review prior to the signing of the Improvement Plans.

6040.8.3 Improvement Plans. The improvement plans must incorporate the following:

- Plan sheet size: 24" x 36", inked on Mylar (or Mylar second original).
- Minimum printing size: 1/8" (for CAD drawings: 1/10").
- Elevation data: USGS (stated on plans).
- Plan Cover Sheet with signature blocks and a 200-scale map of the area or subdivision.
- Plan view: minimum scale of 50' per inch.
- Profile: horizontal scale same as plan view and a minimum vertical scale of 10' per inch.
- Profile and vertical alignment data, including all other utilities and structures.
- All applicable property and easement lines.
- Limits of pipeline material, size, and class.
- All other improvements, existing or proposed, affecting the water facilities.
- Details of fittings and joint configurations.
- All appropriate District standard details.
- All other necessary details and instructions.
- Quality: Plans must be microfilmable and scannable such that reproductions, full-sized and reduced, are easily readable. Provide sharp contrast between line work and background.

6040.8.4 Standard Specifications and Details. The District has prepared Standard Specifications and Details governing construction of the Rosamond Community Services District system. These Standards are administered in accordance with District regulations. They include Special Conditions and Technical Provisions and are augmented by Standard Details. They are available to engineers and suppliers working with the District at an appropriate fee.

All system expansions must comply with District Standard Specifications and Details. Project specifications must include all applicable Standards. The Developer is responsible for preparation of the remaining contract documents such as Bid Forms and General Conditions and any Special Conditions or Technical Provisions required for the project that are not included in the District Standards.

Items not included in the District Standard Specifications or Details must be designed by the Developer's engineer and plans and specifications prepared for the District's engineer's approval.

District Standard Specifications and Details may not be revised without a written request and prior District approval.

The Developer shall provide prospective bidders, contractors, and subcontractors copies of the Standard Specifications and Details and shall not rely on the District to provide copies.

District Standard Specifications and Details will require periodic revisions to assure use of the most current and acceptable construction materials and methods and changes in construction law and regulations. Updates will be administered according to District regulations. The most current revisions will apply.

6040.9 Construction. The facilities called for in the approved plans and specifications must be constructed by a contractor with a valid California Class A or C license. The Developer's engineer shall act as a project manager during construction to ensure compliance with the plans and specifications and shall be available to provide technical assistance when required. The Developer shall identify, in writing, the project manager if different then the Developer's design engineer.

6040.9.1 Construction Management. The Developer must maintain control over their contractor's activities by providing effective construction management. To help ensure proper control of the work and materials, compliance with applicable laws, and acceptable prosecution and progress, the Developer shall include in the General Conditions of the construction contract or shall otherwise provide for or ensure that the Developer's contractor will:

- Designate in writing his authorized field representative on a current basis. (Copies to be sent to the District's engineer).
- Comply with field surveys and construction staking provided by the Developer or Developer's engineer.
- Cooperate with District forces on and off the job site.
- Prohibit work on any part of the system facilities before 7 a.m. and after 5 p.m. and further prohibit such work on Saturdays, Sundays, and adopted District holidays. (Note: Work performed during these prohibited times may be rejected.)
- Maintain a set of plans and specifications at the job site for use by the District's engineer and/or inspector.
- Observe all applicable laws including, but not limited to, hours of labor, equal opportunity, contractor's licensing, vehicle code, worker's compensation, air pollution, water pollution, use of pesticides, Clean Air and Water acts, protection of underground infrastructure, payment of taxes, permits and licenses, and patent infringements.
- Observe and practice all applicable safety regulations and laws.
- Provide for and maintain public convenience and public safety.
- Provide for and practice safe and legal use of explosives.

- Provide for and practice fire prevention measures.
- Salvage District facilities from the job as directed by the District's engineer, and protect and deliver same to the District's corporation yard at 3179 35th Street, Rosamond, California.
- Remove promptly from the work site all work or materials having been rejected or deemed unauthorized or unsuitable by the District's engineer.
- Dismiss and remove from the job site employees of the contractor or subcontractors who, in the opinion of the District's engineer, are incompetent, intemperate, unsafe, abusive, threatening, or otherwise unsatisfactory.
- Suspend work due to unfavorable weather, unsafe act or acts, or other conditions as directed by the District's engineer.
- Cease all construction operations at the location of the discovery of surface or subsurface cultural resources and secure the services of a qualified archeologist to make recommendations to the State Historical Preservation Officer and comply with further directions of the State Officer or the District's engineer.

6040.9.2 Submittals. All materials and equipment not in conformance with the District-approved plans and specifications that are delivered to the work site and all work incorporating such nonconforming materials and equipment will be rejected. Preapproval of materials and equipment through the submittal process may avoid delays in the work.

The Developer shall provide or perform, or cause the Developer's contractor to provide or perform, the following for all submittals:

- Coordinate submittals so that related items are provided in groups. (Uncoordinated submittals will be returned without consideration.)
- Describe in writing any variations from the specifications.
- Review submittals for legibility, accuracy, completeness, and compliance with the specifications.
- Route through Developer's engineer for comments.
- Indicate Developer's contractor and engineer's approval on each copy of individual submittals.
- Provide at least two conforming copies (three copies if one is to be returned).
- Allow at least 30 days for review by the District's engineer.
- Prohibit work incorporating materials or equipment requiring approved submittals until a favorable review from the District's engineer has been received.

6040.9.3 Inspection. Each phase of the work, as defined in the technical provisions of the standard specifications, must pass inspection by the District's engineer before commencing work on the next phase. The Developer shall cause the Developer's contractor to comply with the following:

- Notify the District's engineer two working days prior to the start or restart of any construction that might affect or deal directly with the water system facilities.
- Cooperate with the District's engineer during inspection activities including, but not limited to, furnishing facilities, labor, material, or equipment reasonably needed to perform safe and convenient inspections and tests.
- Ensure that each phase of work, as identified in the technical provisions of the specification, passes inspection prior to attempting the next phase of work.

(Note: Failure to pass inspection may cause rejection of subsequent phases of work.)

6040.9.4 Clearing and Grubbing. The Developer must dictate to the contractor provisions governing the clearing and grubbing phase of the work. The Developer shall include in the technical provisions of the construction contract, or shall otherwise provide for and ensure that the Developer's contractor will:

- Remove all stumps and roots left by the clearing operation if within ten feet of a District facility or within the work area, whichever is greater.
- Backfill and properly compact to the original ground elevation, prior to starting work in the area, all depressions created by the removal of the stumps and roots.
- Dispose of all debris within the work area resulting from the clearing, grubbing, or demolition work.

6040.9.5 Measurement and Payment. Each section of the Technical Provisions in the District Standard Specifications includes a subsection governing measurement and payment to the contractor. Use of these subsections by the Developer is optional. The Developer is responsible for making all measurements for payment and making all payments to the contractor for the work.

6050 DEVELOPMENT AGREEMENTS

6050.1 Prior to the Board of Directors considering a private development project for approval, a development agreement specifying the terms and conditions of said approval, prepared by the General Manager and/or Legal Counsel, shall be executed by the project's developer(s) and property owner(s) (see Policy #6040).

6050.2 The development agreement shall contain the following information:

6050.2.1 Name(s) of developer and/or project sponsor(s), and owner(s) of subject property;

6050.2.2 Assessor's parcel number of subject property;

6050.2.3 Type and purpose of project (e.g., residential, commercial, industrial, etc.); and,

6050.2.4 A graphic description of the project attached to the agreement as "Exhibit A."

6050.3 The following shall be used as standard terms and conditions of the development agreement:

6050.3.1 STANDARDS SYSTEM: Plans have, at no cost to District, been designed and prepared for the on-site and off-site system which includes Developer's obligation to accomplish the following:

6050.3.1.1 Construct the system in conformance with the approved plans therefore; and,

6050.3.1.2 Obtain an encroachment permit from Rosamond Community Services District of the County of Kern and comply with all requirements thereof, including trench restoration and street resurfacing requirements for any portion of the project situated within existing or proposed future County of Kern right of way.

6050.3.2 ACCEPTANCE OF PLANS AND SPECIFICATIONS: The completed plans as described above for the system have been prepared in conformance with District Improvement Standards and the requirements of the District Engineer, and are in a form acceptable to same.

6050.3.3 REVISION OF PLANS: Any changes in such accepted plans shall require written approval of Developer and the District Engineer.

6050.3.4 RIGHTS OF WAY: Owners will provide to District, at no cost to District and in a form acceptable to the District Engineer ,appropriate easements and rights of way for the maintenance, repair, and replacement of all system facilities not within existing public rights of way, public utility easements, and/or easements.

6050.3.5 CONSTRUCTION: Developer shall, without expense to District, construct the system pursuant to the accepted plans or any approved modification thereof. Developer shall provide in any contract for construction of the system that any contractor's materials supplier's guarantees thereunder, including a one-year warranty on the completed improvements, shall inure to the benefit of District after the works constructed thereunder have been conveyed to District as provided for in 6050.3.9, below. Developer shall also provide in any contract for construction of the system that the contractor's public liability and property damage insurance shall be extended to cover Developer and District and their agents, officers and employees as additional insured with: liability and bodily injury limits of not less than $1,000,000 for each occurrence and $2,000,000 aggregate; and, property damage coverage of not less than $100,000,000 each occurrence and $1,000,000 aggregate. General liability insurance policies having combined single limits damage combined of liability shall carry limits for bodily injury and property damage combined at $1,000,000 each occurrence and $1,000,000 aggregate.

6050.3.6 PAYMENT OF PREVAILING WAGES: Developer has been advised that the State of California (State) Attorney General has opined that, in certain circumstances, construction of facilities for provision of public utility service, with the understanding and agreement that said facilities will be turned over to District for ownership, operation and maintenance at the conclusion of construction, may be subject to the prevailing wage laws of the State. Developer has determined that, at this time, said opinion of the Attorney General does not affect the wages paid by Developer to laborers employed on said facilities constructed pursuant to this agreement. Developer agrees, however, that should it be determined that the prevailing wage laws of the State (Labor Code §1770, et seq.) apply to the work performed in accordance with this agreement, then Developer shall defend and hold District harmless from any liability, claims, damages, or costs in any way associated with said determination by the State and Developer shall, as further consideration of District entering into this agreement, take all necessary and appropriate action, including payment of back wages, and any associated penalties which may be required, due to enforcement of the prevailing wage laws in connection with construction of the system. Developer agrees that District has not represented or in any way advised Developer in connection with this matter except to advise Developer of his potential liability and Developer does not in any way rely upon any opinion or information of District in making his determination in connection with the payment or nonpayment of such wages for the work performed under this agreement. The obligation of Developer to, if required, pay prevailing wages for the work performed in accordance with this agreement shall be a continuing obligation and shall bind the heirs, successors and assigns of Developer and District's obligation to provide operation and maintenance on the facilities to be turned over to District, and to provide therein, shall be dependent upon Developer's continuing compliance with this provision.

6050.3.7 INSPECTION OF CONSTRUCTION: The District Engineer or his/her agent(s) shall inspect the construction of the system to assure that the works are installed in accordance with the accepted plans. Said inspection shall be funded by an inspection fee paid by Developer as specified in District's Improvement Standards. Construction of the system shall not commence until said inspection fee is paid. The District Engineer shall notify Developer as to any deviation or failure to construct pursuant to the accepted plans as soon as such deviation or failure is brought to his/her attention, and Developer shall correct such deviation or failure.

6050.3.8 HOLD HARMLESS: District is not, by inspection of the construction or installation of the system, representing Developer or providing a substitute for inspection and control of the work by Developer. Any inspections and observations of the work by District are for the sole purpose of providing notice of stage and character of the work. Any failure of District to note variances in the work from the plans does not excuse or exempt Developer from complying with all terms of the plans. The fact that District inspects the construction of work and notifies Developer of deviations or failures to construct them pursuant to the accepted plans shall not be deemed to constitute a guarantee by District that the works have been built in accordance with the accepted plans. During

construction and prior to conveyance thereof to and acceptance thereof by District, Developer shall hold District harmless against any and all claims, demands and charges by third parties arising out of alleged deviations or failures to construct pursuant to the accepted plans.

6050.3.9 CONVEYANCE: Within 90 days after completion of construction of the system in accordance with the accepted plans therefore and District's Improvement Standards:

6050.3.9.1 Developer and Owners shall convey title of the completed works to District without cost and free and clear of all liens and encumbrances, by appropriate conveying documents, acceptable in form to the District Engineer ;

6050.3.9.2 Developer shall provide District with one set of 24"x 36" reproducible "as built" drawings of the completed project on matte mylar (5 mil minimum);

6050.3.9.3 Owners shall provide easements as specified in 6050.3.4, above;

6050.3.9.4 Developer shall furnish to District a bond, irrevocable letter of credit, cash deposit, or other form of surety meeting District's approval in the amount of $_____, being __% [25% (recommended), 50%, 100% or other appropriate amount] of the cost of the [service(s) provided] system, as estimated by the Project Engineer, [name and address of developer's engineer], protecting District against any failure of the work due to natural phenomenon or catastrophe, faulty materials, poor workmanship, or defective equipment within a period of one year after acceptance of the system by the District's Board of Directors. Said bond or irrevocable letter of credit shall name Developer as Principal and District as Obligee; and,

6050.3.9.5 District shall accept conveyance of title of the completed system by resolution and include it as part of its system, and shall thereafter operate and maintain said system.

6050.4 DEVELOPER'S RESPONSIBILITIES AFTER CONVEYANCE: After District's acceptance of the system, Developer and Owners shall have no obligation for the operation, maintenance, repair or replacement thereof, except that to the extent Developer and/or Owners retain ownership of any parcel to which service from such works is available, they shall pay the same rates and charges levied by District from time to time as any other property owner.

6050.4.1 APPLICATION FOR SERVICE: The system shall not be operated, other than for testing purposes, until the said system is conveyed to District and formally accepted by District as specified in 6050.3.9, above, and proper applications for service having been filed with District accepted.

6050.4.2 OBLIGATION FOR PIPELINE AND/OR FACILITIES: District shall be under no obligation to provide additional facilities in order to serve the Project. Upon acceptance of the facilities by District, it shall become the sole property of District and shall be used and operated as District's sole discretion.

6050.4.3 RATES AND CHARGES FOR SERVICE: All service made available by District to users within the Project shall be at the established rates and charges as fixed by District's Board of Directors from time to time.

6050.4.4 NOTICES: Notices or requests from any party to this agreement to the remaining parties thereof shall be in writing and delivered or mailed, postage prepaid, to the following addresses:

Rosamond Community Services District
3179 35th St
Rosamond, Ca 93560
Attention: Claud Seal, District Engineer

6050.4.5 SUCCESSORS AND ASSIGNS: This Agreement shall be binding upon and inure to the benefit of the successors and assigns of all parties. Developer and Owners shall not assign any of their rights, duties or obligations under this Agreement without the prior written consent of District, which consent shall not be unreasonably withheld.

6050.4.6 DISTRICT POWERS: Nothing herein contained shall be deemed to limit, restrict, or modify any right, duty, or obligation given, granted, or imposed upon District by the laws of the State of California now in effect, or hereafter adopted, not to limit or restrict the power or authority of District, including the enactment of any rules, regulations, policies, resolutions or ordinances, and in the event that any part of provisions herein contained in this agreement or incorporated herein, be found to be illegal or unconstitutional by a court of competent jurisdiction, such findings shall not affect the remaining parts, portions, or provisions hereof.

6050.4.7 ATTORNEY FEES: Should any party have to be required to institute legal action to either compel performance of this agreement or recover damages for nonperformance, the prevailing party(s) shall be entitled to reasonable attorney's fees, cost of suit, and all other expenses of litigation incurred in connection therewith.

6050.4.8 TERMINATION: This Agreement shall terminate and be of no further force and effect at District's discretion if District determines that construction of the system has not commenced within 12 months from the date of this agreement, and Developer has not submitted the plans and specifications for reacceptance as provided for in 6050.3.3, above.

6050.5 Any inapplicable portions of the foregoing standard terms and conditions may be deleted by, or upon approval of the General Manager, to accommodate project-specific situations. When warranted, additional conditions and requirements may be added to

the standard terms and conditions by, or upon approval of, the General Manager, to accommodate project-specific situations. The project developer and/or property owner may appeal to the Board of Directors any agreement terms or conditions or requirements proposed by District staff.

ARTICLE 7000 PARKS & RECREATION

7005 REGISTRATION AND WAIVER OF LIABILITY

7005.1 All patrons desiring to use/partake in a Rosamond Community Services District (RCSD), Parks and Recreation Division facility or program/activity are required to register by using the Registration & Waiver of Liability form.

7005.2 A parents or legal guardian must register children 18 years and younger.

7005.3 All associated payments are due at time of registration.

7005.4 Recreational activities can be hazardous and participation is voluntarily with knowledge of the hazards involved and the patron must agree to accept any and all risks of injury or death.

7005.5 The RCSD is not responsible for injuries or damages to individuals who use the facility, or who participate in recreational activities at the facility, including individuals watching, and those participants assisting in recreational activities at the facility.

7005.6 The RCSD does not provide participants with medical insurance or treatment for injuries.

7005.7 Permission to the RCSD to photograph or video tape me in connection with use of the facility or participation in the program/activity for use in future RCSD publications is assumed and that no compensation will be received for such use. Unless declined by the participant, in writing, on the registration form.

7005.8 Release of information will be given to outside organizations unless declined by the participant, in writing, on the registration form.

7010 REFUND/CREDIT/TRANSFER POLICY

7010.1 The purpose of this policy is to establish uniform guidelines pertaining to requests for refunds, credit or transfer of fees paid to the Parks & Recreation Division program.

7010.1.1 Refunds

(a) Cancellation of Class - A minimum number of participants are needed to hold a class. When enrollment is below minimum, the class may be canceled by the Division. A full refund will be mailed to all registered participants within four (4) weeks of decision to cancel class.

(b) Voluntary Withdrawal - The pre-registered participant may request a refund prior to the registration deadline or before the first day of the class by submitting a "Refund Request" form (Exhibit A). A refund request will be processed, less a $5.00 administrative processing fee. Refund will be mailed to all registered participants within four weeks (4) of request.

(c) Voluntary Withdrawal After Class Start Date -A pre-registered participant may request a refund by submitting a "Refund Request" form. Requests for refunds will be honored if class has only one or two meetings or made before the second class meeting of a class that consists of three or more meetings.

7010.1.2 Refund Denial

(a) No refunds will be given after the second class meeting.

(b) Refund requests may be denied for classes and/or programs that have a limited enrollment requirement unless participant's space is filled by means of a waiting list or the participant may make arrangements for someone else to take his/her place.

7010.2 Emergency/Medical Exception - Exception to Refund Policy as stated above will be made only in cases of emergency. Participant must provide a doctor's note explaining the circumstance of the pre-registered participant or an obituary or funeral notice of immediate family member (husband, wife, son, daughter, father or mother).

7010.3 Credit/Transfer - Credit/transfer will be determined on a case by case basis after conferring with the instructor or program administrator.

7013 RENAMING DISTRICT PARKS & OTHER FACILITIES

7013.1 The purpose of this policy is to establish criteria and procedures relating to the naming of District parks and other facilities.

7013.1.1 Naming of District parks and other facilities.

(a) The following criteria shall be used in determining District parks or other facilities' names to be submitted to the Rosamond Community Services District Board of Directors for consideration:

(1) A District park or other facilities may be named for the school on which it is located on or street it is adjacent to.
(2) District parks or other facilities may be named for an individual/family or local landmark. Individual(s)/family should have provided significant contributions to the community while a resident(s), demonstrating service and commitment to the community.
(3) If nomination is for an individual, they must be deceased for a period of at least one (1) year.

(4) Unless contributions specifically to parks and recreation are extremely significant, no other community facilities (i.e. fire stations, libraries or other public buildings/institutions) shall be named after an individual if another facility is already named after him/her with the exception of schools and preferably joining school park sites.

(5) The individual(s)/family must be resident(s) living within the current sphere of influence for at least ten (10) years.

(6) Name may be based upon geographical, historical or ecological relationships indigenous or of significance to the regions.

(7) District parks or other facilities' names will be considered only if the naming criteria listed above do not provide a name suitable for a District park or other facility.

(b) The process for naming a District park or other facility shall be:

(1) When a new park or other facility is constructed in the District, the Parks and Recreation Committee will submit at least two names developed under the criteria listed in Paragraph a. above to the Board of Directors for consideration.

(2) The Board of Directors shall evaluate the merit of each suggested District park or other facility name according to the criteria listed above. The Board of Directors shall be responsible for the final approval of the name of all District parks and other facilities.

7013.2 Naming requests that are not specifically prescribed in this policy may be considered and acted on by the Board of Directors at its sole discretion.

7015 CONDUCTING A BUSINESS ON ROSAMOND COMMUNITY SERVICES DISTRICT PROPERTY

7015.1 Rosamond Community Services District property may not be used for personal gain.

7015.1.1 It shall be unlawful for any person (vendor, peddler, independent contractor, etc.) to sell or attempt to sell any merchandise, food or conduct services for which a fee was paid in or upon any property owned by Rosamond Community Services District without permission under one or several of the following conditions:

(a) Must have a valid Kern County business license or seller's permit.
(b) Must have a permit from Kern County Department of Health and Environmental Services for all food sales.
(c) Must enter into a Memorandum of Agreement or Understanding document by the General Manager.
(d) Have rented an area for short/long term usage.

(e) Provide proof of liability insurance in a form and with a company approved by the Director of Finance against death, damages, or injury, in an amount of not less than one million dollars ($1,000,000.00). Such policy shall include the Rosamond Community Services District as an additional named insured.

(f) A Certificate of Insurance with liquor liability naming the Rosamond Community Services District as an additional insured must be on file no later than fourteen (14) days prior to the date of usage. In addition, a minimum of two (2) uniformed police officers must be on site during the entire period. Proof to be provided no later than 5 days prior to usage. Usage will be cancelled if both requirements are not met. Alcoholic beverages may not be served to guests under the age of 21. Alcoholic beverages may not be served at functions where guests are predominately minors or where the function is being held in the honor of minors. No sales of alcoholic beverage on the premises.

(g) Temporary Special Permit is required for a person to sponsor or conduct an event on District property and shall include all carnivals, community celebrations, off-road vehicle races, outdoor festivals, sporting events, parades, fairs, animal races, religious festivals, revival meetings, temporary retail sales, and similar public gatherings.

7018 COST RECOVERY FOR RECREATION PROGRAM AND EVENTS

7018.1 The purpose of this policy is to establish uniform guidelines and cost recovery levels and goals for recreation programs, events, activities, goods and services.

Establishing a Cost Recovery policy will accomplish the following:

- Provide a structure to calculate fees for recreation programs.
- Cover appropriate cost based on who is served and type of program.
- Provide systematic framework for the potential change or removal of programs
- not generating the designated minimum cost recovery for that program.

7018.1.1 Cost will be defined in terms of Direct and Indirect costs. In summary the costs listed below equal total cost. The allocation of revenue to cost will be done in an appropriate sequential manner as follows:

(a) Direct Costs – Staff, supplies, equipment and promotion and production.
(b) Indirect Division Costs – Administration and management support and general division operating costs.
(c) Indirect Facility Support Costs – All associated facility costs and Division's share of finance and management support.

7018.1.2 The Pricing Model will be used to determine the percentage of cost recovery recreation activities should achieve. Activities for each level are as follows:

(a) Level 1 – Programs or activities that fulfill the mission of the recreation program that provide a community wide benefit. These programs and

activities are generally accepted as traditional municipal youth or underserved populations programs or activities that enhance the health, safety and livability of the community and therefore require the removal of a cost barrier for optimum participation.

(1) Minimum Recovery - 75% Direct program costs
(2) Target Recovery – No indirect costs

(b) Level 2 – Programs or activities are more interest specific and have more of an individual benefit or purpose to fulfill a specific recreational interest or need. That promotes affordable activities for youth and seniors; to increase the quality of life; and enhance opportunities to all participants. These programs are often offered to keep pace with current recreational trends.

(1) Minimum Recovery - 100% Direct program costs
(2) Target Recovery – Plus 76% Division costs

(c) Level 3 – Programs or activities that are revenue generated to lower the subsidy of the recreation programs that are in high demand or may be available in the private sector.

(1) Minimum Recovery – 100% Direct/Indirect Division Costs
(2) Target Recovery – Plus 100% Indirect Facility Support Costs

7020 BACKGROUND CHECK POLICY

7020.1 The purpose of this policy is to establish criteria and procedures relating to background checks for the purpose of employment in Parks and Recreation Division.

7020.1.1 In accordance with Public Resources Code Section 5164 it is the District's policy to conduct background checks including fingerprinting and investigating criminal history for all interested persons who apply for employment (full-time, part-time or seasonal or volunteer service for the Park and Recreation Division and who will have supervisory or disciplinary authority over any minor.

(a) California's Public Resources Code Section 5164 prohibits certain public agencies, including the Rosamond Community Services District (the "District") from hiring a person for employment or as a volunteer at a District-operated park, playground or recreation center in a position having supervisory or disciplinary authority over any minor if the individual has been convicted of certain criminal offenses. Per Public Resources Code Section 5164, prospective employees and volunteers who will have supervisory or disciplinary authority over minors are required to complete an application that inquires as to whether or not an individual has been convicted of any enumerated criminal offense.
(b) Fingerprints will be processed through appropriate federal, state, and/or local agencies in accordance Penal Code Section 11105.3.

(c) Results of all employee fingerprint checks shall be forwarded to Human Resources subject to the restrictions of federal, state, and local legislation.

(d) Due to the confidential and/or sensitive nature of service and the need to maintain public trust, individuals with certain criminal convictions are not suitable for employment in certain positions. The District shall not accept any person who has a conviction of the following crimes of moral turpitude within ten years of the date of application:

Penal Code 68	Asking for or receiving bribes
Penal Code 72	Presentation of fraudulent claims
Penal Code 73 & 74	Bribes for appoint to office
Penal Code 118-129	Perjury or false statements
Penal Code 187-189	Murder
Penal Code 209	Kidnapping
Penal Code 211	Robbery
Penal Code 245	Assault with a deadly weapon
Penal Code 261	Rape
Penal Code 459	Burglary
Penal Code 484	Theft
Penal Code 503	Embezzlement
Penal Code 518	Extortion

(e) In addition to the above standards, the following criminal convictions shall also disqualify a person from service in position requiring control or supervision of minors (person under the age of 18 years) or vulnerable adult (person with mental or physical disability and would be dependent upon someone else to make decisions on their behalf):

Any person having convictions for any offense involving the possession for sale, gift, sale, transfer, transportation, manufacture, or cultivation of any illegal or controlled substance .
Any person who is required to register as a narcotic offender.
Any person who is required to register as a sexual offender.
Any conviction for contributing to the delinquency of a minor
Any conviction for providing harmful matter to a minor.
Any criminal conviction where the victim was a minor

(f) It is the responsibility of the employee to report to the District Human Resources Manager any conviction or arrest pending final adjudication.

(g) Periodic background checks or investigations may be conducted subsequent to recruitment, as authorized by law.

(h) Any criminal conviction, during the term of employment, shall be grounds for discipline up to and including termination. Failure of persons to notify the Human Resource Manager of a criminal conviction shall be grounds for termination.

(i) Individuals may not begin work/service until cleared.

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7020 PARKS & RECREATION VOLUNTEER POLICY
REFERENCE POLICIES: NO. 7020-BACKGROUND CHECK POLICY, NO. 2115-VOLUNTEER WORKERS' COMPENSATION INSURANCE POLICY

7024.1 PURPOSE. Rosamond Community Services District, Parks & Recreation Division needs and seeks the help of volunteers for various programs and activities. Volunteers can be an important part of any organization and are proven to be a valuable asset to community services districts. Volunteers help to increase responsiveness, service delivery, and information input, and they provide new program opportunities. In addition, volunteers can bring new skills and expertise to the job and prompt new enthusiasm. It is the policy of the Rosamond Community Services District to use qualified volunteers for specified tasks and duties that can create efficiencies for the District and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, District personnel.

7024.2 DEFINITION. Volunteer: For purposes of this Policy, "volunteer" is defined as someone who performs services for the District without promise, expectation, or receipt of compensation for services rendered. This includes unpaid interns and persons providing administrative support, among others. Volunteers are not District employees and there is no employment relationship.

7024.3 RECRUITMENT. The District will implement the following policy when recruiting volunteers:

(a) Volunteers shall be recruited on a continuous and ongoing basis consistent with this Policy.
(b) A primary qualification for participation in the application process shall be an interest in and an ability to assist the District in serving the public.
(c) All volunteers serve at-will and at the discretion of the District, and do not acquire any right or interest in any assignment, position, or task and be released from the assignment, position, or task at any time, without notice and without cause.
(d) For the limited purpose of providing worker's compensation coverage for volunteers, while providing services to the District, shall be deemed to be employees of the District. Worker's compensation benefits shall be limited to those provided by State law and shall not include any additional benefits as may be provided by the District to its employees.
(e) Volunteers shall be subject to the same pre-employment background screening standards as employees.
(f) All documents and other material generated by volunteers are property of the District.
(g) Volunteers are not eligible to drive District leased or owned vehicles. If a volunteer is required to drive his or her personal vehicle for the performance of volunteer services, the volunteers must provide proof of insurance. If the volunteer is involved in a motor vehicle accident while performing volunteer services, the volunteer must report the accident to their supervisor, and the District Human Resources Manager. District volunteers shall not transport any program participants in their personal vehicles except program participants who are immediate family members of the volunteer.

7024.4 PROCESS. All persons interested in becoming a volunteer are required to: (1) complete a Volunteer Application form (Exhibit "A"); (2) complete a Supplemental Application form (Exhibit "B"); and (3) submit to a background check. An application that is materially incomplete or has untruthful information may be automatically rejected. The District reserves the right to accept or decline any Volunteer Application. The District does not have to provide reasons for its decisions.

7024.5 SPECIAL EVENT EXCEPTION. Persons who are interested in volunteering during a special event when there are organized children activities may do so but are subject to the same above stated process.

7024.6 BACKGROUND CHECKS.

(a) The District shall conduct background checks including fingerprinting and investigating criminal history for all persons who apply as volunteers in accordance with Background Check Policy 6100. The District may also conduct periodic background checks or investigations subsequent to a volunteer's recruitment, as authorized by law.
(b) Approved background checks will remain current for one (1) year.
(c) It is the responsibility of the volunteer to report to the District any conviction or arrest pending final adjudication. Volunteers shall notify their supervisor of any arrests or convictions occurring after the background check.

7024.7 CODE OF CONDUCT AND OTHER REGULATIONS FOR VOLUNTEERS

(a) Volunteers have no authority to bind the District or to make any representations that they are employees or agents of the District.
(b) Volunteers shall follow District policies prohibiting discrimination and harassment.
(c) Volunteers shall maintain the same confidentiality standards as employees regarding District information.
(d) A volunteer must immediately notify their supervisor if they are unable to perform a service or satisfy a scheduled commitment.
(e) Volunteers must be courteous with the public and maintain and exhibit a neat and clean appearance.
(f) Volunteers are expected to be role models for youth and maintain a professional demeanor.
(g) Volunteers that engage in poor sportsmanship and foul language are subject to immediate release of volunteer assignment.
(h) Volunteers that use alcohol or drugs while performing District services are subject to immediate release of volunteer assignment.
(i) Volunteers shall not smoke or use tobacco products within twenty feet (20') of a District facility and one hundred feet (100') of a youth playground.

7038 RESERVATION/RENTAL OF PARKS FACILITIES

7038.1 The Parks & Recreation Division facilities are available for rental when such use does not conflict with programmed department activities and events.

7038.1.1 GENERAL GUIDELINES. To reserve any of the District's parks and recreation facilities the following general guidelines are provided:

- All reservations are on a first come first served basis
- Reservations are not accepted by telephone or tentatively held.
- Reservations can be made up to ninety (90) days in advance of the desired date.
- Requests must be made using the Application for Use of Facilities form.
- All applicants must be at least eighteen (18) years old.
- A fee will be assessed based on the requested use.
- All fees must be paid fourteen (14) calendar days prior to the rental date.
- A Certificate of Insurance in the amount of one million dollars ($1,000,000.00) per occurrence and one million ($1,000,000.00) dollars in the aggregate, naming the Rosamond Community Services District as an additional insured, must be on file fourteen (14) calendar days prior to the rental date.
- All requests for waiver, from these guidelines, must be made to the Rosamond Community Services District General Manager and/or designated staff. The waiver request will be placed on a future Board of Directors agenda for review.
- The granting of an Application for Use of Facilities/Rental Agreement does not entitle the holder to any vested right to use the District's parks and facilities. The District has first priority for the use of parks and facilities. District reserves the right to cancel, without notice, an approved Application for Use of Facilities/Rental Agreement in order to accommodate District needs. In the event of cancellation, an applicant's sole recourse is to seek a new reservation.
- Permission to use area/facilities is granted by a Rental Agreement only and lessees are subject to observance of all District rules and regulations. A Rental Agreement may be revoked, by onsite District staff, for violation of any District rules or regulations.
- A Rental Agreement may not be assigned or subleased without the written authorization of the General Manager and/or designated staff.
- Each application will be reviewed by the Parks & Recreation Superintendent, and/or designated staff for the purpose of assessing fees according to the Parks and Recreation Lessee Fee Schedule and final approval.
- Applications will not be accepted from applicants with any outstanding balances past due.

7040 COMMUNITY POOL COMPLEX

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7040.1 The purpose of this policy is to establish criteria relating to the use and operation of the Rosamond Community Swimming Complex.

7040.1.1 The Complex is located at 2235 40th Street. It is operated and maintained by Rosamond Community Services District, Parks and Recreation Division to provide aquatic programs to meet the recreational, instructional and fitness needs of the entire community.

(a) Facility consists of an outdoor swimming pool, outdoor wading pool and locker building.

(1) Outdoor swimming pool is 75' by 56' with a water volume of 121,890 gallons and depths ranging from 3 ½' to 5'.
(2) Wading pool is 24' diameter with a water volume of 4,239 gallons and depths ranging from 12" to 18".
(3) Locker building includes men's and women's dressing rooms, office and mechanical equipment rooms.

(b) Season – open Memorial Day holiday weekend Saturday and concludes on Labor Day holiday weekend Monday.
(c) Hours of operation and user fees will be established annually.
(d) In order to provide the community with an atmosphere of safety, courtesy, integrity, and respect a Code of Conduct (Exhibit A) and Park Rules (Exhibit B) will be adhered to. The code applies to all participants. Facility users, recognized groups or organizations, staff, volunteers and visitors. Participants shall be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens.
(e) For the enjoyment and safety of all swimmers:

(1) All lifeguards, swim instructors and managers will be certified to perform their duties by nationally recognized organizations.
(2) Lifeguard personnel will be in charge of the pool at all times. Unsafe acts will not be tolerated. Lifeguards have arbitrary authority to make judgment calls of any patron causing an unsafe condition.

(f) Responsibility:

(1) Overall responsibility will be administered by the Parks & Recreation Superintendent for establishment of procedures to achieve efficient, safe, clean and economical operation of the swimming facility.
(2) Daily operational responsibility will be administered by the Pool Manager and Assistant Pool Manager who will supervise all pool activities.
(3) Maintenance responsibility will be completed by the Parks Maintenance staff for preventive maintenance, and to maintain/repair all other aspects of the pool.

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EXHIBIT "A"

POOL CODE OF CODUCT

This code was developed in order to provide an atmosphere of safety, courtesy, integrity and respect. The code applies to all facility users, visitors, and staff and shall be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens. Staff uses various control measures to enforce the Code of Conduct. A breach may result in a warning, temporary suspension or banning.

EXPECTED BEHAVIOR:

- Adhere to all facility rules.
- Be respectful and courteous to staff and other users.
- Exhibit and maintain positive attitudes toward the environment.
- Exhibit and maintain respect of all property, facilities and equipment.
- Follow directions given by staff or their designee.

UNACCEPTABLE BEHAVIOR:

- Accompanied by a pet, excluding service dogs.
- Any unlawful activity.
- Consuming, distribution, bring onto the property illegal drugs.
- Consuming, distribution, bringing onto the property alcoholic beverages, has the smell of alcohol on their breath, or acts as if they are intoxicated.
- Failure to cooperate with staff and/or leadership.
- Gambling, fireworks or possession of weapons.
- Littering the building or grounds.
- Loitering.
- Noncompliance with facility rules.
- Physical violence, i.e. fighting or horseplay or uncivil behavior.
- Sexually provocative actions, language, literature or dress.
- Smoking inside the facility and within 20' of the building entrance.
- Using loud, rude, discourteous, abusive or obscene language.
- Vandalism, theft of property/equipment or misuse of facility equipment.
- Verbal threats.
- Wearing inappropriate attire.

INFRACTIONS:

Minor: 1st offense - warning; 2nd offense – 15 minute time out; 3rd offense – Suspend from pool for the rest of the day. If violations continue on succeeding days – 3-5 day suspensions.

Major: Sheriff will be called.

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Exhibit "B"

POOL RULES

All swimmers are required to shower before entering the pool.

All swimmers must wear attire that is specifically made for swimming, no street clothes.

At the first site of a thunder or lightening storm immediate evacuation of the pool is required. Pool will reopen after waiting 30 minutes of last hearing or sighting. There are no refunds if pool is closed due to weather conditions as determined in the discretion of RCSD personnel.

Attendance will be restricted as necessary to prevent overcrowding of pools when maximum occupancy is reached or lifeguard ratio (1:30) is insufficient for the safety and welfare of everyone.

Admission will be denied to persons:

Showing evidence of any communicable skin disease, sore or inflamed eyes, cold, nasal or ear discharges.
With open blisters, cuts, or bandages.
Suspicion of being under the influence of drugs or alcohol.

Children:

Youth 13-15 years must demonstrate the ability to swim by swimming across the shallow end using front crawl with rotary breathing of the pool 15 yards, tread water for 5 seconds and continue to the other side on their back to remain in the pool without adult supervision.
Under the age of 12 years who are less than 5 feet tall and are non-swimmers or have limited swimming ability must be supervised by an adult who is 18 years of age or older **in the water** and within 5 yards of swimmer.
5 years of age and under are not permitted in the main pool.
6 years of age and older are not permitted in the wading pool.
An adult 18 years of age or older must supervise children in the wading pool.
Children wearing diapers must wear snug fitting leg and waist plastic pants over the diaper or a swim diaper. Please notify the pool staff immediately if feces is found in the diaper.

The following is PROHIBITED:

Food & beverage, excluding plastic bottles filled with water and baby formula
Glass containers
Smoking, alcoholic beverages and pets (except service animals)
Personal floatation devices that can become detached from the user i.e. tubes, snorkels, fins, etc. during public swimming.
Abusive/profane language and excessive public displays of affection
Diving
Pollution of the pool i.e. urination, blowing the nose, spitting, defecating, etc.
Conduct that endangers the safety and comfort of others.
Lifeguards are on duty to enforce rules for your safety and emergencies. Please obey their directives.

ARTICLE 8000 OPERATIONS

6006 COMPUTER SECURITY

6006.1 Purpose. Rosamond Community Services District seeks to ensure that detailed or sensitive information regarding its water and sewer system facilities not be released to parties who might use it for malicious purposes. This security plan is designed to address computer security procedures for District personnel who are issued laptop computers.

6006.2 Scope. This program applies to all employees who are issued laptop computers.

6006.3 Responsibilities.

6006.3.1 The Manager of Information Systems approves all purchases of laptop computers for use by District personnel, subject to the General Manager's oversight.

6006.3.2 Division managers are responsible for assigning laptop computers to personnel within their respective divisions, and for enforcement of this policy.

6006.3.3 Each employee issued a laptop computer is responsible for understanding and following the requirements of this policy.

6006.4 Sensitive Information. Sensitive information that must not be released has been classified by the Federal Energy Regulatory Commission as Critical Energy Infrastructure Information and includes electrical, civil and mechanical schematics and drawings that show details of location and layout. The District also considers detailed maintenance records that include photos and schedules to be sensitive information.

6006.5 Computer Security.

6006.5.1 A password will be required to start the laptop computer. Passwords must be a minimum of eight (8) characters in length and must contain at least one (1) number and one (1) special character.

6006.5.2 Any software installed on the laptop computer must be pre-approved by the General Manager or his/her designee.

6006.5.3 Internet access may only be made through the District's network server. The laptop computer may not be used to access the Internet via an employee's personal Internet account.

6006.5.4 The laptop computer may be transported between the main District office and the field location at which the employee is assigned to work via a District vehicle. If the employee at any time leaves the vehicle unattended, the laptop computer will be stored out of sight in a locked compartment.

6006.5.5 All electrical, civil and/or mechanical schematics, drawings, photos and database records will be stored in electronic format on the District's network computer. Only those schematics, drawings, photos or maintenance database records necessary for the work being conducted at the given field location may be downloaded and temporarily stored on the laptop computer's hard drive. Upon completion of the field assignment, all revised files will be uploaded onto the District's network computer and all temporarily stored files will be deleted from the laptop computer's hard drive.

6006.5.6 The laptop computer may not be removed from the District's service area without prior approval of the General Manager.

6006.6 Compliance. The division manager will periodically check all laptop computers to ensure that no critical infrastructure information or other sensitive data is being stored on the computer's hard drive. Personnel found to be in violation of this policy will be subject to disciplinary procedures.

8005 RECORDS RETENTION

8005.1 The purpose of this policy is to: provide guidelines to staff regarding the retention or disposal of Rosamond Community Services District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

8005.2 Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District.

8005.3 The General Manager is authorized by the Board of Directors to interpret and implement this policy, and may delegate to the Board Secretary cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below.

8005.4 Pursuant to the provisions of California Government Code §§60200 through 60203, California Water Code §21403, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following qualifications will govern the retention and disposal of records of the Rosamond Community Services District.

8005.4.1 Duplicate records, papers and documents may be destroyed at any time without the necessity of Board authorization or copying to photographic or electronic media.

8005.4.2 Originals of records, papers and documents more than two years old that were prepared or received in any manner other than pursuant to State or Federal statute may be destroyed without the necessity of copying to photographic or electronic media.

8005.4.3 In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

8005.4.4 Records, papers or documents which are not expressly required by law to be filed and preserved may be destroyed if all of the following conditions are met:

8005.4.4.1 The record, paper or document is photographed, micro photographed, reproduced on film of a type approved for permanent photographic records by the National Bureau of Standard, or copied to an approved electronic media;

8005.4.4.2 The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; and,

8005.4.4.3 The photographs, microphotographs, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

8005.4.5 Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:

8005.4.5.1 There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;

8005.4.5.2 There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;

8005.4.5.3 Said audit report or reports were prepared pursuant to procedures outlined in Government Code Section 26909 and other State or Federal audit requirements, and that;

8005.4.5.4 Said audit or audits contain the expression of an unqualified opinion.

8005.4.6 Any accounting record created for a specific event or action may be destroyed upon authorization five years after said event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five years from the end of the fiscal period to which it applies. The following may be destroyed at any time:

8005.4.6.1 Duplicated (original-subject to aforementioned requirements).

8005.4.6.2 Rough drafts, notes or working papers (except audit).

8005.4.6.3 Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.

8005.4.7 All payroll and personnel records shall be retained indefinitely. Originals may upon authorization be destroyed after seven years retention, provided said records have been microfilmed and qualify for destruction section 4, above. Payroll and personnel records include the following:

8005.4.8 All assessing records may upon authorization be destroyed after seven years retention from lien date; however, their records may be destroyed three years after the lien date when said records are microfilmed as provided for section 4, above.

8005.4.9 Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed as provided for in section 3090.4.4, above. Terms and conditions of bonds warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than ten years if microfilmed as provided for in section 4, above. Paid bonds, warrant certificates and interest coupons may be destroyed after six months if detailed payment records are kept for ten years.

8005.5 Minutes of the meetings of the Board of Directors are usually retained indefinitely in their original form. However, they may upon authorization be destroyed if said minutes are microfilmed as provided for in section 4, above. Recording tapes (or other media) of Board meetings will be kept for a period of thirty-one days from the date of the recorded meeting, after which they will be destroyed.

8005.5.1 Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven years unless they pertain to a project which includes a guarantee or grant and, in that event, they shall be kept for the life of the guarantee or grant plus seven years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

8005.5.2 Contracts should be retained for its life plus seven years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work which is more than two years old may be destroyed.

8005.5.3 Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer owned by the District.

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Appendix A
Definitions for Records Retention and Disposal Policy

1. AUTHORIZATION. Approval from the General Manager, as authorized by the District's Board of Directors.

2. ACCOUNTING RECORDS. Include but are not limited to the following:

(a) SOURCE DOCUMENTS
- (1) Invoices
- (2) Warrants
- (3) Requisitions/Purchase Orders (attached to invoices)
- (4) Cash Receipts
- (5) Claims (attached to warrants in place of invoices)
- (6) Bank Statements
- (7) Bank Deposits
- (8) Checks
- (9) Bills
- (10) Various accounting authorizations taken from Board minutes, resolutions or contracts

(b) JOURNALS
- (1) Cash Receipts
- (2) Accounts Receivable or Payable Register
- (3) Check or Warrant (payables)
- (4) General Journal
- (5) Payroll Journal

(c) LEDGERS
- (1) Expenditure
- (2) Revenue
- (3) Accounts Payable or Receivable Ledger
- (4) Construction
- (5) General Ledger
- (6) Assets/Depreciation

(d) TRIAL BALANCE

(e) STATEMENTS (Interim or Certified - Individual or All Fund)
- (1) Balance Sheet
- (2) Analysis of Changes in Available Fund Balance
- (3) Cash Receipts and Disbursements

- (4) Inventory of Fixed Assets (Purchasing)

(f) JOURNAL ENTRIES

(g) PAYROLL and PERSONNEL RECORDS include but are not limited to the following:
- (1) Accident reports, injury claims and settlements

(2) Applications, changes or terminations of employees
(3) Earnings records and summaries
(4) Fidelity Bonds
(5) Garnishments
(6) Insurance records of employees
(7) Job Descriptions
(8) Medical Histories
(9) Retirements
(10) Time Cards

(h) OTHER
(1) Inventory Records (Purchasing)
(2) Capital Asset Records (Purchasing)
(3) Depreciation Schedule
(4) Cost Accounting Records

3. LIFE. The inclusive or operational or valid dates of a document.

4. RECORD. Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document, issued by or received in a department, and maintained and used as information in the conduct of its operations.

5. RECORD COPY. The official District copy of a document or file.

6. RECORD SERIES. A group of records, generally filed together, and having the same reference and retention value.

7. RECORDS CENTER. The site selected for storage of inactive records.

8. RECORDS DISPOSAL. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.

9. RECORDS RETENTION SCHEDULE. The consolidated, approved schedule list of all District records which timetables the life and disposal of all records.

10. RETENTION CODE. Abbreviation of retention action which appears on the retention schedule.

11. VITAL RECORDS. Records which, because of the information they contain, are essential to one or all of the following:

a. The resumption and/or continuation of operations;
b. The recreation of legal and financial status of the District, in case of a disaster;
c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following:

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(1)Agreements
(2)Annexations & detachments
(3)As-built drawings
(4)Audits
(5)Contract drawings
(6)Customer statements
(7)Deeds
(8)Depreciation schedule
(9)Disposal of surplus & excess property
(10)Disposal of scrap materials
(11)District insurance records
(12)District water rights
(13)Employee accident reports, injury claims & settlements
(14)Employee earning records
(15)Employee fidelity bonds
(16)Employee insurance records
(17)Encroachment permits (by others)
(18)Encroachment permits (by OWID)
(19)Facility improvement plans
(20)Improvement districts
(21)Individual water rights
(22)Individual claims/settlements
(22)Inventory
(24)Journal vouchers
(25)Ledgers
(26)Licenses & permits (to operate)
(27)Loans & grants
(28)Maps
(29)Minutes of Board meetings
(30)Payroll register
(31)Policies, Rules & Regulations
(32)Purchase orders & requisitions
(33)Restricted materials permits
(34)Rights of ways & easements
(35)Spray permits
(36)Statements of Economic Interest
(37)State surplus acquisitions
(38)Warehouse requisitions
(39)Warrant/Voucher register
(40)Warrants (with backup)
(41)Water rights history

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

Appendix B
Records Retention & Storage Summary

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
1	Records affecting title to real property or liens thereof.	X		2 yrs.	OP	ES
2	Records required to be kept permanently by statute.	X		2 yrs.	OP	ES
3	Minutes, ordinances & resolutions of Board.	X		2 yrs.	OP	ES
4	Documents with lasting historical, administrative, legal, fiscal, or research value.	X		2 yrs.	OP	ES
5	Correspondence, operational reports and information upon which District policy has been established.	X		2 yrs.	10 yrs.	12 yrs.
6	Duplicates of 5, above, when retention is necessary for reference.	X		2 yrs.		2 yrs.
7	Records requiring retention for more than five years, but no more than fifteen years by statute or administrative value.	X		2 yrs.	13 yrs.	15 yrs.
8	Duplicates needed for administrative purposes for five to fifteen years.		X	2 yrs.	13 yrs.	15 yrs.
9	All other original District records, or instruments, books or papers that are considered public documents not included in Groups 1 through 8.	X		2 yrs.	1 yr.	3 yrs.
10	Duplicates and other documents not public records required to be	X	X	2 yrs.	3 yrs.	5 yrs.

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
	maintained for administrative purposes.					
11	Duplicate records requiring retention for administrative purposes such as reference material for making up budgets, planning and programming.		X	3 yrs.		3
12	Reference files (copies of documents which duplicate the record copies filed elsewhere in the District; documents which require no action and are non-record; rough drafts, notes, feeder reports, and similar working papers accumulated in preparation of a communication, study or other document, and cards, listings, indexes and other papers used for controlling work).		X	1 yr.		1 yr.
13	Transitory files, including letters of transmittal (when not a public record), suspense copies when reply has been received, routine requests for information and publication, tracer letters, feeder reports, and other duplicate copies no longer needed.	X	X	3 mos.		3 mos.
14	Original documents disposable upon occurrence of an event or an action (i.e., audit, job completion, completion of contract, etc.) or upon obsolescence, supersession, revocation.	X		2 yrs.	3 yrs.	5 yrs.
15	Policy files and reference sets of publications.		X	I		I

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
16	Duplicates or non-record documents required for administrative needs but destroyable on occurrence of an event or an action.		X	I		I

OP= Original or photographic copy.
ES = May be destroyed if stored in electronic media.
I = Indefinitely

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

8010 MAINTENANCE OF DISTRICT FACILITIES

8010.1 Purpose. Rosamond Community Services District seeks to ensure that detailed or sensitive information regarding its water and sewer system facilities not be released to parties who might use it for malicious purposes. This security plan is designed to address computer security procedures for District personnel who are issued laptop computers.

8010.2 The District will maintain utility facilities at a level which will provide for the public will-being and safety for the residents. The Operating and Maintenance (O&M) program will be maintained at a level that assures system reliability and efficiency. A well thought out maintenance program will extend the life of the system and reduce infrastructure costs in the long-term.

8010.3 Sufficient Funding

8010.3.1 Sufficient funding should be generated to provide for adequate maintenance and/or replacement of capital plans and equipment. This is to protect the District's capital investment and to minimize future maintenance and replacement costs.

8010.3.2 The District will adequately fund costs for meeting current industry standards and regulations in the annual financial review.

8010.3.3 The District will develop a 5-year capital improvement plan and update it annually. The Capital Improvement Plan (CIP) will be coordinated with the operating budget and impacts to ratepayers.

8010.3.4 The District will make all capital improvements according to an adopted CIP.

8010.3.5 The District's total CIP will consider mandated capital, growth related capital and replacement, production and refurbishment capital.

8035 GRAFFITI ABATEMENT
ORDINANCE NO. 2000-02

8035.1 Nuisance. Graffiti on public or private property is ab lighting factor which both depreciates the value of the property which is subject to the graffiti and the surrounding property, and is so doing has a negative impact on the community. The presence of graffiti has been declared to be a public nuisance in Kern County by the Kern County Board of Supervisors (Chapter 9.30 of the Kern County Ordinance Code).

8035.2 Criminal Violation. It is unlawful in the County of Kern for any person to apply graffiti to public or private property, to allow graffiti to remain visible from the public right-of-way or neighboring property on property within your ownership, control or possession, or to fail to remove graffiti from property for which you are responsible after due notice has been given.

8035.3 Obligation to Remove Graffiti. Any person applying graffiti to any surface within the boundaries of the District shall have the obligation to remove it within three (3) business days of the date of notice from the District or from the property owner. In circumstances where the person applying graffiti to any surface is under the age of eighteen (18) years, the responsible adult shall also have the obligation to remove it within three (3) business days of the date of notice from the District or from the property owner. If graffiti has not been removed by the person applying it or the responsible adult within the time specified in subsection A or B of this section, or if the person applying the graffiti or the responsible adult are unknown, the District may remove the graffiti.

8035.4 Notice – Contents. The notice to the responsible party(s) for graffiti removal shall contain at least the following information**:**

(a) Identification of the location and description of the graffiti.
(b) Name and address of the owner of the property where the graffiti is located.
(c) That the property owner's consent is necessary prior to removal.
(d) That this obligation can be satisfied by voluntarily authorizing the District to remove the graffiti.
(e) That, if the District removes the graffiti upon failure of the person(s) obligated, the responsible parties shall be assessed all direct and indirect costs and expenses incurred by the District in abating the graffiti for which such parties are responsible. Direct and indirect costs and expenses under Fifty Dollars ($50.00) may be waived by the District Board if it determines that to do so is in the public interest.

8035.5 Failure to Receive Notice. The failure of any responsible party to receive notice after reasonable measures have been attempted by the district shall not affect the validity of any proceedings. Any responsible party may satisfy their obligation for graffiti removal by participating in the District's graffiti abatement program as follows:

(a) Executing an agreement with the District for removal of graffiti and obtaining the written consent of the property owner for the District to enter upon the property for the purpose of abating the graffiti.
(b) Payment of all direct and indirect costs and expenses incurred by the District in abating the graffiti
(c) Submission of the executed agreement together with all estimated direct and indirect costs and expenses to the manager prior to the abatement of the graffiti by the District.
(d) Payment of any additional actual direct and indirect costs and expenses incurred by the District within five (5) business days following the District's abatement of the graffiti.

8035.6 Failure to Receive Notice. The failure of any responsible party to receive notice after reasonable measures have been attempted by the district shall not affect the validity of any proceedings. Any responsible party may satisfy their obligation for graffiti removal by participating in the District's graffiti abatement program as follows:

8035.7 Definitions. Unless the context specifically indicates otherwise, the following terms shall, for purposes of this Ordinance, have the meanings indicated as follows:

(a) "Abatement" means the removal of graffiti from public or private property within the boundaries of the District, as well as the repair or replacement of property which is damaged during the removal process.
(b) "Direct and indirect costs and expenses" shall mean all costs and expenses of whatever kind incurred by the District in abating graffiti and enforcing this Ordinance either with its own forces or with outside contractors, including, but not limited to, all court, attorney, legal, law enforcement, administrative, construction, painting, cleaning and other abatement costs and expenses. Such costs and expenses shall expressly include any costs and expenses incurred in repairing damage to property caused by the removal of graffiti.
(c) "District" shall mean the Rosamond Community Services District Kern County, California, and/or its authorized representatives.
(d) "Graffiti" means any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, drawn or painted on any real or personal property.
(e) "Manager" shall mean the General Manager of the District or his or her designee.
(f) "Responsible Adult" shall mean a parent or guardian having custody or control of an individual under the age of eighteen (18) years.
(g) "Responsible Party" shall mean any person applying graffiti and any responsible adult of a person under the age of eighteen (18) years who has applied graffiti.

8035.8 Administration. It shall be the responsibility of the Manager to conduct the operation of the District's graffiti abatement program and to enforce all its provisions. The Manager shall take all actions necessary to carry out the specific requirements and intent. Failure on the part of the District's Board of Directors, Manager or other District personnel to enforce any provisions thereof, shall create no liability on the part of the District, or any personnel of the District, to any third persons.

8035.9 Other Powers. The District shall have all powers provided to it under applicable state laws, rules and regulations for the abatement of graffiti, including the following powers provided by Section 60601.1 of the California Government Code.

(a) To remove or contract for the removal of graffiti from any public or private property within its boundaries.
(b) To indemnify or compensate any property owner for any injury or damage caused by the removal of graffiti from property.
(c) To undertake a civil action to abate graffiti as a nuisance pursuant to Section 731 of the Code of Civil Procedure.
(d) To use the services of persons ordered to perform graffiti removal services by a municipal, superior, or juvenile court.
(e) To use the phrase "Graffiti Abatement District" in the name of the District.
(f) To operate specifically designated telephone "hot lines" for the purpose of receiving reports of unlawful application of graffiti on public or private property.
(g) To operate a program of financial reward, not to exceed one thousand dollars ($1,000) for information leading to the arrest and conviction of any person who unlawfully applies graffiti to any public or private property.

EXHIBIT “B”

RESOLUTION NO. 2026-

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSAMOND COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT CODE

WHEREAS, the Rosamond Community Services District ("District") is a district duly organized and existing under and pursuant to the Community Services District Law Section 61000 et seq. of the Government Code of California; and

WHEREAS, pursuant to Section 61045(g) of the Government Code, the Board of Directors shall adopt policies for the operation of the District including, but not limited to, administrative and personnel policies; and

WHEREAS, over time the District has adopted, amended, and revised multiple handbooks without a unified code of operating procedures and without consistent redline practices, resulting in fragmentation, conflicting provisions, and difficulty in tracking the current, operative policies; and

WHEREAS, the Board of Directors adopted an Administrative Code via Resolution 2026-17 on November 18, 2026

WHEREAS, the Board desires to amend the -District Code, Title 2 Board Administration, Article 4000 Board of Directors, Section 4055

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WHEREAS, the Board finds it necessary and in the public interest to adopt the District Code as set forth in Exhibit A,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rosamond Community Services District as follows:

1.0 Adoption of Restated Documents. The Board hereby adopts the Administrative Code, as set forth in Exhibit A. Existing Administrative Code is hereby replaced in its entirety with the attached hereto and incorporated herein by reference as "Exhibit A".

2.0 Supersession of Prior Policies. Effective upon adoption of this Resolution, all prior policies, procedures, handbooks, codes, and amendments previously adopted by the board relating to General Governance are hereby repealed in their entirety and replaced by the restated documents attached hereto as Exhibits A. The Administrative Code and related policies adopted herein shall constitute the sole and authoritative policies of the District in this subject area.

3.0 Effective Date: This Resolution shall become effective as of the date of adoption.

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

5.0 Incorporation of Recitals: The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Rosamond Community Services District held this 13th day of August, 2026.

By: _____
President, Board of Directors
Rosamond Community Services District

ATTEST:

By: _____
Secretary, Board of Directors
Rosamond Community Services District

DISPOSITION TABLE

This Rosamond Community Services District Administrative Code was adopted on XX, by Resolution No. XX. This Code may be revised by Resolution. When revisions occur, the version will be noted on this page and on revisions to the Disposition Table.

Date Adopted	Res. No.	Section	Description
November 18, 2026	2026-17	Entire Code	Adopt New Administrative Code
December 02, 2026	2026-18	Section 4055	Article 4000 Board of Directors, Section 4055 as noted in Resolution 2020-02

ADMINISTRATIVE CODE

Last Update: ~~11/18/2026~~12/02/2026
Resolution 2026-1~~8~~7

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE

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ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 1

TITLE 1 GENERAL PROVISIONS

ARTICLE 1000 GENERAL

1000 PURPOSE OF BOARD POLICIES

1000.1 It is the intent of the Board of Directors of the Rosamond Community Services District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.2 If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over Rosamond Community Services District, said rules, regulations or legislation shall prevail.

1010 ADOPTION/AMENDMENT OF POLICIES

1010.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment are submitted to the District, and distributed to individual directors by District staff via the normal agenda distribution routine

1010.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a simple majority vote (3/5) affirmative vote of the entire Board of Directors.

1010.3 Copies of the proposed new or amended policy/policies shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration. A copy of the proposed new or amended policy/policies shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy/policies are to be considered.

1020 CONFLICT OF INTEREST

1020.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Rosamond Community Services District.

1020.1 Designated employees shall file statements of economic interests with the Clerk of the County of Kern.

1030 PUBLIC COMPLAINTS

1030.1 The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.2 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

1030.3 The method of resolving complaints shall be as follows:

1030.3.1 The individual with a complaint shall first discuss the matter with the Customer Service Supervisor with the objective of resolving the matter informally.

1030.3.2 If the individual registering the complaint is not satisfied with the disposition of the complaint by the Customer Service Supervisor, it shall be forwarded to the Office Manager. At the option of the Office Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The Office Manager shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.3 **I**f the individual registering the complaint is not satisfied with the disposition of the complaint by the Office Manager, it shall be forwarded to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

1030.3.4 If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at its next regular meeting, or call a special meeting. In making a decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the individual registering the complaint being provided a copy.

1040 CLAIMS AGAINST THE DISTRICT

The purpose of this policy is to provide direction to District staff for processing and resolving account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

1040.1 Property (Land and Improvements) Damage Claims. In the course of the District's operations damage to land and improvements thereon occasionally occurs due to the proximity of the District's facilities to the private property. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible. It is required to obtain the property owner's consent or a court order prior to any District employee entering the private property.

When a property owner informs a District employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the Operations Superintendent. The General Manager/Public Works Superintendent, or his/her designee, shall investigate the property owner's allegations

If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager. Directors should not independently investigate claims, but may go with staff to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report shall be submitted to the General Manager.

If the investigating staff person is convinced that the damage was caused by District personnel, equipment, or infrastructure, he/she shall prepare a work order to have the damage repaired, subject to the following conditions:

(a) Property owner agrees that the proposed repairs are appropriate and adequate;
(b) Property owner agrees to allow District personnel access to their property to perform the repair work;
(c) District personnel have the necessary tools, equipment, and expertise to perform the necessary work;
(d) Repair work can be accomplished within a reasonable amount of time; and,
(e) Cost of material for the repairs will not exceed $500.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed $500, the owner will be asked to submit their claim in writing on a District claim form.

The General Manager shall review the damage claim and the proposed repair work. If he/she determines that the damage is the District's responsibility and that the proposed repair work is appropriate, he/she may authorize the work if the cost of material for the repairs will not exceed $1,500. A report shall be submitted to the Finance Committee describing the damage claim, including a description of the manner in which it was resolved.

If the cost of material for repairs is stated by claimant or estimated to exceed $1,500, the claim will be submitted to the Finance Committee. The Finance Committee shall review the claim and receive input from staff in closed session. After reviewing the damage claim, the Committee may authorize the work if the cost of material for the repairs will not exceed $3,000, or may make a recommendation to the Board of Directors. A report shall be submitted to the Board describing the damage claim, including a description of the manner in which it was resolved, or a recommendation for Board action. The claimant shall be notified of any action by the Committee regarding their claim.

If the cost of material for repairs is stated by claimant or estimated to exceed $3,000, the claim will be submitted to the Board of Directors for its consideration. The Board will consider the claim during a closed session of a regular or special meeting. Action to accept or reject the claim shall be taken in open session. The claimant shall be notified of the Board's action regarding their claim. Notification that a claim has been rejected shall be accompanied by proof of service.

The Board will not consider a claim of an amount in excess of the insurance deductible (currently $10,000), including the cost of investigation, without prior written approval of the District's insurance company.
Claims in excess of the District's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.
Claims for personal injury/wrongful death shall not be investigated by District staff or directors but shall be immediately forwarded to the District's insurance company.

1040.2 Property (Vehicles and Unsecured Property) Damage Claims. All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed $1,500. A report shall be submitted to the Finance Committee and Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed $1,500. A report shall be submitted to the Finance Committee and Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed $1,500.

1040.3 Property Damage Claims On District Form. Except for damage to land and improvements estimated to cost less than $500, all damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

(a) The name and post office address of the claimant.
(b) The post office address to which the person presenting the claim desires notices to be sent.
(c) The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
(d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known as the time of presentation of the claim.

(e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.

(f) The amount claimed if it totals less than ten thousand dollars ($10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars ($10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

Section 910.2 of the California Government Code specifies the following:
The claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.

If the filed letter/claim does not meet the requirements of the California Government Code §910 and §910.2, then a letter shall be sent to the claimant informing them of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

1040.4 Account Adjustment Requests. The General Manager, or the Director of Finance/Accountant in his/her absence, is authorized to adjust a customer's water service account when their bill reflects usage that is significantly greater than normal, due to accidental loss of water through broken pipes or when faucets are turned on in the owner's absence, subject to the following conditions:

(a) the customer requests the account adjustment in writing
(b) a similar request has not been made within the past 12 months; and,
(c) the account shows no record of being delinquent for more than 60 days during the past 24 months.

1050 COPYING PUBLIC DOCUMENTS
RESOLUTION NO. 2015-7

1050.1 Individuals requesting copies of public documents shall be charged twenty-five cents (25¢) per sheet copied to defray expenses associated with the copying process.

1050.2 Individuals requesting regular subscriptions of Regular Board Meeting, Special Board Meeting, or Committee Meeting agendas will be required to pay the following charges:

1050.2.1 A one (1) year subscription of Regular Board Meeting Agenda Packets will cost $770.00 a year, with a $50.00 discount if subscription is paid in full at time of subscription enrollment. A quarterly payment plan is available at the regular cost of $770.00.

1050.2.2 A request for Regular Board Meeting, Committee Meeting, and/or Special Board Meeting agendas, not to include supporting documents or the Agenda Packets, will be charged a fee based on number of pages of each agenda times, the $0.25 normal copying fee. In the event an agenda package is requested, the fee will be based on the .25 cent normal copying fee plus the cost of the index tabs and Agenda cover. In the alternative, an individual may pay for a one (1) year subscription for all Regular Board Meeting, Committee Meeting, and/or Special Board Meeting agendas, not to include supporting documents or the Agenda Packages, for $85.00, with a $5.00 discount if said subscription is paid in full at time of enrollment..

1050.2.3 In addition, requests to have agenda items mailed will be subject to shipping charges.

1050.3 All payments for all services will be required to be made at the time and date as determined by the applicable RCSD policy and/or the Board Secretary.

1050.4 Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. Individuals requesting copies of such documents prior to the Board meeting will be charged twenty-five cents (0.25c) per sheet. The copy charge will be levied at Board meetings for copies of documents if more are needed and/or requested in addition to those normally prepared for the public at Board meetings.

1051 REQUEST OF PUBLIC DOCUMENTS
RESOLUTION NO. 2015-7

1051.1 Any request for information from Employee, Constituent or other entity is subject to this Policy and the requirements of the California Public Records Act (PRA).

1051.2 During the regular business hours of the District, members of the public may inspect the documents on file in the District which are subject to public inspection and not exempt from disclosure or otherwise confidential as specified in the PRA.

1051.3 Copies of documents, subject to disclosure under the PRA, will be furnished by our agency to any person making a request and paying the appropriate fee. The fee will be $0.25 per page requested as set forth in Policy 1050 Copying of Public Documents and is required at time of request.

1051.4 In your written request, include a clear description of an identifiable record and be as specific as possible to help us expedite your request. The Board Secretary, or his/her designee, will assist requestors to identify records that may be responsive to the request.

1051.5 Granting of Request – Upon receipt of a request, Rosamond Community Services District (RCSD) staff shall determine, within the time periods set forth in the PRA, whether the request, in whole or in part, identifies disclosable public records in the possession of the District. RCSD shall promptly notify the requestor of its determination and the reasons therefore.

1051.6 Denial of Request – The District may not disclose certain documents under the PRA. . The requestor will be notified in writing if the District does not have or can not disclose the requested records.

1060 POLICY COMPAINTS

1060.1 A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute by which the individual has been adversely affected.

1060.2 The Board of Directors of the Rosamond Community Services District desires that public complaints be resolved logically and systematically.

1060.3 The process for resolving complaints shall be as follows:

1060.3.1 The citizen with a complaint shall first discuss the matter with the appropriate Division Manager with the objective of resolving the matter informally.

1060.3.2 If the citizen registering the complaint is not satisfied with the disposition of the complaint by the Division Manager, it shall be forwarded to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager's decision shall be memorialized in writing with a copy being provided to the plaintiff.

1060.3.3 If the citizen filing the complaint is not satisfied with the disposition of the matter by the General Manager, they may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's decision. The Board may consider the matter at the next regular meeting, or call a special meeting. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the plaintiff being provided a copy.

1060.4 This policy in no way prohibits or is intended to deter a member of the community or staff from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

1070 PUBLIC CONTRIBUTIONS
RESOLUTION NO. 2015-07

1070.1 Donations from members of the public to the District for a public purpose that is within the scope of the District's responsibilities will be accepted. The Accountant or Director of Finance, as applicable, will provide a receipt for said donation and include the District's tax identification number thereon.

1070.2 Donations must be clearly marked as such. Deposits by a property owner with a service account will be treated as a payment toward their account's unpaid balance, or payment in advance of billing in the event the account does not have an unpaid balance, if the deposit is not clearly marked as a being a donation for a specific public purpose.

1070.3 By accepting donations, the District is not claiming to be qualified by the Internal Revenue Service as being a charitable organization for which donations may be considered tax deductible. Determination of how donations to the District are to be treated relative to the donor's tax liability is strictly the responsibility of the donor.

TITLE 2 BOARD ADMINISTRATION

ARTICLE 4000 BOARD OF DIRECTORS

4010 CODE OF ETHICS

4010.1 The Board of Directors of Rosamond Community Services District is committed to providing excellence in legislative leadership that result in the provision of the highest quality services to its constituents. In order to assist in the governance of the behavior between and among members of the Board of Directors, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness and attentive listening in communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocs based on personalities rather than issues should be avoided.

4010.1.7 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may ask the General Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office.

Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, see Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

4010.1.9 When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

4010.2 The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

4010.3 Board and Staff Relation

4010.4 A majority of the board shall establish district policies, i.e. mission and program, at public meetings.

4010.5 The General Manager shall recommend policies. The General Manager shall recommend programs to implement the District’s policies to the Board at public meetings.

4010.6 The general manager shall carry out the projects approved by the board.

4010.7 A Director will not instruct management or staff how to implement policies, programs or the day to day operations of the District.

4010.8 Directors are encouraged to ask the General Manger who shall promptly provide requested information

4010.9 Directors may request information from subordinate staff only if the general manager fails to provide the information.

4015 VOLUNTARY CANDIDATE EXPENDITURE CEILING

4015.1 In accordance with Government Code 85400§ (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of Rosamond Community Services District, and controlled committees of such candidates, shall be one dollar ($1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to $250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to $100.

4020 ATTENDANCE AT MEETINGS

4020.1 Members of the Board of Directors shall make every effort to attend all regular and special meetings of the Board unless there is good cause for absence.

4020.2 A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three consecutive months except as authorized by the Board of Directors.

4040 BOARD PRESIDENT

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

4050 MEMBERS OF THE BOARD OF DIRECTORS

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. It is prohibited for a majority of directors (through serial meetings or otherwise) from discussing agenda items for the purpose of gaining a collective decision.

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

4055 ELECTION OF BOARD OFFICERS
RESOLUTION NO. 2018,7, 2015-7, 2020-02, 2026-18

4055.1 At the Annual Organizational Meeting, as described in § 5010.5 of the Administration Code, the Board of Directors shall elect its officers in accordance with Government Code § 61403. The officers shall be the president and vice president.

4055.2 The Board of Directors may create additional offices and elect members to those offices, provided that no member of a Board of Directors shall hold more than one office.

4055.3 No Board Member shall serve more than one term as Board President before stepping down for a minimum of two (2) years.

4055.4 If the Board Membership did not change through the election process and assuming that all members desire to serve as Vice-President, then move up to President, it would be eight (8) years before the individual Board Member would serve as President again.

4055.5 If more than one Board Member has the same seniority (election date) then the determining factor would be the first member offered the position would be the member who received the most votes in the last election cycle. Board seniority applies to all terms of office, previous Board service does count.

Commented [SG1]: Adopting language as noted within Prior Resolution 2020-02.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 2

4060 COMMITTEES OF THE BOARD OF DIRECTORS RESOLUTION NO. 2025-1, 2022-2

4060.1 The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.2 The following shall be standing committees of the Board:

4060.2.1 Wastewater Committee

4060.2.2 Policy Committee;

4060.2.3 Personnel Committee;

4060.2.4 Finance Committee;

4060.2.5 Government Relations Committee; and,

4060.2.6 Water Committee

4060.3 The Board President shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

4060.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.4.1 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

4060.4.2 The Committee Chair shall provide a report to the Board of Directors at the regular or special meeting where the minutes of the Committee Meeting are approved.

4060.5 The Board's standing Wastewater Committee shall be concerned with the operation, management and related capital improvements of its sewer system and wastewater treatment system as well as reclamation activities.

4060.6 The Board's standing Policy Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

4060.7 The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

4060.8 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

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4060.9 The Board's standing Government Relations Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large. This Committee shall also be concerned with cooperative relationships with other governmental entities that benefit the community and District.

4060.10 The Board's standing Water Committee shall be concerned with the operation, management and related capital improvements of its water system, water conservation and acquisition of water, when necessary.

4070 BASIS OF AUTHORITY

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

4080 MEMBERSHIP IN ASSOCIATIONS

4080.1 The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

4080.2 The Board of Directors shall maintain membership in the California Special Districts Association and shall ensure that annual dues are paid by the District.

4080.3 At the regular Board meeting in June a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

4095 ETHICS TRAINING

All directors of Rosamond Community Services District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

4095.1 This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

4095.2 All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

4095.3 Directors shall obtain proof of participation after completing the ethics training.

4095.3.1 District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

4095.4 District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

4095.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

4095.6 Any director of Rosamond Community Services District that serves on the board of another agency is only required to take the training once every two years.

4096 CANDIDATES RUNNING FOR OFFICE

4096.1 The cost of printing, handling, and mailing candidates' statements shall be charged to the candidate;

4096.2 That candidates not permitted to submit additional materials to be sent to the voter with the sample ballot;

4096.3 That the candidate statement is limited to 200 words.

4098 AFFIRMING MEMBERS OF THE BOARD OF DIRECTORS MUST SERVE ON THE FOUNDATION
RESOLUTION NO. 2020-16

4098.1 Notwithstanding any other provision of the Foundation's bylaws, members of the Districts Board of Directors shall serve on or appoint a designee to the Foundation's Board of Directors by Virtue of their seat on the Rosamond Community Services District Board of Directors.

4100 BOARD OF DIRECTORS DEVICES
RESOLUTION NO. 2025-20

4100.1 The Board of Directors of Rosamond Community Services District is committed to consistency in selection of data devices in order to protect District data assets, to promote public transparency and to ensure orderly transition. In order to ensure these goals are practiced among members of the Board of Directors, the following rules shall be observed.

4100.1 Board Members may choose between a laptop or a tablet to receive and review information disseminated by the District. Only one device may be selected by each Board Member. The devices shall be as recommended by Information Technology staff.

4100.2 Board Members shall utilize issued devices for District business. The use of personal devices for District business is strongly discouraged.

4100.3 District-issued devices shall remain the property of the District.

4100.4 Board Members shall be trained in and shall practice Cybersecurity measures for District-issued devices. Board Members shall contact District Administrative staff immediate upon suspicion of malware infection.

4100.5 Board Members shall promptly return devices and associated accessories upon retirement from the Board, including providing access passwords.

ARTICLE 5000 BOARD MEETINGS

5010 BOARD MEETINGS
RESOLUTION NO. 2018-20, 2018-02, 2015-22, 2015-07

5010.1 Regular meetings of the Board of Directors shall be held on the 2nd & 4th Wednesday of each calendar month in the Board Room, located at 3179 35th Street West Rosamond, Ca 93560. The closed session portion of each regular meeting, if any, will begin at 5:30 p.m.; the open session portion of each regular meeting will begin at 6:00 p.m. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.(2018-20)

5010.2 Special meetings (non-emergency) of the Board of Directors may be called by the Board President or by a majority of the members of the Board of Directors.

5010.2.1 All Directors and the General Manager shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least 24 hours prior to the meeting.

5010.2.2 Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54963) shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as practicable.

5010.2.3 An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above.

5010.2.4 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

5010.3 Special Meetings (emergency). In the event of an Emergency Situation as defined in Section 54956.5 of the Government Code, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.2.1, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board President or Vice President in the President's absence.

5010.3.1 Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54963) shall be notified by at least one hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the General Manager, or his/her designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

5010.3.2 No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

5010.4 Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if a quorum of the Board of Directors is not present at any regular or adjourned regular meeting, the General Manager or his/her designee may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above.

5010.5 Annual Organizational Meeting. After each general election or unopposed election, the Board of Directors shall hold an organizational meeting in accordance with Government Code Section 61043. On the alternate non-election years, the Board of Directors shall hold an organizational meeting on the first regularly scheduled Board meeting in December and shall elect the officers of the Board of Directors. The officers of the Board of Directors shall be the president and vice president. The Board of Directors may create additional offices and elect members to those offices, provided that no member of a Board of Directors shall hold more than one office. (2018-02)

5010.6 The Board President shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

5010.7 The Board President and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

5020 BOARD MEETING AGENDA
RESOLUTION NO. 2015-07

5020.1 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may contact the General Manager and direct that any item be placed on the agenda for the next meeting at which it is legally appropriate to consider such item no later than 12:00 P.M. on the Wednesday prior to the meeting date.

5020.2 Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5020.2.1 The request must be in writing and be submitted to the General Manager or Board Secretary together with supporting documents and information, if any, no later than 5:00 p.m. on the Wednesday prior to the meeting date;

5020.2.2 The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the General Manager's decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting;

5020.2.3 No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy;

5020.2.4 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5020.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District office

5020.4.1 The agenda for a special meeting shall be posted conspicuously for public review within the District office at least 24 hours before the meeting in the same location.

5030 BOARD MEETING CONDUCT

5030.1 Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

5030.2 All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

5030.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

5030.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

5030.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

5030.4 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

5030.4.1 The board will set a maximum time for each subject to be discussed and divide the time equally between the number of public members interested in speaking.

5030.4.2 No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

5030.5 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

5030.5.1 After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

5030.5.2 Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

5040 BOARD ACTIONS AND DECISIONS

5040.1 Actions by the Board of Directors include but are not limited to the following:

5040.1.1 Adoption or rejection of regulations or policies;

5040.1.2 Adoption or rejection of a resolution;

5040.1.3 Adoption or rejection of an ordinance;

5040.1.4 Approval or rejection of any contract or expenditure;

5040.1.5 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

5040.1.6 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

5040.2 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three votes to be effective (unless a 4/5 vote is required by policy or other law).

5040.2.1 A member abstaining in a vote is considered as absent for that vote.

5040.2.1.1 Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

5040.2.1.2 Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

5040.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

5040.3 The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

5040.3.1 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

5040.3.2 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

5040.3.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

5050 REVIEW OF ADMINISTRATIVE DECISIONS

5050.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

5050.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

5060 MINUTES OF BOARD MEETINGS

5060.1 The Board Secretary or other designated employee of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

5060.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fireproof vault or in fire-resistant, locked cabinet for a minimum of 2 years. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

5060.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

(a) Date, place and type of each meeting;
(b) Directors present and absent by name;
(c) Administrative staff present by name;
(d) Call to order;
(e) Time and name of late arriving Directors;
(f) Time and name of early departing Directors;
(g) Names of Directors absent during any agenda item upon which action was taken;
(h) Summary record of staff reports;
(i) Summary record of public comment regarding matters not on the agenda, including names of commentators;
(j) Approval of the minutes or modified minutes of preceding meetings;
(k) Approval of financial reports;
(l) Record by number (a sequential range is acceptable) of all warrants approved for payment;
(m) Complete information as to each subject of the Board's deliberation;
(n) Record of the vote of each Director on every action item for which the vote was not unanimous;
(o) Resolutions and ordinances described as to their substantive content and sequential numbering;
(p) Record of all contracts and agreements, and their amendment, approved by the Board;
(q) Approval of the annual budget;
(r) Approval of all polices, rules and/or regulations;
(s) Approval of all dispositions of District assets;
(t) Approval of all purchases of District assets; and,
(u) Time of meeting's adjournment.

5070 RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS
RESOLUTION NO. 2016-1

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 2

5070.1 General.

5070.1.1 All Board and District Committee Meetings shall be conducted pursuant to the most recent published edition of the Robert's Rules of Order Newly Revised.

5070.2 Decorum.

5070.2.1 The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

5070.2.2 The President may also declare a short recess during any meeting.

5070.3 Amendment of Rules of Order.

5070.3.1 The Board may adopt rules of order to be used in place of, or in conjunction with, Robert's Rules of Order, in whole or in part.

TITLE 3 FINANCE

ARTICLE 3000 FINANCE ADMINISTRATION

3010 BUDGET PREPARATION
RESOLUTION NO. 2015-12

3010.1 The District shall continue to strive to maintain financial stability over time. Financial stability is not only a prudent financial management goal; it can also minimize financial costs in the long-term (e.g., unnecessary borrowing). Above all, financial stability will provide the community with the confidence of knowing a strong, consistent management team is successfully managing the District.

3010.2 An annual budget will be developed and presented by the General Manager.

3010.3 The Board's standing Finance Committee shall meet with the General Manager and review his/her annual budget proposal. All proposals, changes and concerns shall be presented to the Board of Directors at a Budget Workshop.

3010.4 The proposed preliminary annual budget as amended by the Board during its review shall be adopted by the Board of Directors prior to July 1 and the final annual budget shall be adopted at its regular meeting in September or earlier pursuant to State Law. The proposed annual budget will be posted via the public posting guidelines 2 weeks prior to the meeting.

3010.5 The General Manager or in the absence of the General Manager, his/her designee shall have authority to modify line items within the approved budget as long as the modification does not exceed the total budget and meets the requirements set forth in Policy 3010.5.3.

3010.5.1 A "Fund" is a fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions or limitations.

3010.5.2 An "Expenditure Code" is a general ledger expenditure line item, assigned a five (5) digit "code" in the sixty and seventy thousand range (60000 - 79999) for purposes of costing, tracking, assigning and reporting expenditures.

3010.5.3 Budget modifications shall be approved as follows:

3010.5.3.1 Budget modifications between $1.00 and $24,999.00 within a Fund and Expenditure Code shall be at the sole discretion of the manager overseeing that budget line item.

3010.5.3.2 Budget modifications between $25,000.00 and $49,999.00 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item and must be approved by the Accountant or Managerial member of the finance department.

3010.5.3.3 Budget modifications between $50,000.00 and $249,999.00 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item, must be reviewed by the Accountant or Managerial member of the finance department and approved by the General Manager or his/her designee.

3010.5.3.4 Budget modifications above $250,000 within a Fund and Expenditure Code shall be proposed and prepared at the discretion of the manager overseeing that budget line item, must be reviewed by the Accountant or Managerial member of the finance department, approved by the General Manager or his/her designee and taken to the Board of Directors for final approval.

3010.5.3.5 Budget modifications of any amount between Funds must be approved by the Board of Directors.

3010.5.4 Any and all budget modifications shall be approved at the appropriate managerial level, as outlined above, and submitted to the finance department for filing and entry to the accounting and budgeting software system.

3010.6 In addition to the annual budget, the General Manager shall present to the Board a minimum five-year Capital Improvement Plan Budget (CIP). The adopted CIP budget shall be updated annually in conjunction with the annual budget.

3010.7 Any modifications to the approved CIP budget must adhere to the provisions outlined in 3010.5.3., except that the General Manager shall also approve any modifications, regardless of amount.

3010.8 The adopted Budget shall be reviewed quarterly by the Finance Committee and may be recommended for review by the Board of Directors as its discretion.

3015 REVENUES

3015.1 Annual revenues shall be established during the annual budget preparation. The estimated revenue forecasts shall be based on an objective, analytical process and be conservative.

3015.2 Revenue Diversification- The District will strive to keep the total revenue mix that encourages growth and keeps the District economically competitive. The District needs to balance the needs for service with the overall ability to raise fees and charges to support those services.

3015.3 Fees and Charges- All fees and charges for services shall be reviewed annually to ensure proper funding for said service.

3015.4 Reserve Withdrawals- All expenditures drawn from reserve accounts require prior Board of Director approval unless authorized with the annual budget or Capital Improvement Plan (CIP) budget. All withdrawals require documentation which consists of the reason for the withdrawal and the impact, if any, due to the withdrawal.

3015.5 Unanticipated Revenues- Revenues of an indefinite term will be used for CIP or one-time operating expenditures to ensure service-oriented programs do not lose the revenue stream when such revenues are reduced or discontinued.

3020 FIXED-ASSET ACCOUNTING
RESOLUTION NO. 2015-7

3020.1 The purpose of this policy is to ensure proper accounting control resulting in the maintaining of accurate financial reports of fixed assets.

3020.2 An accounting, or inventory, of all fixed assets shall be conducted on an annual basis. After the conclusion of said inventory, the District Accountant shall certify its completeness and report the results thereof to the Board of Directors at its next regular monthly meeting.

3020.3 Applicable purchases for inclusion in said accounting shall be the following:

3020.3.1 Equipment, tools, and vehicles that individually have an original total cost of $5000 or more;

3020.3.2 All land and building acquisitions regardless of price; and,

3020.3.3 Additions or major improvements to the District's service infrastructure with a cost of $5000 or more.

3020.4 When any item defined in Section 3020.3. above is received, a tag with a unique identification number shall be affixed to said item, and the number recorded in the permanent inventory records.

3020.5 Permanent inventory records shall be maintained in either a paper file or electronic (computer data base) format. Said records shall be updated whenever a change in the status of a particular fixed asset occurs (e.g., original purchase, sale, destruction, loss, theft, etc.).

3020.6 Information to be maintained in said inventory records shall include at least the following:

3020.6.1 Asset number;
3020.6.2 Description;
3020.6.3 Manufacturer's serial number;
3020.6.4 Storage location;
3020.6.5 Original cost;
3020.6.6 Acquisition date;
3020.6.7 Life expectancy; and,
3020.6.8 Classification code (e.g., office equipment, vehicle, etc.)

3023 FIXED-ASSET CAPITALIZATION
RESOLUTION NO. 2015-07

3023.1 The purpose of this policy is to provide criteria for determining when assets and associated costs are to be capitalized and depreciated.

3023.2 Single-item purchases with at least an anticipated useful life of five years and exceeding $5,000 each shall be capitalized as a fixed asset. The purchase of these fixed assets shall be included on the District's statement of net assets and depreciated over the asset's estimated useful life. The purchase of fixed assets for less than $5,000 shall be expensed.

3023.3 Other expenditures of $5,000 or more that provides a significant increase in future service potential of a fixed asset shall also be capitalized as part of the existing asset.

3023.3.1 To meet the criteria for a capital expenditure, the purchase should extend the useful life of an asset, increase the quantity of service provided by an asset, or increase the quality of service by an asset.

3023.3.2 Capital expenditures may include the following: additions (enlargements, expansions or extensions of existing assets), replacements and improvements, and rearrangement and/or relocation of an asset.

3023.4 Expenditures for normal repairs and maintenance shall not be considered as capital expenditures.

3023.5 Depreciation will be computed over the estimated useful lives of the assets as follows:

DEPRECIATION LIFE	Fixed Asset Useful Life (years)
General Plant/Structures	40
Reservoirs, Dams, etc.	50
Water/Sewer Piping	40
Water/Sewer Processing/Distribution Equipment	20 - 30
Vehicles	5
Other Heavy Equipment (normal use)	7 – 10
Other Light Equipment (normal use)	5 – 7
Office Equipment	3-5
Office Furniture	10
Computer Equipment	5

3026 ACCOUNTING, AUDITING AND FINANCIAL REPORTING

3026.1 Accounting practices shall conform to state law and to Generally Accepted Accounting Practices (GAAP) established by the Governmental Accounting Standards Board (GASB). The District shall apply a current standards issued by the Financial Accounting Standards Board (FASB) not in conflict with standards issued by GASB.

3026.2 The District is to account for the water, waste water and parks and recreation services as separate entities. Each is intended to be self-supporting operating through user charges and taxes/assessments as appropriate.

3026.3 All funds shall be segregated in separate accounts and utilized in accordance with legal requirements stated in state law, resolutions, bond covenants with legal requirements stated in state law, resolutions, covenants and other legal documents.

3026.4 An independent audit of the District will be performed annually. The completed and accepted audit shall be available to all required and interested parties.

3026.5 An independent audit of the District's facilities/connection fee revenues will be performed annually.

3026.6 Any Inter-fund loans will be recorded and authorized by the Board of Directors by resolution. The resolution will identify the amount of the loan, the fund receiving the loan, interest to be paid and the term of the loan.

3026.7 Procedures will be followed that will ensure proper authorization has been obtained for all transactions of a financial nature

3030 CUSTOMER PAYMENT ARRANGEMENTS

3030.1 Upon request, the General Manager or his/her designated representative may grant approval of special arrangements to be made for payment of the following fees when an extreme hardship exists:

3030.1.1 Regular water service.

3030.1.2 Reasonable payment schedule following receipt of delinquency "shut-off" notice.

3030.1.3 Connection fee.

3030.2 Monthly payments over a period not to exceed 12 payments. When payments are to be made at the close of escrow but property is not sold, arrangements must be made for payments to continue on a regular basis.

3031 UNCOLLECTIBLE ACCOUNTS RECEIVABLE

3031.1 The purpose of this policy is to ensure that all reasonable diligence has been used to collect accounts receivable, improve measurement of the District's accounts receivable and ensure the most efficient use of District revenue collection resources. It is the policy of the District to actively pursue collection of past-due accounts receivable, regularly review the status of past-due accounts, and write-off amounts determined to be uncollectible. A write-off of uncollectible accounts receivable from the District's accounting records does not constitute forgiveness of the debt or gift of public funds.

3031.2 Collection procedures are established by the responsible departments and will vary depending on the nature of the receivable. Types of receivables covered by this policy include but are not limited to: water, sewer and street lighting utility billings; fees for services; recovery for damage to District property; fines and penalties; and legal judgments.

3031.3 Accounts receivable should generally be written-off during the fiscal year in which it is determined to be uncollectible. Subsequent collection of an account receivable previously written-off will be treated as new revenue in the appropriate fund.

3031.3.1 Designation of an Account as Uncollectible. An account will be considered uncollectible if it meets one or more of the following criteria:

(a) The debt is disputed and the District has insufficient documentation to pursue collection efforts;
(b) The cost of further collection efforts will exceed the estimated recovery amount;
(c) The amount is under $20 and remains unpaid after one year;
(d) The account remains unpaid after the lesser of one year or the applicable period for commencement of a recovery action (statute of limitations);
(e) The debtor cannot be located, nor any of the debtor's assets;
(f) The debtor has no assets and there is no expectation they will have any in the future;
(g) The debtor has died and there is no known estate or guarantor;
(h) The debtor is a company which is no longer in business;
(i) The debt is discharged through legal action (bankruptcy or court judgment);
(j) The debt has been forgiven by action of the District Counsel.

3031.4 Approval Authority for Write-Off Requests. The qualified accounts to be written-off will be presented to the appropriate authorizing official for approval:

(a) The Director of Administration or Assistant General Manager is authorized to approve the write-off of accounts with an outstanding balance due of up to $5,000;
(b) The District General Manager is authorized to approve the write-off of accounts with an outstanding balance in excess of $5,000 and up to $10,000;
(c) Write-off of accounts with an outstanding balance due in excess of $10,000 must be approved by action of the District Board of Directors.
(d) Staff will generate a write off report in regular meeting financial reports.

3034 RATE SETTING

3034.1 Rates shall be established utilizing a "generally accepted" rate setting methodology. When reviewing rates, it is important to use a methodology that is "generally accepted" in the financial rate setting community as well as in the water/sewer utility industry. This will ensure a legally defensible approach as well as consistency of the analysis over time.

3034.1.1 It is recommended that the District use the following "generally accepted" approaches to establish rates for each utility.

(a) Revenue Requirement Analysis
(b) Cost of Services analysis
(c) Rate Design analysis

3034.2 Revenue Requirements

3034.2.1 Revenue requirements will be established on a "cash basis" approach that will include operation & maintenance expenses (O&M), taxes/transfers, debt service (Principal & Interest), repair and replacement, and capital expenditures

3034.2.2 Revenues and costs will be projected for a minimum of a five-year time period.

3034.2.3 Projections of O&M costs shall include any estimated incremental O&M costs associated with future repair and replacement or capital improvement projects. (Refer to District's Current Purchasing Policy # 3040.1.3)

3034.2.4 Costs associated with state and federal mandated program requirements (i.e., NOEDS, etc.) will be identified and included within the "cash basis" approach.

3034.3 Cost of Service.

3034.3.1 A cost of service study will be utilized to equitably allocate costs to the customer classes of service.

3034.3.2 The cost allocation methodology will utilize techniques that are "generally accepted" by the industry (e.g. American Water Works Association or Water Environment Federation).

3034.3.3 The cost of service will, at a minimum, consider the following components:

(a) Volume costs – those costs that vary with total flow of wastewater contributed by a customer over an extended period of time.
(b) Strength costs – those treatment related costs associated with the strength of wastewater (Biochemical oxygen demand and suspended solids).
(c) Customer related costs – that vary with the number of customers on the system (e.g. postage, meter maintenance expense).
(d) Revenue related costs – those costs associated with the amount of revenue received by the District (e.g. a gross proceeds tax, delinquent fees).

3034.3.4 The cost of service study will consider the specific circumstances and unique characteristics of the District's sewer and water system in the cost allocation methodology.

3034.4 Rate Design

3034.4.1 User charges (rates) will be established so that operating revenues are at least equal to the direct and indirect operating costs, and include costs of administration for the District.

3034.4.2 Rate designs will be reflective of the District's needs, and also reflect the greater public purpose and policy goals of the District Board (e.g. conservation, economic development, ability to pay, etc.).

3034.4.3 Rates will recognize and attempt to incorporate a fixed charge for the upfront fixed costs associated with serving customers and a usage or volumetric charge that attempts to recover the variable costs of operating the District.

3034.4.4 Rates will be set a level that recovers costs, by classification, yet flexible enough to accomplish the District's objectives (e.g., public purpose programs).

3034.4.5 Rates should be designed to be equitable and detailed to a level to reflect the service provided.

3034.5 Rate Stability

3034.5.1 Rates should be stable over time. Financial stability of a District (utility) also provides rate stability. Rate stability and the perception that rate changes from year to year are reasonable reinforcement that costs are being managed and controlled, thereby gaining customer confidence of the management team's credibility.

3034.5.2 Rates shall be stable in their ability to generate sufficient revenues

3034.5.3 Rates shall be reviewed by the District no less that every two years, to ensure they provide sufficient revenues.

3034.5.4 The rate review will consider a minimum five year projected period to attempt to stabilize and minimize rates over time.

3034.5.5 Rate resolution shall reflect pass-through components (Gov. Code sec 53756) for costs that fluctuate and are not controllable by the District, such as energy, regulatory and imported water costs.

3034.5.6 A comprehensive rate study will be conducted at least every five years in order to assess the fairness of the rates to the District's rate payers and to ensure that the necessary revenue is available for the District's operating and capital needs.

3034.5.7 The implementation of rate adjustments will follow all legal requirements (i.e. Prop 218, etc.) for the District.

3034.6 Establishment of Specific Financial/Rate Policies

3034.6.1 Through the establishment of specific financial/rate policies the District will attempt to shelter the district's ratepayers, as much as reasonably possible, from the financial/rate impacts of growth. Within the District's CIP and rate study, growth-related capital projects shall be clearly identified.

3034.6.2 The financing of growth-related capital projects may be funded from any of the available funding resources of the utility. However, to better meet the District's stated policy, the use of long-term debt to finance growth related projects will allow the District to better match financing of these facilities to the timing of the customers as they connect to the system.

3034.6.3 The District shall analyze and calculate cost-based Facility Capacity Fees/ connection fees. The District Board will establish and maintain a connection fee that balances the goal of sheltering customers from the cost of growth, and the District's goals as they may relate to economic development.

3034.6.4 The District will establish the following fees:

(a) Water Impact Fee
(b) Sewer Impact Fee
(c) Park Impact Fee
(d) Water Banking Fee

3034.7 Rate Understanding and Rate Increases Kept to a Minimum

3034.8 Rate for the District will be structured to promote understanding by the Districts customers (e.g. bills that are easy to read calculate and understand).

3034.9 Rate adjustments will be phased in over time, when large financial impacts to the customer are anticipated (e.g. eliminate rate shock) when financially viable**.**

3035 INVESTMENT OF DISTRICT FUNDS RESOLUTION NO. 2014-07

3035.1 Premise. The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code (CGC) §53600.6 and §53630.1); and,

Government Code Sections 5921 and 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,

The District Accountant or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (CGC §53646(a)).

For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of Rosamond Community Services District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of District funds.

3035.2 Scope. This investment policy applies to all financial assets of Rosamond Community Services District. These funds are accounted for in the Independent Annual Financial Report and include:

Demand Account:	Investments:
General Fund	Local Agency Investment Fund
Secretary Revolving Fund	
Operation and Maintenance Fund	
Enterprise Funds	

3035.3 Prudence. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (CGC §53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations for expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

3035.4 Objectives. As specified in CGC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of the investment activities, in priority order, shall be:

3035.4.1 Safety: Safety of principal is the foremost objective of the investment program. Investments of Rosamond Community Services District shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

3035.4.2 Liquidity: The investment portfolio will remain sufficiently liquid to enable Rosamond Community Services District to meet all operating requirements which might be reasonably anticipated.

3035.4.3 Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

3035.5 Delegation of Authority. Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby delegated to the District Accountant, who shall establish written procedures for the operation of the investment program consistent with this investment policy. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the District Accountant. The District Accountant shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

Under the provisions of California Government Code §53600.3, the District Accountant is a trustee and a fiduciary subject to the prudent investor standard.

3035.6 Ethics and Conflicts of Interest. Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

3035.7 Authorized Financial Institutions and Dealers. The District Accountant will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness that are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the District Accountant shall select only broker/dealers who are licensed and in good standing with

the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations.

Before engaging in investment transactions with a broker/dealer, the District Accountant shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for Rosamond Community Services District's account with the firm has reviewed Rosamond Community Services District's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to Rosamond Community Services District that are appropriate under the terms and conditions of the Investment Policy.

3035.8 Authorized and Suitable Investments. The Rosamond Community Services District is empowered by California Government Code §53601, et seq., to invest in the following:

3035.8.1 Bonds issued by Rosamond Community Services District.

3035.8.2 United State Treasury Bills, Notes & Bonds.

3035.8.3 Registered state warrants or treasury notes or bonds issued by the State of California.

3035.8.4 Bonds, notes, warrants or other evidence of debt issued by a local agency within the State of California, including pooled investment accounts sponsored by the State of California, County, other local agencies or Joint Powers Agencies.

3035.8.5 Obligations issued by agencies or instrumentalities of the United States Government.

3035.8.6 Bankers' acceptances with a term not to exceed 270 days. Not more than 40% of surplus funds can be invested in bankers' acceptances and no more than 30% of surplus funds can be invested in the banker's acceptances of any single commercial bank.

3035.8.7 Prime commercial paper of U.S. corporations with assets greater than $500 million, with a term not to exceed 180 days and the highest ranking issued by Moody's Investors Service (Moody's) or

Standard & Poor's Corporation (S&P). Commercial paper cannot exceed 15% of total surplus funds, provided that, if the average maturity of all commercial paper does not exceed 31 days, up to 30% of surplus funds can be invested in commercial paper.

3035.8.8 Negotiable certificates of deposit issued by federally or state chartered banks or associations. Not more than 30% of surplus funds can be invested in certificates of deposit.

3035.8.9 Repurchase/reverse repurchase agreements of any securities authorized by this section. Securities purchased under these agreements shall be no less that 102% of market value. (See special limits in CGC §53601.i.)

3035.8.10 Medium term notes (not to exceed 5 years) of U.S. corporations rated "A" or better by Moody's or S&P. Not more than 30% of surplus funds can be invested in medium term notes.

3035.8.11 Shares of beneficial interest issued by diversified management companies (money market mutual funds) investing in the securities and obligations authorized by this Section. Such funds must carry the highest rating of at least two of the three largest national rating agencies. Not more than 15% of surplus funds can be invested in money market mutual funds.

3035.8.12 Funds held under the terms of a trust indenture or other contract or agreement may be invested according to the provisions of those indentures or agreements.

3035.8.13 Collateralized bank deposits with a perfected security interest in accordance with the Uniform Commercial Code (UCC) or applicable federal security regulations.

3035.8.14 Any mortgage pass-though security, collateralized mortgage obligation, mortgaged backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable backed bond of a maximum maturity of five years. Securities in this category must be rated AA or better by a nationally recognized rating service. Not more than 30% of surplus funds may be invested in this category of securities.

3035.8.15 Any other investment security authorized under the provisions of CGC §5922 and §53601.
(Also, see CGC §53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. CGC §53601 is included by reference in this investment policy.)

3035.8.15.1 Prohibited Investments. Under the provisions of CGC §53601.6 and §53631.5, Rosamond Community Services District shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

3035.9 Collaterization. All certificates of deposits must be collateralized by U.S. Treasury Obligations. Collateral must be held by a third party trustee and valued on a monthly basis. The percentage of collateralization on repurchase and reverse repurchase agreements will adhere to the amount required under CGC §53601(i)(2).

3035.10 Safekeeping and Custody. All security transactions entered into by Rosamond Community Services District shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to Rosamond Community Services District by book entry, physical delivery or by third party custodial agreement as required by CGC §53601.

3035.11 Diversification. Rosamond Community Services District will diversify its investments by security type and institution. It is the policy of Rosamond Community Services District to diversify its investment portfolio. Assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or

a specific class of securities. Diversification strategies shall be determined and revised periodically. In establishing specific diversification strategies, the following general policies and constraints shall apply:

3035.11.1 Portfolio maturities shall be matched versus liabilities to avoid undue concentration in a specific maturity sector.

3035.11.2 Maturities selected shall provide for stability of income and liquidity.

3035.11.3 Disbursement and payroll dates shall be covered through maturities investments, marketable U.S. Treasury bills or other cash equivalent instruments such as money market mutual funds.

3035.12 Reporting. In accordance with CGC §53646(b)(1), the District Accountant shall submit to each member of the Board of Directors a quarterly investment report. The report shall include a complete description of the portfolio, the type of investments, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed for Rosamond Community Services District by third party contracted managers. The report will also include the source of the portfolio valuation. As specified in CGC §53646 (e), if all funds are placed in LAIF, FDIC-insured accounts and/or in a county investment pool, the foregoing report elements may be replaced by copies of the latest statements from such institutions. The report must also include a certification that: (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy; and, (2) Rosamond Community Services District will meet its expenditure obligations for the next six months as required by CGC §53646(b)(2) and (3), respectively. The District Accountant shall maintain a complete and timely record of all investment transactions.

3035.13 Investment Policy Review. This Investment Policy shall be reviewed on an annual basis, and the Board of Directors must approve modifications.

3036 RESERVES
RESOLUTION NO. 2018-02, 2004-04

3036.1 The District will maintain utility reserves/funds required by law, ordinance and bond covenant, to provide cash working capital for normal and ordinary operations, and also provide some insurance against economic downturns and emergencies. Minimum reserve funds, excluding bond reserve funds, will be as follows:

3036.1.1 Operations and Maintenance Fund — this fund reflects the timing difference between billing for revenues and payment expenses. This fund can also be used to cover unanticipated cash operating expenses or lower than expected revenue collections. The basis for establishing a minimum total operating reserve level for the District the District will be three (3) months of O&M levels for the upcoming year where O&M is made up of Personnel Expenses and Direct Operating Expenses and are taken from the most current approved budget.

3036.1.2 Debt Service Fund — the District will maintain a debt service fund as required by law, legal and or contractual, obligation and or bond covenant, and will be 125% of the next required debt service payment for internal loans.

3036.1.3 Repair and Replacement Fund —the minimum balance of this fund should be based upon 25% of the annual accumulated depreciation.

3036.1.4 Rate Stabilization Fund — this fund is available for the District to transition any needed rate increases over a year or a number of years. It is recommended the minimum balance be based on 10% of the District's annual rate revenues.

3036.1.5 Facilities Capacity Fee/Connection Fee Fund — this fund accounts for capacity and connection fee revenues and interest and shall be maintained separate from other District funds. Resources shall be used solely for capital facilities and related debt service required to serve new development, consistent with the District's most recently adopted capacity and connection fee study. Expenditures shall be limited to the growth-related share of eligible projects as identified in the study; for projects benefiting both existing and future customers, fee revenues shall be applied only to the portion attributable to future growth. Use of funds shall be approved by the Board through the capital project or budget process. The District shall periodically update study assumptions, project eligibility, and the distribution of project costs between replacement and new capacity to ensure alignment with current capital needs. All expenditures shall maintain a clear and defensible nexus between the fee revenues collected, the type of development served, and the capital facilities funded. Fee revenues shall not be used to subsidize existing customers or non-growth related projects.

3036.1.6 Catastrophe/Emergency Fund — the catastrophe/emergency reserve is intended to protect the District against the financial impacts of unanticipated emergencies. It provides funding for emergency repairs or failure of essential equipment that needs to be replaced immediately. At a minimum the catastrophe/emergency reserve will be set at $1,000,000. This level of catastrophe/emergency reserves will be deemed sufficient to finance the required cash flow until adequate emergency financing can be secured from outside conventional sources. Cash reserve accounts for all debt instruments, not limited to bonds SFR etc., shall be fully funded in the timeline reflected in current and future bond covenants. The appropriate reserves shall be formally transferred and restricted in accordance with all legal requirements..

3036.1.7 Water Acquisition Fund — this fund accounts for revenues generated for the purposes of acquiring additional water rights. This fund would be accounted for separately from all other funds.

3036.1.8 Unfunded Mandate Fund – the Unfunded Mandates Reserve addresses costs associated with new or expanded legal, regulatory, and compliance requirements, enabling timely compliance without disruption to core operations. The District shall maintain a target reserve balance of approximately $6.0 million, achieved over a rolling five-year planning horizon and coordinated with the District's long-term financial planning and rate-setting processes. Use of funds requires Board approval and is limited to eligible compliance-related expenditures. Following any use, the District shall incorporate funding adjustments through the budget and rate-setting process to restore the reserve consistent with the rolling five-year funding approach. The target reserve level shall be periodically reassessed through the budget and planning process.

3036.1.9 The District's Board may establish other reserves for specific needs that are over and above the reserves noted above.

3038 ADJUSTING JOURNAL ENTRIES
RESOLUTION NO. 2012-07

3038.1 The Senior Accounting Clerk is assigned the preparation of specific journal entries by the District Accountant. These entries will be reviewed and signed off by the District Accountant.

3038.2 All other adjusting journal entries are prepared by the District Accountant. These entries will be reviewed and signed off by the District General Manager or in the absence of the District General Manager the Assistant General Manager prior to the month being closed.

3038.3 The signed journal entries along with any supporting documentation will be filed by sequential entry number, as assigned by the accounting system, in binders maintained by the District Accountant.

3039 FUND BALANCE
RESOLUTION NO. 2021-07

3039.1 Accountants employ the term fund balance to describe the net assets of governmental funds calculated in accordance with generally accepted accounting principles. Budget professionals commonly use this same term to describe the net assets of governmental funds calculated on a government's budgetary basis. In both cases, fund balance is intended to serve as a measure of the financial resources available in a governmental fund.

3039.2 Accountants distinguish up to five separate categories of fund balance, based on the extent to which the government is bound to honor constraints on the specific purposes for which amounts can be spent: Non-spendable fund balance, Restricted fund balance, Committed fund balance, Assigned fund balance, and Unassigned fund balance. The total of the last three categories, which include only resources without a constraint on spending or for which the constraint on spending is imposed by the government itself, is termed Un-restricted fund balance.

3039.3 It is essential that governments maintain adequate levels of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures) and to ensure stable levels of operation. Fund balance levels are a crucial consideration, too, in long-term financial planning.

3039.4 This policy is intended to provide guidelines for the preparation and execution of the annual budget and financial planning, and to further the goals of a strong fiscal position for the district. It is also the intent of this policy to promote clear communication of district financial constraints to users of district financial reports.

3039.5 Definitions

3039.5.1 Fund Balance - Fund balance or fund equity is generally the difference between a fund's assets and liabilities.

3039.5.2 Fund Balance Categories- The Fund Balance consists of five possible categories: Non-spendable, Restricted, Committed, Assigned, and Unassigned.

3039.5.3 Non-spendable Fund Balance consists of amounts that cannot be spent due to their form (e.g. inventories and prepaids) or amounts that legally or contractually •must be maintained intact.

3039.5.4 Restricted Fund Balance consists of funds that are mandated for a specific purpose as required by external parties, constitutional provisions or enabling legislation.

3039.5.5 **C**ommitted Fund Balance consists of funds that are set aside for a specific purpose by the district's highest level of decision making authority (governing board). Formal action must be taken prior to the end of the fiscal year. The same formal action must be taken to remove or change the limitations placed on the funds.

3039.5.6 Assigned Fund Balance consists of amounts that are set aside with the intent to be used for a specific purpose by the district's highest level of decision making authority or a body or official that has been given the authority to assign funds. Assigned funds cannot cause a deficit in unassigned fund balance.

3039.5.7 Unassigned Fund Balance consists of excess funds that have not been classified in the previous four categories. All funds in this category are considered spendable resources. This category also provides the resources necessary to meet unexpected expenditures and revenue shortfalls.

3039.6 Authority to Commit Funds The District's governing board serves as the District's highest level of decision making authority and will have sole authority for establishing constraints on the use of governmental fund balances classified as Committed. Formal board action to establish, modify or rescind fund balance Commitments will require either board approved policy designations or a majority approved resolution acted on before June 30th of each fiscal year. Committed funds cannot be used for any other purpose unless likewise modified by formal action of the board. The Committed amount subject to the constraint may be determined after June 30th.

3039.7 Authority to Assign Funds. The District's governing board has authority to set aside or designate authority to set aside funds as Assigned for an intended purpose. The Board hereby authorizes the General Manager as designee of the Board in identifying intended uses of funds and so assigning residual balances. Any such assignments will be presented at regular financial and budget reporting periods including the year-end unaudited actuals. Board action to approve such financial and budget reports will represent ratification of any such assignments. The Board may also, from lime to time, determine the need to assign funds for an intended use. Any such assignment will be documented by Board Action at a regularly scheduled meeting.

3039.8 Order of Expenditure of Funds When expenditures are incurred for purposes for which both restricted and unrestricted fund balances are available, Restricted Fund Balance will be considered to have been spent first. When expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance

classifications can be used, committed amounts should be reduced first, followed by Assigned amounts and then Unassigned amounts.

3039.9 Minimum Unassigned Fund Balance Unassigned Fund Balance is the residual amount of fund balance. It represents the resources available for future spending. An appropriate level of Unassigned Fund Balance should be maintained in order to cover unexpected expenditures and revenue shortfalls.

3040 PURCHASING AND EXPENSE AUTHORIZATION RESOLUTION NO. 2021-1

3040.1 Approval for Commitments of District Funds.

3040.1.1 Recurring operating or capital purchases or expenditures that are included in the approved budget may be approved by department managers.

3040.1.2 Non-recurring operational purchases for less than $5,000 made for the District by staff shall be authorized by the department manager or General Manager prior to purchase. Non-recurring operational purchases greater **than $5,000 shall be** approved by the General Manager and shall be in conformance with the approved District operational budget.

3040.1.3 Prior approval by the Board of Directors is required for all commitments of District funds that are not included in the approved operational budget and exceed $5,000.

3040.1.4 Emergency purchases may be approved by the General Manager or the Assistant General Manager to meet the requirements of the District operations. The emergency purchase information must be presented to the appropriate party for approval, according to the above requirements, on the next business day or as soon as possible after the purchase.

3040.1.5 Splitting or separating purchases into smaller units for the purpose of evading the provisions of this policy is prohibited.

3040.1.6 Prior approval by Board of Directors is required for all Real Estate transactions.

3040.2 Approval of Invoice and Payments

3040.2.1 Invoices with approved purchase requisitions and packing slips will be matched by Accounts Payable and entered for payment processing. All other invoices will be reviewed and approved according to the approval levels in section 3040.1 and then entered for payment processing.

3040.2.2 Payments for all approved invoices will be reviewed by the Treasurer or other person as designated by the Treasurer.

3040.2.3 Request for checks not supported by an approved invoice must have approval per section 3040.1.

3040.2.4 Request for checks not supported by an approved invoice must have approval per section 3040.1.

3040.2.5 Checks for amounts of $50,000 or less may be signed by the General Manager, Assistant General Manager, Treasurer and/or members of the Board of Directors.

3040.2.6 Checks greater than $50,000 require at least one Board member signature.

3040.2.7 All checks require two signatures.

3040.2.8 A listing of all checks issued since the last Board meeting will be presented at each Board meeting for review by the Board of Directors.

3040.3 Petty Cash

3040.3.1 A "petty cash" fund shall be maintained in the District office having a maximum balance-on-hand of $150.00. The custodian of this fund will be the Treasurer or other person designated by the Treasurer.

3040.3.2 Petty cash may be advanced to District staff for amounts up to $100.00 for the purpose of procuring item(s) or service(s) appropriately relating to District business. Receipts and remaining funds shall be returned to the custodian of the petty cash fund when the purchase is completed.

3040.3.3 No personal checks shall be cashed in the petty cash fund.

3040.3.4 The petty cash fund shall be included in the District's annual independent accounting audit.

3040.3.5 District employees may receive reimbursement for "out of pocket" expenses from the petty cash fund if the amount is less than $50.00 and is related to District business. This reimbursement must be supported by valid receipts. When a receipt is not obtainable, the requested reimbursement shall be approved by the Treasurer or General Manger.

3040.3.6 Reimbursements for the General Manager shall be reported on the consent calendar with copies of the appropriate receipts.

3041 WIRE TRANSFERS
RESOLUTION NO. 2012-07

3041.1 Wire transfers between the Enterprise Bank Account and Local Agency Investment Fund (LAIF) Account will be requested by the Rosamond Community Services District Accountant and approved by the Rosamond Community Services District General Manager or in his absence the Assistant General Manager. The General Manager will review all approvals made in his absence immediately upon his/her return. Once approval has been obtained, the District Accountant will notify representatives of the banking institution and LAIF of the amount and type of transfer. A Rosamond Community Services District LAIF Request to Transfer Funds form will be completed reflecting the General Manager's signed approval and the transfer information. This form will be used as supporting documentation for the journal entry reflecting the transfer.

3041.2 The next business day the transfer will be confirmed by reviewing the transaction on the banking institution system. A copy of the ledger activity sheet will be included with the transfer journal entry. Transfers from the banking institution to LAIF should be further verified by performing a transaction search and printing out a copy of the checking account debit form which should also be included with the transfer journal entry.

3042 EMPLOYMENT OF OUTSIDE CONTRACTORS AND CONSULTANTS RESOLUTION NO. 2023-10, 2021-1

3042.1 Approval for requisitions or agreements with outside contractors and consultants will be subject to the approval levels shown below:

3042.1.1 Services related to operating repairs and maintenance will be subject to the approval requirements in Policy 3040.1

3042.1.2 All services for advisory or professional services not included in the operational budget must go to the Board of Directors for approval.

3042.1.3 All contracts are to be reviewed by the General Manager and Legal Counsel, prior to presentation to the Board. Approved contracts may be signed by the General Manager or Treasurer.

3042.2 Public works projects in the minimum bid amounts set forth by federal or state regulations shall be advertised for bids in periodicals or newspapers and/or the Contractors Exchange as applicable under federal or state laws and regulations.

3042.2.1 Public works projects estimated to be greater than $200,000 in cost shall be procured under formal bid procedures per Public Contract Code, Section 20680, et seq.

3042.2.2 The District has elected to adopt the Uniform Public Construction Cost Accounting Act (Act) procedures. Public works projects estimated to be less than $200,000 shall be procured under the provisions of the Act, including informal bid procedure as described in Policy 3046, unless the public works project is less than or equal to $60,000, which is exempt from bid procedures under the Act.

3042.2.3 The bid opening is open to the public and time and location of bid opening will be specified in the bid documents. Staff will present the bid information, with a recommendation, to the Board for selection and approval of the contract. The Board of Directors will make their selection based on the Contactor/Consultant's experience, qualifications, performance on similar types of projects as well as cost estimates or proposals contained in the bid documents.

3042.2.4 The Board of Directors may reject any and all bids presented with or without cause and readvertise if desired. The Board of Directors may waive any minor irregularities in bids received.

3042.2.5 All change orders shall be brought to the Board for approval prior to beginning the change order work.

3042.3 Dividing contracts into smaller component contracts for purpose of evading the provisions of this policy is prohibited. Contracts may be divided to meet unique scheduling, labor and material availability and limitations, budget and funding modifications or other needs of a project such as the purchase of equipment with a long lead-time or to accommodate necessary time frames.

3042.4 Invoices or requests for payment from approved contractors and consultants are subject to the approval requirements in Policy 3040.2.

3046 INFORMAL BID PROCEDURES
RESOLUTION NO. 2023-10

3046.1 Informal Bid Procedures

3046.1.1 Public projects, as defined by the Uniform Public Construction Cost Accounting Act may be let to contract by informal procedures as set forth in Section 22032, et seq, of the Public Contract Code.

3046.1.2 Informal bid procedures shall be used to obtain bids when the public project construction cost is estimated to be greater than $60,000 and less than $200,000, or within the cost range listed in Section 22032 of the Public Contract Code.

3046.2 Contractors List - Notice Inviting Informal Bids

3046.2.1 In lieu of maintaining a Contractors List, the District elects to mail, fax or email a notice inviting informal bids to the construction trade journals specified in Section 22034 of the Public Contract Code**.**

3046.2.2 Until modified by Section 22034 of the Public Contract Code, the trade journals to receive informal bid invitation notices are: Construction Bidboard (Ebidboard), Dodge Data & Analytics, and two (2) of the following: Central California Builders Exchange (Fresno), Tulare & Kings Counties Builders Exchange (Visalia), Kem County Builders Exchange (Bakersfield), San Luis Obispo County Builders Exchange (San Luis Obispo) or BidAmerica (Murietta).

3046.2.3 If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

3046.3 Award of Contracts under this policy shall be approved by the Board of Directors at a Scheduled Meeting.

3055 CREDIT CARD USAGE

3055.1 A credit card shall be issued to the General Manager, the Treasurer and other District employees as approved by the General Manager. Credit cards shall not be issued or used by members of the Board of Directors.

3055.2 This policy applies to all individuals who are authorized to use District credit cards and/or who are responsible for managing credit card accounts and/or paying credit card bills.

3055.2.1 All credit card expenses shall be reasonable and necessary to the furtherance of District business and shall comply with the approval requirements in Policy 3040. No personal expenses shall be charged on a District credit card. If there is an overlap on a transaction between personal and District business, the employee shall pay for the transaction personally and then request reimbursement by the District.

3055.2.2 Receipts for purchases on the District credit card shall be submitted attached to an expense report form indicating the purpose for each purchase and submitted to Accounts Payable Department or other person as designated by the Treasurer as soon as possible after the purchase, but no later than two (2) weeks from the date of purchase.

3055.2.3 The Board of Directors shall review credit-card transactions by the General Manager. The Treasurer shall review and approve credit-card transactions by other district employees. The General Manager shall review and approve credit-card transactions by the Treasurer.

3055.2.4 Payment of the credit card bill is to be made in a timely manner to avoid late fees and finance charges. Payment of the bill without supporting receipts is to be approved by the Treasurer or other person as designated by the Treasurer.

3060 TRAVEL EXPENSES
RESOLUTION NO. 2019-01

3060.1 Business Purpose. The District will pay in advance and/or reimburse Directors and employees for costs of travel, lodging, and other expenses reasonably and necessarily incurred for travel that is conducive to and substantially related to the advancement of the interests of the District ("Business Trips"). Business Trips generally involve: (i) attending District sponsored events; (ii) meeting with consultants, professionals or governmental entities in the performance of the participant's District duties; (iii) meeting with representatives of regional, state and national government regarding District policy positions; (iv) participating in regional, state and national organizations which affect the District's interests, as long as the District is a member of the organization; or (v) attending education seminars, conferences or activities designed to improve the participant's skill and information levels, as long as the District is a member of the organization sponsoring the activity.

3060.1.1 Errands. Brief travel carried out pursuant to regular duties of an employee that has an estimated total reimbursable cost under $50 ("Errand") shall be reimbursed separately from the requirements for Business Trips and, instead, is governed by the expedited reimbursement procedures set forth under this subsection. Errands generally include trips in execution of clerical duties including, but not limited to, deliveries to a post office, Fed Ex location, or governmental entity.

3060.1.1.1 Employees may carry out a one-time or recurring Errand only after receiving verbal or written approval from the Director of Administration/Board Secretary, or his/her designee, prior to the Errand. Employees shall submit an expense report form ("Expense Report"), as provided by the District, to the Director of

Administration/Board Secretary for approval within thirty (30) days of incurring the expense.

3060.1.1.2 Automobile mileage is reimbursable at the Internal Revenue Service rate in effect at the time of the Errand. The reimbursable amount shall be based on the actual mileage traveled for the purposes of the Errand.

3060.2 Travel Requests. For all Business Trips, Directors and employees shall fill out and sign a "Request to Attend" form provided by the District ("Request Form"), and submit the Request Form to the Director of Administration/Board Secretary. The Director of Administration/Board Secretary, or his/her designee, shall review the Request Form for completeness and, if complete, present it to the General Manager for approval. The General Manager shall approve Business Trips that conform to the standards of this Policy.

3060.2.1 Deadlines. Directors and employees shall submit the Request Form at the earliest time reasonably possible to ensure that the District can book the least expensive rates for travel, lodging and other expenses. For conferences that offer less expensive "early bird" rates or impose late fees for registration, hotels and/or other expenses, Directors and employees shall submit the Request Form no fewer than seven (7) days prior to the "early bird" or late fee deadline, whichever is earlier. If the Request Form is not submitted by the foregoing deadline due to an unreasonable delay on the part of the Director or employee, the Director or employee may be required to pay the difference in price and/or any late fees incurred by the District. The General Manager may waive the deadline if he or she deems a waiver is appropriate under the circumstances.

3060.2.2 Expense Limit. The District will pay no more than $6,150.00 per Director per fiscal year ("Yearly Maximum") for voluntary attendance at conferences, seminars, and /or trainings that are not Business Trips. Such Yearly Maximum for such non-Business Trip-conferences, seminars, and trainings shall not carryover from one fiscal year to another or transfer between Directors, unless authorized by the General Manager. Directors shall pay from their own personal funds any expenses exceeding the Yearly Maximum for non-Business Trip-conferences, seminars, and trainings.

3060.3 Travel Arrangements. Once a Business Trip has been approved by the General Manager, Directors and employees shall make specific transportation and lodging arrangements through the Director of Administration/Board Secretary, or his or her designee. To conserve District resources and keep expenses within reasonable standards, the Director of Administration/Board Secretary, in consultation with the Director or employee requesting the Business Trip, shall follow the guidelines below.

3060.3.1 Transportation. The District shall pay for the most economical mode and class of transportation with the most direct route that reasonably satisfies scheduling needs and cargo requirements. Generally, airfare or train fare for travel in coach or economy class and car rental fees for compact or mid-sized cars will be approved.

3060.3.1.1 Special Rates. Government and group rates offered by a provider of transportation shall be used when available.

3060.3.1.2 Personal Automobiles. Automobile mileage is reimbursable at the Internal Revenue Service rate in effect at the time of the Business Trip. The reimbursable amount shall be based on the actual mileage traveled for the purposes of the Business Trip.

3060.3.2 Lodging. The District shall pay for standard accommodations in hotels, motels, or similar lodgings when a Business Trip reasonably requires an overnight stay.

3060.3.2.1 If the lodging is in connection with a conference or other organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director or employee at the time of booking. If the group rate is not available, the Director or employee shall use comparable lodging that is (i) consistent with the reimbursable per diem rates for lodging as established by the U.S. General Services Administration; or (ii) offered at a governmental rate by the provider of lodging.

3060.3.2.2 If the lodging is not in connection with a conference or other organized educational activity, the Director or employee shall use comparable lodging that is (i) consistent with the reimbursable per diem rates for lodging as established by the U.S. General Services Administration; or (ii) offered at a governmental rate by the provider of lodging.

3060.3.3 Meals and Gratuity. The District shall pay for the basic cost of meals, sales tax and customary gratuity, including, but not limited to, gratuity for wait staff, valet parking, bellhops and housekeeping, by advancing Directors and employees with a per diem allowance at the rate set by the U.S. General Services Administration ("GSA") for "Meal and Incidental Expense" ("M&IE") for the most expensive region(s) of the state to which they travel, regardless of the region within that state where the Business Trip actually takes place. For the first and last calendar days of the Business Trip, the per diem allowance shall be 75% of the aforementioned GSA rate.

3060.4 Incidental Expenses. The District shall reimburse Directors and employees for actual expenses incurred under conditions conducive to and substantially related to the Business Trip. Directors and Employees are expected to use prudence and good judgment and incur the fewest expenses that conform to this Policy.

3060.4.1. Incidental expenses that generally will be reimbursed in full include the following: (i) fares for shuttle, airport bus service or public transportation; (ii) fares for taxi or equivalent only when less expensive transportation is unavailable or inefficient; (iii) bridge and road tolls, (iv) parking fees; (v); (vi) Charges for telephone calls, fax, internet and similar services required for business purposes; (vii) charges for laundry services for trips of five (5) or more days.

3060.4.2 The District will not reimburse for personal expenses including, but not limited to, the following: (i) mileage for a personal portion of any trip; (ii) expenses for guests, including a partner's expense when accompanying the Director or employee on the Business Trip, (iii) entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage

and/or golf-related expenses), or other cultural events. (iv) family expenses such as day care for children or boarding for pets; (v) Non-mileage personal automobile expenses, including traffic citations; (vi) political or charitable contributions or events; (viii) personal care items; and (ix) personal losses incurred while on District business. If the Director or employee uses a vehicle owned, leased, or rented by the District, it may not be used for personal reasons unless prior approval has been granted by the General Manager.

3060.5 Travel Alterations. A Business Trip may be altered after its commencement if the proposed alteration is (i) conducive to and substantially related to the advancement of the interests of the District and (ii) approved in advance by the General Manager. The District shall reimburse Directors and employees for actual costs for additional transportation, lodging, meals and incidental expenses necessarily incurred by the Director or employee due to the alteration. Such additional expenses must conform to the cost-efficient standards set forth in this Policy.

3060.5.1 Travel Delays. The District shall reimburse Directors and employees for actual costs for additional transportation, lodging, meals and incidental expenses necessarily incurred by the Director or employee due to delays caused by a public emergency or dangerous weather. Such additional expenses must conform to the cost-efficient standards set forth in this Policy.

3060.5.2 Personal Emergencies. If a Director or employee must abandon the Business Trip early due to (i) an incapacitating illness or injury which is not due to the employees own misconduct or (ii) an emergency situation involving serious illness, injury or death of a family member, the District may, upon approval by the General Manager, reimburse the Director or employee for actual transportation costs incurred by the Director or employee for his or her return travel.

3060.5.3 Per Diem. Directors and employees must reimburse the District for any per diem advanced to them for days or meals that become unnecessary due to an alternation to the Business Trip.

3060.5.4 Travel Cancellation. If a Director or employee is fails to or is otherwise unable to attend a Business Trip for reasons other than a Personal Emergency under Section 3060.5.2, the Director or employee will be required to reimburse the District for any unrecovered expenses within 30 days of the Business Trip, unless additional time has been approved by the General Manager. The Director or employee can submit a request to the General Manager to cancel the reimbursement. The request must be in writing and must contain the reason for the failure to attend the Business Trip, if it was not due to a Personal Emergency. The General Manager will respond to the request within 10 business days.

3060.6 Reimbursement. In order to be reimbursed by the District, Directors and employees must submit an Expense Report pursuant to the requirements below within thirty (30) days of incurring the expense.

3060.6.1 Employees. Employees must submit an Expense Report to their respective department supervisor for the supervisor's signed approval. The employee shall then submit the Expense Report to the Director of Administration/Board Secretary, or his/her designee, who shall review the Expense Report for

completeness pursuant to the requirements set forth below and, if complete, present it to the Finance Department for processing.

3060.6.2 Directors/General Manager. Directors must submit an Expense Report to the Director of Administration/Board Secretary, or his/her designee, who shall review the Expense Report for completeness pursuant to the requirements set forth below and, if complete, present it to the General Manager for Approval. Expense Reports submitted by the General Manager shall be reviewed and approved by the Board of Directors on the Consent Calendar with documentary evidence provided. Once approved by the General Manager or Board of Directors, the Director of Administration/Board Secretary, or his/her designee, shall forward the Expense Report to the Finance Department for processing.

3060.6.3 Documentation. The Expense Report must (i) include a declaration, signed by the Director or employee under the penalty of perjury, declaring that all expenses listed are accurate and were necessary, reasonable and incurred in conformity with this Policy and (ii) be accompanied by documentary evidence, such as a receipt, canceled check or bill, for each expense.

3060.6.3.1 The documentary evidence should show the amount, date, place, and essential character of the expense. If the evidence submitted is a bill, it must be itemized so as to sufficiently indicate which costs the Director or employee claims are in connection with the Business Trip and for what purpose such costs were incurred. For example, an itemized hotel bill listing the incidental expense claimed would contain sufficient level of detail to meet this requirement.

3060.6.3.2 If documentary evidence is unavailable, the following limitations on reimbursement shall apply: (i) no expense in excess of $75.00 shall be reimbursed; and (iii) expenses of less than $75.00 shall be reimbursed where substitute documentary evidence is provided**.**

3060.6.3.3 In order to qualify for reimbursement using substitute documentary evidence the substitute evidence must corroborate the following: (i) the amount of the expense; (ii) the time and place where the expense was made; (iii) the business purpose of the expense; and (iv) the business relationship between the person making the expenditure and the person benefiting from the expenditure, if any. Acceptable forms of substitute documentary evidence may include, but is not limited to, written statements from the Directors' or employees' co-travelers or other witnesses, setting forth detailed information about the expense.

3060.6.4 Disputed Expenses. An employee seeking reimbursement of an expense that was denied by his/her supervisor may appeal the supervisor's decision to the General Manager, who may approve reimbursement if he/she determines that the expense is proper under this Policy. A Director seeking reimbursement of an expense that was denied by the General Manager may appeal the General Manager's decision to the Board of Directors, which may approve reimbursement, in open session, if it determines that the expense is proper under this Policy.

3060.7 Reporting. Each Director and employee shall provide a brief oral report on any event attended at the District's expense at the next available Board meeting. If more than one Director or employee attends the same event, the Board President shall designate one attendee to give the report. The other attendees will be permitted to briefly report on any topics omitted by that designated attendee.

3060.8 Assistance. The Director of Administration/Board Secretary, or his or her designee, may give guidance and assistance on procedures related to travel arrangements, Expense Reports or other travel issues. Any question regarding the propriety of a particular type of expense should be resolved before the expense is incurred.

3060.9 Abuse. The District considers abuse of this Policy to be a very serious matter. Abuse includes falsifying Expense Reports to reflect costs that were not actually incurred or that were not business-related. Pursuant to California Government Code Section 53232.4, penalties for misuse of public resources or falsifying Expense Reports in violation of Expense Reporting policies may include, but are not limited to, the following: (i) the loss of reimbursement privileges; (ii) restitution to the local agency; (iii) civil penalties for misuse of public resources pursuant to Section 8314 and (iv) prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code. Furthermore, failure to follow this business travel expense Policy may be grounds for disciplinary action including, but not limited to employment termination.

3062 ESCHEATMENT

3062.1 PURPOSE. The purpose of this policy is to establish guidelines for the escheatment of unclaimed checks issued and unclaimed money by the Rosamond Community Services District (District), and to ensure the propriety of the related accounting transactions.

3062.2 APPLICATION OF POLICY. This policy applies to unclaimed checks issued and unclaimed money held by the District over three years in accordance with California Government Code Sections 50050-50056. In the event of any conflict between the provisions of the Government Code and the provisions of this Policy, the provisions of the Government Code shall prevail.

3062.3 DEFINITIONS

3062.3.1 Uncashed check – A check mailed or delivered to the payee that has not been cashed.

3062.3.2 Unclaimed checks – Funds which are not the property of the District, but remain in the District Treasury for three or more years without a claim being filed by the legal owner(s).

3062.3.3 Outstanding check – Any District check that has not cleared the bank, been cancelled, or written off. Outstanding checks include both uncashed and unclaimed checks.

3062.3.4 Outstanding check register – A list or record of outstanding checks.

3062.3.5 Treasurer – Position is appointed by the Board of Directors (Board) of the District. The Treasurer, or his designee is responsible for the receipt, investment, disbursement, and safekeeping of all District funds.

3062.3.6 Stale dated – A check that is older than six months.

3062.4 California Commercial Code Section 4404 stipulates a bank is under no obligation to a customer having a checking account to pay a check, other than a certified check, which is presented more than six months after its issue date**.**

3062.5 It is the policy of the District to properly account for unclaimed checks in a manner which follows California Government Code Sections 50050 through 50056. Checks that remain unclaimed for at least three years will become the property of the District after the procedures identified herein have been followed.

3062.6 Disposition procedures for unclaimed checks and monies will not include individual items of less than $15.00, or any amounts in which the depositor's name is unknown. These funds will become the property of the District after being unclaimed for a period of at least 12 months by order of the Board without the necessity of publication of a public notice in a newspaper (Gov. Code Section 50055).

3062.7 PROCEDURES

3062.7.1 During the monthly bank reconciliation process, the outstanding check register will be reviewed for items six months or older. For those checks, a letter and affidavit form for replacement checks will be mailed to the address on record (Exhibit I).

3062.7.2 Every June 30th and December 31st, all remaining outstanding checks will be reviewed. Any checks issued more than 12 months prior to review date will receive a second letter and affidavit form. If no response is received within 30 days, the check will be identified as stale dated. Stale dated checks shall be voided and cleared in the system. A journal entry shall be prepared to record the total amount of stale dated checks in a hold account called "Aged Un-Cashed Checks".

3062.7.3 A list of stale dated checks containing the check number, issue date, amount, and payee shall be maintained by Finance. If a stale dated check is presented, or the payee files a claim after the check is voided, the check shall be reissued by debiting the "Aged Un-Cashed Checks" account, and the original check shall be removed from the stale dated list.

3062.7.4 Also on June 30th and December 31st, the stale dated list shall be evaluated to determine which checks are more than three years old from the date of issue. Checks that are more than three years old will be handled as follows:

3062.7.4.1 After three years from the check date, if the check remains unclaimed, the check may become the property of the District, after notice is given to potential claimants (Gov. Code Section 50050). Any time after three years, the Treasurer, or his designee, shall publish a notice once a week for two successive weeks in a local newspaper of general circulation (Exhibit II). Notice will state the amount of money, the fund in which

it is held, and that it is proposed that the funds will become the property of the District on a designated date not less than forty-five (45) days nor more than sixty (60) days after the first publication of the notice (Gov. Code Section 50051).

3062.7.4.2 Before or after the notice, and before the date the unclaimed funds become the District's property, any interested party may file a claim for the funds with the District's Treasurer (Gov. Code Section 50052). The claim must include the claimant's name, address, amount of the claim, the grounds on which the claim is founded, and any other information that may be required by the District Treasurer (Exhibit III).

3062.7.4.3 The Treasurer may either accept or reject the claim (Exhibit IV). However, even if the procedures listed above are not followed, the Treasurer has the discretion, upon submission of satisfactory proof to the Treasurer, to release unclaimed funds to the depositor of the unclaimed funds or their heirs, beneficiaries, or duly appointed representatives, if the funds are claimed before it becomes the District's property (Gov. Code Section 50052.5).

3062.7.4.4 If the Treasurer rejects the claim, the claimant may file a verified complaint in a Kern County Court seeking to recover all or a dedicated part of the funds (Gov. Code Section 50052). A copy of that complaint must be served on the District Treasurer within 30 days of receiving notice that the claim was rejected. When a complaint has been filed, the Treasurer must withhold the release of the portion of unclaimed funds until a court renders its decision.

3062.7.4.5 If the funds are located in a special fund, the Board may transfer the funds to the General Fund (Gov. Code Section 50053).

3063 DEBT ISSUANCE AND MANAGEMENT

3063.1 PURPOSE. The purpose of this Debt Issuance and Management Policy {the "Policy"} is to provide written guidance to policymakers regarding the timing and purposes for which debt may be issued, types and amounts of permissible debt, and method of sale that may be used. Adherence to a debt policy helps maintain a sound financial position and optimal credit ratings by ensuring the District's debt is prudently issued and managed.

This Policy is intended to comply with the requirements of Senate Bill 1029, codified as part of
Government Code Section 8855 {i}, effective on January 1, 2017, as may be amended from time to time.

This Policy is applicable to all entities for which the District Board of Directors acts as legislative body.
When used in this Policy, the term "District" shall refer to each of such entities and "debt" or "bonds".

3063.2 POLICY OBJECTIVES. The main objectives of this Policy include, but are not limited to:

- Maintain the District's sound financial position by ensuring the debt capacity is adequately considered and minimizing the District's interest payments and issuance costs.
- Protect the District's creditworthiness and achieve the highest practical credit ratings, when applicable.
- Provide complete financial disclosure and reporting.
- Ensure the District's debt is consistent with the District's planning goals and objectives and capital improvement program and/or budget, as applicable.
- Ensure the District is in compliance with all relevant State and Federal securities laws and other applicable laws and regulations.

3063.3 ACCEPTABLE USES OF DEBT PROCEEDS. The District will consider the use of long-term debt financing primarily for the acquisition, substantial refurbishment, replacement, or expansion of capital assets and capital improvement projects only if the project's useful life will equal or exceed the term of the financing or will otherwise comply with Federal tax law requirements. Short-term debt will not be issued to finance the District's capital projects or supplement cash flows. Refunding issues will be considered only if they comply with the refunding parameters and objectives discussed herein.

3063.3.1 Long-Term Debt

3063.3.1.1 Long-term debt may be issued to finance or refinance the construction, acquisition, substantial refurbishment, replacement or expansion of capital assets such as improvements and facilities, equipment and land to be owned and/or operated by the District. Long-term debt financing will not generally be considered for the payment of current operating expenses and routine maintenance expenses. Long-term debt financings are appropriate when any of the following conditions exist:

- When the financed project is necessary to provide basic municipal services.
- When the financed project will provide benefit to the District's constituents over multiple years.
- When the total effect of the debt financing would not impose an unreasonable burden on the District and its taxpayers and/or ratepayers, as applicable.
- When the debt is issued to refinance outstanding debt in order to restructure debt or produce debt service savings.

3063.3.1.2 When at least one of the above conditions are met, the District may issue long-term debt subject to the following additional conditions:

- The project being financed has been, or will be, included in the District's capital improvement plan or budget and approved by the District Board of Directors.
- The weighted average maturity of the debt allocated to the project will not exceed 120% of
- the average reasonably expected economic life of the project being financed, subject to exceptions described herein.

- The District estimates that sufficient income and revenues will be available to pay debt service until final maturity.
- The District determines that the debt issuance will comply with the applicable requirements of State and Federal law.
- The District considers the project to be of vital, time-sensitive need for the community and there are no plausible alternative financing sources, such as pay-as-you-go funding, the use of grants or any combination thereof.

3063.3.1.3 The District will undertake periodic reviews of outstanding long-term debt to identify refunding opportunities. Refunding's may be considered (within the federal tax law constraints, if applicable) if there is a net economic benefit from the refunding. Refunding's which have no economic benefit may be considered to alter covenants, call provisions, provide operational flexibility, change tax status, or to restructure the debt service profile in order to achieve District objectives or provide other benefits to the District. Generally, the District shall strive to achieve a minimum of 3% net present value savings for a current refunding and a minimum of 5% net present value savings for an advance refunding. Refunding's producing less than 3% net present value savings will be considered on a case-by-case basis by the District Board of Directors. Upon the advice of the finance department and with the assistance of the District's municipal advisor and bond counsel, the District will consider undertaking refunding's for other than economic purposes based upon a finding that such a restructuring is in the District's overall best financial interest.

8001 DISPOSAL OF SURPLUS EQUIPMENT RESOLUTION NO. 2025-10

8001.1 Sale or Donation of Surplus Equipment.

8001.1.1 Department Managers will identify items as surplus or obsolete.

8001.1.2 Request to dispose of asset will be submitted to Finance Department with description of item and asset number as available.

8001.1.3 Finance Department will determine the book value of the item and submit request to dispose of equipment to District Accountant or General Manager for approval.

8001.1.4 District will submit the request for disposal with recommended method of disposal to the Board of Directors. Board of Directors will take action at a Board meeting to approve recommended method or direct another method.

8001.1.5 Surplus or obsolete items may be exchanged or traded-in on new goods, sold using competitive procedures, sold at District public auction or sold as scrap or destroyed and disposed of if there is no resale or trade-in value.

8001.1.6 Junked Certificates are obtained for vehicles that are sold to protect the District from liability.

8001.1.7 All items determined to have no monetary value shall be submitted to the District Accountant for tracking and approved by the General Manager prior to disposal. The General Manager shall submit a written report to the Board of Directors at the first Board Meeting following its disposition.

8001 DISPOSAL OF SURPLUS PROPERTY RESOLUTION NO. 2025-10

8002.1 Purpose. The purpose of this Disposal of Real Property Policy (Policy) is to establish the procedure by which the District may determine if a parcel or a portion of a parcel of real property owned by Rosamond Community Services District (District) is no longer needed for daily and/or future operations. Further, this Policy establishes how the District should relinquish or dispose of such property and how revenue derived should be handled.

8002.2 Disposal of Surplus Property Policy. In carrying out this Policy, staff shall follow the Surplus Land Act (Gov. Code,§ 54220, et seq) and all applicable conflict of interest laws (i.e., the Political Reform Act (Gov. Code,§ 87100, et seq) and Government Code section 1090, et seq).

8002.3 Real Property Definition "Real Property" means "any parcel of land or portion of a parcel of land owned by the District."

8002.4 Disposal of Real Property The District shall comply with the Surplus Land Act as follows:

8002.4.1 Staff shall identify Real Property that no longer meets the needs of daily, emergency, and/or future operations of the District. Further, staff shall prepare a report to document why the identified pieces of Real Property are no longer needed and shall provide this report to the Board of Directors (Board) for its consideration.

8002.4.2 Staff shall determine if any identified piece of Real Property is subject to the notice and offer requirements set forth under the Surplus Land Act. In accordance with the Surplus Land Act, Real Property is exempt from the statutory notice and offer requirements, in part, if it:

1. Is less than 5,000 square feet in area; or
2. Is less than the minimum legal residential building lot size for the jurisdiction in which the parcel is located, or 5,000 square feet in area, whichever is less; or Has no recorded access and is less than 10,000 square feet in area and is not contiguous to land owned by a state or local agency that is used for open-space, low- or moderate-income housing, and is sold to the owner of the contiguous land.

8002.4.3 If staff determines that an identified piece of Real Property is not exempt from the Surplus Land Act, then the Board shall declare the Real Property as surplus. Further, the District shall obtain a qualified appraisal of any such piece of Real Property and submit a written notice of availability to any and all specified public agencies, within whose jurisdiction the property is located before the property can be sold to other public agencies or a private party. Those specified public agencies are as follows:

1. Housing Agencies, Housing Sponsors.

2. Local City, County, Regional and State Park and Recreation Agencies.
3. Local School Districts.
4. Neighborhood Enterprise Entities.
5. Successor agencies to former Redevelopment Agencies, Public Transportation
6. Authorities, and House Authorities. If more than one agency competes for the same piece of Real Property, the agency that proposes to build the greatest number of low or moderate-income housing on the property shall have priority to purchase the Real Property.

8002.4.3 If none of the qualifying agencies provide written interest in buying the piece of Real Property to the District within 60 days after receiving notice or make an offer meeting the appraised value, then the District shall provide a notice of sale to each owner of land contiguous to the piece of Real Property.

This notice shall contain a description of the Real Property, the appraised value, unless the Board authorizes a different price, and a statement of time and place for opening bids. Bids for the purchase of Real Property shall be accepted or rejected by a resolution of the Board. If there is only one contiguous landowner to the piece of Real Property, then the District shall only provide notice to that landowner and that landowner shall have the first right of refusal to the piece of Real Property. Documents for the conveyance of title to the piece of Real Property shall be executed by the General Manager, upon authorization by the Board.

8002.4.4 If none of the owners of land contiguous to the piece of Real Property purchase the piece of Real Property, then the District shall sell the piece of Real Property by advertised public sale. The District shall post notice of the public sale at the District office at least 14 days before the date of sale.

This notice shall contain a description of the Real Property, the appraised value, unless the Board authorizes a different price, and a statement of time and place for opening bids. Bids for the purchase of Real Property shall be accepted or rejected by a resolution of the Board. Documents for the conveyance of title to surplus Real Property shall be executed by the General Manager, upon authorization by the Board. Alternatively, the District may list the Real Property for public sale with a licensed real estate broker in good standing, who advertises the piece of Real Property through multiple listing service or similar listing system at a fair market value determined by the broker using comparable sales data. Documents for the conveyance of title to surplus Real Property shall be executed by the General Manager, upon authorization by the Board.

8002.4.5 If staff determines that an identified piece of Real Property is exempt from the Surplus Land Act the District shall not be required to obtain a formal appraisal of the property or submit a written notice of availability. Instead, the District shall adhere to Sections 8002.4.3 and 8002.4.4, above, except that in place of the appraised value of the property, the District may offer the exempt piece of Real Property for fair market value. If circumstances warrant an exempt piece of Real Property may be sold for less than fair market value. In such cases, the General Manager or his/her designee shall prepare a staff report documenting why the exempt piece of Real Property was not appraised, why It may be sold for less than fair market value, the fiscal impact of selling the property, and why It is exempt

from the Surplus Land Act's notice and offer requirements. After review, the Board may approve the sale of the exempt piece of Real Property by Resolution, authorizing the General Manager to make the sale.

8002.5 Prohibited Director, Officer and Employee Transactions. No employee, officer, consultant or member of the Board shall make, participate in making, or in any way attempt to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest. An employee, officer, consultant or member of the Board shall be deemed to have a disqualifying financial interest if the decision will have a reasonably foreseeable material financial effect, distinguishable from the effect on the public generally, directly on them, or their immediate family, or on any financial interest described in California Code of Regulations, title 2, section 18700, subsections (c)(6)(A-F). Further, no employee, officer, or member of the Board shall be financially interested in any contract made by them in their official capacity, or by the board or body of which they are a member. An officer shall not be deemed to be interested in a contract entered into by a board or body of which the officer **is a** member if the officer has only a "remote interest," as that tennis defined under Government Code section 1091, subdivision (b), and that interest is disclosed to the board or body, the disclosure is noted in the District's official records, and the board or body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting on the vote or votes of the officer or member with the remote interest. Additionally, an employee, officer, or member of the Board shall not be deemed to be interested in a contract if 0) his or her interest is that of a recipient of public services generally provided by the District on the same terns and conditions as if he or she were not a member of the board or body: (ii) the employee, officer, or member of the Board participates in a public auction for surplus property where he or she did not participate or influence the decisions pertaining to the sale, or the purchase of the property; and (iii) any other applicable "non-interest listed under Government Code section 1091.5.

8002.6 Sale of a Portion of a Parcel Exempt from Statutory Notice. The sale of Real Property to a purchaser who owns contiguous real property shall include, as a condition of sale, a requirement that the purchaser bear the cost related to any necessary lot-line adjustment.

8002.7 Prohibition Against Upgrades. Unless necessary to ensure the safety, merchantability and/or serviceability of surplus real property, staff shall not make any repairs or upgrades to any real property recommended or already deemed to be surplus.

8002.8 Revenue from Disposal of Surplus Real Property. All revenue received from the disposal of surplus real property shall be deposited in the District's general operating fund unless otherwise specified by the Board.

8025 USER FEES POLICY RESOLUTION NO. 2022-09

8025.1 It shall be the policy of the Rosamond Community Services District ("District") Board of Directors that the District Staff shall prepare and maintain a schedule of fees and charges for those facilities where such revenues are necessary or desirable to support their continuation.

(a) Fees shall be charged to the general public, individuals and groups, in amounts which are reasonably related to the cost to the extent reasonable to recover all, or a portion of, direct and/or indirect costs associated with the delivery of programs, services or events provided by the District. The purposes of the fees so generated shall be:

(1) To obtain revenue to supplement or completely replace maintenance and operational costs.
(2) Reduce the impact on District Funds.
(3) Control area visitation.
(4) Amortize capital investments.
(5) Enable the District to provide facilities for which funds might not otherwise be available.
(6) To provide sufficient revenue to cover costs, provide for appropriate reserves, and for expansion of services.

(b) Staff will review user fees annually to determine not only how the District's fees compare to the fee levels in other communities, but also the extent to which these fee charges are supporting the real costs involved in providing the services.

(c) User fees are established by the Board of Directors resolution after following the applicable procedures for adoption. Said fees are based on the actual cost of providing the service, including labor, materials and overhead as described in the District's schedule of Rates, Fees and Fines. The amount of said fees shall not exceed the costs reasonably borne by the District in providing the applicable facilities, programs, services and events.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 3

Exhibit "A"

User Fees

Standard Operating Procedures

GENERAL: The Board may establish rates and other charges for services and facilities which the District provides. Such fees will cover the cost of services which the District provides or the cost of enforcing any regulation for which a fee is charged. The fees will not exceed the costs reasonably borne by the District in providing the service or enforcing the regulation for which the fee is charged. Where appropriate, fees shall be charged for services and facilities when one or more of the following factors exist:

(1) Cost per user-hour of the service or the facility is high. This may be so where:
- The service uses consumable materials;
- The service requires a facility with high capital, operating or maintenance costs;
- The service requires special preparation or clean-up;

(2) Use of the service or facility is limited to a relatively few individuals or certain groups of a private character; therefore those who benefit to the exclusion of others should pay their proportionate share for the privileges enjoyed.

(3) Public property is used for private economic gain; therefore, the fees charged for use of public facilities by private and closed membership groups should be comparable to commercial rates.

(4) Demand for the service is not a budgeted service

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 3

8030 FEE WAIVER AND FEE EXEMPTION
RESOLUTION NO. 2022-09

8030.1 Fee Waiver. In an effort to provide support for organizations providing valuable community services that the District would otherwise provide or is unable to provide, the Rosamond Community Services District recognizes the value of partnering with other agencies and organizations in providing services that benefit the community and its residents. The Board of Directors, in its reasonable discretion, may approve requests for a fee waiver that conform to the standards of this Policy. All decisions of the Board of Directors will be final.

8030.1.1 Requests. A request for a fee waiver must be submitted by the requestor in writing to the Director of Administration/Board Secretary with a copy of an IRS Letter of Determination, if applicable, in a timely fashion in order to be placed on a future agenda.

8030.1.2 Event Requirements. To qualify for a fee waiver, the proposed event or activity must not disrupt normal District staffing patterns and must meet one of the following criteria:

(a) The event directly benefits the District facilities, programs or services.
(b) The event is conducted by a non-profit group which meets all of the following criteria:
    (1) The organization is a valid non-profit or community service organization;
    (2) The imposition of the fees would create a financial hardship on the organization or would have a detrimental effect upon the services provided to the public;
    (3) The program or event is of significant value to the community or to a significant portion of its residents;
    (4) The event or program is open to the public and is in compliance with the District's non-discrimination policy;
    (5) The proposed event or program will have no significant impact on the facilities or Division activities, that the permittee will provide volunteer services and materials to mitigate any impacts created by the event or program or that the impacts that are created are adequately offset by the public benefit provided by the program or event; and
    (6) If a fee is charged at the event or program, a reasonable portion of the proceeds will be paid to the District to offset Division costs created by the event or program.
(c) The entity making the fee waiver request is a government entity that provides direct service to the community.
(d) The event is conducted by an organization in a formal partnership, cooperative venture, or other arrangement with the District (e.g. School District, Chamber, Little League, etc.).
    (1) The co-sponsoring agency has or is in the process of receiving 501 (c)3 status;
    (2) The program or event is within the scope of services normally provided by the Parks & Recreation Division;
    (3) Appropriate recognition as co-sponsor of the event or program is provided for the Parks & Recreation Division on all promotional materials and at the event or program; and

(4) All resources provided by the District in sponsorship of the event must be provided for within the Division's current allocations without a reduction of services.

8030.1.3 General Requirements. For all uses, the following standards will apply, as determined in the Board's reasonable discretion:

(a) Good cause exists and substantial evidence supports conclusions that fees would be a burden on the entity making the request and will not be recoverable through a fee for service.
(b) A certificate of insurance or statement of self-insurance and hold harmless agreement must be provided.
(c) Scheduling and use of facilities and events are subject to availability of requested facilities.
(d) Reasonable steps shall be made to minimize impact to District facilities, programs and residents. Contributions of volunteer efforts or materials to the Park Maintenance program are encouraged from all users to promote the concept of "improving the parks by our use".
(e) The Board of Directors may, at its discretion, place conditions upon the permit to minimize impacts to facilities or costs to the District or to restore facilities used to prevent condition.
(f) A refundable security deposit will be required even for events for which fees have been waived.

8030.1.4 Budget Requirements. Fee waivers have a budgetary impact. The fully allocated costs to the District shall be identified in a staff report that shall accompany the waiver request. Staff shall provide quarterly reports to the Parks & Recreation Committee and an annual report to the Board of Directors regarding all fee waivers that have been approved or implemented and the effectiveness of the fee waiver program in providing additional recreation and community services through private and non-profit partnerships. The budgeted maximum amount for all fee waivers in a fiscal year shall be $5,000.

TITLE 4 DISTRICT OPERATIONS

ARTICLE 6000 FACILITIES DEVELOPMENT

6005 EMERGENCY PREPAREDNESS

6005.1 It is the policy of Rosamond Community Services District to create and maintain an active emergency preparedness program that includes an emergency plan that will help manage the District's critical functions during any emergency and protect the safety of staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency duties.

6005.2 Emergency: Emergency means the actual or threatened existence of conditions of disaster or of extreme peril to the provision of critical District functions and the health and safety of staff or the public, caused by such conditions as fire, severe storm, riot, hazardous materials releases, earthquake, power outages, dam failures, freezes, water supply contamination, and other conditions which may be beyond the capability of the services, personnel, equipment, and facilities of this District, and may require the combined forces of other political subdivisions to help respond.

6005.3 Emergency Preparedness: The Board of Directors authorizes the establishment of an Emergency Preparedness Program, which consists of the nationally-recognized four phases of emergency management: mitigation, preparedness/planning, response, and recovery. District actions will include developing and maintaining an District-wide emergency plan, identifying and training District staff to activate and use the plan, appointing District staff to critical positions identified in the emergency plan, and appointing staff to represent the District in negotiations or consultations with public and private agencies on matters pertaining to response to the emergency and recovery of damaged systems and financial costs incurred during the emergency.

6005.4 Standardized Emergency Management System: The California Office of Emergency Services regulates the Standardized Emergency Management System (SEMS), which was created by Government Code §8607 following the East Bay Hills Firestorm in 1991. To ensure reimbursement for claims filed after a disaster, all District emergency plans, procedures, and training will follow the SEMS regulations, and coordinate with the District-wide emergency plan.

6005.5 District Emergency Declaration: When an emergency condition arises, the General Manager may, in consultation with the Board President, declare a "District Emergency." The Board must ratify the declaration within 14 days at a regular, special or emergency Board meeting.

6005.6 Authorization During District Emergencies: The General Manager's Declaration of a District Emergency is a public acknowledgement of the serious situation the District faces, and that the District's resources may not be adequate to respond to the emergency. The Board of Directors, in consultation with the General Manager, may delegate to the General Manager the authority to suspend competitive bidding and enter into emergency contracts of up to $250,000, as authorized by Public Contract Code §20567 and §22050.

6005.7 Mutual Aid: The California Master Mutual Aid Agreement (Government Code §8561, §8615, and §8617) allows for the implementation of mutual aid during threatened, actual, or declared emergencies. The General Manager, in accordance with the Emergency Plan, may request mutual aid assistance from other local government and public agencies, or commit District resources to other agencies requesting aid. The General Manager may sign appropriate documents to effectuate mutual aid and other emergency response agreements.

6005.8 Continuity of Management: The District's emergency plan will list at least two successors to critical staff identified in the plan, including the General Manager. In the event the primary person is unable to respond to an emergency, each successor, in order, may assume all the duties and powers of the primary staff.

6005.9 Status Reports: The General Manager will provide annual reports to the Board of Directors on the progress of the Emergency Preparedness Program. Additional reports will be given to the Board on the effectiveness of the plan and District response within 60 days of the occurrence of a declared District Emergency.

6010 DEVELOPMENT IMPROVEMENT STANDARDS

6010.1 In order to provide a uniform and consistent method of regulating and guiding the design and preparation of plans for construction of water and sewer facilities; and, of insuring proper installation of all private works involving water and sewer, Improvement Standards, including Standard Details, shall be maintained by the District.

6010.2 The purpose of the Improvement Standards is to provide standards to be applied to water and sewer improvements and private works to be dedicated to the public and accepted by the District for operation and maintenance. This is necessary in order to provide for coordinated development of required facilities to be used by the public.

6010.3 It is recognized that it is not humanly possible to anticipate all situations that may arise or to prescribe standards applicable to every situation. Therefore, any items or situations not included in the Improvement Standards shall be designed and/or constructed in accordance with accepted engineering practice, the State of California "Standard Specifications" and "Highway Design Manual" and as required by the District Engineer.

6010.4 Proposed changes in the Improvement Standards shall be presented to the Board of Directors for their review and consideration. If the proposed change(s) is approved by the Board, staff shall incorporate said change(s) in the originals of said Standards, and shall annotate the date of said revision approval upon the documents.

6010.5 Copies of the current Improvement Standards shall be available at the District office and shall be available to interested parties upon request and payment of the cost of producing the requested copy.

6012 ENVIRONMENTAL, HEALTHY & SAFETY PROGRAM

6012.1 The Board of Directors of Rosamond Community Services District recognizes the importance of an effective environmental, health, and safety-compliance program for the well-being of each District employee, to the District's customers, to the public at large, to

the environment, and to the productivity of District operations. Therefore, it is the firm and continuing policy of the Board of Directors that environmental, health and safety compliance and accident prevention shall be considered of primary importance in all phases of the District's operation and administration, at all levels of the organization.

6012.2 Within the District, therefore, the General Manager is authorized to approve programs, standards, rules, and procedures to protect and promote the safety and health of District employees, customers, the public at large, the environment, and the productivity of District Operations. Under the General Manager's supervision, the Operation Manager shall review accidents and compliance issues, and recommend new or revised environmental, health, and/or safety programs, standards, rules, and procedures for approval by the General Manager and implementation within the District.

6012.2.1 Each division manager and supervisor shall make environmental, health, and safety compliance an integral part of their regular duties, including the provision of proper training, materials, and equipment so that work can be performed safely and in compliance with regulations and other applicable standards.

6012.2.2 It is equally the duty of each employee to accept and follow established programs, standards, rules, and procedures, as well as instructions and directives relating to the efficient performance of their work. Every effort will be made to provide adequate training to employees. However, if an employee is ever in doubt about how to do a job safely and correctly, it is their duty to ask a qualified person for assistance. Everyone is responsible for housekeeping duties that pertain to their jobs. Unsafe conditions must be reported.

6012.3 By maintaining an effective environmental, health, and safety compliance program, the risk of personal injury, operational interruptions, and regulatory fines are reduced, and the mission of the District is manifested. The cooperation of all District employees is required.

6017 EASEMENT ABANDONMENT

6017.1 Abandonment by the District of its interest in public utility easements and other easements dedicated to the District for installation, maintenance, repair, etc., of its facilities, shall require approval of the Board of Directors.

6017.2 Commitments to abandon easements or assurances that easements will be abandoned may be provided by staff only after approval of same by the Board of Directors.

6020 ENVIRONMENTAL REVIEW GUIDELINES

6020.1 ARTICLE I – GENERAL.

6020.1.1 Section 1. Purposes. These guidelines implement the California Environmental Quality Act of 1970 (CEQA) as amended and ensure that consideration is given to the environmental effects of projects that are subject to CEQA. An EIR, or environmental impact report, is a detailed statement prepared under CEQA describing and analyzing the significant environmental effects of a project and discussing ways either to mitigate or avoid the effects. It is an information

document which, when fully prepared in accordance with CEQA and these guidelines, will inform public decision makers and the general public of the significant environmental effects of projects proposed to be carried out or approved. The information in an EIR constitutes evidence that the District shall consider along with any other information that may be presented to the District. While CEQA requires that major consideration be given to preventing EIR damage, it is recognized that public agencies have obligations to balance other public objectives including economic and social factors in determining whether and how a project should be approved. Economic information may be included in an EIR or may be presented in whatever form the District desires. The District retains its existing authority to balance environmental objectives with economic and social objectives and to weigh the various long term and short-term costs and benefits of a project in making the decision to approve or disapprove it.

6020.1.2 Section 2. General Implementing Procedures. The regulations contained in Title 14, Division 6, Chapter 3 of the California Administrative Code are incorporated by reference as if set out in full and shall be applicable, except as modified herein, to these procedures. (14 Code of Cal. Regs. Section 5022).

6020.1.3 Section 3. Definitions.

(a) "District" means the Rosamond Community Services District.
(b) "Board" means the District's Board of Directors.
(c) "District staff" means the District's General Manager or other delegated District employee.
(d) "Lead Agency" means the public agency that has the principal responsibility for carrying out or approving a project.
(e) "Responsible Agency" means the public agency that proposes to carry out or approve a project, for which the Lead Agency is preparing or has prepared an EIR.
(f) "Trustee Agency" means the state agency with legal jurisdiction over natural resources held in trust for the people of the state, and which are affected by a project.
(g) "Substantial evidence" means facts, fact-related reasonable assumptions and expert opinion.
(h) "Cumulative Impact" means two or more environmental effects which, when considered together, are considerable or which compound or increase other environmental impacts.
(i) Other definitions as found in 14 Code of Ca. Regs. Section 15350, et seq.

6020.2 ARTICLE II – APPLICABILITY.

6020.2.1 Section 4. Scope of Applicability. These Guidelines apply to all discretionary projects that are carried out, approved or financed by the District.

6020.2.2 Section 5. Statutory Exemptions. The following activities are exempt from the requirements of CEQA and these Guidelines and consequently no environmental documents are required therefore.

(a) Ministerial Projects. Generally speaking, a ministerial project is one requiring approval by the District as a matter of law or the use of fixed standards or objective measurements without personal judgment. Examples of such projects include but are not limited to individual utility service connections and disconnections, agreements to install in-tract utility facilities to subdivisions, development of which has been approved by other appropriate governmental agencies, utility service connections and disconnection's to potential customers within such subdivision and the District's issuance of facility encroachment permits. (14 Code of Cal. Regs. Section 15369).

The decision as to whether or not a proposed project is ministerial in nature, and thus outside the scope of this enactment, shall be made by the District Board on a case-by-case basis or as part of these Guidelines as set forth hereafter.

(b) Emergency Projects. The following emergency projects: (14 Code of Cal. Regs. Section 15269).

(1) Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code.
(2) Emergency repairs to public service facilities necessary to maintain service.
(3) Specific actions necessary to prevent or mitigate an emergency.

(c) Feasibility and Planning Studies. A project involving only feasibility or planning studies for possible future actions that the District has not approved, adopted or funded, does not require the preparation of environmental documentation, but does require consideration of environmental factors. (14 Code Cal. Regs. Section 15252).

(d) Pipelines in Public Right of Ways. A project of less than one mile in length within a public street or highway or any other public right of way for the installation of a new pipeline or the maintenance, repair, restoration, reconditioning, replacement, removal, or demolition of an existing pipeline. A pipeline includes subsurface facilities but does not include any surface facility related to the operation of the underground facility. (Public Resources Code, Division 13, Paragraph 21080.21).

6020.2.3 Section 6. Categorical Exemptions. The Secretary of Resources, State of California has found that specific classes of projects do not have a significant effect on the environment and they are declared to be categorically exempt from the requirement for the preparation of environmental documents. A list of these exemption classes commonly found in District operations, along with the specific activities that the District has found to be within these categorical exemptions follows. The categorical exemptions listed herein are not intended to be, and are not to be construed to be a limitation of the exemption classes set forth in 14 Code Cal. Regs. Section 15300, et seq.

(a) Class I: Existing Facilities. Operation, repair, maintenance or minor alteration of all existing District facilities, structures, equipment or other property of every kind which activity involves negligible or no expansion or use beyond that previously existing, including, but not limited to:

(1) treated water conveyance facilities and appurtenant structures;
(2) water connection facilities, including meter boxes;
(3) fire hydrants;
(4) storage reservoirs;
(5) pump stations;
(6) treatment plants;
(7) recreational facilities;
(8) buildings; and,
(9) dams.

(b) Class II: Replacement or Reconstruction. Replacement or reconstruction of any existing District facilities, structures or other property where the new facility or structure will be located on the same site and have substantially the same purpose and capacity as the replaced or reconstructed facility or structure, including but not limited to:

(1) treated water conveyance facilities and appurtenant structures;
(2) water connection facilities, including meter boxes;
(3) fire hydrants;
(4) storage reservoirs;
(5) pump stations;
(6) buildings;
(7) treatment plants;
(8) recreational facilities, and
(9) dams and appurtenant structures.

For the purpose of determining the extent of this class exemption for buried pipelines under the water conveyance facility category, the following shall apply. A replacement of a buried pipeline will be considered as categorically exempt under Class II if the replacement is within 30 feet of the existing pipeline, the nominal inside diameter of the replacement pipe is no larger than the existing pipeline or 8-inch, whichever is greater, and no substantial clearing of mature trees or bushes is necessary.

(c) Class III. New Construction or Conversion of Small Structures. Construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this exemption include but are not limited to:

(1) Raw water conveyance facility appurtenances, including control and measuring structures.

(2) Treated water conveyance facility appurtenances, including meter boxes, fire hydrants, blow offs and air release valves.
(3) Water conveyance facility appurtenances, including water meters, booster pumps, gate, ball and check made in the interior of the structure. Examples of this exemption include but are not limited to valves, blowoffs, valve boxes, etc.

(d) Class IV: Minor Alterations to Land. Minor alterations in the condition of land, water, and/or vegetation, which do not involve removal of mature, scenic trees, including but not limited to:

(1) small water diversion facilities;
(2) grading on land with a slope of less than ten percent (10%), except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state or local governmental action) scenic area, or in officially mapped areas of severe geologic hazard;
(3) new gardening or landscaping but not including tree removal;
(4) filling of earth into previously excavated land with material compatible with the natural features of the site;
(5) minor alterations in land, water and vegetation on existing officially designated wildlife management areas or fish production facilities that result in improvement of habitat for fish and wildlife resources or greater fish production;
(6) minor temporary uses of land having negligible or no permanent effects on the environment;
(7) maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal agencies.

(e) Class V: Information Collection. Basic data collection, research, experimental management and resource evaluation activities, which do not result in a serious or major disturbance to an environmental resource. These activities may be undertaken strictly for information-gathering purposes or as part of a study leading toward the undertaking of a project.

(f) Class VI: Inspection. Inspection activities, including but not limited to inquiries into the performance of an operation and examination of the quality, health or safety of a project.

(g) Class VII: Accessory Structures. The construction or placement of minor structures accessory to or appurtenant to existing commercial, industrial or institutional facilities, including small parking lots.

(h) Class VIII: Surplus Government Property Sales. Sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in 14 Code Cal. Ergs. Section 15206. However, if the surplus property to be sold is located in any of those areas even its sale is exempt if:

(1) the property does not have significant values for wildlife habitat or other environmental purposes; and,

(2) any of the following conditions exist:
  (i) the property is of such size or shape that it is incapable of independent development or use, or
  (ii) the property to be sold would qualify for an exemption under any other class of categorical exemption in Section 6 of these Guidelines, or
  (iii) the use of the property and adjacent property has not changed since the time of purchase by the District.

(i) Class IX: Annexations of Existing Facilities and Lots for Exempt Facilities. The following annexations:

(1) annexations to the District of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities.
(2) annexations of individual small parcels of the minimum size for facilities exempted by Class III, New Construction or Conversion of Small Structures.

(j) Class X: Changes in Organization of the District. Changes in the organization or reorganization of the District where the changes do not modify the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

(1) establishment of an improvement district;
(2) consolidation of two or more districts having identical powers;
(3) merger with a district lying entirely within the boundaries of the District.

(k) Class XI: Small Hydroelectric Projects at Existing Facilities. Installation of hydroelectric generating facilities in connection with existing dams, canals, and pipelines where:

(1) the capacity of the generating facilities is 5 megawatts or less;
(2) operation of the generating facilities will not change the flow regime in the affected stream, canal, or pipeline including but not limited to:
  (i) rate and volume of flow:
  (ii) temperature;
  (iii) amounts of dissolved oxygen to a degree that could adversely affect aquatic life, and;
  (iv) timing of releases.

(3) new power lines to connect the generating facilities to existing power lines will not exceed one mile in length if located on a new right of way and will not be located adjacent to a wild or scenic river;
(4) repair or reconstruction of the diversion structure will not raise the normal maximum surface elevation of the impoundment;

(5) there will be no significant upstream or downstream passage of fish affected by the project;
(6) the discharge from the powerhouse will not be located more than 300 feet from the toe of the diversion structure;
(7) the project will not cause violations of applicable state or federal water quality standards;
(8) the project will not entail any construction on or alteration of a site included in or eligible for inclusion in the National Register of Historic Places; and,
(9) construction will not occur in the vicinity of any rare or endangered species.

(l) Class XII: Acquisition of Land for Wildlife Conservation. Acquisition of lands for fish and wildlife conservation purposes, including preservation of fish and wildlife habitat and preserving access to public lands and waters where the purpose of the acquisition is to preserve the land in its natural condition.

6020.3 ARTICLE III - ENVIRONMENTAL REVIEW PROCEDURES

6020.3.1 Section 7. General. The requirements set forth in these Guidelines apply to projects which may have a significant effect on the environment and which involve discretionary governmental action. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not covered by the requirements set forth in CEQA. However, these Guidelines should be consulted to determine the procedures necessary to verify that conclusion.

The procedures to be followed are summarized in the flow chart included as Exhibit "A" of these Guidelines.

6020.4 ARTICLE IV - PRELIMINARY REVIEW AND INITIAL STUDY

6020.4.1 Section 8. Preliminary Review. At the outset, a proposed activity shall be examined by District staff for the purpose of determining whether it is either statutory or categorically exempt or involves another agency as the lead agency (14 Code Cal. Regs. Section 15050, et seq.). If it is determined that the project is exempt from CEQA, or the District is not the lead agency, District staff may complete the form provided as Exhibit "B" of these Guidelines, Preliminary Environmental Assessment. If the District staff determines that the project is exempt from CEQA and the District approves or determines to carry out the project, the District may file with the County Clerk of the county in which the project will be located, a Notice of Exemption on the form provided as Exhibit "C".

6020.4.2 Section 9. Initial Study. If the project is determined not to be exempt and the District is the lead agency, the District staff shall conduct an initial study to determine if there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect. In making such a study, the District staff shall prepare a written determination using the Environmental

Checklist Form attached as Exhibit "D" of these Guidelines. Prior to determining if a Negative Declaration or Environmental Impact Report (EIR) is required for a project, District staff shall consult informally with all responsible agencies and all trustee agencies responsible for resources affected by the project. If the project is determined to be of statewide, regional, or area wide significance as defined in 14 Code Cal. Regs. Section 14206, District staff will consult with transportation planning agencies and other public agencies which have transportation facilities within their jurisdictions which could be affected by the project. Consultation will be conducted in the same manner as for responsible agencies and will be for the purpose of obtaining information concerning the project's effect on major local arterials, public transit, freeways, highways, and rail transit service within the jurisdiction of a transportation planning agency or a public agency. "Transportation Facilities" includes major local arterials and public transit within five (5) miles of the project site and freeways, highways, and rail transit service within ten (10) miles of the project site.

If there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared.

6020.4.3 Section 10. The Existence of Public Controversy. The mere existence of public controversy over the environmental effects of a project is no longer enough to require the preparation of an EIR. Substantive evidence is needed including facts, reasonable assumptions predicated upon facts and expert opinion supported by facts. If there is disagreement among expert opinion then the District will treat the effect as significant and prepare an EIR.

A mitigated Negative Declaration will be prepared instead of an EIR when the initial study has identified potentially significant environmental effects but, prior to public review of the proposed Negative declaration, the initial study was revised, providing for the mitigation of the effects of the proposed project to less than significant levels, and when there is no substantial evidence "in light of the whole record" that the project as revised will have a significant environmental effect.

6020.4.4 Section 11. Development and Publication Criteria. The District is encouraged to develop and publish the thresholds that it uses to determine the significance of environmental effects caused by projects it reviews. By identifying criteria that it uses, the District can show some predictability in its determination process and an interested party can ascertain the standard of significance for a particular resource in the community. If thresholds are to be adopted as part of the District's environmental review process then they must be adopted by ordinance, resolution, rule, or regulation after a public review period.

6020.4.5 Section 12. Consideration of Cumulative Effects. The cumulative effects of a project will be considered in the decision of whether an EIR is needed. An EIR must be prepared if the cumulative impacts may be significant and the project's incremental effect is cumulatively considerable and will not be lessened through the mitigation measures set forth in a Mitigated Negative Declaration. "Cumulatively considerable" means that the incremental effects of an individual

project are considerable when viewed in connection with the effects of past, current, and probable future projects. (14 Code Cal. Regs. Section 15064(I). If the cumulative impact will not be considerable then a Negative Declaration can be prepared.

The District Staff, at the conclusion of the initial study, will complete an Environmental Impact Assessment form, Exhibit "E" of these Guidelines, or include a similar statement in the initial study document.

6020.5 ARTICLE V – NEGATIVE DECLARATION

6020.5.1 Section 13. Proposed Negative Declaration. If the District staff determines that there is no substantial evidence "in light of the whole record" that the project will have a significant environmental effect, the District will give notice that the District proposes to adopt a Negative Declaration. (14 Code Cal. Regs. Section 15072). The format for this notice is given in Exhibit "F" of these Guidelines.

Notice will be provided to the public no less than twenty (20) calendar days prior to adoption by the District of Negative Declaration in the following manner:

(a) Mailed to the last know name and address of all organizations and individuals who have previously requested such notice in writing;
(b) Mailed to all responsible and trustee agencies;
(c) Posted in the office of the County Clerk of each county in which the project will be located within 24 hours of receipt for a period of at least twenty (20) days.
(d) Sent to the State Clearinghouse, Office of Planning and Research, if any state agencies or trustee agencies are responsible and the review period is extended to thirty (30) calendar days.
(e) Where the project meets the definition of statewide, regional or area wide significance as defined in 14 Code Cal. Regs. Section 15206, notice will also be submitted to the State Clearinghouse and to the appropriate Metropolitan Area Council of Governments for review and comment.

The public review period is thirty (30) days unless a shorter period is approved by the State Clearinghouse (not less than 20 days). Notice will also be given by at least one of the following procedures:

(a) publication at least one time by the District in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, publication in the newspaper with largest circulation from among the newspapers of general circulation in those areas;
(b) posting of notice by the District on and off site in the area where the project is to be located;
(c) direct mailing to owners and occupants, as shown on the latest equalized assessment roll, of property contiguous to the project.

The alternatives for providing notice specified above shall not preclude the District from providing additional notice by other means if the District so desires, nor shall these requirements preclude the District from providing the public notice

at the same time and in the same manner as public notice required by any other law for the project.

The District shall make copies of the proposed Negative Declaration available for public inspection for at least 20 days. Copies of the Negative Declaration may be provided to any person upon payment to the District of a fee established by the Board to cover nominal copying and staff processing costs.

The Board shall hold a hearing on the proposed Negative Declaration after notice is given as provided above. Comments relating to the inadequacies of a proposed Negative Declaration should identify the environmental effect, explain why the reviewer believes the effect would occur and explain why they believe the effect would be significant. Reviewers should explain the basis of their comments and whenever possible, should submit data or references in support of the comments. Prior to approving the project, the Board shall consider the proposed Negative Declaration together with any comments received during the public review process. If the Board determines that here is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it shall require that an EIR be prepared.

6020.5.2 Section 14. Recirculation of Negative Declaration. A Negative Declaration will be recirculated for public review before it is adopted and the project approved when it has been significantly revised. This happens when a new, avoidable significant effect is identified and mitigation measures or project revisions must be added to reduce the effect or when the District determines proposed mitigation measures will not properly reduce effects thus new measures or revisions are required. There will not be a recirculation when: 1) mitigation measures are replaced with equal or more effective measures; 2) new project revisions are added which are not new, avoidable significant effects; 3) measures or conditions are optional under CEQA that do not create new significant effects and are not necessary to mitigate an avoidable a significant effect; 4) or new information is added to clarify, amplify, or make insignificant modifications. (14 Code Cal. Regs. Section 15073.5)

6020.5.3 Section 15. Adoption of Negative Declaration. At a hearing, if the Board determines that there is no substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it shall adopt the Negative Declaration on the form provided as Exhibit "G" of these Guidelines. If the Negative Declaration is to be prepared under contract, such contract must be executed within forty-five (45) days. From the District's determination that it is required.

6020.5.4 Section 16. Notice of Determination for Negative Declaration. After the final approval has been made on the Negative Declaration, and the project is approved by the Board, the District staff shall prepare a Notice of Determination in the form attached as Exhibit "H" and file it with the County Clerk of the county in which the project will be located. Such filing shall be done within five (5) working days of the approval of the project, be posted for thirty (30) days, and be retained in the agency files for nine (9) months. If the project requires discretionary approval from a State agency, the Notice of Determination shall be filed with the State

Clearinghouse in the Office of Planning and Research (OPR). For a project of statewide, regional, or area wide significance, a transportation planning agency or public agency which provides information to District staff shall be notified of and provided with copies of, environmental documents pertaining to the project.

6020.5.5 Section 17. Proposed Mitigated Negative Declaration. If the District staff determines through the initial study that there are potentially significant effects to the environment, but (1) revisions in project plans or proposals made or agreed to by the applicant prior to release for public review of the Proposed Negative Declaration and initial study will avoid or mitigate the effects, and (2) there is not substantial evidence "in light of the whole record" that the revised project will have a significant effect on the environment, then the District will give the same notice as for a Negative Declaration. The format for this notice is given Exhibit "F" of these Guidelines.

6020.6 ARTICLE VI – ENVIRONMENTAL IMPACT REPORT

6020.6.1 Section 18. Notice of Preparation. If the Board determines that there is substantial evidence "in light of the whole record" that the project may have a significant environmental effect, it will require that an EIR be prepared. Immediately after deciding that an environmental impact report is required for the project, the District staff shall send to each responsible or trustee agency, any public agency which has jurisdiction by law with respect to the project, and any city or county which borders on a city or county within which the project is located, a Notice of Preparation by certified mail on the form attached as Exhibit "I" of these Guidelines, by certified mail or any other method of transmittal which provides a record that the notice was received, stating that an EIR will be prepared. Such Notice of Preparation must also be published in a newspaper of general circulation.

The Notice of Preparation shall provide the addressee agencies with a brief description of the project, project location, and project effects on the environment; the date, time and place of a public hearing on the notice; the address where documents relating to the projects are available and where written comments may be sent and the deadline for submitting comments. Within thirty (30) calendar days after receiving the Notice of Preparation, each addressee agency shall provide the District with specific details about the scope and content of the environmental information related to each affected agency's area of statutory responsibility, which must be included in the draft EIR.

When one or more State agencies will be a responsible or trustee agency, the District shall send a Notice of Preparation to each State affected agency with a copy to the State Clearinghouse.

A copy of the Notice of Preparation will be posted at the District's main office. The Notice shall also be posted in the Office of the County Clerk of the county or counties in which the project will be located and shall remain posted for a period of thirty (30) days.

6020.6.2 Section 19. Draft EIR. The draft EIR shall be prepared directly by or under contract to the District. If it is prepared under contract, such contract must be executed within forty-five (45) days after a project application has been accepted as complete. The required contents of a draft EIR are discussed in 14 Code Cal. Regs. Section 15120, et seq. A standard format must be used whenever feasible.

If the project is determined to be of statewide, regional, or area wide significance, the draft EIR shall be submitted to the State Clearinghouse and should be submitted also to the appropriate Metropolitan Area Council of Governments, as well as to a transportation planning agency or public agency which provides transportation information to District staff for review and comment.

Prior to completing the draft EIR, the District may consult directly with any person or organization it believes will be concerned with the environmental effects of the project.

6020.6.3 Section 20. Notice of Completion of Draft EIR. As soon as the draft EIR is completed and approved by the Board, the District will file, with the State Clearinghouse, a Notice of Completion of Draft EIR on the form attached as Exhibit "J" of these Guidelines or electronically by diskette or e-mail.

6020.6.4 Section 21. Review of Draft EIR. After completing a draft EIR, the District shall consult with and obtain comments from public agencies having jurisdiction by law with respect to the project and should consult with persons having special expertise with respect to any environmental impact involved. Others might need to be consulted including any city or county bordering the city or count of the project; transportation planning and public agencies which have transportation facilities within their jurisdictions that might be affected, for statewide, regional or area wide projects; and California Department of Water Resources for a subdivision project within one mile of a facility of the State Water Resources Development System. The District shall provide the general public with an opportunity to comment on the draft EIR.

The District shall provide Public Notice of the Completion of a Draft EIR, on the form attached as Exhibit "K", at the same time as it sends a Notice of Completion of Draft EIR to the State Clearinghouse. Notice shall be mailed to all organizations and individuals who have previously requested such notice and shall also be given by:

(a) publication at least one time by the District in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, publication in the newspaper with largest circulation from among the newspapers of general circulation in those areas;
(b) posting of notice by the District on and off site in the area where the project is to be located;
(c) direct mailing to owners and occupants, as shown on the latest equalized assessment roll, of property contiguous to the project.

The alternative for providing notice specified above will not preclude the District from providing additional notice by other means if it so desires, nor will these

requirements preclude the District from providing the public notice at the same time and in the same manner as public notice required by any other law for the project.

The District shall use the State Clearinghouse to distribute EIRs and other environmental documents to state agencies for review. The District will identify to the State Clearinghouse those state agencies that are likely to be interested and provide at least 10 copies of the Draft EIR to the State Clearinghouse along with an electronic format on diskette or by e-mail.

In making copies of draft EIRs available to the public, the District will, whenever possible, make environmental information available on the Internet on a Web site maintained or used by the District.

In order to provide sufficient time for public review, review periods for draft EIRs will not be less than thirty (30) calendar days, nor longer than sixty (60) calendar days from the date of the notice except in unusual situations. If a State responsible or trustee agency is reviewing the draft EIR, the public review period must be not less than forty-five (45) calendar days.

Public hearings may be conducted by the Board on the draft EIR, either in separate proceedings, or in conjunction with other proceedings of the District. Reviewers of a draft EIR should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.

6020.6.5 Section 22. Final EIR. The District staff shall evaluate comments on environmental issues received from persons and organizations that reviewed the draft EIR and shall prepare a written response to all comments received during the review period.

The District staff shall prepare a final EIR, which shall consist of:
(a) The draft EIR or a revision of the draft.
(b) Comments and recommendations received on the draft EIR either verbatim or in summary.
(c) A list of persons, organizations, and public agencies commenting on the draft EIR.
(d) The responses of the District to significant environmental points raised in the review and consultation process.
(e) Any other information added by the District.

The response of the District to comments received may take the form of a revision to the draft EIR or may be a separate section in the final EIR, as an attachment. The major issues raised when the District's position is at odds with the recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted and listing factors of importance warranting an override of the suggestions.

The District may provide an opportunity for review of the final EIR by the public or commenting agencies. When significant new information is added to the EIR

after the close of public comments period but before certification of the Final EIR, then the Draft EIR will be recirculated.

6020.6.6 Section 23. Certification of Final EIR. After completion of the review period, the Board shall consider by resolution certifying that:

(a) the final EIR has been completed in compliance with CEQA; and
(b) the final EIR was presented to the Board; and the Board reviewed and considered the information contained in the final EIR prior to approving the project; and
(c) the Final EIR represents the Board's independent judgment and analysis.

CEQA requires the District to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of a proposed project outweigh the unavoidable adverse environmental effects may be considered acceptable through the Board passing a statement of overriding considerations (14 Code of Cal. Regs. Section 15093). Moreover, when evaluating the feasibility of mitigation measures, the Board may cite legal, social and technological factors, as well as the provision of highly trained job opportunities as reasons for deciding that certain mitigation measures are infeasible.

After Board approval of the project, copies of the certified final EIR shall be filed with the appropriate planning agency of any city or county where significant effects on the environment may occur and to each responsible and trustee agency. The Board must hear all appeals concerning the District decision to certify an EIR.

6020.6.7 Section 24. Notice of Determination for EIR. After said approval or a determination to carry out the project is made by the Board, the District shall prepare a Notice of Determination in the form attached as Exhibit "H" and file it with the County Clerk within five (5) working days of the approval of the project. The Notice of Determination shall include a statement of overriding considerations if adverse environmental impacts have been identified and not mitigated. If the project requires discretionary approval from a State agency, the Notice of Determination shall also be filed with the State Clearinghouse. (14 Code of Cal. Regs. Section 15094).

6020.7 ARTICLE VII – MASTER EIR

6020.7.1 Section 25. Process. The filing of a Master EIR is an optional process designed to streamline the entire CEQA process. A Master EIR may be filed in lieu of an EIR for the adoption of plans, phased or multiple approval projects, development agreement projects and rules and regulations to be carried out in subsequent projects. The Master EIR can be used to limit subsequent project reviews for subsequent projects within five (5) years of the Master EIR's certification.

6020.7.2 Section 26. Contents. A Master EIR must contain the same information as a standard EIR. In addition, a Master EIR must give sufficient information concerning the anticipated projects within its scope. Such additional information must include the size, location and alternatives for the subsequent projects; the

intensity; and the schedule governing the submission and approval of the subsequent projects.

The Master EIR must also discuss the potential impacts of the anticipated subsequent projects, which cannot be fully assessed at the time the Master EIR is prepared.

6020.7.3 Section 27. Subsequent Projects. When the anticipated subsequent projects are up for approval, the District must conduct an Initial Study to determine if the subsequent projects and its significant environmental effects were included in the Master EIR. If no new impacts are discovered, and if no new mitigation measures or alternatives are necessary, the District may simply adopt a finding that the subsequent project was adequately covered by the Master EIR. The District must also provide public notice, using the form provided as Exhibit "M", of its intent to approve the project and incorporate all feasible, applicable mitigation measures.

Public notice will be mailed to the last known name and address of all organizations and individuals that have previously requested notice in writing and in at least on e of the following ways:

(a) Publication at least one time in a newspaper of general circulation in the area affected by the proposed project or if more than on area is affected then in the newspaper with the largest circulation form those areas,
(b) Posting notices on and off the site in the area where the project is to be located.
(c) Direct mailing to the owners as shown on the last equalized assessment roll and occupants of the property contiguous to the project location.

After the District approves the subsequent project a Notice of Approval of a Subsequent Project will be filed with the OPR using the form provided as Exhibit "N".

If the District finds during its Initial Study that there do exist new environmental impacts, which may now be mitigated, it must prepare a mitigated Negative Declaration or a Focused EIR for the subsequent project. See Sections 17 and 28. A Master EIR must be reviewed periodically to determine that it is still an adequate analysis of the significant environmental effects of the project for which it was prepared. This can be done by using the Environmental Checklist provided as Exhibit "D". Updating the Master EIR, including preparing subsequent or supplemental EIRs, maintains its effectiveness as the basis for streamlined review of projects that are within its scope.

If the District discovers new impacts, which cannot be mitigated, it must prepare either a new EIR or a Focused EIR before it may approve the project. See Section 18-24 and 28.

6020.7.4 Section 28. Focused EIR. District has the choice of preparing a Focused EIR, instead of a completely new EIR, prior to approval of a project that was previously covered by a Master EIR when new significant impacts have been discovered and a Mitigated Negative Declaration cannot be prepared. The Focused EIR must examine the additional significant environmental effects not covered by the Mater

EIR and any new mitigation measures not covered in the Master EIR. It must also analyze the significant environmental effects previously covered in the Master EIR for which substantial new information exists that demonstrates that these effects may be more significant than described in the Master EIR.

The District must also examine those mitigation measures previously found to be infeasible in the Mater EIR which new information shows may now be feasible. The Focused EIR need not cover the effects successfully mitigated by the measures as discussed in the Master EIR for which mitigation is the responsibility of another agency.

6020.7.5 Section 29. Time Limits. The Master EIR may be used to limit the review of subsequent projects for five years. After the five year period has run, the lead agency may only use the Master EIR after it has reviewed its adequacy and found no new information is applicable and no new changes are apparent.

6020.7.6 Section 30. Other Projects. If, during the approval of a later project not within the scope of the Master EIR, substantial changes are made to or new relevant information concerning the Master EIR is discovered, the lead agency must: (1) prepare a new or supplemental Master EIR based upon the changes and/or new information; (2) prepare a mitigated Negative Declaration for all subsequent projects within the scope of the Master EIR; or (3) prepare a Focused EIR for all subsequent projects within the scope of the Master EIR.

6020.8 ARTICLE VIII – MICELLANEOUS

6020.8.1 Section 31. Mitigation Monitoring or Reporting. To ensure mitigation measures and project revisions identified in the EIR or Negative Declaration are implemented, the District must adopt a program for monitoring or reporting on the revisions it has required in the project and the measures it has imposed, to mitigate or avoid significant environmental effects. The District can delegate such reporting and monitoring responsibilities to another public agency or to a private entity that accepts the delegation; however the District remains responsible for ensuring implementation of the mitigation measures until such measures have been completed.

The District has the choice of monitoring mitigation, reporting on mitigation, or both. "Reporting" consists of a written compliance review presented to the decision making body or authorized staff person. It ensures that the District is informed of compliance. "Monitoring" is an ongoing or periodic process of project oversight. It ensures that compliance is checked on a regular basis. At times there is no clear distinction between reporting and monitoring, but the following, form 14 Code Cal. Regs. Section 15097, provides a guide:

(a) Reporting is suited to projects with readily measurable or quantitative mitigation measures or already involves regular reviews.
(b) Monitoring is suited to projects with complex mitigation measures that may exceed the expertise of the local agency to oversee, are expected to be implemented over time, or require careful implementation to assure compliance.

(c) Both are suited to all but the simplest projects.

6020.8.2 Section 32. District Projects. The District, when it is the lead agency on a Non-District Project, can require the proposed project applicant to submit information that the District considers necessary for preparing the environmental documentation.

The applicant shall pay all costs incurred for administration and preparation of environmental documentation. The costs for environmental impact report preparation and administration shall include public hearing attendance, printing costs, consultant's fees, and any other relevant expenses incurred by the District. The applicant will be required to deposit with the District the estimated cost of preparation of the required environmental documentation as determined by the District. The applicant will be responsible for paying all related costs on a time and material basis. If the costs are greater than the deposit, the applicant shall pay the additional amounts within ten (10) calendar days of notice by the District. In the event that payment is not received for the additional amounts, the District will immediately cease processing the environmental documentation.

6020.8.3 Section 33. De Minimis Impact Finding. In order to determine the necessity of paying Department of Fish and Game fees, the District must determine if the project has an adverse effect on wildlife resources. Projects found by the District in the initial study to be categorically exempt or to be de minimis in their effect on wildlife resources shall pay no fee.

The District will file two (2) copies with the County Clerk of the county in which the project will be located a Certificate of Fee Exemption on the form provided as Exhibit "L" if either of the following findings can be made.

(a) The District determines, when considering the record as a whole, that there is no evidence before the District that the project will have a potential for adverse effect on wildlife resources as defined in Fish and Game Code Section 711.2.
(b) The District rebuts the presumption of adverse effect on wildlife resources contained in 14 Code of Cal. Regs. Section 753.5(d).

For purposes of signing the Certificate of Fee Exemption, the District's General Manager is considered the Chief Planning Official.

6020.8.4 Section 34. Historic and Archeological Resources. A project that may cause a "substantial adverse change" in the significance of a historical resource may also have a significant effect on the environment. A historical resource is included in a local historical register or any object, building, structure, site, area, place, record, or manuscript which a District determines "in light of the whole record" to be historically significant because of the architectural, engineering, economic, agricultural, educational, social, political or cultural significance to California. If the project affects a state-owned historical resource, the State Historic Preservation Office (SHPO) will be consulted.

If a project will impact an archaeological site it will be determined whether the site meets the definition of a historical resource. If it is a historical resource it will be treated as such. If not, it will be determined if it is a "unique archaeological resource" as defined in Pub. Res. Code sec. 21083.2. If the project meets neither definition then the impact will not be considered significant.

6020.8.5 Section 35. Partial Invalidity. In the event any part or provision of these Guidelines shall be determined to be invalid, the remaining portions of these Guidelines that can be separated from the invalid unenforceable provisions shall nevertheless continue in full force and effect.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

CEQA GUIDELINES

EXHIBIT INDEX

INDEX	TITLE
A	CEQA Process Flow Chart
B	Preliminary Environmental Assessment
C	Notice of Exemption
D	Environmental Checklist Form
E	Environmental Impact Assessment
F	A Notice of Preparation of Negative Declaration
G	Negative Declaration Regarding Environmental Impact
H	Notice of Determination
I	Notice of Preparation of Draft EIR
J	Notice of Completion of Draft EIR
K	Public Notice of Completion of a Draft EIR
L	Public Notice of Intent to Approve Subsequent Project Under Master EIR
M	Notice of Approval of Subsequent Project
N	Certificate of Fee Exemption and Attachment

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "B"

PRELIMINARY ENVIRONMENTAL ASSESSMENT

Rosamond Community Services District
3179 35th St West, Rosamond, Ca 93560

Name of Project: _____

Location: _____

Entity or Person Undertaking Project

A. Rosamond Community Services District

B. Other

Name: _____

Address: _____

Staff Determination:

The District's staff, having undertaken and completed a preliminary review of this project in accordance with the District's Guidelines Implementing the California Environmental Quality Act, has concluded that this project does not require further environmental assessment because:

_____1. The activity does not involve the exercise of discretionary powers by a public agency.

_____2. The Activity will not reasonably foreseeable indirect physical change on the environment.

_____3. The proposed action does not constitute a Project within the meaning of 14 Code of Cal. Regs. Section 15378.

_____4. The project is Statutorily Exempt under Section 15260 *et seq.*

Applicable Exemption Class _____

_____5. The project is Categorically Exempt under Section 15300 *et seq.*

_____6. The project involves another public agency that constitutes the Lead Agency.

_____7. The project will be rejected or disapproved by a public agency.

Name of Lead Agency _____

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "C"
NOTICE OF EXEMPTION

To: County Clerk
County of _____
_____

Rosamond Community Services District
3179 35th St West
Rosamond CA 93560

OR: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

_____
Project Title

_____
Project Location - Specific

_____
Project Location - City

Project Location - County

_____
Description of Nature, Purpose, and Beneficiaries of Project

_____
Name of Public Agency Approving Project

_____
Name of Person or Agency Carrying Out Project

Exempt Status: (Check One)

_____ Statutory Exemption. Type and section number _____

___ Ministerial Exemption. Type and section number_____

___ Declared Emergency. Type and section number_____

___ Emergency Project. Type and section number _____

___ Categorical Exemption. Type and section number _____

Reasons why project is exempt:

_____

_____
Contact Person Telephone

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? _____ yes _____ no

_____ _____
Date [signature of chief planning officer of district]

Date received for filing at OPR:_____

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "D"

ENVIRONMENTAL CHECKLIST FORM

Project title:_____

1. Lead agency name and address:
2. Contact person and phone number:
3. Project location:
4. Project sponsor's name and address:
5. General plan designation:
6. Zoning;
7. Description of Project (describes the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attached additional sheets if necessary):
8. Surrounding land uses and setting. (Briefly describe the project's surroundings):
9. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

□Aesthetics	□ Utilities/Service	□ Mandatory findings of Significance
□Biological	□ Agriculture Resources	□ Air Quality Resources
□Hazards &	□ Cultural Resources Hazardous Materials	□ Geology/Soils
□Mineral Resources	□ Hydrology/Water	□ Land/Use/Planning
□Public Services	□ Noise	□ Transportation/Traffic
□Recreation		

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "E"

ENVIRONMENTAL IMPACT ASSESSMENT

Name of Project:

Location:

Entity or Person Undertaking Project

A. Rosamond Community Services District

B. Other

Name:

Address:

Staff Determination:

The District's staff, having undertaken and completed an Initial Study of this project in accordance with Title 14 Code of Cal. Regs. Section 15063 for the purpose of ascertaining whether the proposed project might have a significant effect on the environment, has reached the following conclusion:

_____1.The project could not have a significant effect on the environment; therefore, a Negative Declaration should be prepared.

_____2.The project could have a significant effect on the environment; therefore, an EIR will be required.

_____ Date

_____ [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "F"
NOTICE OF PREPARATION OF NEGATIVE DECLARATION OR
MITIGATED NEGATIVE DECLARATION

PROJECT TITLE: _____

PROJECT LOCATION: _____

_____

PROJECT DESCRIPTION: _____

_____

_____

The site is\is not present on any of the lists enumerated under Government Code Section 65962.5.

Pursuant to the CEQA Guidelines adopted by [name of district], a Proposed Negative Declaration on the above named project has been prepared and is available for review starting _____ _____until_____during which the District will receive comments, at the District's main office complex located at [physical address of district].

Final adoption of the Negative Declaration will be considered at the District Board of Directors' Regular Meeting, the [date of regularly monthly meeting] each month commencing at [time of meeting at [meeting location]; or on any other date, time or place as is properly noticed.

Any appeals to this action may be made to the District in writing at any time prior to said Board meeting, or verbally during said Board meeting.

Mailing Address: Board Secretary
3179 35th St
Rosamond, Ca 93560

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "G"

NEGATIVE DECLARATION REGARDING ENVIRONMENTAL IMPACT

1. NOTICE IS HEREBY GIVEN that the project described below has been reviewed pursuant to the provisions of the California Environmental Quality Act of 1970 (Public Resources Code 21100, *et seq.*) and a determination has been made that it will not have a significant effect upon the environment.

2. PROJECT NAME: _____

3. DESCRIPTION OF PROJECT: _____

4. LOCATION OF PROJECT: _____

5. NAME AND ADDRESS OF PROJECT PROPONENT: _____

6. MITIGATION MEASURES FOR MITGATED NEGATIVE DECLARATIONS: _____

7. A copy of the initial study regarding the environmental effect of this project is Attached (MUST BE ATTACHED).

   This study was:
   _____ Adopted as presented.
   _____ Adopted with changes. Specific modifications and supporting reasons are attached.

8. A public hearing on this Negative Declaration was held by the District Board of Directors on _____(date).

9. Determination:
   On the basis of the initial study of environmental impact, the information presented at hearings, comments received on the proposal and our own knowledge and independent research:

   ____ We find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.

   ____ We find that the project COULD have a significant effect on the environment but will not in this case because of attached mitigation measures described in Item 6 above which are by this reference made conditions of project approval. A conditional NEGATIVE DECLARATION is hereby adopted.

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "H"
NOTICE OF DETERMINATION

To: County Clerk, County of

From: Rosamond Community Services District
3179 35th Street
Rosamond, Ca 93560

OR

To: Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination on compliance with.21108 or □21152 of the Public Resources Code.

_____
PROJECT TITLE

_____
State Clearinghouse Number (If submitted to State Clearinghouse)

_____
CONTACT PERSON Area Code Phone Extension

_____
PROJECT LOCATION:

_____
PROJECT DESCRIPTION:

This is to advise that the [name of district] approved the above-described project on _____, after complying with CEQA, and has made the following determinations regarding the above-described project:

1. The project ____ will ____ will not have a significant effect on the environment.

2. ____ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ____ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

   The EIR or Negative Declaration and record of project approval may be examined at the District's office at [physical address of district].

3. Mitigation measures ____ were, ____ were not, made a condition of the approval of the project.

4. A Statement of Overriding Considerations ____ was, ____ was not, adopted for this project.

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "I"
NOTICE OF PREPARATION OF DRAFT EIR

TO: (Responsible Agency)

FROM: Rosamond Community Services District

_____(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report.

[Name of district] will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the probable environmental effects are contained in the attached materials. A copy of the Initial Study is/is not attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than 30 days after receipt of this notice.

Please send your response to [District] (phone [xxx-xxx-xxx]) at the address shown above. We will need the name of a contact person in your agency.

PROJECT TITLE: _____

PROJECT APPLICANT, IF ANY: _____

_____ _____
Date [signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "J"

NOTICE OF COMPLETION OF DRAFT EIR

TO: State of California
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Project Title

Project Location - Specific

Project Location - City Project Location - County

Description of Nature, Purpose, and Beneficiaries of Project

Lead Agency

Address Where Copy of EIR is available: [physical address of district

Review Period

Contact Person Area Code Phone Extension

Date

[signature of chief planning officer of district]

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

Exhibit "K"

PUBLIC NOTICE OF COMPLETION OF A DRAFT EIR

PROJECT TITLE: _____

PROJECT LOCATION: _____

PROJECT DESCRIPTION: _____

_____

SIGNIFICANT ENVIRONMENTAL IMPACTS:

_____

_____

HAZARDOUS WASTE SITE:_____

_____

Pursuant to the CEQA Guidelines adopted by [name of district], a draft environmental impact report on the above named project has been prepared and is available for review at the District's main office complex located at [physical address of district].

Written comments on this document will be received by the District until_____
_____.

(date)

Mailing Address: 3179 35th St Rosamond, Ca 93560

(A public hearing to receive verbal comments relating to the draft EIR will be held at the Rosamond Community Services District Board of Directors' meeting at [meeting location address].

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "L"
PUBLIC NOTICE OF INTENT TO APPROVE SUBSEQUENT
PROJECT UNDER MASTER EIR

□ [Name of district] has, on the basis of substantial evidence, rebutted the presumption of adverse effect contained in 14 C.C.R. □753.5(d).

□ In addition, [name of district] has considered the following items to determine whether the project is or is not *de minimis*:

a. Department of Fish and Game has not concluded that the project is subject to the filing fee.

b. Habitat types present on the project site.

c. Habitat types adjacent to the project site.

d. Cumulative impacts of this and similar projects on existing fish or wildlife habitat.

e. Project impacts on the natural and biological resources of the community.

FINDING OF NO ADVERSE IMPACT:

When considering the record as a whole, there is no evidence before [District] that the proposed project will have a potential for adverse effect on wildlife resources defined as all wild animals, birds, plants, fish, amphibians, and related ecological communities including the habitat on which the wildlife depends for its continued viability. (Fish & Game Code □711.2).

Dated: _____ [name of district]

By_____

Dated: _____ CHIEF PLANNING OFFICIAL

By_____

Distribution:
Once signed by the Chief Planning Official, [name of district] retains the original as part of the Environmental Record. File two copies of certificate with the County Clerk along with the Notice of Approval or Notice of Determination.

ROSAMOND COMMUNITY SERVICES DISTRICT
ADMINISTRATIVE CODE
TITLE 4

EXHIBIT "N"

CERTIFICATE OF FEE EXEMPTION

NAME & ADDRESS OF PROJECT PROPONENT:

_____

_____

PROJECT DESCRIPTION:

Describe the project and its location, including County. For example, this is an project whereby a section of District open canal will be enclosed with pipeline.

ENVIRONMENTAL IMPACT STUDY:

OWID has conducted an initial study to determine if the project may have a significant effect on the environment. In making the study, [District] staff prepared a written determination using the District's CEQA Guidelines Environmental Checklist form.

☐ The initial study conducted by [District] evaluated the potential for adverse environmental impact and found no evidence that the proposed project will result in changes to the resources listed below: (14 C.C.R. 753.5(d)

a. Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction.

b. Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;

c. Rare and unique plant life and ecological communities dependent on plant life; and

d. Listed threatened and endangered plants and animals and the habitat in which they are believed to reside.

e. All species of plants or animals as listed as protected or identified for special management in the Fish & Game Code, the Public Resources Code, the Water Code, or regulations adopted thereunder.

f. All marine and terrestrial species subject to the jurisdiction of the Department of Fish & Game and the ecological communities in which they reside.

g. All air and water resources the degradation of which will individually or cumulatively result in a loss of biological diversity among the plants and animals residing in that air and water.

6025 EASEMENT ACCEPTANCE

6025.1 It is the policy of Rosamond Community Services District to create and maintain an active emergency preparedness program that includes an emergency plan that will help manage the District's critical functions during any emergency and protect the safety of staff. The District will coordinate the emergency plan, function and response with those responders from the public and private entities and organizations charged with emergency duties.

6025.2 Acceptance by the District of any interest in public utility easements or other easements dedicated to the District for installation, maintenance, repair, etc., of its facilities, shall require approval of the Board of Directors.

6025.3 Commitments to accept easements or assurances that easements will be accepted may be provided by staff only after approval of same by the Board of Directors.

6025.3.1 Acceptance of easements shall be accomplished by the Board of Directors by adoption of a resolution. Said resolution shall be in the following format:

Resolution Name
Rosamond Community Services District

Accepting [Specify type of Service]

WHEREAS, a permanent easement is needed for the purpose of constructing, maintaining, servicing and/or replacing [specify type of service] facilities for the parcel listed below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Rosamond Community Services District that the District shall accept the easements offered to it by the owners of the parcels hereinafter listed:

Assessor's Parcel No.'s Property Owner

BE IT FURTHER RESOLVED that the Secretary of the Board cause a copy of this Resolution certified by the Secretary of the Board of Directors to be filed for record in the office of the Recorder of the County of Kern, State of California.

6030 ANNEXATION PROCEDURES

6030.1 Property must be annexed to the District prior to receiving any District Services. Furthermore, unconditional commitments to provide service to property and/or proposed developments will not be granted until said property is annexed to the District.

6030.2 In conformance with Policy #6040, District approval of residential, commercial, industrial or other types of development projects will not be granted by the Board of Directors until the entire site has been annexed to the District, or will be granted with the condition that the entire project site be successfully annexed to the District.

6030.3 Annexation Procedures.

6030.3.1 Determine suitability. Property owners or project developers desiring annexation to the District should first determine several factors regarding their property's suitability for [service(s) provided]:

6030.3.1.1 Is the property presently not within the District's boundaries?

6030.3.1.2 Is the property within the sphere of influence established for the District by the Local Agency Formation Commission (LAFCo)?

6030.3.1.3 Where are the District's existing [service(s) provided] facilities relative to the property?

6030.3.1.4 Is the excess capacity in the District's existing facilities adequate for the property's proposed development density?

6030.3.1.5 Information regarding District annexation, sphere of influence, and the location of existing any District services facilities and available excess capacity will be provided by District staff upon request. Determination of the property's suitability for development and/or connection to the any District services is the responsibility for the property owner, and his/her use of professional engineering and/or development consultants is encouraged.

6030.3.2 Application to LAFCo. LAFCo has been established by the State Legislature to, among other duties, review and approve or disapprove proposals for annexation of territory to special districts. Approval by LAFCo of any annexation proposal is required before the District can approve the annexation and provide any District services.

6030.3.2.1 To initiate the LAFCo application procedure, owners of the property proposed for annexation, or the registered voters residing within the area proposed for annexation, shall submit a petition (§56704, Ca. Gov. Code) to LAFCo. The contents of the petition, itemized below, shall conform to §56700 of the California Government Code.

6030.3.2.2 With the petition, annexation proponents shall submit to LAFCo a map and legal description of the proposal. The contents of the map and legal description, itemized below, shall conform to LAFCo and the State Board of Equalization requirements.

6030.3.2.3 Also with the petition, annexation proponents shall submit to LAFCo a completed application form and appropriate filing and environmental review fees.

6030.3.3 Application to District. If annexation proponents desire to receive confirmation of District acceptance of their proposal prior to initiating the LAFCo

application, the petition, map, legal description and LAFCo application form, discussed in 6030.3.2.3 above, should be submitted to the District office. A deposit of $_____ must also accompany said submittal to cover LAFCo's filing and environmental review fees, State Board of Equalization fees, and District processing costs. When the annexation process is complete or terminated, cost overruns will be billed to the applicant, and underruns will be refunded.

6030.3.3.1 The Board of Directors will consider the annexation proposal at a regularly scheduled meeting. Acceptance by the Board of the proposed annexation shall be formalized by the adoption of a resolution. Said resolution shall contain the following:

(a) all of the information required in the petition, as itemized below, excepting provisions regarding signatories and signatures;
(b) the annexation map and legal description as attachments;
(c) verification that the District desires to annex the subject territory;
(d) authorization for the resolution to be submitted as an application for annexation approval by LAFCo; and,
(e) a request that LAFCo approve and authorize the District to conduct proceedings for the annexation without notice and hearing and without an election (only if the petition has been signed by all of the owners of land within the boundaries of the proposed annexation).

6030.3.4 District Approval of Annexation. If LAFCo accepts the annexation proposal it will adopt a resolution and forward same to the District. After confirmation of LAFCo acceptance, and after the annexation proponent(s) tenders to the District applicable annexation fees (discussed below) and appropriate recording and State Board of Equalization fees, as determined by LAFCo, the District's Board of Directors, at a regularly scheduled meeting, will consider approval of the proposed annexation. Approval by the Board of the proposed annexation shall be formalized by the adoption of a resolution.

6030.3.4.1 Said resolution shall contain the following provisions:

(a) That a description of the annexed lands shall be attached to said resolution;
(b) The annexed land shall be subject to the District's policies, rules and regulations, charges made, and assessments levied pursuant to the provisions of the laws pertaining to [*TYPE OF*] districts to pay for outstanding obligations of said district, and also shall be subject to all and any combination of assessments, tolls and charges as may exist at the adoption of the resolution and as thereafter may be established and/or levied by the County of Rosamond Community Services District and/or the District for any District purpose;
(c) The District shall be under no obligation to install a any District service system or any facilities in connection with the subject

annexation and the owners of the land to be annexed shall install, as and when [service(s) provided] is desired, without cost, charge or obligation to the District, a complete [*service(s) provided*] system as may be specified by the District, in accordance with plans and specifications approved by the District Engineer [*General Manager, Consulting Engineer, etc.*], in a manner meeting his/her approval, and shall convey, at no cost to the District, all of said any District Service system, including rights of way over all parts thereof, to the District; and,

(d) The project developers and/or owners of the annexed property, and their heirs, successors and assigns shall agree to abide by all Board policies, rules and regulations of the District presently established and as shall be established by the Board in the future.

6030.3.4.2 After adoption of said resolution of approval by the Board of Directors, it shall be sent to LAFCo along with necessary fees, for processing of State filings, local recordings, and filing with the State Board of Equalization.

6030.3.5 Annexation Petition. In accordance with §56700 of the California Government Code, the petition proposing annexation of property to the District shall do all of the following:

6030.3.5.1 State that the proposal is made pursuant to said §56700;

6030.3.5.2 State the nature of the proposal (i.e., annexation of property to Rosamond Community Services District;

6030.3.5.3 Include a description of the boundaries of the affected territory accompanied by a map showing the boundaries;

6030.3.5.4 State any proposed terms and conditions;

6030.3.5.5 Explain the reason for the proposal (e.g., to receive any District Services;

6030.3.5.6 State whether the petition is signed by registered voters or owners of land;

6030.3.5.7 Designate no more than three persons as chief petitioners, including their names and mailing addresses;

6030.3.5.8 Request that proceedings be taken for the proposal pursuant to said §56700; and,

6030.3.5.9 State whether the proposal is consistent with the sphere of influence designated by LAFCo for the District.

6030.3.6 Descriptions and Maps. In accordance with State Board of Equalization and District requirements, annexation descriptions and maps shall conform to the following conditions:

6030.3.6.1 All documents must be capable of producing a readable photographic image;

6030.3.6.2 Every description must be self-sufficient within itself and without the necessity of reference to any extraneous document, with references to deeds of record used only as a secondary reference;

6030.3.6.3 When writing a metes and bounds description of a contiguous annexation, all details of the contiguous portion(s) of the boundary may be omitted, with the points of departure from the existing boundary clearly established;

6030.3.6.4 A specific parcel description in sectionalized land is permissible without a metes and bounds description of the perimeter boundary;

6030.3.6.5 A parcel description making reference only to a subdivision or a lot within a subdivision is not acceptable, unless all dimensions needed to plot the boundaries are given on an accompanying plat, and the relationship of lot lines with street rights of way must be clearly indicated;

6030.3.6.6 Every map must clearly indicate all existing streets, roads and highways within and adjacent to the lands to be annexed, together with the current names of these thoroughfares;

6030.3.6.7 Every map shall be a scale and a north point;

6030.3.6.8 The point of beginning of the legal description must be shown on the map;

6030.3.6.9 The boundaries of the lands to be annexed must be distinctively shown on the map without obliterating any essential geographic or political features;

6030.3.7 All maps must be professionally drawn or copies (rough sketches of maps or plats will not be accepted); and,

6030.3.7.1 All descriptions must be prepared by a surveyor or civil engineer licensed in the State of California, and his/her stamp and signature shall be affixed to said description.

6030.3.8 In addition to LAFCO filing, environmental review, State filing, recording, State Board of Equalization and any other applicable non-District fees, an annexation fee shall be paid to the District prior to adoption by the Board of Directors of the resolution approving any annexation. Said annexation fee is

presently established at $_____ per acre [or other appropriate rate], and may be adjusted from time to time by the Board of Directors.

6035 ENCROACHMENT PERMITS

6035.1 Whenever a property owner desires to install or construct physical improvements - landscaping, fencing, retaining walls, culverts, bridges and/or other structures or improvements - on, above or below the surface of any portion of their land which is encumbered by a district facility or dedicated easement or right of way, they shall, prior to commencement of said installation or construction, apply for and receive an Encroachment Permit from the General Manager, or his/her designated representative.

6035.1.1 Plans for said structures or improvements may be required by the General Manager to ensure than the resulting installation adequately accommodates existing district facilities.

6035.1.2 The Encroachment Permit will specify those conditions by which approval for the proposed improvements are granted, including specifications for construction materials and procedures.

6035.1.3 A fee in the amount of $50.00, together with actual county recording costs, shall be charged to cover District administrative and inspection costs, and the cost to record the Encroachment Permit with the County Recorder.

6035.1.4 The form of the Encroachment Permit shall be as designated by the General Manager.

6040 DEVELOPER REQUIREMENTS

6040.1 The District’s goal is for its service facilities to have a maximum useful life, to reduce overall maintenance costs and to provide dependable service to existing and future customers. Toward that end, and to ensure orderly development and the use of high-quality materials, proper installation and acceptable project management, developers of residential, commercial, industrial or other type projects shall obtain approval from the District prior to:

6040.1.1 Construction of associated facilities which they proposed to connect to the District's system; or,

6040.1.2 Relocation of existing District facilities.

6040.1.3 "Project" shall be defined as the proposed construction of any development involving the District's any District services system and/or alterations to provide additional capacity in existing facilities in order to obtain any District Services.

6040.2 The developer initiates a request for project approval by submitting, to the District Engineer, plans for the proposed improvements. The initial plan submittal shall be prepared by a registered civil engineer. The District Engineer shall review the project plans and related information to insure their conformance with the Improvement

Standards, District policies, good engineering judgment and the best interests of the District.

6040.3 The project shall be submitted by the District Engineer to the Board of Directors for approval consideration when the following have been accomplished:

6040.3.1 The improvement plans satisfy the requirements of the Improvement Standards and the District Engineer;

6040.3.2 The developer and project-property owner have executed a development agreement (see Policy #6050) as prepared by the District Engineer ;and,

6040.3.3 The project site has been annexed to the District.

6040.4 Upon written request from the project developer and/or project engineer, the Board will review the requirements specified by the District Engineer for the involved improvement plans, development agreement, or other related items, to determine if they are in keeping with the Improvement Standards, District policies, and/or the best interests of the District. If the subject of the request involves general engineering judgment, the Board may request an impartial opinion of another professional engineer (one who is not involved with the project or its principals).

6040.5 Upon approval of the project by the Board of Directors, the President of the Board shall be authorized to execute the development agreement on behalf of the District, and the District Engineer shall be authorized to affix his/her signature of approval on the project's improvement plans.

6040.6 Approval of a project by the Board of Directors is valid for one year. If significant construction of the project has not commenced by the end of one year from the date of approval, or if construction commences and then is halted for more than one year, project approval shall expire.

6040.7 Developer's Responsibility. The Developer is responsible for compliance with the regulations and implementation of these requirements. This includes responsibility for the preparation and content of the plans and specifications, construction of the facilities, and fulfillment of the terms of the Conveyance Agreement. The Developer is responsible for overseeing and directing the Developer's engineer and contractor. The District or its employees shall not act as, nor shall the Developer rely upon same to act as, an agent or protectorate of the Developer.

6040.8 Plans and Specifications. The plans and specifications must be prepared by a civil engineer registered in the state of California. These documents will be reviewed by District staff for compliance and must be approved by the District's engineer.

6040.8.1 Facility Design. Design of the facilities will be governed by District regulations. The District’s engineer will determine broad design concepts. District system master plans will be consulted. The Developer's design engineer shall employ sound design using current standards to achieve a reliable, long-lasting facility

with operational flexibility. The plans and specifications shall include all applicable District standard specifications and details.

6040.8.2 Environmental Requirements. The Developer is responsible for preparing environmental documents per the California Environmental Quality Act (CEQA). Approved environmental documents must be delivered to the District's engineer for review prior to the signing of the Improvement Plans.

6040.8.3 Improvement Plans. The improvement plans must incorporate the following:

- Plan sheet size: 24" x 36", inked on Mylar (or Mylar second original).
- Minimum printing size: 1/8" (for CAD drawings: 1/10").
- Elevation data: USGS (stated on plans).
- Plan Cover Sheet with signature blocks and a 200-scale map of the area or subdivision.
- Plan view: minimum scale of 50' per inch.
- Profile: horizontal scale same as plan view and a minimum vertical scale of 10' per inch.
- Profile and vertical alignment data, including all other utilities and structures.
- All applicable property and easement lines.
- Limits of pipeline material, size, and class.
- All other improvements, existing or proposed, affecting the water facilities.
- Details of fittings and joint configurations.
- All appropriate District standard details.
- All other necessary details and instructions.
- Quality: Plans must be microfilmable and scannable such that reproductions, full-sized and reduced, are easily readable. Provide sharp contrast between line work and background.

6040.8.4 Standard Specifications and Details. The District has prepared Standard Specifications and Details governing construction of the Rosamond Community Services District system. These Standards are administered in accordance with District regulations. They include Special Conditions and Technical Provisions and are augmented by Standard Details. They are available to engineers and suppliers working with the District at an appropriate fee.

All system expansions must comply with District Standard Specifications and Details. Project specifications must include all applicable Standards. The Developer is responsible for preparation of the remaining contract documents such as Bid Forms and General Conditions and any Special Conditions or Technical Provisions required for the project that are not included in the District Standards.

Items not included in the District Standard Specifications or Details must be designed by the Developer's engineer and plans and specifications prepared for the District's engineer's approval.

District Standard Specifications and Details may not be revised without a written request and prior District approval.

The Developer shall provide prospective bidders, contractors, and subcontractors copies of the Standard Specifications and Details and shall not rely on the District to provide copies.

District Standard Specifications and Details will require periodic revisions to assure use of the most current and acceptable construction materials and methods and changes in construction law and regulations. Updates will be administered according to District regulations. The most current revisions will apply.

6040.9 Construction. The facilities called for in the approved plans and specifications must be constructed by a contractor with a valid California Class A or C license. The Developer's engineer shall act as a project manager during construction to ensure compliance with the plans and specifications and shall be available to provide technical assistance when required. The Developer shall identify, in writing, the project manager if different then the Developer's design engineer.

6040.9.1 Construction Management. The Developer must maintain control over their contractor's activities by providing effective construction management. To help ensure proper control of the work and materials, compliance with applicable laws, and acceptable prosecution and progress, the Developer shall include in the General Conditions of the construction contract or shall otherwise provide for or ensure that the Developer's contractor will:

- Designate in writing his authorized field representative on a current basis. (Copies to be sent to the District's engineer).
- Comply with field surveys and construction staking provided by the Developer or Developer's engineer.
- Cooperate with District forces on and off the job site.
- Prohibit work on any part of the system facilities before 7 a.m. and after 5 p.m. and further prohibit such work on Saturdays, Sundays, and adopted District holidays. (Note: Work performed during these prohibited times may be rejected.)
- Maintain a set of plans and specifications at the job site for use by the District's engineer and/or inspector.
- Observe all applicable laws including, but not limited to, hours of labor, equal opportunity, contractor's licensing, vehicle code, worker's compensation, air pollution, water pollution, use of pesticides, Clean Air and Water acts, protection of underground infrastructure, payment of taxes, permits and licenses, and patent infringements.
- Observe and practice all applicable safety regulations and laws.
- Provide for and maintain public convenience and public safety.
- Provide for and practice safe and legal use of explosives.

- Provide for and practice fire prevention measures.
- Salvage District facilities from the job as directed by the District's engineer, and protect and deliver same to the District's corporation yard at 3179 35th Street, Rosamond, California.
- Remove promptly from the work site all work or materials having been rejected or deemed unauthorized or unsuitable by the District's engineer.
- Dismiss and remove from the job site employees of the contractor or subcontractors who, in the opinion of the District's engineer, are incompetent, intemperate, unsafe, abusive, threatening, or otherwise unsatisfactory.
- Suspend work due to unfavorable weather, unsafe act or acts, or other conditions as directed by the District's engineer.
- Cease all construction operations at the location of the discovery of surface or subsurface cultural resources and secure the services of a qualified archeologist to make recommendations to the State Historical Preservation Officer and comply with further directions of the State Officer or the District's engineer.

6040.9.2 Submittals. All materials and equipment not in conformance with the District-approved plans and specifications that are delivered to the work site and all work incorporating such nonconforming materials and equipment will be rejected. Preapproval of materials and equipment through the submittal process may avoid delays in the work.

The Developer shall provide or perform, or cause the Developer's contractor to provide or perform, the following for all submittals:

- Coordinate submittals so that related items are provided in groups. (Uncoordinated submittals will be returned without consideration.)
- Describe in writing any variations from the specifications.
- Review submittals for legibility, accuracy, completeness, and compliance with the specifications.
- Route through Developer's engineer for comments.
- Indicate Developer's contractor and engineer's approval on each copy of individual submittals.
- Provide at least two conforming copies (three copies if one is to be returned).
- Allow at least 30 days for review by the District's engineer.
- Prohibit work incorporating materials or equipment requiring approved submittals until a favorable review from the District's engineer has been received.

6040.9.3 Inspection. Each phase of the work, as defined in the technical provisions of the standard specifications, must pass inspection by the District's engineer before commencing work on the next phase. The Developer shall cause the Developer's contractor to comply with the following:

- Notify the District's engineer two working days prior to the start or restart of any construction that might affect or deal directly with the water system facilities.
- Cooperate with the District's engineer during inspection activities including, but not limited to, furnishing facilities, labor, material, or equipment reasonably needed to perform safe and convenient inspections and tests.
- Ensure that each phase of work, as identified in the technical provisions of the specification, passes inspection prior to attempting the next phase of work.

(Note: Failure to pass inspection may cause rejection of subsequent phases of work.)

6040.9.4 Clearing and Grubbing. The Developer must dictate to the contractor provisions governing the clearing and grubbing phase of the work. The Developer shall include in the technical provisions of the construction contract, or shall otherwise provide for and ensure that the Developer's contractor will:

- Remove all stumps and roots left by the clearing operation if within ten feet of a District facility or within the work area, whichever is greater.
- Backfill and properly compact to the original ground elevation, prior to starting work in the area, all depressions created by the removal of the stumps and roots.
- Dispose of all debris within the work area resulting from the clearing, grubbing, or demolition work.

6040.9.5 Measurement and Payment. Each section of the Technical Provisions in the District Standard Specifications includes a subsection governing measurement and payment to the contractor. Use of these subsections by the Developer is optional. The Developer is responsible for making all measurements for payment and making all payments to the contractor for the work.

6050 DEVELOPMENT AGREEMENTS

6050.1 Prior to the Board of Directors considering a private development project for approval, a development agreement specifying the terms and conditions of said approval, prepared by the General Manager and/or Legal Counsel, shall be executed by the project's developer(s) and property owner(s) (see Policy #6040).

6050.2 The development agreement shall contain the following information:

6050.2.1 Name(s) of developer and/or project sponsor(s), and owner(s) of subject property;

6050.2.2 Assessor's parcel number of subject property;

6050.2.3 Type and purpose of project (e.g., residential, commercial, industrial, etc.); and,

6050.2.4 A graphic description of the project attached to the agreement as "Exhibit A."

6050.3 The following shall be used as standard terms and conditions of the development agreement:

6050.3.1 STANDARDS SYSTEM: Plans have, at no cost to District, been designed and prepared for the on-site and off-site system which includes Developer's obligation to accomplish the following:

6050.3.1.1 Construct the system in conformance with the approved plans therefore; and,

6050.3.1.2 Obtain an encroachment permit from Rosamond Community Services District of the County of Kern and comply with all requirements thereof, including trench restoration and street resurfacing requirements for any portion of the project situated within existing or proposed future County of Kern right of way.

6050.3.2 ACCEPTANCE OF PLANS AND SPECIFICATIONS: The completed plans as described above for the system have been prepared in conformance with District Improvement Standards and the requirements of the District Engineer, and are in a form acceptable to same.

6050.3.3 REVISION OF PLANS: Any changes in such accepted plans shall require written approval of Developer and the District Engineer.

6050.3.4 RIGHTS OF WAY: Owners will provide to District, at no cost to District and in a form acceptable to the District Engineer ,appropriate easements and rights of way for the maintenance, repair, and replacement of all system facilities not within existing public rights of way, public utility easements, and/or easements.

6050.3.5 CONSTRUCTION: Developer shall, without expense to District, construct the system pursuant to the accepted plans or any approved modification thereof. Developer shall provide in any contract for construction of the system that any contractor's materials supplier's guarantees thereunder, including a one-year warranty on the completed improvements, shall inure to the benefit of District after the works constructed thereunder have been conveyed to District as provided for in 6050.3.9, below. Developer shall also provide in any contract for construction of the system that the contractor's public liability and property damage insurance shall be extended to cover Developer and District and their agents, officers and employees as additional insured with: liability and bodily injury limits of not less than $1,000,000 for each occurrence and $2,000,000 aggregate; and, property damage coverage of not less than $100,000,000 each occurrence and $1,000,000 aggregate. General liability insurance policies having combined single limits damage combined of liability shall carry limits for bodily injury and property damage combined at $1,000,000 each occurrence and $1,000,000 aggregate.

6050.3.6 PAYMENT OF PREVAILING WAGES: Developer has been advised that the State of California (State) Attorney General has opined that, in certain circumstances, construction of facilities for provision of public utility service, with the understanding and agreement that said facilities will be turned over to District for ownership, operation and maintenance at the conclusion of construction, may be subject to the prevailing wage laws of the State. Developer has determined that, at this time, said opinion of the Attorney General does not affect the wages paid by Developer to laborers employed on said facilities constructed pursuant to this agreement. Developer agrees, however, that should it be determined that the prevailing wage laws of the State (Labor Code §1770, et seq.) apply to the work performed in accordance with this agreement, then Developer shall defend and hold District harmless from any liability, claims, damages, or costs in any way associated with said determination by the State and Developer shall, as further consideration of District entering into this agreement, take all necessary and appropriate action, including payment of back wages, and any associated penalties which may be required, due to enforcement of the prevailing wage laws in connection with construction of the system. Developer agrees that District has not represented or in any way advised Developer in connection with this matter except to advise Developer of his potential liability and Developer does not in any way rely upon any opinion or information of District in making his determination in connection with the payment or nonpayment of such wages for the work performed under this agreement. The obligation of Developer to, if required, pay prevailing wages for the work performed in accordance with this agreement shall be a continuing obligation and shall bind the heirs, successors and assigns of Developer and District's obligation to provide operation and maintenance on the facilities to be turned over to District, and to provide therein, shall be dependent upon Developer's continuing compliance with this provision.

6050.3.7 INSPECTION OF CONSTRUCTION: The District Engineer or his/her agent(s) shall inspect the construction of the system to assure that the works are installed in accordance with the accepted plans. Said inspection shall be funded by an inspection fee paid by Developer as specified in District's Improvement Standards. Construction of the system shall not commence until said inspection fee is paid. The District Engineer shall notify Developer as to any deviation or failure to construct pursuant to the accepted plans as soon as such deviation or failure is brought to his/her attention, and Developer shall correct such deviation or failure.

6050.3.8 HOLD HARMLESS: District is not, by inspection of the construction or installation of the system, representing Developer or providing a substitute for inspection and control of the work by Developer. Any inspections and observations of the work by District are for the sole purpose of providing notice of stage and character of the work. Any failure of District to note variances in the work from the plans does not excuse or exempt Developer from complying with all terms of the plans. The fact that District inspects the construction of work and notifies Developer of deviations or failures to construct them pursuant to the accepted plans shall not be deemed to constitute a guarantee by District that the works have been built in accordance with the accepted plans. During

construction and prior to conveyance thereof to and acceptance thereof by District, Developer shall hold District harmless against any and all claims, demands and charges by third parties arising out of alleged deviations or failures to construct pursuant to the accepted plans.

6050.3.9 CONVEYANCE: Within 90 days after completion of construction of the system in accordance with the accepted plans therefore and District's Improvement Standards:

6050.3.9.1 Developer and Owners shall convey title of the completed works to District without cost and free and clear of all liens and encumbrances, by appropriate conveying documents, acceptable in form to the District Engineer ;

6050.3.9.2 Developer shall provide District with one set of 24"x 36" reproducible "as built" drawings of the completed project on matte mylar (5 mil minimum);

6050.3.9.3 Owners shall provide easements as specified in 6050.3.4, above;

6050.3.9.4 Developer shall furnish to District a bond, irrevocable letter of credit, cash deposit, or other form of surety meeting District's approval in the amount of $_____, being __% [25% (recommended), 50%, 100% or other appropriate amount] of the cost of the [service(s) provided] system, as estimated by the Project Engineer, [name and address of developer's engineer], protecting District against any failure of the work due to natural phenomenon or catastrophe, faulty materials, poor workmanship, or defective equipment within a period of one year after acceptance of the system by the District's Board of Directors. Said bond or irrevocable letter of credit shall name Developer as Principal and District as Obligee; and,

6050.3.9.5 District shall accept conveyance of title of the completed system by resolution and include it as part of its system, and shall thereafter operate and maintain said system.

6050.4 DEVELOPER'S RESPONSIBILITIES AFTER CONVEYANCE: After District's acceptance of the system, Developer and Owners shall have no obligation for the operation, maintenance, repair or replacement thereof, except that to the extent Developer and/or Owners retain ownership of any parcel to which service from such works is available, they shall pay the same rates and charges levied by District from time to time as any other property owner.

6050.4.1 APPLICATION FOR SERVICE: The system shall not be operated, other than for testing purposes, until the said system is conveyed to District and formally accepted by District as specified in 6050.3.9, above, and proper applications for service having been filed with District accepted.

6050.4.2 OBLIGATION FOR PIPELINE AND/OR FACILITIES: District shall be under no obligation to provide additional facilities in order to serve the Project. Upon acceptance of the facilities by District, it shall become the sole property of District and shall be used and operated as District's sole discretion.

6050.4.3 RATES AND CHARGES FOR SERVICE: All service made available by District to users within the Project shall be at the established rates and charges as fixed by District's Board of Directors from time to time.

6050.4.4 NOTICES: Notices or requests from any party to this agreement to the remaining parties thereof shall be in writing and delivered or mailed, postage prepaid, to the following addresses:

Rosamond Community Services District
3179 35th St
Rosamond, Ca 93560
Attention: Claud Seal, District Engineer

6050.4.5 SUCCESSORS AND ASSIGNS: This Agreement shall be binding upon and inure to the benefit of the successors and assigns of all parties. Developer and Owners shall not assign any of their rights, duties or obligations under this Agreement without the prior written consent of District, which consent shall not be unreasonably withheld.

6050.4.6 DISTRICT POWERS: Nothing herein contained shall be deemed to limit, restrict, or modify any right, duty, or obligation given, granted, or imposed upon District by the laws of the State of California now in effect, or hereafter adopted, not to limit or restrict the power or authority of District, including the enactment of any rules, regulations, policies, resolutions or ordinances, and in the event that any part of provisions herein contained in this agreement or incorporated herein, be found to be illegal or unconstitutional by a court of competent jurisdiction, such findings shall not affect the remaining parts, portions, or provisions hereof.

6050.4.7 ATTORNEY FEES: Should any party have to be required to institute legal action to either compel performance of this agreement or recover damages for nonperformance, the prevailing party(s) shall be entitled to reasonable attorney's fees, cost of suit, and all other expenses of litigation incurred in connection therewith.

6050.4.8 TERMINATION: This Agreement shall terminate and be of no further force and effect at District's discretion if District determines that construction of the system has not commenced within 12 months from the date of this agreement, and Developer has not submitted the plans and specifications for reacceptance as provided for in 6050.3.3, above.

6050.5 Any inapplicable portions of the foregoing standard terms and conditions may be deleted by, or upon approval of the General Manager, to accommodate project-specific situations. When warranted, additional conditions and requirements may be added to

the standard terms and conditions by, or upon approval of, the General Manager, to accommodate project-specific situations. The project developer and/or property owner may appeal to the Board of Directors any agreement terms or conditions or requirements proposed by District staff.

ARTICLE 7000 PARKS & RECREATION

7005 REGISTRATION AND WAIVER OF LIABILITY

7005.1 All patrons desiring to use/partake in a Rosamond Community Services District (RCSD), Parks and Recreation Division facility or program/activity are required to register by using the Registration & Waiver of Liability form.

7005.2 A parents or legal guardian must register children 18 years and younger.

7005.3 All associated payments are due at time of registration.

7005.4 Recreational activities can be hazardous and participation is voluntarily with knowledge of the hazards involved and the patron must agree to accept any and all risks of injury or death.

7005.5 The RCSD is not responsible for injuries or damages to individuals who use the facility, or who participate in recreational activities at the facility, including individuals watching, and those participants assisting in recreational activities at the facility.

7005.6 The RCSD does not provide participants with medical insurance or treatment for injuries.

7005.7 Permission to the RCSD to photograph or video tape me in connection with use of the facility or participation in the program/activity for use in future RCSD publications is assumed and that no compensation will be received for such use. Unless declined by the participant, in writing, on the registration form.

7005.8 Release of information will be given to outside organizations unless declined by the participant, in writing, on the registration form.

7010 REFUND/CREDIT/TRANSFER POLICY

7010.1 The purpose of this policy is to establish uniform guidelines pertaining to requests for refunds, credit or transfer of fees paid to the Parks & Recreation Division program.

7010.1.1 Refunds

(a) Cancellation of Class - A minimum number of participants are needed to hold a class. When enrollment is below minimum, the class may be canceled by the Division. A full refund will be mailed to all registered participants within four (4) weeks of decision to cancel class.

(b) Voluntary Withdrawal - The pre-registered participant may request a refund prior to the registration deadline or before the first day of the class by submitting a "Refund Request" form (Exhibit A). A refund request will be processed, less a $5.00 administrative processing fee. Refund will be mailed to all registered participants within four weeks (4) of request.

(c) Voluntary Withdrawal After Class Start Date -A pre-registered participant may request a refund by submitting a "Refund Request" form. Requests for refunds will be honored if class has only one or two meetings or made before the second class meeting of a class that consists of three or more meetings.

7010.1.2 Refund Denial

(a) No refunds will be given after the second class meeting.

(b) Refund requests may be denied for classes and/or programs that have a limited enrollment requirement unless participant's space is filled by means of a waiting list or the participant may make arrangements for someone else to take his/her place.

7010.2 Emergency/Medical Exception - Exception to Refund Policy as stated above will be made only in cases of emergency. Participant must provide a doctor's note explaining the circumstance of the pre-registered participant or an obituary or funeral notice of immediate family member (husband, wife, son, daughter, father or mother).

7010.3 Credit/Transfer - Credit/transfer will be determined on a case by case basis after conferring with the instructor or program administrator.

7013 RENAMING DISTRICT PARKS & OTHER FACILITIES

7013.1 The purpose of this policy is to establish criteria and procedures relating to the naming of District parks and other facilities.

7013.1.1 Naming of District parks and other facilities.

(a) The following criteria shall be used in determining District parks or other facilities' names to be submitted to the Rosamond Community Services District Board of Directors for consideration:

(1) A District park or other facilities may be named for the school on which it is located on or street it is adjacent to.
(2) District parks or other facilities may be named for an individual/family or local landmark. Individual(s)/family should have provided significant contributions to the community while a resident(s), demonstrating service and commitment to the community.
(3) If nomination is for an individual, they must be deceased for a period of at least one (1) year.

(4) Unless contributions specifically to parks and recreation are extremely significant, no other community facilities (i.e. fire stations, libraries or other public buildings/institutions) shall be named after an individual if another facility is already named after him/her with the exception of schools and preferably joining school park sites.

(5) The individual(s)/family must be resident(s) living within the current sphere of influence for at least ten (10) years.

(6) Name may be based upon geographical, historical or ecological relationships indigenous or of significance to the regions.

(7) District parks or other facilities' names will be considered only if the naming criteria listed above do not provide a name suitable for a District park or other facility.

(b) The process for naming a District park or other facility shall be:

(1) When a new park or other facility is constructed in the District, the Parks and Recreation Committee will submit at least two names developed under the criteria listed in Paragraph a. above to the Board of Directors for consideration.

(2) The Board of Directors shall evaluate the merit of each suggested District park or other facility name according to the criteria listed above. The Board of Directors shall be responsible for the final approval of the name of all District parks and other facilities.

7013.2 Naming requests that are not specifically prescribed in this policy may be considered and acted on by the Board of Directors at its sole discretion.

7015 CONDUCTING A BUSINESS ON ROSAMOND COMMUNITY SERVICES DISTRICT PROPERTY

7015.1 Rosamond Community Services District property may not be used for personal gain.

7015.1.1 It shall be unlawful for any person (vendor, peddler, independent contractor, etc.) to sell or attempt to sell any merchandise, food or conduct services for which a fee was paid in or upon any property owned by Rosamond Community Services District without permission under one or several of the following conditions:

(a) Must have a valid Kern County business license or seller's permit.
(b) Must have a permit from Kern County Department of Health and Environmental Services for all food sales.
(c) Must enter into a Memorandum of Agreement or Understanding document by the General Manager.
(d) Have rented an area for short/long term usage.

(e) Provide proof of liability insurance in a form and with a company approved by the Director of Finance against death, damages, or injury, in an amount of not less than one million dollars ($1,000,000.00). Such policy shall include the Rosamond Community Services District as an additional named insured.
(f) A Certificate of Insurance with liquor liability naming the Rosamond Community Services District as an additional insured must be on file no later than fourteen (14) days prior to the date of usage. In addition, a minimum of two (2) uniformed police officers must be on site during the entire period. Proof to be provided no later than 5 days prior to usage. Usage will be cancelled if both requirements are not met. Alcoholic beverages may not be served to guests under the age of 21. Alcoholic beverages may not be served at functions where guests are predominately minors or where the function is being held in the honor of minors. No sales of alcoholic beverage on the premises.
(g) Temporary Special Permit is required for a person to sponsor or conduct an event on District property and shall include all carnivals, community celebrations, off-road vehicle races, outdoor festivals, sporting events, parades, fairs, animal races, religious festivals, revival meetings, temporary retail sales, and similar public gatherings.

7018 COST RECOVERY FOR RECREATION PROGRAM AND EVENTS

7018.1 The purpose of this policy is to establish uniform guidelines and cost recovery levels and goals for recreation programs, events, activities, goods and services.

Establishing a Cost Recovery policy will accomplish the following:

- Provide a structure to calculate fees for recreation programs.
- Cover appropriate cost based on who is served and type of program.
- Provide systematic framework for the potential change or removal of programs
- not generating the designated minimum cost recovery for that program.

7018.1.1 Cost will be defined in terms of Direct and Indirect costs. In summary the costs listed below equal total cost. The allocation of revenue to cost will be done in an appropriate sequential manner as follows:

(a) Direct Costs – Staff, supplies, equipment and promotion and production.
(b) Indirect Division Costs – Administration and management support and general division operating costs.
(c) Indirect Facility Support Costs – All associated facility costs and Division's share of finance and management support.

7018.1.2 The Pricing Model will be used to determine the percentage of cost recovery recreation activities should achieve. Activities for each level are as follows:

(a) Level 1 – Programs or activities that fulfill the mission of the recreation program that provide a community wide benefit. These programs and

activities are generally accepted as traditional municipal youth or underserved populations programs or activities that enhance the health, safety and livability of the community and therefore require the removal of a cost barrier for optimum participation.

(1) Minimum Recovery - 75% Direct program costs
(2) Target Recovery – No indirect costs

(b) Level 2 – Programs or activities are more interest specific and have more of an individual benefit or purpose to fulfill a specific recreational interest or need. That promotes affordable activities for youth and seniors; to increase the quality of life; and enhance opportunities to all participants. These programs are often offered to keep pace with current recreational trends.

(1) Minimum Recovery - 100% Direct program costs
(2) Target Recovery – Plus 76% Division costs

(c) Level 3 – Programs or activities that are revenue generated to lower the subsidy of the recreation programs that are in high demand or may be available in the private sector.

(1) Minimum Recovery – 100% Direct/Indirect Division Costs
(2) Target Recovery – Plus 100% Indirect Facility Support Costs

7020 BACKGROUND CHECK POLICY

7020.1 The purpose of this policy is to establish criteria and procedures relating to background checks for the purpose of employment in Parks and Recreation Division.

7020.1.1 In accordance with Public Resources Code Section 5164 it is the District's policy to conduct background checks including fingerprinting and investigating criminal history for all interested persons who apply for employment (full-time, part-time or seasonal or volunteer service for the Park and Recreation Division and who will have supervisory or disciplinary authority over any minor.

(a) California's Public Resources Code Section 5164 prohibits certain public agencies, including the Rosamond Community Services District (the "District") from hiring a person for employment or as a volunteer at a District-operated park, playground or recreation center in a position having supervisory or disciplinary authority over any minor if the individual has been convicted of certain criminal offenses. Per Public Resources Code Section 5164, prospective employees and volunteers who will have supervisory or disciplinary authority over minors are required to complete an application that inquires as to whether or not an individual has been convicted of any enumerated criminal offense.
(b) Fingerprints will be processed through appropriate federal, state, and/or local agencies in accordance Penal Code Section 11105.3.

(c) Results of all employee fingerprint checks shall be forwarded to Human Resources subject to the restrictions of federal, state, and local legislation.

(d) Due to the confidential and/or sensitive nature of service and the need to maintain public trust, individuals with certain criminal convictions are not suitable for employment in certain positions. The District shall not accept any person who has a conviction of the following crimes of moral turpitude within ten years of the date of application:

Penal Code 68	Asking for or receiving bribes
Penal Code 72	Presentation of fraudulent claims
Penal Code 73 & 74	Bribes for appoint to office
Penal Code 118-129	Perjury or false statements
Penal Code 187-189	Murder
Penal Code 209	Kidnapping
Penal Code 211	Robbery
Penal Code 245	Assault with a deadly weapon
Penal Code 261	Rape
Penal Code 459	Burglary
Penal Code 484	Theft
Penal Code 503	Embezzlement
Penal Code 518	Extortion

(e) In addition to the above standards, the following criminal convictions shall also disqualify a person from service in position requiring control or supervision of minors (person under the age of 18 years) or vulnerable adult (person with mental or physical disability and would be dependent upon someone else to make decisions on their behalf):

Any person having convictions for any offense involving the possession for sale, gift, sale, transfer, transportation, manufacture, or cultivation of any illegal or controlled substance .
Any person who is required to register as a narcotic offender.
Any person who is required to register as a sexual offender.
Any conviction for contributing to the delinquency of a minor
Any conviction for providing harmful matter to a minor.
Any criminal conviction where the victim was a minor

(f) It is the responsibility of the employee to report to the District Human Resources Manager any conviction or arrest pending final adjudication.

(g) Periodic background checks or investigations may be conducted subsequent to recruitment, as authorized by law.

(h) Any criminal conviction, during the term of employment, shall be grounds for discipline up to and including termination. Failure of persons to notify the Human Resource Manager of a criminal conviction shall be grounds for termination.

(i) Individuals may not begin work/service until cleared.

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7020 PARKS & RECREATION VOLUNTEER POLICY
REFERENCE POLICIES: NO. 7020-BACKGROUND CHECK POLICY, NO. 2115-VOLUNTEER WORKERS' COMPENSATION INSURANCE POLICY

7024.1 PURPOSE. Rosamond Community Services District, Parks & Recreation Division needs and seeks the help of volunteers for various programs and activities. Volunteers can be an important part of any organization and are proven to be a valuable asset to community services districts. Volunteers help to increase responsiveness, service delivery, and information input, and they provide new program opportunities. In addition, volunteers can bring new skills and expertise to the job and prompt new enthusiasm. It is the policy of the Rosamond Community Services District to use qualified volunteers for specified tasks and duties that can create efficiencies for the District and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, District personnel.

7024.2 DEFINITION. Volunteer: For purposes of this Policy, "volunteer" is defined as someone who performs services for the District without promise, expectation, or receipt of compensation for services rendered. This includes unpaid interns and persons providing administrative support, among others. Volunteers are not District employees and there is no employment relationship.

7024.3 RECRUITMENT. The District will implement the following policy when recruiting volunteers:

(a) Volunteers shall be recruited on a continuous and ongoing basis consistent with this Policy.
(b) A primary qualification for participation in the application process shall be an interest in and an ability to assist the District in serving the public.
(c) All volunteers serve at-will and at the discretion of the District, and do not acquire any right or interest in any assignment, position, or task and be released from the assignment, position, or task at any time, without notice and without cause.
(d) For the limited purpose of providing worker's compensation coverage for volunteers, while providing services to the District, shall be deemed to be employees of the District. Worker's compensation benefits shall be limited to those provided by State law and shall not include any additional benefits as may be provided by the District to its employees.
(e) Volunteers shall be subject to the same pre-employment background screening standards as employees.
(f) All documents and other material generated by volunteers are property of the District.
(g) Volunteers are not eligible to drive District leased or owned vehicles. If a volunteer is required to drive his or her personal vehicle for the performance of volunteer services, the volunteers must provide proof of insurance. If the volunteer is involved in a motor vehicle accident while performing volunteer services, the volunteer must report the accident to their supervisor, and the District Human Resources Manager. District volunteers shall not transport any program participants in their personal vehicles except program participants who are immediate family members of the volunteer.

7024.4 PROCESS. All persons interested in becoming a volunteer are required to: (1) complete a Volunteer Application form (Exhibit "A"); (2) complete a Supplemental Application form (Exhibit "B"); and (3) submit to a background check. An application that is materially incomplete or has untruthful information may be automatically rejected. The District reserves the right to accept or decline any Volunteer Application. The District does not have to provide reasons for its decisions.

7024.5 SPECIAL EVENT EXCEPTION. Persons who are interested in volunteering during a special event when there are organized children activities may do so but are subject to the same above stated process.

7024.6 BACKGROUND CHECKS.

(a) The District shall conduct background checks including fingerprinting and investigating criminal history for all persons who apply as volunteers in accordance with Background Check Policy 6100. The District may also conduct periodic background checks or investigations subsequent to a volunteer's recruitment, as authorized by law.
(b) Approved background checks will remain current for one (1) year.
(c) It is the responsibility of the volunteer to report to the District any conviction or arrest pending final adjudication. Volunteers shall notify their supervisor of any arrests or convictions occurring after the background check.

7024.7 CODE OF CONDUCT AND OTHER REGULATIONS FOR VOLUNTEERS

(a) Volunteers have no authority to bind the District or to make any representations that they are employees or agents of the District.
(b) Volunteers shall follow District policies prohibiting discrimination and harassment.
(c) Volunteers shall maintain the same confidentiality standards as employees regarding District information.
(d) A volunteer must immediately notify their supervisor if they are unable to perform a service or satisfy a scheduled commitment.
(e) Volunteers must be courteous with the public and maintain and exhibit a neat and clean appearance.
(f) Volunteers are expected to be role models for youth and maintain a professional demeanor.
(g) Volunteers that engage in poor sportsmanship and foul language are subject to immediate release of volunteer assignment.
(h) Volunteers that use alcohol or drugs while performing District services are subject to immediate release of volunteer assignment.
(i) Volunteers shall not smoke or use tobacco products within twenty feet (20') of a District facility and one hundred feet (100') of a youth playground.

7038 RESERVATION/RENTAL OF PARKS FACILITIES

7038.1 The Parks & Recreation Division facilities are available for rental when such use does not conflict with programmed department activities and events.

7038.1.1 GENERAL GUIDELINES. To reserve any of the District's parks and recreation facilities the following general guidelines are provided:

- All reservations are on a first come first served basis
- Reservations are not accepted by telephone or tentatively held.
- Reservations can be made up to ninety (90) days in advance of the desired date.
- Requests must be made using the Application for Use of Facilities form.
- All applicants must be at least eighteen (18) years old.
- A fee will be assessed based on the requested use.
- All fees must be paid fourteen (14) calendar days prior to the rental date.
- A Certificate of Insurance in the amount of one million dollars ($1,000,000.00) per occurrence and one million ($1,000,000.00) dollars in the aggregate, naming the Rosamond Community Services District as an additional insured, must be on file fourteen (14) calendar days prior to the rental date.
- All requests for waiver, from these guidelines, must be made to the Rosamond Community Services District General Manager and/or designated staff. The waiver request will be placed on a future Board of Directors agenda for review.
- The granting of an Application for Use of Facilities/Rental Agreement does not entitle the holder to any vested right to use the District's parks and facilities. The District has first priority for the use of parks and facilities. District reserves the right to cancel, without notice, an approved Application for Use of Facilities/Rental Agreement in order to accommodate District needs. In the event of cancellation, an applicant's sole recourse is to seek a new reservation.
- Permission to use area/facilities is granted by a Rental Agreement only and lessees are subject to observance of all District rules and regulations. A Rental Agreement may be revoked, by onsite District staff, for violation of any District rules or regulations.
- A Rental Agreement may not be assigned or subleased without the written authorization of the General Manager and/or designated staff.
- Each application will be reviewed by the Parks & Recreation Superintendent, and/or designated staff for the purpose of assessing fees according to the Parks and Recreation Lessee Fee Schedule and final approval.
- Applications will not be accepted from applicants with any outstanding balances past due.

7040 COMMUNITY POOL COMPLEX

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7040.1 The purpose of this policy is to establish criteria relating to the use and operation of the Rosamond Community Swimming Complex.

7040.1.1 The Complex is located at 2235 40th Street. It is operated and maintained by Rosamond Community Services District, Parks and Recreation Division to provide aquatic programs to meet the recreational, instructional and fitness needs of the entire community.

(a) Facility consists of an outdoor swimming pool, outdoor wading pool and locker building.

(1) Outdoor swimming pool is 75' by 56' with a water volume of 121,890 gallons and depths ranging from 3 ½' to 5'.
(2) Wading pool is 24' diameter with a water volume of 4,239 gallons and depths ranging from 12" to 18".
(3) Locker building includes men's and women's dressing rooms, office and mechanical equipment rooms.

(b) Season – open Memorial Day holiday weekend Saturday and concludes on Labor Day holiday weekend Monday.
(c) Hours of operation and user fees will be established annually.
(d) In order to provide the community with an atmosphere of safety, courtesy, integrity, and respect a Code of Conduct (Exhibit A) and Park Rules (Exhibit B) will be adhered to. The code applies to all participants. Facility users, recognized groups or organizations, staff, volunteers and visitors. Participants shall be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens.
(e) For the enjoyment and safety of all swimmers:

(1) All lifeguards, swim instructors and managers will be certified to perform their duties by nationally recognized organizations.
(2) Lifeguard personnel will be in charge of the pool at all times. Unsafe acts will not be tolerated. Lifeguards have arbitrary authority to make judgment calls of any patron causing an unsafe condition.

(f) Responsibility:

(1) Overall responsibility will be administered by the Parks & Recreation Superintendent for establishment of procedures to achieve efficient, safe, clean and economical operation of the swimming facility.
(2) Daily operational responsibility will be administered by the Pool Manager and Assistant Pool Manager who will supervise all pool activities.
(3) Maintenance responsibility will be completed by the Parks Maintenance staff for preventive maintenance, and to maintain/repair all other aspects of the pool.

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EXHIBIT "A"

POOL CODE OF CODUCT

This code was developed in order to provide an atmosphere of safety, courtesy, integrity and respect. The code applies to all facility users, visitors, and staff and shall be governed by the ordinary and reasonable rules of behavior observed by law-abiding and self-respecting citizens. Staff uses various control measures to enforce the Code of Conduct. A breach may result in a warning, temporary suspension or banning.

EXPECTED BEHAVIOR:

- Adhere to all facility rules.
- Be respectful and courteous to staff and other users.
- Exhibit and maintain positive attitudes toward the environment.
- Exhibit and maintain respect of all property, facilities and equipment.
- Follow directions given by staff or their designee.

UNACCEPTABLE BEHAVIOR:

- Accompanied by a pet, excluding service dogs.
- Any unlawful activity.
- Consuming, distribution, bring onto the property illegal drugs.
- Consuming, distribution, bringing onto the property alcoholic beverages, has the smell of alcohol on their breath, or acts as if they are intoxicated.
- Failure to cooperate with staff and/or leadership.
- Gambling, fireworks or possession of weapons.
- Littering the building or grounds.
- Loitering.
- Noncompliance with facility rules.
- Physical violence, i.e. fighting or horseplay or uncivil behavior.
- Sexually provocative actions, language, literature or dress.
- Smoking inside the facility and within 20' of the building entrance.
- Using loud, rude, discourteous, abusive or obscene language.
- Vandalism, theft of property/equipment or misuse of facility equipment.
- Verbal threats.
- Wearing inappropriate attire.

INFRACTIONS:

Minor: 1st offense - warning; 2nd offense – 15 minute time out; 3rd offense – Suspend from pool for the rest of the day. If violations continue on succeeding days – 3-5 day suspensions.

Major: Sheriff will be called.

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Exhibit "B"

POOL RULES

All swimmers are required to shower before entering the pool.

All swimmers must wear attire that is specifically made for swimming, no street clothes.

At the first site of a thunder or lightening storm immediate evacuation of the pool is required. Pool will reopen after waiting 30 minutes of last hearing or sighting. There are no refunds if pool is closed due to weather conditions as determined in the discretion of RCSD personnel.

Attendance will be restricted as necessary to prevent overcrowding of pools when maximum occupancy is reached or lifeguard ratio (1:30) is insufficient for the safety and welfare of everyone.

Admission will be denied to persons:

Showing evidence of any communicable skin disease, sore or inflamed eyes, cold, nasal or ear discharges.
With open blisters, cuts, or bandages.
Suspicion of being under the influence of drugs or alcohol.

Children:

Youth 13-15 years must demonstrate the ability to swim by swimming across the shallow end using front crawl with rotary breathing of the pool 15 yards, tread water for 5 seconds and continue to the other side on their back to remain in the pool without adult supervision.
Under the age of 12 years who are less than 5 feet tall and are non-swimmers or have limited swimming ability must be supervised by an adult who is 18 years of age or older **in the water** and within 5 yards of swimmer.
5 years of age and under are not permitted in the main pool.
6 years of age and older are not permitted in the wading pool.
An adult 18 years of age or older must supervise children in the wading pool.
Children wearing diapers must wear snug fitting leg and waist plastic pants over the diaper or a swim diaper. Please notify the pool staff immediately if feces is found in the diaper.

The following is PROHIBITED:

Food & beverage, excluding plastic bottles filled with water and baby formula
Glass containers
Smoking, alcoholic beverages and pets (except service animals)
Personal floatation devices that can become detached from the user i.e. tubes, snorkels, fins, etc. during public swimming.
Abusive/profane language and excessive public displays of affection
Diving
Pollution of the pool i.e. urination, blowing the nose, spitting, defecating, etc.
Conduct that endangers the safety and comfort of others.
Lifeguards are on duty to enforce rules for your safety and emergencies. Please obey their directives.

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ARTICLE 8000 OPERATIONS

6006 COMPUTER SECURITY

6006.1 Purpose. Rosamond Community Services District seeks to ensure that detailed or sensitive information regarding its water and sewer system facilities not be released to parties who might use it for malicious purposes. This security plan is designed to address computer security procedures for District personnel who are issued laptop computers.

6006.2 Scope. This program applies to all employees who are issued laptop computers.

6006.3 Responsibilities.

6006.3.1 The Manager of Information Systems approves all purchases of laptop computers for use by District personnel, subject to the General Manager's oversight.

6006.3.2 Division managers are responsible for assigning laptop computers to personnel within their respective divisions, and for enforcement of this policy.

6006.3.3 Each employee issued a laptop computer is responsible for understanding and following the requirements of this policy.

6006.4 Sensitive Information. Sensitive information that must not be released has been classified by the Federal Energy Regulatory Commission as Critical Energy Infrastructure Information and includes electrical, civil and mechanical schematics and drawings that show details of location and layout. The District also considers detailed maintenance records that include photos and schedules to be sensitive information.

6006.5 Computer Security.

6006.5.1 A password will be required to start the laptop computer. Passwords must be a minimum of eight (8) characters in length and must contain at least one (1) number and one (1) special character.

6006.5.2 Any software installed on the laptop computer must be pre-approved by the General Manager or his/her designee.

6006.5.3 Internet access may only be made through the District's network server. The laptop computer may not be used to access the Internet via an employee's personal Internet account.

6006.5.4 The laptop computer may be transported between the main District office and the field location at which the employee is assigned to work via a District vehicle. If the employee at any time leaves the vehicle unattended, the laptop computer will be stored out of sight in a locked compartment.

6006.5.5 All electrical, civil and/or mechanical schematics, drawings, photos and database records will be stored in electronic format on the District's network computer. Only those schematics, drawings, photos or maintenance database records necessary for the work being conducted at the given field location may be downloaded and temporarily stored on the laptop computer's hard drive. Upon completion of the field assignment, all revised files will be uploaded onto the District's network computer and all temporarily stored files will be deleted from the laptop computer's hard drive.

6006.5.6 The laptop computer may not be removed from the District's service area without prior approval of the General Manager.

6006.6 Compliance. The division manager will periodically check all laptop computers to ensure that no critical infrastructure information or other sensitive data is being stored on the computer's hard drive. Personnel found to be in violation of this policy will be subject to disciplinary procedures.

8005 RECORDS RETENTION

8005.1 The purpose of this policy is to: provide guidelines to staff regarding the retention or disposal of Rosamond Community Services District records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

8005.2 Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to the District.

8005.3 The General Manager is authorized by the Board of Directors to interpret and implement this policy, and may delegate to the Board Secretary cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below.

8005.4 Pursuant to the provisions of California Government Code §§60200 through 60203, California Water Code §21403, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following qualifications will govern the retention and disposal of records of the Rosamond Community Services District.

8005.4.1 Duplicate records, papers and documents may be destroyed at any time without the necessity of Board authorization or copying to photographic or electronic media.

8005.4.2 Originals of records, papers and documents more than two years old that were prepared or received in any manner other than pursuant to State or Federal statute may be destroyed without the necessity of copying to photographic or electronic media.

8005.4.3 In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

8005.4.4 Records, papers or documents which are not expressly required by law to be filed and preserved may be destroyed if all of the following conditions are met:

8005.4.4.1 The record, paper or document is photographed, micro photographed, reproduced on film of a type approved for permanent photographic records by the National Bureau of Standard, or copied to an approved electronic media;

8005.4.4.2 The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; and,

8005.4.4.3 The photographs, microphotographs, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

8005.4.5 Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:

8005.4.5.1 There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;

8005.4.5.2 There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;

8005.4.5.3 Said audit report or reports were prepared pursuant to procedures outlined in Government Code Section 26909 and other State or Federal audit requirements, and that;

8005.4.5.4 Said audit or audits contain the expression of an unqualified opinion.

8005.4.6 Any accounting record created for a specific event or action may be destroyed upon authorization five years after said event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five years from the end of the fiscal period to which it applies. The following may be destroyed at any time:

8005.4.6.1 Duplicated (original-subject to aforementioned requirements).

8005.4.6.2 Rough drafts, notes or working papers (except audit).

8005.4.6.3 Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.

8005.4.7 All payroll and personnel records shall be retained indefinitely. Originals may upon authorization be destroyed after seven years retention, provided said records have been microfilmed and qualify for destruction section 4, above. Payroll and personnel records include the following:

8005.4.8 All assessing records may upon authorization be destroyed after seven years retention from lien date; however, their records may be destroyed three years after the lien date when said records are microfilmed as provided for section 4, above.

8005.4.9 Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed as provided for in section 3090.4.4, above. Terms and conditions of bonds warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than ten years if microfilmed as provided for in section 4, above. Paid bonds, warrant certificates and interest coupons may be destroyed after six months if detailed payment records are kept for ten years.

8005.5 Minutes of the meetings of the Board of Directors are usually retained indefinitely in their original form. However, they may upon authorization be destroyed if said minutes are microfilmed as provided for in section 4, above. Recording tapes (or other media) of Board meetings will be kept for a period of thirty-one days from the date of the recorded meeting, after which they will be destroyed.

8005.5.1 Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven years unless they pertain to a project which includes a guarantee or grant and, in that event, they shall be kept for the life of the guarantee or grant plus seven years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

8005.5.2 Contracts should be retained for its life plus seven years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work which is more than two years old may be destroyed.

8005.5.3 Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer owned by the District.

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Appendix A
Definitions for Records Retention and Disposal Policy

1. AUTHORIZATION. Approval from the General Manager, as authorized by the District's Board of Directors.

2. ACCOUNTING RECORDS. Include but are not limited to the following:

(a) SOURCE DOCUMENTS
- (1) Invoices
- (2) Warrants
- (3) Requisitions/Purchase Orders (attached to invoices)
- (4) Cash Receipts
- (5) Claims (attached to warrants in place of invoices)
- (6) Bank Statements
- (7) Bank Deposits
- (8) Checks
- (9) Bills
- (10) Various accounting authorizations taken from Board minutes, resolutions or contracts

(b) JOURNALS
- (1) Cash Receipts
- (2) Accounts Receivable or Payable Register
- (3) Check or Warrant (payables)
- (4) General Journal
- (5) Payroll Journal

(c) LEDGERS
- (1) Expenditure
- (2) Revenue
- (3) Accounts Payable or Receivable Ledger
- (4) Construction
- (5) General Ledger
- (6) Assets/Depreciation

(d) TRIAL BALANCE

(e) STATEMENTS (Interim or Certified - Individual or All Fund)
- (1) Balance Sheet
- (2) Analysis of Changes in Available Fund Balance
- (3) Cash Receipts and Disbursements

- (4) Inventory of Fixed Assets (Purchasing)

(f) JOURNAL ENTRIES

(g) PAYROLL and PERSONNEL RECORDS include but are not limited to the following:
- (1) Accident reports, injury claims and settlements

(2) Applications, changes or terminations of employees
(3) Earnings records and summaries
(4) Fidelity Bonds
(5) Garnishments
(6) Insurance records of employees
(7) Job Descriptions
(8) Medical Histories
(9) Retirements
(10) Time Cards

(h) OTHER
(1) Inventory Records (Purchasing)
(2) Capital Asset Records (Purchasing)
(3) Depreciation Schedule
(4) Cost Accounting Records

3. LIFE. The inclusive or operational or valid dates of a document.

4. RECORD. Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document, issued by or received in a department, and maintained and used as information in the conduct of its operations.

5. RECORD COPY. The official District copy of a document or file.

6. RECORD SERIES. A group of records, generally filed together, and having the same reference and retention value.

7. RECORDS CENTER. The site selected for storage of inactive records.

8. RECORDS DISPOSAL. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.

9. RECORDS RETENTION SCHEDULE. The consolidated, approved schedule list of all District records which timetables the life and disposal of all records.

10. RETENTION CODE. Abbreviation of retention action which appears on the retention schedule.

11. VITAL RECORDS. Records which, because of the information they contain, are essential to one or all of the following:

a. The resumption and/or continuation of operations;
b. The recreation of legal and financial status of the District, in case of a disaster;
c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following:

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(1)Agreements
(2)Annexations & detachments
(3)As-built drawings
(4)Audits
(5)Contract drawings
(6)Customer statements
(7)Deeds
(8)Depreciation schedule
(9)Disposal of surplus & excess property
(10)Disposal of scrap materials
(11)District insurance records
(12)District water rights
(13)Employee accident reports, injury claims & settlements
(14)Employee earning records
(15)Employee fidelity bonds
(16)Employee insurance records
(17)Encroachment permits (by others)
(18)Encroachment permits (by OWID)
(19)Facility improvement plans
(20)Improvement districts
(21)Individual water rights
(22)Individual claims/settlements
(22)Inventory
(24)Journal vouchers
(25)Ledgers
(26)Licenses & permits (to operate)
(27)Loans & grants
(28)Maps
(29)Minutes of Board meetings
(30)Payroll register
(31)Policies, Rules & Regulations
(32)Purchase orders & requisitions
(33)Restricted materials permits
(34)Rights of ways & easements
(35)Spray permits
(36)Statements of Economic Interest
(37)State surplus acquisitions
(38)Warehouse requisitions
(39)Warrant/Voucher register
(40)Warrants (with backup)
(41)Water rights history

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Appendix B
Records Retention & Storage Summary

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
1	Records affecting title to real property or liens thereof.	X		2 yrs.	OP	ES
2	Records required to be kept permanently by statute.	X		2 yrs.	OP	ES
3	Minutes, ordinances & resolutions of Board.	X		2 yrs.	OP	ES
4	Documents with lasting historical, administrative, legal, fiscal, or research value.	X		2 yrs.	OP	ES
5	Correspondence, operational reports and information upon which District policy has been established.	X		2 yrs.	10 yrs.	12 yrs.
6	Duplicates of 5, above, when retention is necessary for reference.	X		2 yrs.		2 yrs.
7	Records requiring retention for more than five years, but no more than fifteen years by statute or administrative value.	X		2 yrs.	13 yrs.	15 yrs.
8	Duplicates needed for administrative purposes for five to fifteen years.		X	2 yrs.	13 yrs.	15 yrs.
9	All other original District records, or instruments, books or papers that are considered public documents not included in Groups 1 through 8.	X		2 yrs.	1 yr.	3 yrs.
10	Duplicates and other documents not public records required to be	X	X	2 yrs.	3 yrs.	5 yrs.

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
	maintained for administrative purposes.					
11	Duplicate records requiring retention for administrative purposes such as reference material for making up budgets, planning and programming.		X	3 yrs.		3
12	Reference files (copies of documents which duplicate the record copies filed elsewhere in the District; documents which require no action and are non-record; rough drafts, notes, feeder reports, and similar working papers accumulated in preparation of a communication, study or other document, and cards, listings, indexes and other papers used for controlling work).		X	1 yr.		1 yr.
13	Transitory files, including letters of transmittal (when not a public record), suspense copies when reply has been received, routine requests for information and publication, tracer letters, feeder reports, and other duplicate copies no longer needed.	X	X	3 mos.		3 mos.
14	Original documents disposable upon occurrence of an event or an action (i.e., audit, job completion, completion of contract, etc.) or upon obsolescence, supersession, revocation.	X		2 yrs.	3 yrs.	5 yrs.
15	Policy files and reference sets of publications.		X	I		I

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Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
16	Duplicates or non-record documents required for administrative needs but destroyable on occurrence of an event or an action.		X	I		I

OP= Original or photographic copy.
ES = May be destroyed if stored in electronic media.
I = Indefinitely

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8010 MAINTENANCE OF DISTRICT FACILITIES

8010.1 Purpose. Rosamond Community Services District seeks to ensure that detailed or sensitive information regarding its water and sewer system facilities not be released to parties who might use it for malicious purposes. This security plan is designed to address computer security procedures for District personnel who are issued laptop computers.

8010.2 The District will maintain utility facilities at a level which will provide for the public will-being and safety for the residents. The Operating and Maintenance (O&M) program will be maintained at a level that assures system reliability and efficiency. A well thought out maintenance program will extend the life of the system and reduce infrastructure costs in the long-term.

8010.3 Sufficient Funding

8010.3.1 Sufficient funding should be generated to provide for adequate maintenance and/or replacement of capital plans and equipment. This is to protect the District's capital investment and to minimize future maintenance and replacement costs.

8010.3.2 The District will adequately fund costs for meeting current industry standards and regulations in the annual financial review.

8010.3.3 The District will develop a 5-year capital improvement plan and update it annually. The Capital Improvement Plan (CIP) will be coordinated with the operating budget and impacts to ratepayers.

8010.3.4 The District will make all capital improvements according to an adopted CIP.

8010.3.5 The District's total CIP will consider mandated capital, growth related capital and replacement, production and refurbishment capital.

8035 GRAFFITI ABATEMENT ORDINANCE NO. 2000-02

8035.1 Nuisance. Graffiti on public or private property is ab lighting factor which both depreciates the value of the property which is subject to the graffiti and the surrounding property, and is so doing has a negative impact on the community. The presence of graffiti has been declared to be a public nuisance in Kern County by the Kern County Board of Supervisors (Chapter 9.30 of the Kern County Ordinance Code).

8035.2 Criminal Violation. It is unlawful in the County of Kern for any person to apply graffiti to public or private property, to allow graffiti to remain visible from the public right-of-way or neighboring property on property within your ownership, control or possession, or to fail to remove graffiti from property for which you are responsible after due notice has been given.

8035.3 Obligation to Remove Graffiti. Any person applying graffiti to any surface within the boundaries of the District shall have the obligation to remove it within three (3) business days of the date of notice from the District or from the property owner. In circumstances where the person applying graffiti to any surface is under the age of eighteen (18) years, the responsible adult shall also have the obligation to remove it within three (3) business days of the date of notice from the District or from the property owner. If graffiti has not been removed by the person applying it or the responsible adult within the time specified in subsection A or B of this section, or if the person applying the graffiti or the responsible adult are unknown, the District may remove the graffiti.

8035.4 Notice – Contents. The notice to the responsible party(s) for graffiti removal shall contain at least the following information**:**

(a) Identification of the location and description of the graffiti.
(b) Name and address of the owner of the property where the graffiti is located.
(c) That the property owner's consent is necessary prior to removal.
(d) That this obligation can be satisfied by voluntarily authorizing the District to remove the graffiti.
(e) That, if the District removes the graffiti upon failure of the person(s) obligated, the responsible parties shall be assessed all direct and indirect costs and expenses incurred by the District in abating the graffiti for which such parties are responsible. Direct and indirect costs and expenses under Fifty Dollars ($50.00) may be waived by the District Board if it determines that to do so is in the public interest.

8035.5 Failure to Receive Notice. The failure of any responsible party to receive notice after reasonable measures have been attempted by the district shall not affect the validity of any proceedings. Any responsible party may satisfy their obligation for graffiti removal by participating in the District's graffiti abatement program as follows:

(a) Executing an agreement with the District for removal of graffiti and obtaining the written consent of the property owner for the District to enter upon the property for the purpose of abating the graffiti.
(b) Payment of all direct and indirect costs and expenses incurred by the District in abating the graffiti
(c) Submission of the executed agreement together with all estimated direct and indirect costs and expenses to the manager prior to the abatement of the graffiti by the District.
(d) Payment of any additional actual direct and indirect costs and expenses incurred by the District within five (5) business days following the District's abatement of the graffiti.

8035.6 Failure to Receive Notice. The failure of any responsible party to receive notice after reasonable measures have been attempted by the district shall not affect the validity of any proceedings. Any responsible party may satisfy their obligation for graffiti removal by participating in the District's graffiti abatement program as follows:

8035.7 Definitions. Unless the context specifically indicates otherwise, the following terms shall, for purposes of this Ordinance, have the meanings indicated as follows:

(a) "Abatement" means the removal of graffiti from public or private property within the boundaries of the District, as well as the repair or replacement of property which is damaged during the removal process.
(b) "Direct and indirect costs and expenses" shall mean all costs and expenses of whatever kind incurred by the District in abating graffiti and enforcing this Ordinance either with its own forces or with outside contractors, including, but not limited to, all court, attorney, legal, law enforcement, administrative, construction, painting, cleaning and other abatement costs and expenses. Such costs and expenses shall expressly include any costs and expenses incurred in repairing damage to property caused by the removal of graffiti.
(c) "District" shall mean the Rosamond Community Services District Kern County, California, and/or its authorized representatives.
(d) "Graffiti" means any unauthorized inscription, word, figure, mark or design that is written, marked, etched, scratched, drawn or painted on any real or personal property.
(e) "Manager" shall mean the General Manager of the District or his or her designee.
(f) "Responsible Adult" shall mean a parent or guardian having custody or control of an individual under the age of eighteen (18) years.
(g) "Responsible Party" shall mean any person applying graffiti and any responsible adult of a person under the age of eighteen (18) years who has applied graffiti.

8035.8 Administration. It shall be the responsibility of the Manager to conduct the operation of the District's graffiti abatement program and to enforce all its provisions. The Manager shall take all actions necessary to carry out the specific requirements and intent. Failure on the part of the District's Board of Directors, Manager or other District personnel to enforce any provisions thereof, shall create no liability on the part of the District, or any personnel of the District, to any third persons.

8035.9 Other Powers. The District shall have all powers provided to it under applicable state laws, rules and regulations for the abatement of graffiti, including the following powers provided by Section 60601.1 of the California Government Code.

(a) To remove or contract for the removal of graffiti from any public or private property within its boundaries.
(b) To indemnify or compensate any property owner for any injury or damage caused by the removal of graffiti from property.
(c) To undertake a civil action to abate graffiti as a nuisance pursuant to Section 731 of the Code of Civil Procedure.
(d) To use the services of persons ordered to perform graffiti removal services by a municipal, superior, or juvenile court.
(e) To use the phrase "Graffiti Abatement District" in the name of the District.
(f) To operate specifically designated telephone "hot lines" for the purpose of receiving reports of unlawful application of graffiti on public or private property.
(g) To operate a program of financial reward, not to exceed one thousand dollars ($1,000) for information leading to the arrest and conviction of any person who unlawfully applies graffiti to any public or private property.