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Satisfying our Community's
Water Needs*

**AGENDA
MESA WATER DISTRICT
BOARD OF DIRECTORS
Wednesday, October 13, 2021
1965 Placentia Avenue, Costa Mesa, CA 92627
4:30 p.m. Regular Board Meeting**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Items Not on the Agenda: Members of the public are invited to address the Board regarding items which are not appearing on the posted agenda. Each speaker shall be limited to three minutes. The Board will set aside 30 minutes for public comments for items not appearing on the posted agenda.

Items on the Agenda: Members of the public shall be permitted to comment on agenda items before action is taken, or after the Board has discussed the item. Each speaker shall be limited to three minutes. The Board will set aside 60 minutes for public comments for items appearing on the posted agenda.

ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed as an Action Item, may be deliberated and may be subject to action by the Board.

CONSENT CALENDAR ITEMS:

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve minutes of regular Board meeting of September 8, 2021.
2. Approve minutes of adjourned regular Board meeting of September 28, 2021.
3. Approve attendance considerations (additions, changes, deletions).
4. Board Schedule:
 - Conferences, Seminars, and Meetings
 - Board Calendar
5. Authorize President Marice H. DePasquale to be the voting delegate for the Association of California Water Agencies' election of Board President and Vice President for the 2022 – 2023 term.

PRESENTATION AND DISCUSSION ITEMS:

6. FISCAL YEAR 2021 CUSTOMER SERVICE AUDIT:

Recommendation: Receive the presentation.



7. MESA WATER DISTRICT CUSTOMER SURVEY:

Recommendation: Receive the presentation.

ACTION ITEMS:

8. RULES AND REGULATIONS FOR WATER SERVICE:

Recommendation: Adopt Resolution No. 1548 Amending Mesa Water's Rules and Regulations for Water Service Superseding Resolution No. 1527.

9. WATER INFRASTRUCTURE FUNDING ACT of 2022:

Recommendation: Adopt Resolution No. 1549 Supporting the Water Infrastructure Funding Act of 2022.

REPORTS:

10. REPORT OF THE GENERAL MANAGER:

- September Key Indicators Report
- Other (no enclosure)

11. DIRECTORS' REPORTS AND COMMENTS

INFORMATION ITEMS:

12. DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

13. OTHER (NO ENCLOSURE)

In compliance with California law and the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please call the District Secretary at (949) 631-1205. Notification 48 hours prior to the meeting will enable Mesa Water District (Mesa Water®) to make reasonable arrangements to accommodate your requests.

Members of the public desiring to make verbal comments using a translator to present their comments into English shall be provided reasonable time accommodations that are consistent with California law.

Agenda materials that are public records, which have been distributed to a majority of the Mesa Water Board of Directors (Board), will be available for public inspection at the District Boardroom, 1965 Placentia Avenue, Costa Mesa, CA and on Mesa Water's website at www.MesaWater.org. If materials are distributed to the Board less than 72 hours prior or during the meeting, the materials will be available at the time of the meeting.

ADJOURN TO AN ADJOURNED REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, OCTOBER 19, 2021 AT 4:00 P.M.



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**MINUTES OF THE BOARD OF DIRECTORS
MESA WATER DISTRICT
Wednesday, September 8, 2021
1965 Placentia Avenue, Costa Mesa, CA 92627
4:30 p.m. Regular Board Meeting**

CALL TO ORDER	The meeting of the Board of Directors was called to order at 4:30 p.m. by President DePasquale.
PLEDGE OF ALLEGIANCE	Vice President Dewane led the Pledge of Allegiance.
Directors Present	Marice H. DePasquale, President Shawn Dewane, Vice President Fred R. Bockmiller, P.E., Director Jim Atkinson, Director James R. Fisler, Director
Directors Absent	None
Staff Present	Paul E. Shoenberger, P.E., General Manager Denise Garcia, Administrative Services Manager/ District Secretary Marwan Khalifa, CPA, MBA, Chief Financial Officer/ District Treasurer Stacie Sheek, Customer Services Manager Syndie Ly, Human Resources Manager Tracy Manning, Water Operations Manager Kurt Lind, Business Administrator Andrew D. Wiesner, P.E, Principal Engineer Celeste Carrillo, Public Affairs Coordinator Kaitlyn Norris, Public Affairs Specialist Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo
Others Present	Dr. Joni Prado, Professor of Music, Vanguard University William Kershaw, Battalion Chief, Costa Mesa Fire Department Victor M. Bakkila, Captain, Costa Mesa Police Department Tricia Murakawa, Principal, Murakawa Communications, Inc. Brenda Deeley, CEO, Brenda Deeley PR

RECOGNITION OF THE 20TH ANNIVERSARY OF 9/11

President DePasquale introduced Vanguard University Professor of Music Dr. Joni Prado who sang the Star-Spangled Banner.

President DePasquale thanked Dr. Prado and photographs were taken.

President De Pasquale presented proclamations to Costa Mesa Fire Department Battalion Chief William Kershaw and Costa Mesa Police Department Captain Victor M. Bakkila for their

department's efforts to protect and serve our community and in observance of the 20th Anniversary of September 11, 2001.

Photographs were taken.

PUBLIC COMMENTS:

President DePasquale asked for public comments on items not on the agenda.

There were no comments and President DePasquale proceeded with the meeting.

ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA

General Manager Shoenberger reported there were no items to be added, removed, or reordered on the agenda.

CONSENT CALENDAR ITEMS:

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve minutes of regular Board meeting of August 11, 2021.
2. Approve minutes of adjourned regular Board meeting of August 24, 2021.
3. Approve attendance considerations (additions, changes, deletions).
4. Board Schedule:
 - Conferences, Seminars, and Meetings
 - Board Calendar
5. Approve a five-year contract with Atkinson, Andelson, Loya, Ruud & Romo to provide General Legal Counsel Services, and authorize the General Manager to execute the contract.
6. Approve proclamations to City of Costa Mesa emergency response personnel in observance of the 20th Anniversary of September 11, 2001.

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Bockmiller, second by Director Fisler, to approve Items 1 – 6 of the Consent Calendar. Motion passed 5 – 0.

PRESENTATION AND DISCUSSION ITEMS:

7. WILSON STREET PIPELINE REPLACEMENT PROJECT CONSTRUCTION OUTREACH:

Public Affairs Coordinator Carrillo provided an overview of the topic and introduced Murakawa Communications, Inc. Principal Tricia Murakawa who provided a presentation that highlighted the following:

- Public Outreach Team
- Wilson Street Pipeline Alignment & Work Schedule
- Affected Stakeholders
- Wilson Street Bus Turn-Outs

- Construction Outreach Strategies
- Stakeholder Communications
- A Picture of the Wilson Street Canvas
- Communication Tools
- Stakeholder Comments/Questions

Ms. Murakawa responded to questions from the Board and they thanked her for the presentation.

8. MESA WATER NOTIFY:

Public Affairs Coordinator Carrillo provided a presentation that highlighted the following:

- Introducing Mesa Water Notify
- How it Works
- How it Works – GIS Map
- Dashboard
- Mesa Water Notify Benefits
- Communications Plan Rollout
- Mesa Water Notify Demonstration

GM Shoenberger and Ms. Carrillo responded to questions from the Board and they thanked Ms. Carrillo for the presentation.

9. DRY SEASON AND WATER SUPPLY MESSAGING:

GM Shoenberger introduced Brenda Deeley PR CEO Brenda Deeley who proceeded with a presentation that highlighted the following:

- ACWA & Save Our Water Research
- Key Findings
- CA Drought Emergency & Met Supply Alert
- Research-Based Recommendations
- Key Messages:
 - No Drought Impact
 - Investments in Infrastructure
 - Abundant, Local, Reliable Water
 - Managing Water Resources Well
 - Committed to Wise Water Use

GM Shoenberger and Ms. Deeley responded to questions from the Board and they thanked Ms. Deeley for the presentation.

10. SODIUM HYPOCHLORITE SUPPLY OUTLOOK:

Principal Engineer Wiesner provided a brief overview of the topic.

Mr. Wiesner responded to questions from the Board and they thanked him for the information.

ACTION ITEMS:

11. SCADA CONTROL ROOM AND WET LAB UPGRADE PROJECT TEMPORARY ADMINISTRATION BUILDING INSTALLATION:

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Bockmiller, second by Vice President Dewane, to amend Leed Electric, Inc.'s on-call contract for an additional \$162,661 and a 10% contingency of \$16,266 for a total contract amount not to exceed \$278,927 for connection of electrical service and SCADA systems to the temporary facility at the Mesa Water Reliability Facility. Motion passed 5 – 0.

12. CAPTIVE INSURANCE:

Chief Financial Officer Khalifa provided a brief overview of the topic.

Discussion ensued amongst the Board.

MOTION

Motion by Director Bockmiller, second by Vice President Dewane, to approve:

- a. the formation of the Mesa Water Risk Retention Corporation as a subsidiary corporation of Mesa Water District (Mesa Water®); and,
- b. the Board of the Corporation to consist of the current Mesa Water Board and Lorin Barker.

Motion passed 5 – 0.

Discussion ensued amongst the Board.

Motion by Director Bockmiller, for the current Mesa Water Board President and Vice President to become the President and Vice President of the Mesa Water Risk Retention Corporation. Their term shall align with the 2-year term of the Mesa Water District Officers; upon expiration, a new President and Vice President will be elected to the Corporation. In the event that a Mesa Water Risk Retention Corporation Board member leaves their Mesa Water District office, they would automatically depart their Mesa Water Risk Retention Corporation office on the same date, as well.

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Bockmiller, second by Vice President Dewane, for the current Mesa Water Vice President and President to become the President and Vice President, respectively, of the Mesa Water Risk Retention Corporation. Their term shall align with the 2-year term of the Mesa Water District Officers; upon expiration, a new President and Vice President will be elected to the Corporation. In the event that a Mesa Water Risk Retention Corporation Board member leaves their Mesa Water District office, they would

automatically depart their Mesa Water Risk Retention Corporation office on the same date, as well. Motion passed 5 – 0.

REPORTS:

13. REPORT OF THE GENERAL MANAGER:
 - August Key Indicators Report
 - Other (no enclosure)
14. DIRECTORS' REPORTS AND COMMENTS

INFORMATION ITEMS:

15. DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)
16. OTHER (NO ENCLOSURE)

President DePasquale adjourned the meeting at 7:04 p.m. to an Adjourned Regular Board Meeting scheduled for Tuesday, September 28, 2021 at 3:30 p.m.

Approved:

Marice H. DePasquale, President

Denise Garcia, District Secretary

Recording Secretary: Sharon D. Brimer



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**MINUTES OF THE BOARD OF DIRECTORS
MESA WATER DISTRICT
Tuesday, September 28, 2021
1965 Placentia Avenue, Costa Mesa, CA 92627
3:30 p.m. Adjourned Regular Board Meeting**

BOARD OF DIRECTORS COMMITTEE MEETING

CALL TO ORDER The meeting of the Board of Directors was called to order at 3:30 p.m. by President DePasquale.

PLEDGE OF ALLEGIANCE Director Fisler led the Pledge of Allegiance.

Directors Present Marice H. DePasquale, President
Shawn Dewane, Vice President
Jim Atkinson, Director
Fred R. Bockmiller, P.E., Director
James R. Fisler, Director

Directors Absent None

Staff Present Paul E. Shoenberger, P.E., General Manager
Denise Garcia, Administrative Services Manager/
District Secretary
Marwan Khalifa, CPA, MBA, Chief Financial Officer/
District Treasurer
Tracy Manning, Water Operations Manager
Kurt Lind, Business Administrator
Andrew D. Wiesner, P.E. Principal Engineer
Celeste Carrillo, Public Affairs Coordinator
Kaitlyn Norris, Public Affairs Specialist
Karyn Igar, Senior Civil Engineer
Rob Anslow, Partner, Atkinson, Andelson, Loya, Ruud & Romo

Others Present Matthew T. Payne, Principal, WestWater Research *(teleconference)*
Patrick Wolf, Senior Manager, Head of Product Development,
Nasdaq Global Indexes *(teleconference)*
Benjamin McKenna, Director, Institutional Sales, StoneX
Financial, Inc. *(teleconference)*
Brenda Deeley, CEO, Brenda Deeley PR

PUBLIC COMMENTS:

President DePasquale asked for public comments on items not on the agenda.

There were no comments and President DePasquale proceeded with the meeting.

ITEMS TO BE ADDED, REMOVED, OR REORDERED ON THE AGENDA

General Manager Shoenberger reported there were no items to be added, removed, or reordered on the agenda.

CONSENT CALENDAR ITEMS:

Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve the minutes of adjourned regular Board meeting of August 26, 2021.
2. Receive and file the Developer Project Status Report.
3. Receive and file the Mesa Water and Other Agency Projects Status Report.
4. Receive and file the Water Quality Call Report.
5. Receive and file the Water Operations Status Report.
6. Receive and file the Accounts Paid Listing.
7. Receive and file the Monthly Financial Reports.
8. Receive and file the Major Staff Projects.
9. Receive and file the State Advocacy Update.
10. Receive and file the Orange County Update.
11. Receive and file the Outreach Update.

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Atkinson, second by Director Bockmiller, to approve Items 1 – 11 of the Consent Calendar. Motion passed 5 – 0.

PRESENTATION AND DISCUSSION ITEMS:

12. WATER FUTURES:

Chief Financial Officer Khalifa introduced WestWater Research Principal Matthew T. Payne, Nasdaq Global Indexes Senior Manager Patrick Wolf, and StoneX Financial, Inc. Director Benjamin McKenna.

Messrs. Payne and Wolf provided a presentation that highlighted the following:

- Nasdaq Veles California Water Index
- NQH20 and Drought
- Nasdaq Veles Water Futures
- Hedging with Futures - Example

Messrs. Payne and Wolf responded to questions from the Board and they thanked them for the presentation.

The Board directed staff to work with the consultants to develop water futures options and to research the limitations as stated in California Government Code Sections 53601 and 53605. There were no objections.

13. CAPITAL IMPROVEMENT PROGRAM RENEWAL QUARTERLY UPDATE:

Principal Engineer Wiesner provided a presentation that highlighted the following:

- Overview
- Well Program - Chandler & Croddy Wells and Pipeline Project
- Reservoir Program
- Distribution Program
- Routine Capital
- District Facilities Program
- CIPR Program Planned vs. Actual
- Financial Summary

GM Shoenberger and Mr. Wiesner responded to questions from the Board and they thanked Mr. Wiesner for the presentation.

14. PIPELINE INTEGRITY PROGRAM UPDATE:

Senior Civil Engineer Igar provided a presentation that highlighted the following:

- Pipeline Integrity Program History
- Resolution No. 1525 Replacement of Assets Implementation
- Pipeline Performance Fiscal Year 2020 – 2021
- Pipeline Testing Program Accomplishments
- Pipeline Renewal
- Summary and Continuous Improvement

Ms. Igar responded to questions from the Board and they thanked her for the presentation.

RECESS

President DePasquale declared a recess at 5:09 p.m.

The Board meeting reconvened at 5:14 p.m.

15. MISSION STATEMENT, CORE VALUES, TAGLINE & PROPOSED BRAND PROMISE ROLLOUT:

GM Shoenberger introduced Brenda Deeley PR CEO Brenda Deeley who proceeded with a presentation that highlighted the following:

- Mission Statement & Tagline
- Core Values
- Internal Rollout
- External Rollout
- Brand Promise Recommendation
- Brand Promise Use

Ms. Deeley responded to questions from the Board and they thanked her for the presentation.

16. ASSEMBLY BILL NO. 361 (RIVAS) – OPEN MEETINGS: STATE AND LOCAL AGENCIES: TELECONFERENCES:

Administrative Services Manager Garcia provided a brief overview of the topic.

Ms. Garcia and Attorney Anslow responded to questions and the Board thanked them for the information

ACTION ITEMS:

17. VAULT REHABILITATION AND ABANDONMENT CONSTRUCTION:

President DePasquale asked for comments from the public. There were no comments.

MOTION

Motion by Director Bockmiller, second by Vice President Dewane, to award a contract to T. E. Roberts, Inc. for \$677,461 and a 10% contingency of \$67,746 for a total contract amount not to exceed \$745,201 to provide construction for the Vault Rehabilitation and Abandonment Project, and authorize the General Manager to execute the contract. Motion passed 5 – 0.

REPORTS:

18. REPORT OF THE GENERAL MANAGER:

GM Shoenberger reported that the Board of Directors previously met in Closed Session on August 24, 2021 to consider a settlement in the civil action entitled *Mesa Water District v. KDC, Inc.* Following a bench trial, the Court returned a decision in favor of Mesa Water. In order to avoid further post trial hearings, the parties have now agreed to completely settle this civil action for a settlement amount of \$962,485. Approval of such a settlement was unanimously approved 5 – 0 by the Board. A copy of the fully executed Settlement Agreement will be on file with Mesa Water's District Secretary for public review upon request.

19. DIRECTORS' REPORTS AND COMMENTS

INFORMATION ITEMS:

20. OTHER (NO ENCLOSURE)

President DePasquale adjourned the meeting at 6:00 p.m. to an Adjourned Regular Board Meeting scheduled for Tuesday, October 5, 2021 at 3:30 p.m.

Approved:

Marice H. DePasquale, President

Denise Garcia, District Secretary

Recording Secretary: Sharon D. Brimer

Unapproved



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MEMORANDUM

TO: Board of Directors
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: October 13, 2021
SUBJECT: Attendance at Conferences, Seminars, Meetings, and Events

RECOMMENDATION

In accordance with Ordinance No. 31, adopted April 27, 2021, authorize attendance at conferences, seminars, meetings, and events.

STRATEGIC PLAN

- Goal #1: Provide a safe, abundant, and reliable water supply.
- Goal #2: Practice perpetual infrastructure renewal and improvement.
- Goal #3: Be financially responsible and transparent.
- Goal #4: Increase public awareness about Mesa Water and about water.
- Goal #5: Attract and retain skilled employees.
- Goal #6: Provide outstanding customer service.
- Goal #7: Actively participate in regional and statewide water issues.

PRIOR BOARD ACTION/DISCUSSION

At its June 10, 2021 meeting, the Board of Directors (Board) approved Fiscal Year 2022 attendance at Conferences, Seminars, Meetings, and Events.

DISCUSSION

During the discussion of this item, if any, the Board may choose to delete any item from the list and/or may choose to add additional conferences, seminars, meetings, or events for approval, subject to available budget or additional appropriation.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.

2021 CONFERENCES, SEMINARS, AND MEETINGS:

October 15, 2021	
OC Water Summit Anaheim, CA	<i>Atkinson, Fisler</i>
October 18 - 21, 2021	
AWWA CA-NV Annual Fall Conference Virtual	
October 25 - 26, 2021	
Public-Private Partnership Higher Education Summit San Diego, CA	
November 2 - 4, 2021	
SWMOA Annual Conference Pico Rivera, CA or Virtual	
November 30 - December 2, 2021	
ACWA/JPIA Fall Conference Pasadena, CA	<i>Atkinson, Bockmiller, DePasquale</i>
December 14 - 16, 2021	
Colorado River Water Users Association Conference Las Vegas, NV	

October 2021

October 2021							November 2021						
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24	25	26	27	28	29	30	28	29	30				
31													

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Sep 26	27	28	29	30	Oct 1 Colorado River District Annual Water Seminar (VIRTUAL OR In Person) 7:30am WACO Meeting (Virtual)	2
3	4 8:30am MWDOC Planning & Operations Committee Meeting (Conference Room 101)	5 7:30am ISDOC Executive Committee Meeting 3:30pm Mesa Water Adjourned Regular Board 6:00pm Costa Mesa City	6 CANCELED CALAFCO Annual Conference (Newport Beach) 8:30am Jt. MWDOC/MWD Workshop (VIRTUAL) 5:30pm OCWD Board 6:00pm Costa Mesa	7 4:00pm Chamber of Commerce Government 4:30pm Homecoming 5:30pm OC Tax Event (1600)	8 Pay Period Ends	9
10	11 5:00pm IRWD Board Meeting (Virtual)	12 8:00am OCBC Infrastructure Committee (Virtual)	13 Payday 8:00am LAFCO Meeting (Virtual) 8:30am MWDOC Admin 4:30pm Mesa Water Board	14 1:30pm SAWPA Weather Modification Pilot Program Virtual Information Meeting (Zoom (Details in Body	15 8:00am OC Water Summit (Anaheim, CA)	16
17	18 8:30am CANCELED MWDOC Public Affairs & Legislation (Virtual)	19 AWWA CA-NV Annual Fall Conference (Virtual) 7:30am WACO Planning 10:00am CalMutuals Large 4:00pm Mesa Water District 6:00pm Costa Mesa City	20 8:30am MWDOC Board Meeting (VIRTUAL) 5:30pm OCWD Board Meeting (OCWD)	21 8:30am MWDOC Executive Committee (Conference) 5:30pm SCWC Annual Meeting + Dinner (701)	22 Pay Period Ends	23
24	25 Public-Private Partnership Higher Education Summit (San Diego) 5:00pm IRWD Board Meeting (Virtual)	26 9:30am ACC-OC EEW Committee Meeting 3:30pm Mesa Water District Board of Directors	27 Payday 8:30am Jt. MWDOC/OCWD Meeting (Conference Room 101)	28 11:30am ISDOC Quarterly Event	29	30
31	Nov 1	2	3	4	5	6

November 2021

November 2021							December 2021						
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21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 31	Nov 1 8:30am MWDOC Planning & Operations Committee Meeting (Virtual)	2 SWMOA 2021 Annual Symposium (Pico Rivera, CA) 7:30am ISDOC Executive Committee Meeting (Virtual) 6:00pm Costa Mesa City Council Meeting (Virtual)	3 8:30am Jt. MWDOC/MWD Workshop (Virtual) 5:30pm OCWD Board Meeting (Virtual)	4	5 Pay Period Ends 7:30am WACO Meeting (Virtual)	6
7	8 5:00pm IRWD Board Meeting (Virtual)	9 8:00am OCBC Infrastructure Committee (Virtual) 3:30pm Mesa Water Adjourned Regular Board of Directors Meeting (Boardroom, 1965)	10 Payday 8:00am LAFCO Meeting (Virtual) 8:30am MWDOC Admin and Finance Committee 4:30pm Mesa Water Board	11 District Holiday	12	13
14	15 8:30am CANCELED MWDOC Public Affairs & Legislation (Virtual)	16 7:30am WACO Planning Committee (VIRTUAL) 3:30pm Mesa Water District Board of Directors 6:00pm Costa Mesa City Council Meeting (Virtual)	17 8:30am MWDOC Board Meeting (VIRTUAL) 5:30pm OCWD Board Meeting (Virtual)	18 8:30am MWDOC Executive Committee (Virtual) 3:30pm Mesa Water District Board Workshop (1965) 4:00pm Costa Mesa Chamber of Commerce	19 Pay Period Ends	20
21	22 5:00pm IRWD Board Meeting (Virtual)	23	24 Payday	25 District Holiday	26 District Holiday	27
28	29	30 ACWA/JPIA Fall Conference - J	Dec 1	2	3	4

December 2021

December 2021							January 2022						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
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5	6	7	8	9	10	11	2	3	4	5	6	7	8
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19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 28	29	30	Dec 1 ACWA/JPIA Fall Conference - JA, FB, MD (Pasadena, CA) 8:30am Jt. MWDOC/MWD Workshop (Virtual) 5:30pm OCWD Board Meeting (Virtual)	2	3 Pay Period Ends 7:30am WACO Meeting (Virtual)	4
5	6 8:30am MWDOC Planning & Operations Committee Meeting (Virtual)	7 7:30am ISDOC Executive Committee Meeting (Virtual) 6:00pm Costa Mesa City Council Meeting (Virtual)	8 Payday 8:00am LAFCO Meeting (Virtual) 8:30am MWDOC Admin and Finance Committee 4:30pm Mesa Water Board	9	10	11
12	13 Colorado River Water Users Association Conference (TBD) 5:00pm IRWD Board Meeting (Virtual)	14 8:00am OCBC Infrastructure Committee (Virtual) 3:30pm Mesa Water District Board Workshop (1965 Placentia Avenue, Costa)	15 8:30am MWDOC Board Meeting (VIRTUAL) 5:30pm OCWD Board Meeting (Virtual)	16 8:30am MWDOC Executive Committee (Virtual)	17 Pay Period Ends	18
19	20 8:30am CANCELED MWDOC Public Affairs & Legislation (Virtual)	21 7:30am WACO Planning Committee (VIRTUAL) 9:30am ACC-OC EEW Committee Meeting 6:00pm Costa Mesa City Council Meeting (Virtual)	22 Payday	23	24 District Holiday	25
26	27 District Holiday (Christmas Day Observed) 5:00pm IRWD Board Meeting (Virtual)	28 3:30pm CANCELED Mesa Water District Board of Directors Committee Meeting (Mesa Water District Boardroom, 1965 Placentia Avenue, Costa)	29	30	31 District Holiday Pay Period Ends	Jan 1, 22



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MEMORANDUM

TO: Board of Directors
FROM: Denise Garcia, Administrative Services Manager
DATE: October 13, 2021
SUBJECT: Association of California Water Agencies' Voting Delegate

RECOMMENDATION

Authorize President Marice H. DePasquale to be the voting delegate for the Association of California Water Agencies' election of Board President and Vice President for the 2022 - 2023 term.

STRATEGIC PLAN

- Goal #1: Provide a safe, abundant, and reliable water supply.
- Goal #2: Practice perpetual infrastructure renewal and improvement.
- Goal #3: Be financially responsible and transparent.
- Goal #4: Increase public awareness about Mesa Water and about water.
- Goal #5: Attract and retain skilled employees.
- Goal #6: Provide outstanding customer service.
- Goal #7: Actively participate in regional and statewide water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

DISCUSSION

The Association of California Water Agencies (ACWA) is conducting a hybrid membership meeting at the ACWA Fall Conference on Wednesday, December 1, 2021. The purpose of the meeting is to formally nominate and elect ACWA's President and Vice President for the 2022 - 2023 term. The elected officers will take office on January 1, 2022.

The procedure used for the nomination and election of the ACWA officers is as follows:

- An overview of the Zoom platform will be provided, including demonstration of how the virtual meeting participants can interact throughout the meeting.
- An overview of the Live-Tally voting system will be provided and a test vote will be conducted.
- Nominating Committee Chair Brent Hastey will present the committee's report and announce the candidate for ACWA President and ACWA Vice President.
- Floor nominations will be called for by Board President Steven LaMar.
- If there are no floor nominations, the election will proceed utilizing the Live-Tally.
- Results will be announced on the spot promptly after vote tallying.

Mesa Water District (Mesa Water®) is entitled to cast one vote for President and one vote for Vice President and must pre-identify its voting delegate. Attached is the proxy designation form for pre-identification of Mesa Water's voting delegate (Attachment C). The ACWA Nominating Committee's recommended slate is current Vice President Pamela Tobin for ACWA President and current Region 10 Vice Chair Cathy Green for ACWA Vice President.



However, if there are floor nominations for Board Officers, the nomination will follow the procedures established by Article 9 of ACWA's Bylaws:

- Floor nominations and seconds shall be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination.
- Candidates will be given three minutes to address the membership.
- Staff will create a ballot in the Live-Tally system and then display for the voters' action.
- Voting delegates will vote for one candidate of the candidate options displayed on the screen using the handheld or online keypad in the Live-Tally voting system. Results will be displayed in real time.
- President LaMar will announce the results of the vote.

FINANCIAL IMPACT

In Fiscal Year 2022, \$26,000 is budgeted for the ACWA membership in the District Memberships account.

ATTACHMENTS

Attachment A: ACWA Memorandum

Attachment B: ACWA Membership Meeting & Election Procedures

Attachment C: ACWA Voter Designation & Information Form

Attachment D: ACWA Consent to Electronic Transmissions, Meetings & Voting



MEMORANDUM

Via U.S. Mail and Electronic Mail

TO: ACWA Member Agency Board Presidents and General Managers

CC: ACWA Board of Director

FROM: Dave Eggerton, ACWA Executive Director

DATE: October 4, 2021

SUBJECT: Notice of General Session Membership Meeting — December 1, 2021

There will be a General Session Membership Meeting on **December 1, 2021, at 12:00 p.m.** The purpose of this meeting is to formally nominate and elect ACWA's President and Vice President for the 2022-2023 term. At its meeting on September 24, 2021, the ACWA Board of Directors approved procedures whereby ACWA members will be able to participate and vote in the upcoming membership meeting and election in person or virtually. These procedures are in accordance with California Corporations Code Sections 20, 21, 5079 and subsections (a) and (f) of Section 7510, as well as Article 9 of ACWA's Bylaws. The in-person meeting will be held in Ballroom D-H of the Pasadena Convention Center. Virtual voting delegates will participate via Zoom. Staff will provide the Zoom access information to the virtual voting delegates upon receipt of the Voter Designation & Information Form and the member agency's Consent to Electronic Transmissions, Meetings & Voting Form. Members who wish to attend the membership meeting virtually as a non-voting participant can obtain the registration link by contacting Clerk of the Board Donna Pangborn at donnap@acwa.com or 916-441-4545 to confirm their member agency has submitted the requisite Consent to Electronic Transmissions, Meetings & Voting Form.

Election/Voting Process

The ACWA Nominating Committee has announced a 2022-2023 slate that recommends current **Vice President Pamela Tobin for ACWA President** and current **Region 10 Vice Chair Cathy Green for ACWA Vice President**. The Nominating Committee's 2022-2023 slate will be presented for the members' consideration and vote at the membership meeting on December 1.

As provided by ACWA's Bylaws (Article 9, Section 9) nominations from the floor will be accepted prior to the vote on the Nominating Committee's slate. The Bylaws require that floor nominations and seconds be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination. The member agency on whose board the nominee serves must submit a resolution of support if they are not the agency making the floor nomination or second. The resolutions to facilitate floor nominations must be submitted to the Clerk of the Board Donna Pangborn at donnap@acwa.com by **COB Wednesday, November 24, 2021**.

➤ **See attachment for detailed Membership Meeting & Election Procedures.**

ACWA will be using a voting system called Live-Tally, which will allow voters to vote using a handheld keypad OR online keypad (which can be accessed through any modern web browser on a computer, tablet or smart phone). **Voters must be present at the membership meeting, either in person or virtually, to vote.**

Consistent with ACWA's Bylaws, Article 9, Section 5, "each member of the Association shall be entitled to one vote that shall be cast by its authorized representative."

- Member agencies must indicate their voting representative and alternate on the attached Voter Designation & Information Form.
- Member agencies must indicate if their voting representative/alternate is attending in person or virtually as well as provide all of the information identified on the form in order for ACWA to facilitate all aspects of the membership meeting and voting processes.

Members who desire to participate in the membership meeting virtually and vote electronically are required to sign and return the attached Consent to Electronic Transmissions, Meetings & Voting Form by November 24, 2021, consistent with the California Corporations Code.

Deadline & Changes

The deadline for submitting the Voter Designation & Information Form is **Wednesday, November 24, 2021**. While this form identifies both a voting delegate and an alternate voting delegate for the ACWA member agency, if for any reason the member agency desires for the alternate voting delegate to vote at the election in place of its designated voting delegate, the member agency must notify ACWA in advance of its exchange of voting delegates by contacting the Clerk of the Board Donna Pangborn at donnap@acwa.com or 916-441-4545 **no later than Monday, November 29, 2021**. Staff will then provide the member agency's alternate voter with the Zoom and Live-Tally access/participant information if the voter is participating virtually.

ACWA General Session Desk

ACWA staff will be available at the **ACWA General Session Desk**, located in the Ballroom Lobby of the Pasadena Convention Center, on **Wednesday, December 1**, between **9:00 a.m. and 11:45 a.m.** to answer questions about the membership meeting and election process.

In-person voters need to check in at the ACWA General Session Desk on Wednesday, December 1, between 10:30 and 11:45 a.m. to pick up handheld keypads.

If you have any questions regarding this process, please contact Clerk of the Board Donna Pangborn at 916-441-4545 or donnap@acwa.com.

dgp

Attachments:

1. Membership Meeting & Election Procedures
2. Voter Designation & Information Form
3. Consent to Electronic Transmission, Meetings & Voting Form

The following information is provided to inform the ACWA member agency voting delegates of the meeting and election procedures to be used in the upcoming General Session Membership Meeting scheduled for December 1, 2021 at 12:00 p.m. The purpose of the meeting is to formally nominate and elect ACWA's President and Vice President for the 2022-2023 term. The in-person meeting will be held in Ballroom D-H of the Pasadena Convention Center. Virtual voting delegates will participate via Zoom. Staff will provide the Zoom access information to the virtual voting delegates upon receipt of the Voter Designation & Information Form and the member agency's Consent to Electronic Transmissions, Meetings & Voting Form. Members who wish to attend the membership meeting virtually as a non-voting participant can obtain the registration link by contacting Clerk of the Board Donna Pangborn at donnap@acwa.com or 916-441-4545 to confirm their member agency has submitted the requisite Consent to Electronic Transmissions, Meetings & Voting Form.

ELECTION / VOTING PROCESS

ACWA will be using a voting system called Live-Tally, which will allow voters to vote either in person using a handheld keypad OR virtually through an online keypad (which uses any modern web browser on a computer, tablet or smart phone). **Voters must be present at the membership meeting, either in person or virtually, to vote.**

Consistent with ACWA's Bylaws, Article 9, Section 5, "each member of the Association shall be entitled to one vote that shall be cast by its authorized representative."

- Member agencies must indicate their voting representative and alternate on the Voter Designation & Information Form.
- Member agencies must indicate if their voting representative/alternate is attending in person or virtually as well as provide all of the information identified on the form in order for ACWA to facilitate all aspects of the membership meeting and voting processes.

Members who desire to participate in the membership meeting virtually and vote electronically are required to sign and return the Consent to Electronic Transmissions, Meetings & Voting Form by November 24, 2021, consistent with the California Corporations Code.

VIRTUAL ATTENDEES

Virtual attendees need to take the following steps after the member agency has completed and returned the Voter Designation & Information Form and requisite Consent to Electronic Transmissions, Meetings & Voting Form.

1. Voting delegates need to **save the Zoom access/login information** ACWA staff will provide to you. Save the information for the day of the meeting. **Use that information to login to the virtual meeting**, which is how ACWA will identify you as a participant.
2. Voting delegates need to **save the Live-Tally Participant ID information** ACWA staff will provide to you, which is how Live-Tally will identify you as the member agency voter.

IN-PERSON ATTENDEES

In-person attendees need to take the following steps after completing and returning the Voter Designation & Information Form:

1. Check in at the ACWA General Session Desk, located in the Ballroom Lobby of the Pasadena Convention Center, on **Wednesday, December 1**, between **10:30 and 11:45 a.m.** to pick up handheld keypads.
2. Voting delegates **must be present to vote** and **MUST** have the handheld keypad prior to the start of the membership meeting.

DEADLINE & CHANGES

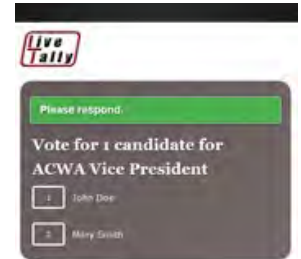
The deadline for submitting the **Voter Designation & Information Form** is Wednesday, **November 24, 2021**. If there is any change of your agency's voting delegate with its designated alternate, you must contact ACWA's Clerk of the Board Donna Pangborn at donnap@acwa.com or 916-441-4545 no later than Monday, November 29, 2021. Staff will provide the alternate voter with the Zoom and Live-Tally access/participant information if the voter is participating virtually.

1. The General Session Membership Meeting will be called to order at 12:00 p.m. and a quorum will be determined. The presence of 50 authorized voting representatives is required to establish a quorum for transacting business.
2. An overview of the Zoom platform will be provided, including demonstration of how the virtual meeting participants can interact throughout the meeting.
3. An overview of the Live-Tally voting system will be provided and a test vote will be conducted.
4. Legal Affairs Committee Chair Jennifer Buckman will provide an overview of the agenda and election procedures.
5. Nominating Committee Chair Brent Hasteley will present the Committee's report and announce the candidate for ACWA President.
6. President Steven LaMar will call for floor nominations for ACWA President.
7. If there are no floor nominations for ACWA President, the election will proceed. President LaMar will close the nominations and delegates will vote following motion/second to elect the Nominating Committee's recommendation using Live-Tally.
8. If there are floor nominations for President, the nomination will follow the procedures established by Article 9 of ACWA's Bylaws, stating that floor nominations and seconds shall be made by a member of the Association and must be supported by a resolution of the governing body of the member making and seconding such nomination. The member agency on whose board the nominee serves shall submit a resolution of support if they are not the agency making the floor nomination or second.
 - a. **Resolutions to facilitate floor nominations must be submitted to the Clerk of the Board Donna Pangborn at donnap@acwa.com by COB Wednesday, November 24, 2021.**
 - b. Candidates will be given three minutes to address the membership.
 - c. Staff will create a ballot in the Live-Tally system and then display for the voters' action.
 - d. Voting delegates will vote on one (1) candidate of the candidate options displayed on the screen using the handheld OR online keypad in the Live-Tally voting system. Results will be displayed in real time.
 - e. President LaMar will announce the results of the vote.
9. Nominating Committee Chair Brent Hasteley will announce the candidate for ACWA Vice President.
10. President Steven LaMar will call for floor nominations for ACWA Vice President.
11. If there are no floor nominations for ACWA Vice President, the election will proceed. President LaMar will close the nominations and delegates will vote following motion/second to elect the Nominating Committee's recommendation using Live-Tally.
12. If there are floor nominations for ACWA Vice President, the nominations will follow the procedures described in item 6 above, and the election will proceed according to the steps outlined in 6.a. through 6.e.
13. The ACWA Board of Directors appointed LAC Chair Jennifer Buckman to serve as an election inspector to resolve any challenges or questions in connection with the election consistent with California Corporations Code 7614.

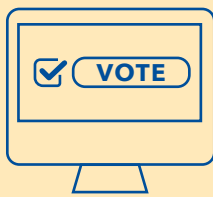
California Corporations Code requires ACWA to maintain a voting record of its membership meetings.

When the members are ready to vote, the President will announce that it is time to vote (instructions will appear on the projection screen).

- **How do I submit my vote?** Press 1, 2, or 3 to cast your vote; then press SEND.
- **What happens if I make a mistake?** Re-submit your vote by pressing 1, 2, or 3 and send before the voting window ends.
- **What if I arrive late?** Your vote will be cast from the time you arrive at the meeting; prior to that your vote will register as "absent."
- **What happens if I am out of the room or have to leave early?** Your vote will be recorded as "absent" for that vote.



Test voting will be conducted at the beginning of the Membership Meeting.



VIRTUAL VOTING

Each voting delegate will be provided access to voting through Live-Tally's voting system. If you are attending the meeting virtually, follow the instructions listed below.

1. Use any modern web browser on a computer, tablet or smart phone to navigate to <https://MyBallot.app>
2. Enter the meeting ID "ACWA" and click the "Connect" button.
3. When prompted, enter the specific voting participant ID that was provided to you.
4. Voting questions will appear on this "virtual keypad" as they are presented.
 - Simply click the numbered button that corresponds to your choice.
 - **To change your vote**, make a different selection before the voting window ends.
5. Hit refresh if your browser or virtual keypad goes to "sleep."



IN-PERSON VOTING

If you are attending the meeting in person, you will be given a handheld keypad. Each handheld keypad is numbered on the back, and that number will be assigned to you as you check in at the ACWA General Session Desk on **Wednesday, December 1 between 10:30 and 11:45 a.m.**

- **Check your device to make sure that it is working properly.** Press any button and it will light up. All devices were tested prior to the meeting.
- **If it does not light up.** Take it back to the ACWA General Session Desk and ask for another keypad and make sure that they make a note of the numeric change.



Return your keypad to the ACWA General Session Desk.

To: Donna Pangborn, Clerk of the Board

Email: donnap@acwa.com

Fax: 916-669-2425

The person designated below will be attending the ACWA General Session Membership Meeting(s) on Wednesday, December 1, 2021 (and December 2, 2021 if necessary) as our voting delegate. Please designate an alternate voting delegate to facilitate any change to your voting representation at the meeting. To change your alternate, however, you must notify Donna Pangborn of the change no later than COB Monday, November 29, 2021.

Member Agency's Name

Agency's Phone No.

Print Member Agency's Authorized Signatory Name

Authorized Signatory Signature

I have signed and returned the Consent to Electronic Transmission, Meetings & Voting Form.

Voting Delegate's Name	How Will Delegate Attend? Will attend the meeting in person in Pasadena. Will attend the meeting virtually.
Voting Delegate's Email	Voting Delegates' Phone No.
Alternate Voting Delegate's Name	How Will Alternate Delegate Attend? Will attend the meeting in person in Pasadena. Will attend the meeting virtually.
Alternate Voting Delegate's Email	Alternate Voting Delegates' Phone No.
Voting Delegate's Affiliation (if different from assigning agency)*	Date

*If your agency designates a delegate from another entity to serve as its authorized voting representative, please indicate the delegate's entity in the appropriate space above.

In accordance with California Corporations Code Sections 20, 21, 5079 and subsections (a) and (f) of Section 7510, and Article 9 of the Bylaws of the Association of California Water Agencies, a California nonprofit mutual benefit corporation ("ACWA"), the undersigned member of ACWA (the "Member") hereby consents and agrees as follows:

1. ACWA may send meeting notices, annual reports, and all other materials to the Member by (a) electronic transmission to the Member's facsimile number or email address; (b) posting on an electronic message board or network which ACWA has designated for those communications, together with separate notice to the Member of the posting; or (c) other means of electronic communication. The Member's initial facsimile number and email address for receiving such notices, annual reports and other materials are listed below.
2. ACWA may conduct meetings of the members by electronic transmission or electronic video screen communication; provided, however, that if fewer than all members of ACWA consent to conduct such meetings by electronic transmission or electronic video screen communication, then such meetings shall be held at a physical location, and the authorized representative(s) of any member that has so consented (and not withdrawn its consent) may participate in such meetings by electronic transmission or electronic video screen communication, be deemed present in person and vote at such meetings.
3. ACWA may rely on communications sent by the Member to ACWA by (a) electronic transmission from the Member's facsimile number or email address; (b) posting on an electronic message board or network which ACWA has designated for those communications; or (c) other means of electronic communication. ACWA may reasonably conclude that the Member is the sender of any electronic transmission that (i) is received from such facsimile number or email address or (ii) is submitted by an authorized representative of the Member with valid registration/login credentials.
4. ACWA may rely on electronic votes (including votes to approve or reject actions) submitted by an authorized representative of the Member to ACWA during meetings conducted in whole or in part by electronic transmission or electronic video screen communication. ACWA may reasonably conclude that the authorized representative of the Member is the sender of any electronic votes submitted pursuant to such authorized representative's meeting participant ID. The Member's initial authorized representative(s) is listed below.

ACWA shall maintain paper records of all communications sent by ACWA to the members and all votes or actions taken at any member meeting. The Member may (i) access such records at ACWA's headquarters during normal business hours or (ii) request in writing for ACWA to send copies of such records to the Member via U.S. Mail or email.

This consent shall remain in full force and effect until the Member revokes it in writing and so notifies ACWA.

Print Member Name

Print Representative Name

Representative Title

Representative Signature

Date

Please provide the facsimile number and email address to which the Member authorizes ACWA to send the electronic communications described above. The Member may change its designated facsimile number and email address at any time by written notice to ACWA.

Please provide the name of the Member's initial authorized representative(s) who will participate in and vote in connection with member meetings. The Member may change its authorized representative(s) at any time by written notice to ACWA.

Facsimile Number

Authorized Representative No. 1

Email

Authorized Representative No. 2



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Board of Directors
FROM: Kurt Lind, Business Administrator
DATE: October 13, 2021
SUBJECT: Fiscal Year 2021 Customer Service Audit

RECOMMENDATION

Receive the presentation.

STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.

PRIOR BOARD ACTION/DISCUSSION

At its November 19, 2019 meeting, the Board of Directors (Board) received a presentation item on the Fiscal Year (FY) 2019 Customer Service Audit.

At its December 10, 2020 meeting, the Board received a presentation item on the FY 2020 Customer Service Audit.

BACKGROUND

In 2016, Moran Consulting, Inc. (Moran) was selected through a competitive bid process to evaluate Mesa Water District's (Mesa Water®) customer service processes. Based on their findings, Moran developed and implemented a training program to elevate customer service to an elite level. To ensure this high level of customer service continues to be provided by Mesa Water, an accountability program that includes routine audits and additional training was implemented.

DISCUSSION

At the request of the Board, staff has presented the Customer Service Audit annually since 2019.

The Customer Service Audit focuses on the following Key Performance Indicators (KPI):

- Overall Customer Satisfaction
- First Call Resolution
- Overall Call Quality
- Speed to Answer
- Call Abandonment

An overall KPI score of 96% was achieved for FY 2021 which is a strong plus above the industry standard. This was a 10-point increase from FY 2020 due to the removal of the "Speed to Answer" metric. Previous scores were estimated based on available information within the call center software. Mesa Water's vendor, Vonage, is currently in process of developing an updated report to accurately measure this important metric. Also, the goal for this metric was adjusted for FY 2021 to answering 100% of all calls within 20 seconds.



Additionally, a new metric was added to measure the consistency that staff is actively updating the contact information for Mesa Water's customers in the Cogsdale Customer Information System (CIS) database. This process ensures that our customer database is up to date and accurate. When a customer calls in, the Customer Services staff are asking to verify and confirm the phone number and email address that is on record. Staff updates the information if it is found to be out of date. Having accurate contact information is vital for Mesa Water's ability to communicate with the customer and provide any service related updates through Mesa Water Notify.

A gold performance level of 100% was achieved for the third year in a row for Overall Customer Satisfaction which is based on customer feedback provided by the post-call customer survey. Walk in customers were not measured for the second year in a row due to the COVID-19 Pandemic.

Staff also achieved a gold performance level of 97% for Overall Call Quality, a metric which is based on the Customer Services Manager's review and evaluation of recorded customer phone calls and validated further by Mesa Water's third party auditor.

The overall scores continue to demonstrate a strong commitment to service excellence for our Mesa Water customers. Going forward, Mesa Water is focused on achieving and maintaining this high level of Elite Customer Service.

FINANCIAL IMPACT

In Fiscal Year 2021, \$17,000 was budgeted for Conducting Audit and Report on Quarterly Customer Service Metrics; \$17,000 has been spent to date.

ATTACHMENTS

Attachment A: Fiscal Year 2021 Customer Service Audit Report

Phil Lauri & Kurt Lind
Mesa Water District
1965 Placentia Avenue
Costa Mesa, CA 92627

July 31, 2021
(August 20, 2021 edited)

Re: Customer Service Audit Report – 2021 Mesa Water Fiscal Q4 / Calendar Q2

Dear Mr. Lauri and Mr. Lind:

On July 30-31, 2021, Kimera Hobbs with Moran Consulting, Inc. performed a customer service audit of the Mesa Water District Customer Service Department. Performance was measured against previously determined key performance indicators and compared to previous quarter performance and both industry average and best-practice metrics. For each audit, metrics were evaluated from the report data and analysis of documentation provided by Mesa Water. For each key performance indicator, the following scoring key was used:

Code

Red: Below industry standard average scores

Green: Above industry standard average scores and below industry best practice

Gold: At or above best practice

The Overall KPI Score was appropriately weighted and is generally scored as follows:

Below Average Performance for Overall Satisfactions <72%
Industry Average for Overall Satisfaction - 72-89%
Industry Best Practice for Overall Satisfaction - >90%

Generally, metrics in “Red” do not meet customer service performance expectations; metrics in “Green” meet expectations by matching or exceeding industry standard average metrics; and metrics in “Gold” exceed expectations and represent industry best practice. Mesa Water challenges themselves and strives to meet this “Gold Standard” in all areas of measurement. (Note the exception of Service Level Agreement which is measured based on Mesa Water’s ongoing average.)

All key performance indicator scores are listed in the table, along with findings/observations from the audit that impacted the scores. ***A new metric was added last cycle to measure the consistency that the Customer Services Team is actively promoting the Cogsdale Database Accuracy Campaign. While there is no Industry or Best Practice data to compare, Customer Services has set an initial goal that 80% of all calls receive the request/invitation to update their customer contact information. This goal will be increased as the campaign continues. This metric is not calculated into the overall KPI because its completion point is already included within Overall Call Quality. Additionally, effective January 2021, the Mesa Water Board of Directors voted to modify the Speed to Answer metric to an Industry Best Practice measure of 100% of calls answered within 20 seconds. As of end fiscal Q4 2021, our vendor, Vonage, was still developing an updated/accurate report for this metric. For the present, the metric has been removed from calculations and its weighting is redistributed.***

The data provided in this report, compared with the data from the three previous quarters provides a continued basis for the goals of the Customer Service team and will identify and highlight the specific training and coaching opportunities to help them achieve those goals. This audit evaluated performance on all five of the available Key Performance Indicators.

The Audit Process is detailed in the procedure document: “Mesa Water District Customer Service Auditor Manual v13” delivered to Mesa Water in October 2018.

The Audit Summary (please see charts below for detailed Audit Findings and Recommendations/Action):
The audit conducted followed the process as outlined. However, due to the Covid-19 Pandemic the audit was conducted offsite. All Key Performance Indicators (KPI) have been included.

72 recorded calls were evaluated against the Road to Gold metric and the customer service team is focused on creating a positive experience always. The entire Customer Services Team has worked together to earn a 97% score in Overall Call Quality for the quarter, earning a Gold Score for this metric for the 11th consecutive quarter.

Submitted by:



Kimera Hobbs
 Sr. Consultant, Moran Consulting, Inc.

KEY PERFORMANCE INDICATORS – AUDIT FINDINGS

CUSTOMER SERVICE DEPARTMENT KPIs

No.	KPI	Action/Training
1.	Overall Customer Satisfaction	38 customers responded to Mesa Waters optional after call survey during the quarter. 100% of customers were completely satisfied with the service they received.
2.	First Call Resolution	Consistency is fluctuating very slightly, but it is noted that the customer service team continues to provide service that does not often result in the need for follow-up.
3.	Overall Call Quality	Customer Service Agents have individually and as a group continued to maintain a high standard. It is of note that after 6 months engaged in the Cogsdale Database Accuracy Campaign, the CS Team is very near meeting their initial goal of 80% of customers being invited to update their database information.
4.	Speed to Answer	It is noteworthy that this metric has improved even while the CS Agents are improving in their consistency with the Cogsdale Database Accuracy Campaign.
5.	Call Abandonment Rate	Metric continues to fluctuate with slight improvement. It should be noted that the volume of incoming calls increased by approximately 1% each month of this quarter and increased by 10%+ over the previous quarter.

Call Center Metrics Scorecard



Key Performance Indicator	Industry Standard	Best Practice	KPI Weight	Q1 2021	Q2 2021	Q3 2021	Q4 2021	Current Qtr Trend	New Goal
Overall Customer Satisfaction									
Phone: Very Satisfied / Satisfied	72%	90%	35%	100%	100%	100%	100%	Sustained	98%
Walk-in: Very Satisfied / Satisfied			0%	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA	
First Call Resolution									
Percentage of customers whose needs were met on the first call.	95%	97%	25%	84%	87%	93%	89%	Fluctuating	97%
Overall Call Quality: Call Center Evaluations									
Average Score of all Call Center Evaluations conducted. (Scale is 1-12)	No data	No data	25%	97%	98%	95%	97%	Fluctuating	100%
*Cogsdale Database Accuracy Campaign	No data	No data	0%	NOT MEASURED	NOT MEASURED	52%	77%	Improved	80%
Service Level Agreement (Speed to Answer)									
Percentage of calls answered within 20 seconds.	No data	100% within 20 seconds	0%	N/A	N/A	N/A	N/A	N/A	90% within 20 seconds
Call Abandonment Rate									
Percentage of customers who hang up before an agent answers.	8%	2%	15%	4.70%	5.77%	6.49%	6.07%	Improved	2%
Current Qtr Audit Overall KPI Score									
Combined and weighted five KPI's (above).	72%	90%	N/A	94%	95%	96%	96%	Sustained	95%

Data Sources:

American Water Works Association, 2017. *AWWA Utility Benchmarking Study*. Performance Indicators – Customer Relations, 59-66.

Aberdeen Research Group, 2016. *The Intelligent Contact Center: Master Low-cost, High-Impact Customer Interactions*. Minkara, Omer.

Aberdeen Research Group, 2015. *Contact Center WFO: How to Balance Customer Needs with Agent Productivity*. Minkara, Omer.



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Board of Directors
FROM: Celeste Carrillo, Public Affairs Coordinator
DATE: October 13, 2021
SUBJECT: Mesa Water District Customer Survey

RECOMMENDATION

Receive the presentation.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water and about water.
Goal #6: Provide outstanding customer service.

PRIOR BOARD ACTION/DISCUSSION

At its September 12, 2019 meeting, the Board of Directors (Board) awarded a contract to True North Research, Inc. for \$34,875 per year to conduct the annual Mesa Water District Customer Survey.

DISCUSSION

At the request of the Board, staff has presented the Mesa Water District (Mesa Water®) Customer Survey annually since 2020.

The purpose of the annual customer survey is to serve as a benchmark for measuring the effectiveness of Mesa Water's communications and customer services efforts, and increase public awareness of Mesa Water and about water. The survey findings are also used to identify potential needs and opportunities for planning future communication and customer service programs.

True North Research, Inc. will present its key findings from the customer survey at the October 13, 2021 meeting.

FINANCIAL IMPACT

In Fiscal Year 2022, \$590,920 is budgeted for Public Affairs department expenses; \$104,125 has been spent to date.

ATTACHMENTS

Attachment A: Mesa Water District Customer Survey Questionnaire
Attachment B: Mesa Water District Residential Customer Survey Summary Report



Section 1: Introduction to Study

Hi, may I please speak to: _____. Hi, my name is _____ and I'm calling on behalf of TNR, an independent public opinion research company. We're conducting a survey about important issues in Costa (Coast-uh) Mesa, Newport Beach, and nearby Orange County areas and we would like to get your opinions.

If needed: This is a survey about community issues – I'm NOT trying to sell anything and I won't ask for a donation.

If needed: The survey should take about 12 minutes to complete.

If needed: If now is not a convenient time, can you let me know a better time so I can call back?

Section 2: Screener

SC1	Before we begin, are you at least 18 years of age?		
	1	Yes	<i>Continue</i>
	2	No	<i>Ask to speak to an adult in the household if land line. Otherwise Terminate.</i>
	99	Not sure / Prefer not to answer	<i>Terminate</i>

Section 3: Importance of Issues

Q1	To begin, what do you feel is the most important issue facing your community today?		
		<i>Record verbatim response</i>	
	98	Not sure	
	99	Prefer not to answer	

Section 4: Water Reliability

Next, I'm going to ask you a few questions about drinking water supplies.

Q2	A reliable water supply is one that can be depended upon to consistently provide enough water to meet a region's needs.		
	Overall, how reliable do you think your household's water supply is going to be over the next five years? Do you think it will be very reliable, somewhat reliable, somewhat unreliable, or very unreliable?		
	1	Very reliable	
	2	Somewhat reliable	
	3	Somewhat unreliable	
	4	Very unreliable	
	98	Not sure	
	99	Prefer not to answer	

Q3	Thinking of the water your household receives, which of the following statements do you think is accurate: _____ OR _____? <i>Rotate Statements</i>		
	1	100% of the water is produced locally	
	2	Some of the water is imported from Northern California and the Colorado River	
	98	Not sure	
	99	Prefer not to answer	

Section 4: Awareness & Opinions of Mesa Water

Q4	Do you happen to know which agency is responsible for providing water services to your home?		
	1	Yes	<i>Ask Q5</i>
	2	No	<i>Skip to Q6</i>
	99	Prefer not to answer	<i>Skip to Q6</i>
Q5	What is the name of the agency?		
	<i>Record verbatim response</i>		
	98	Not sure	
	99	Prefer not to answer	
Q6	Prior to taking this survey, had you heard of the Mesa Water District ?		
	1	Yes	
	2	No	
	99	Prefer not to answer	
Q7	To clarify, the Mesa Water District is the independent public agency responsible for providing water services to your household. In general, do you have a favorable or unfavorable opinion of the Mesa Water District – or do you not have an opinion either way? <i>If favorable or unfavorable, ask: Would that be very (favorable/unfavorable) or somewhat (favorable/unfavorable)?</i>		
	1	Very favorable	<i>Skip to Q9</i>
	2	Somewhat favorable	<i>Skip to Q9</i>
	3	Somewhat unfavorable	<i>Ask Q8</i>
	4	Very unfavorable	<i>Ask Q8</i>
	98	No opinion	<i>Skip to Q9</i>
	99	Prefer not to answer	<i>Skip to Q9</i>

Q8	Is there a particular reason why you have an <u>unfavorable</u> opinion of the Mesa Water District?					
		<i>Record Verbatim Response – Record up to first 2 responses.</i>				
	2	No particular reason				
	98	Not sure				
	99	Prefer not to answer				
Q9	<p>Next, I'm going to read a series of words or phrases. For each I read, I'd like you to tell me whether – in your opinion – it accurately describes the Mesa Water District. 'Yes' means you think the phrase does accurately describe the Mesa Water District. No means it does not. If you don't have an opinion, just say so.</p> <p>Here is the (first/next) one: _____. Do you think this phrase accurately describes the Mesa Water District?</p>					
	<i>Randomize</i>		Yes	No	No Opinion	Prefer not to answer
A	Trustworthy		1	2	98	99
B	Fiscally responsible		1	2	98	99
C	Beneficial to the local economy		1	2	98	99
D	Involved in the community		1	2	98	99
E	Efficient		1	2	98	99

<i>Section 5: Satisfaction with Water Services</i>					
Q10	Generally speaking, are you satisfied or dissatisfied with the job the Mesa Water District is doing to provide water services to your household? <i>Get answer, then ask: Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?</i>				
	1	Very satisfied			
	2	Somewhat satisfied			
	3	Somewhat dissatisfied			
	4	Very dissatisfied			
	98	Not sure			
	99	Prefer not to answer			

Q11	Next, I'm going to read a list of specific services provided by the Mesa Water District. For each of the services I read, please tell me whether you are satisfied or dissatisfied with the District's efforts to provide the service.						
	Are you satisfied or dissatisfied with the District's efforts to: _____, or do you not have an opinion? <i>Get answer. If 'satisfied' or 'dissatisfied', then ask: Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?</i>						
	<i>Randomize</i>	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Very Dissatisfied	No Opinion	Prefer not to Answer
A	Protect the water supply from contamination and pollutants	1	2	3	4	98	99
B	Ensure an adequate water supply now and in the future	1	2	3	4	98	99
C	Educate customers about ways to conserve water	1	2	3	4	98	99
D	Keep the water system in good condition through timely repairs and maintenance	1	2	3	4	98	99
E	Provide reliable water service	1	2	3	4	98	99
F	Communicate with customers about scheduled repairs, service disruptions and other water-related issues	1	2	3	4	98	99
G	Provide water that tastes good	1	2	3	4	98	99
H	Provide water that is safe to drink	1	2	3	4	98	99
I	Provide water that is free of color and odor	1	2	3	4	98	99
J	Provide sufficient water pressure	1	2	3	4	98	99
K	Offer good value for the cost of water services	1	2	3	4	98	99
L	Provide good customer service	1	2	3	4	98	99
M	Provide rebate programs that encourage customers to purchase water-efficient appliances	1	2	3	4	98	99
N	Provide convenient hours of operation	1	2	3	4	98	99
O	Provide accurate billing statements	1	2	3	4	98	99
Q12	At your home, do you primarily drink water straight from the faucet, filtered water from the faucet, or bottled water?						
	1	Straight from faucet					
	2	Filtered water from faucet					
	3	Bottled water					
	98	Not sure					
	99	Prefer not to answer					

Section 6: Customer Service			
Q13	In the past 12 months, have you contacted the Mesa Water District for any reason?		
	1	Yes	Ask Q14
	2	No	Skip to Q18
	98	Not sure	Skip to Q18
	99	Prefer not to answer	Skip to Q18
Q14	For what reason did you contact the District? <i>Do Not Read List. Record up to first 3 responses.</i>		
	1	Problem with water service (leak, disruption of service, quality, etc.)	
	2	Request start/stop of service	
	3	Questions about billing/payments	
	4	Make payment/Pay bill	
	5	Find out how to save water/reduce bill	
	6	Learn about/Participate in rebate program	
	7	Learn about/Participate in water conservation programs	
	8	Learn about/Participate in gardening /landscaping classes	
	9	Other	<i>specify</i>
	98	Not sure	
	99	Prefer not to answer	
Q15	Was the reason you contacted them resolved to your satisfaction?		
	1	Yes	Skip to Q17
	2	No	Ask Q16
	98	Not sure	Skip to Q17
	99	Prefer not to answer	Skip to Q17
Q16	Can you briefly explain why it wasn't solved to your satisfaction?		
	<i>Record Verbatim Response</i>		
	98	Not sure	
	99	Prefer not to answer	

Q17	When contacting the Water District, were you satisfied or dissatisfied with _____, or do you not have an opinion? (<i>Get answer. If 'satisfied' or 'dissatisfied', then ask</i>): Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?						
	<i>Randomize</i>	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Very Dissatisfied	Not sure	Prefer not to Answer
A	Your ability to reach a service representative	1	2	3	4	98	99
B	The courtesy of the service representative	1	2	3	4	98	99
C	The knowledge and expertise of the service representative	1	2	3	4	98	99

Section 7: Communication

Q18	In general, are you satisfied or dissatisfied with the District’s efforts to communicate with customers through direct mail, newsletters, social media, and other means? <i>Get answer, then ask</i> : Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?						
	1	Very satisfied					
	2	Somewhat satisfied					
	3	Somewhat dissatisfied					
	4	Very dissatisfied					
	98	Not sure					
	99	Prefer not to answer					
Q19	As I read the following ways that the Mesa Water District can communicate with residents, I’d like to know if you think they would be a very effective, somewhat effective, or not at all effective way for the District to communicate with you.						
	<i>Randomize</i>	Very	Somewhat	Not at all	Not sure / Prefer not to answer		
A	Email	1	2	3	99		
B	Electronic Newsletters	1	2	3	99		
C	Social Media like Twitter, Facebook and Instagram	1	2	3	99		
D	Mesa Water District website	1	2	3	99		
E	Newsletters mailed to your house	1	2	3	99		
F	Information inserted into your water bill envelope	1	2	3	99		
G	Postcards mailed to your house	1	2	3	99		
H	Notices hung on your front door handle	1	2	3	99		

I	Sponsoring community events	1	2	3	99
---	-----------------------------	---	---	---	----

Section 8: Background/Demographics

Thank you so much for your participation. I have just a few background questions for statistical purposes.

D1	In what year were you born?				
	<i>Record four-digit year</i>				
	99	Prefer not to answer			
D2	Do you own or rent your current residence?				
	1	Own			
	2	Rent			
	3	Live with family / friends and don't pay rent			
	99	Prefer not to answer			
D3	Does your household pay the water bill directly, or is it paid for by someone else like a landlord or Homeowner's Association?				
	1	Household pays bill directly			
	2	Someone else pays bill			
	98	Not sure			
	99	Prefer not to answer			
D4	Which of the following best describes your current home?				
	1	Single family detached home			
	2	Apartment			
	3	Condominium or townhome			
	4	Mobile home			
	99	Prefer not to answer			
Those are all of the questions that I have for you! Thanks so much for participating in this important survey!					

RESIDENTIAL CUSTOMER SURVEY
SUMMARY REPORT

PREPARED FOR THE
MESA WATER DISTRICT



AUGUST 20, 2021



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INTRODUCTION

The Mesa Water District (Mesa Water) is a public agency formed in 1960 that serves the City of Costa Mesa, parts of Newport Beach, and select unincorporated areas of Orange County, including John Wayne Airport. It was the first water agency in California to consolidate the operations of more than one agency, taking over assets and debts of the City of Costa Mesa's Water Department, Fairview County District, Newport Mesa Irrigation District, and Newport Mesa County Water District. Supplying water to 110,000 residents across an 18-square-mile area, the District's mission statement is: *Dedicated to Satisfying Our Community's Water Needs.*

As part of its commitment to provide high quality water services that meet the needs of its customers, Mesa Water regularly engages residents through community outreach, social media and other communications activities and receives periodic feedback regarding its performance. Although these informal feedback mechanisms are a valuable source of information for Mesa Water in that they provide timely and accurate information about the opinions of *specific* residents, they do not necessarily provide an accurate picture of residents as a whole. Informal feedback mechanisms typically rely on the resident to initiate the feedback, which creates a self-selection bias—Mesa Water receives feedback from only those residents motivated enough to initiate the feedback process. Because these residents tend to be either *very* pleased or *very* displeased with their service, their collective opinions are not necessarily representative of residents in Mesa Water's service area as a whole.

PURPOSE OF STUDY The motivation for the current study was to design and employ a methodology that would avoid the self-selection bias noted above and thereby provide *statistically reliable* measures of public awareness, perceptions, and satisfaction as they relate to Mesa Water and the services it provides. Ultimately, the survey results and analyses presented in this report provide Mesa Water with information that can be used to make sound, strategic decisions in a variety of areas including measuring and tracking internal performance, community outreach, public education, marketing, planning, and budgeting. To assist in this effort, Mesa Water selected True North Research to design the research plan and conduct the study. Broadly defined, the study was designed to:

- Profile residents' awareness, perceptions, and opinions of the Mesa Water District;
- Measure residents' overall satisfaction with Mesa Water's efforts to provide water services, and their satisfaction with a variety of specific services;
- Assess perceptions of Mesa Water's customer service;
- Determine satisfaction with and perceived effectiveness of Mesa Water's communication with residents; *and*
- Gather relevant background and demographic information.

This is not the first statistically reliable customer survey conducted for Mesa Water. Similar surveys were conducted in 2019 and 2020, and many of the questions included in the 2021 survey were purposely tracked from the prior studies. Because there is a natural interest in tracking Mesa Water's performance in meeting the evolving needs of its customers, where appropriate the results of the current study are compared with the results of identical questions from the 2020 study.

STATISTICAL SIGNIFICANCE Many figures and tables in this report present the results of questions asked in 2021 alongside the results found in prior surveys for identical questions. In such cases, True North conducted the appropriate tests of statistical significance to identify changes that likely reflect actual changes in public opinion between the most recent prior survey (2020) and the current (2021)—as opposed to being due to chance associated with selecting two samples independently and at random. Differences between the two studies are identified as *statistically significant* if we can be 95% confident that the differences reflect an actual change in public opinion. Statistically significant differences within response categories over time are denoted by the † symbol which appears in the figure next to the appropriate response value for 2021.

OVERVIEW OF METHODOLOGY A full description of the methodology used for this study is included later in this report (see *Methodology* on page 40). In brief, the survey was administered to a random sample of 810 adults who reside within Mesa Water’s service area. The survey followed a mixed-method design that employed multiple recruiting methods (email, text and phone) and multiple data collection methods (phone and online). Administered in English and Spanish between July 30 and August 1, 2021, the average interview was 16 minutes.

ORGANIZATION OF REPORT This report is designed to meet the needs of readers who prefer a summary of the findings as well as those interested in the details of the results. For those who seek an overview, the sections titled *Just the Facts* and *Conclusions* are for you. They provide a summary of the most important findings in bullet-point format and a discussion of their implications. This section is followed by a more detailed question-by-question discussion of the results from the survey by topic area (see *Table of Contents*), and a description of the methodology employed for collecting and analyzing the data. For the truly ambitious reader, the full questionnaire is included at the back of this report (see *Questionnaire & Toplines* on page 43), and a complete set of crosstabulations for the survey results is contained in Appendix A.

ACKNOWLEDGEMENTS True North thanks the Mesa Water District for the opportunity to conduct the study and for contributing valuable input during the design stage of this study. The collective experience, insight, and local knowledge provided by district representatives and staff improved the overall quality of the research presented here.

DISCLAIMER The statements and conclusions in this report are those of the authors (Dr. Timothy McLarney and Richard Sarles) at True North Research, Inc. and not necessarily those of the Mesa Water District. Any errors and omissions are the responsibility of the authors.

ABOUT TRUE NORTH True North is a full-service survey research firm that is dedicated to providing public agencies with a clear understanding of the values, perceptions, priorities, and concerns of their residents and customers. Through designing and implementing scientific surveys, focus groups, and one-on-one interviews, as well as expert interpretation of the findings, True North helps its clients to move with confidence when making strategic decisions in a variety of areas—such as planning, policy evaluation, performance management, establishing fiscal priorities, passing revenue measures, and developing effective public information campaigns. During their careers, Dr. McLarney (President) and Mr. Sarles (Principal Researcher) have designed

and conducted over 1,000 survey research studies for public agencies—including more than 400 studies for California municipalities and special districts.



JUST THE FACTS

The following is an outline of the main findings from the survey. For the reader's convenience, the findings are organized by the section titles used in the body of this report. Thus, to learn more about a particular finding, simply turn to the appropriate report section.

ISSUES OF IMPORTANCE

- Residents were most apt to cite homelessness as the most important issue facing the community (37%), followed by public safety, crime, and drugs (20%), and the COVID-19 pandemic (10%).
- Other issues mentioned by at least 3% of respondents included affordable housing (7%), overdevelopment (5%), traffic congestion (5%), climate change/environmental issues (4%), and government and leadership issues (4%).
- Approximately 12% of respondents were unsure/could not think of any important issues (11%) or indicated that there were no issues, everything is okay (1%).
- Just 1% of respondents mentioned water-related issues as a top concern in their community.

WATER RELIABILITY

- More than eight-in-ten respondents indicated that they expect their household's water supply to be either very reliable (48%) or somewhat reliable (38%) over the next five years. Approximately 10% of respondents thought their water supply would be very or somewhat unreliable, whereas the remaining 5% were unsure or did not provide a response.
- Less than one-in-five respondents (19%) were aware that 100% of their household's water is produced locally, whereas the majority (58%) of respondents thought that some of their water is imported from Northern California and the Colorado River. An additional 22% were unsure of the origin.

AWARENESS & OPINIONS OF MESA WATER

- Among respondents overall, 55% were able to name the Mesa Water District as the agency responsible for providing water services to their home, which is a measure of *unaided awareness*. An additional 41% were not able to name the agency on their own, but indicated that they had heard of the Mesa Water District prior to taking the survey (aided awareness). Just 4% said that they had not heard of the Mesa Water District prior to participating in the study.
- After clarifying that the Mesa Water District is the independent public agency responsible for providing water services to their household, 21% indicated that they were not sure, held no opinion regarding Mesa Water, or preferred not to state. Among those with an opinion, however, perceptions of Mesa Water were overwhelmingly positive—with more than two-thirds of all respondents (71%) holding a favorable opinion while just 8% expressed an unfavorable opinion.
- The small percentage of respondents who said they had an unfavorable opinion of the Mesa Water District were asked in a follow-up question if there was a particular reason for their opinion. A concern about high rates or billing issues was the most common reason why some respondents held an unfavorable opinion of Mesa Water (49%), followed by water quality, taste, or smell (27%) and customer service issues (10%).

- When asked about Mesa Water on a variety of key dimensions, customers generally characterized the District in a positive light. The majority of *all* respondents agreed that Mesa Water is efficient (68%), trustworthy (62%), beneficial to the local community (60%), and involved in the community (50%).
- Just under half of all respondents perceived that Mesa Water is fiscally responsible (45%), although nearly all of the remaining respondents confided that they were unsure (45%) rather than disagreeing with the statement (9%).

SATISFACTION WITH WATER SERVICES

- The vast majority (93%) of respondents indicated they were either very (59%) or somewhat (34%) satisfied with Mesa Water's efforts to provide water services. Approximately 5% were very or somewhat dissatisfied, and 3% were unsure or unwilling to share their opinion.
- Respondents were most satisfied with Mesa Water's efforts to provide reliable water service (97% very or somewhat satisfied), followed by provide accurate billing statements (94%), protect the water supply from contamination and pollutants (93%), provide sufficient water pressure (93%), ensure an adequate water supply now and in the future (93%), keep the water system in good condition through timely repairs and maintenance (93%), and provide convenient hours of operation (93%).
- When compared to the other services tested, respondents were somewhat less satisfied with Mesa Water's efforts to provide rebate programs that encourage customers to purchase water-efficient appliances (71%), offer good value for the cost of water services (79%), and provide water that tastes good (82%).
- More than half of respondents (57%) indicated they primarily drink filtered water from the faucet when home, and an additional 16% stated they drink water straight from the tap. One-quarter of respondents (25%) offered that they primarily drink bottled water when home, whereas approximately 1% were unsure or unwilling to share their opinion.

CUSTOMER SERVICE

- Twenty-two percent (22%) of respondents indicated they had contacted the District in the year prior to the 2021 interview.
- Among those who contacted the District, questions about billing/payments were the most common reason for making contact (42%), followed by a request to start/stop service (29%), general problems with their water service (21%), and making a payment (19%). Other specific reasons included contacting the District to learn about/participate in a rebate program (6%) and a water conservation program (4%).
- When asked if the reason for contacting Mesa Water was resolved to their satisfaction, 84% of the customers who had contacted the District answered in the affirmative.
- Asked about their experience when contacting the District, approximately nine-in-ten customers with an opinion reported satisfaction with their ability to reach a service representative (91%), the courtesy of the service representative (91%), and the knowledge and expertise of the service representative (88%).

COMMUNICATION

- More than eight-in-ten respondents indicated that they were satisfied with the District's efforts to communicate with residents through direct mail, newsletters, social media, and other means, with 49% saying they were *very* satisfied and 33% saying *somewhat* satisfied. The remaining respondents were either dissatisfied with Mesa Water's communication efforts (8%) or unsure or unwilling to provide an opinion (11%).
- Respondents rated postcards mailed to their house (76% very or somewhat effective) and newsletters mailed to their house (75%) as the most effective methods for the District to communicate with them, followed by email (72%) and information inserted into their water bill envelope (67%).
- At the other end of the spectrum, social media was perceived to be the least effective way for Mesa Water to communicate with residents (33%).



CONCLUSIONS

As noted in the *Introduction*, this study was designed to provide the Mesa Water with a statistically reliable understanding of public awareness, perceptions, and satisfaction as they relate to the District and the services it provides. Whereas subsequent sections of this report are devoted to conveying the detailed results of the survey, in this section we attempt to ‘see the forest through the trees’ and note how the collective results of the survey answer some of the key questions that motivated the research.

To what extent is the public aware of the Mesa Water District, and what are their opinions of the District?

Special districts and sub-agencies often operate in relative obscurity from the public’s perspective. Although virtually all residents can identify their city and, to a lesser extent, their local school district, special districts or municipal sub-agencies are often not on the average resident’s radar. However, awareness of the Mesa Water District is very high, with 96% of customers aware of Mesa Water prior to taking the survey.

Among the residential customers surveyed, 55% were able to name the Mesa Water District as the agency responsible for providing water services to their home without prompting, which is a measure of *unaided awareness*. Another 41% were not able to name the agency on their own, but said they had heard of the Mesa Water District prior to taking the survey (aided awareness). Just 4% offered that they had not heard of the Mesa Water District prior to participating in the study. The levels of unaided awareness and overall awareness of Mesa Water were significantly higher in 2021 when compared to the prior survey (2020), with the percentage able to name Mesa Water without prompting increasing 10% in the past year. Moreover, across all resident subgroups, awareness of Mesa Water was quite high—ranging from a low of 87% to a high of 100%.

Of course, being *aware* of the Mesa Water District does not necessarily translate into having an *opinion* of the agency. Here again, however, the survey found positive movement in the past year. Among those who had heard of the Mesa Water District prior to taking the survey, approximately 21% had no opinion of Mesa Water—good or bad—in 2021. The corresponding figure in 2020 was 35%. Meanwhile, the percentage of respondents with a favorable opinion of Mesa Water increased by 12% in the past year to reach 71% of all respondents in 2021.

Despite many being uncertain/unsure, the majority of *all* respondents agreed that Mesa Water is efficient (68%), trustworthy (62%), beneficial to the local community (60%), and involved in the community (50%). Just under half of all respondents perceived that Mesa Water is fiscally responsible (45%), although nearly all of the remaining respondents confided that they were unsure (45%) rather than disagreeing with the statement (9%). In the past year, the percentage who agreed that Mesa Water

is involved in the community (+10%), trustworthy (+7%), and fiscally responsible (+5%) each increased by a statistically significant amount.

How well is Mesa Water performing in meeting the needs of customers?

Residents remain quite satisfied with the Mesa Water District's efforts to provide water services to their households. The vast majority (93%) were satisfied with Mesa Water's overall performance, which represents a 5% increase in the past year. The high levels of satisfaction exhibited by respondents as a whole were also echoed across all resident subgroups, with satisfaction ranging from a low of 85% to a high of 100%.

Residential customers' satisfaction with Mesa Water's performance *in general* was also mirrored in their assessments of Mesa Water's performance in providing specific services. For all but one of the 15 specific service areas tested, more than three-quarters of respondents were satisfied with Mesa Water's efforts—and for the majority of services, more than 90% were satisfied. Overall, respondents reported being *most* satisfied with Mesa Water's efforts to provide reliable water service (97% very or somewhat satisfied), provide accurate billing statements (94%), protect the water supply from contamination and pollutants (93%), provide sufficient water pressure (93%), ensure an adequate water supply now and in the future (93%), keep the water system in good condition through timely repairs and maintenance (93%), and provide convenient hours of operation (93%). Moreover, among the 22% of customers who had reason to contact the District in the year preceding the survey, approximately nine-in-ten customers with an opinion indicated they were satisfied with their ability to reach a service representative (91%), the courtesy of the service representative (91%), and the knowledge and expertise of the service representative (88%).

Where should Mesa Water focus its efforts in the future?

Perhaps the most important recommendation, one often overlooked in customer satisfaction research, is for Mesa Water to recognize the things it does well and to focus on continuing to perform at a high level in these areas. As noted throughout this report, the vast majority of customers were generally pleased. The top priority for the District should thus be to do what it takes to maintain the quality of services it currently provides.

Nevertheless, in the spirit of constant improvement, the results of the study suggest several opportunities to increase customer satisfaction further. Based on the survey findings, some residential customers saw room for continued improvement in the District providing *rebate programs* that encourage customers to purchase water-efficient appliances, offering good *value* for the cost of water services, providing *water that tastes good*, and educating customers about *ways to conserve water*. Although most respondents were satisfied in each of these areas, the rates of satisfaction were lower than other service areas tested.

Raising public awareness of the District’s lack of dependence on imported water could also help strengthen customers’ affinity to Mesa Water. Unlike most water agencies in southern California, Mesa Water is capable of generating 100% of its water locally—which translates to greater self-sufficiency for the community and lower prices for customers when compared to relying on high-priced imported water. In the 2021 survey, however, just 19% of customers were aware that their water is all locally sourced. The remainder either had the impression that a portion of the water they receive is imported from Northern California or the Colorado River (58%) or were unsure (23%).

How well is Mesa Water communicating with residents, and what are some of the main challenges?

The public’s preferences for communication are growing increasingly diverse. Whereas older and long-time residents often rely more heavily on newsletters and printed forms of communication, younger and newer residents tend to show greater interest and reliance on digital forms of communication including social media, text, and smart phone apps. This pattern makes the challenge of agency-resident communication more difficult than in the past, when sources that residents relied on for information were fewer and more consistent across demographic subgroups. In turn, satisfaction with public agency communications has generally declined over the past decade.

Against this backdrop of declining satisfaction with public agency communications in general, the 2021 survey results suggest that the Mesa Water District continues to do an admirable job communicating with its customers. More than eight-in-ten respondents (82%) said they were satisfied with the District’s efforts to communicate through direct mail, newsletters, social media, and other means in 2021—continuing a trend of *improvement* that began in 2019. In the past year alone, the percentage who reported being *very* satisfied with the District’s communication efforts increased a statistically significant 8%.

Looking to the future, there are a variety of communication methods residents generally viewed as being effective ways for Mesa Water to communicate with them, with newsletters and postcards mailed to the home at the top of the list overall (see *Communication Preferences* on page 36 for more details).

ISSUES OF IMPORTANCE

The first substantive question of the survey asked respondents to identify what they feel is the most important issue facing their community today. This question was posed in an open-ended manner, allowing respondents to mention any issue that came to mind without being prompted by or restricted to a list of options. True North later reviewed the verbatim responses and grouped them into the categories shown in Figure 1. Because respondents were free to mention more than one issue, the percentages in the figure total more than 100%.

Residents were most apt to cite homelessness as the most important issue facing the community (37%), followed by public safety, crime, and drugs (20%), and the COVID-19 pandemic (10%). Other issues mentioned by at least 3% of respondents included affordable housing (7%), overdevelopment (5%), traffic congestion (5%), climate change/environmental issues (4%), and government and leadership issues (4%). Approximately 12% of respondents were unsure/could not think of any important issues (11%) or indicated that there were no issues, everything is okay (1%). Worth mentioning is that despite the return of drought conditions to California, water-related issues were mentioned by just 1% of respondents in 2021.

Question 1 *To begin, what do you feel is the most important issue facing your community today?*

FIGURE 1 ISSUES OF IMPORTANCE

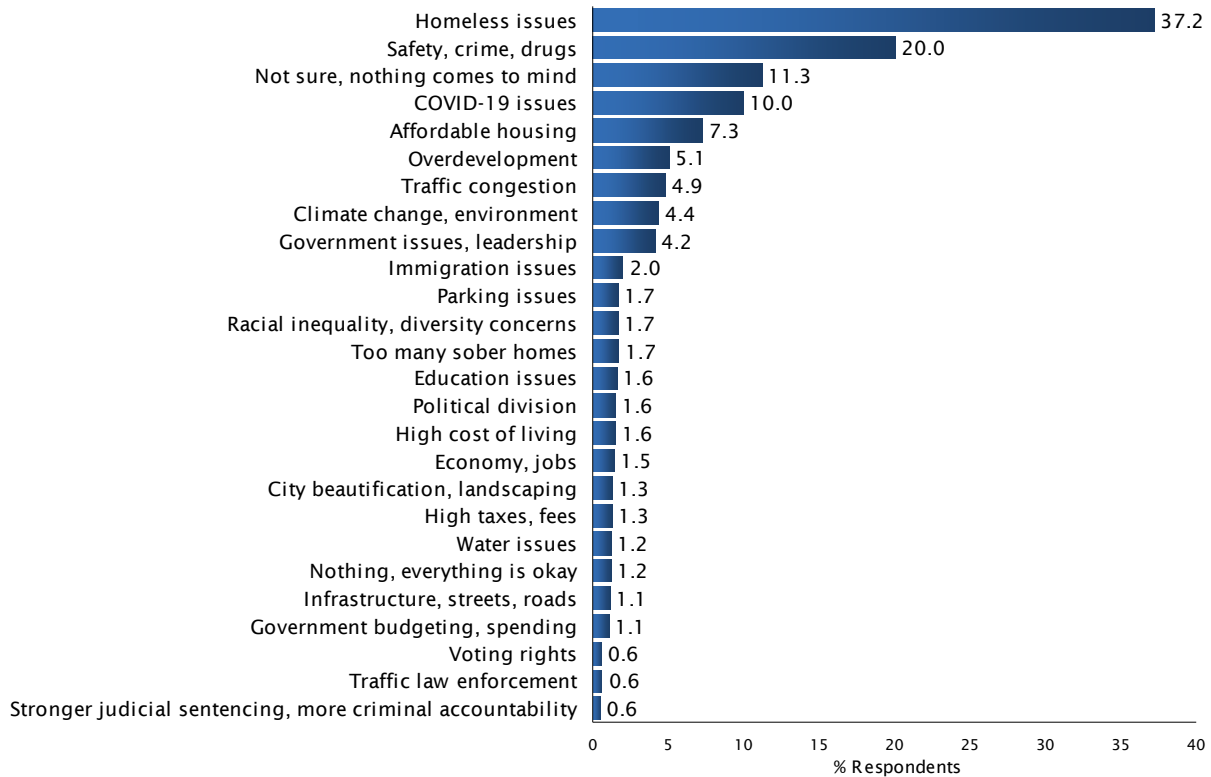


Table 1 provides the top five responses to this question in the 2019, 2020, and 2021 surveys. As concerns about the COVID-19 pandemic waned during the past year, homelessness has returned to top the list of important issues for Mesa Water customers, followed by safety, drugs and crime (which was also the second-ranked category of specific issues mentioned in 2019).

TABLE 1 ISSUES OF IMPORTANCE: TOP FIVE MENTIONS BY STUDY YEAR

Study Year		
2021	2020	2019
Homeless issues	COVID-19 issues	Homeless issues
Safety, crime, drugs	Homeless issues	Not sure, nothing comes to mind
Not sure, nothing comes to mind	Safety, crime, drugs	Safety, crime, drugs
COVID-19 issues	Government issues, leadership	Growth, development
Affordable housing	Not sure, nothing comes to mind	Affordable housing

WATER RELIABILITY

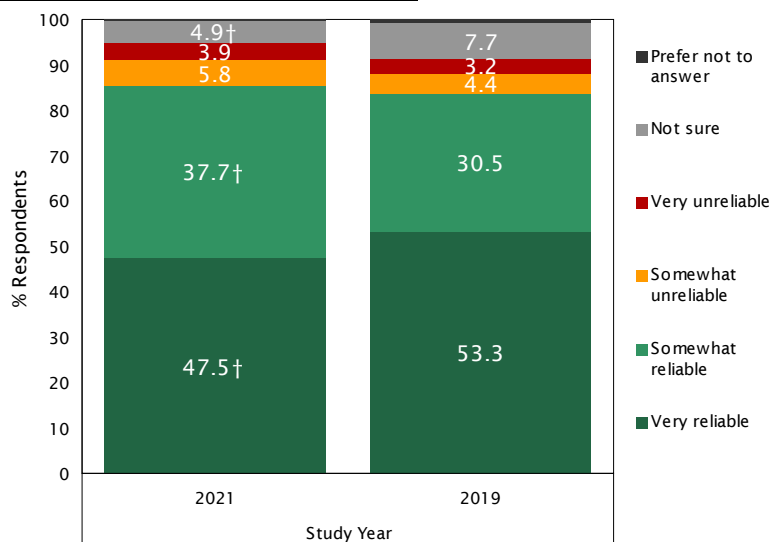
The next series of questions in the survey was designed to profile residents' perceptions and opinions as they relate to the reliability of their household's water supply.

OPINION OF WATER SUPPLY The first question in this series started by informing respondents that a *reliable* water supply is one that can be depended upon to consistently provide enough water to meet a region's needs. Respondents were then asked how reliable they expect their household's water supply to be over the next five years.

As shown in Figure 2, more than eight-in-ten respondents indicated that they expect their household's water supply to be either very reliable (48%) or somewhat reliable (38%) over the next five years. Approximately 10% of respondents thought their water supply would be very or somewhat unreliable, whereas the remaining 5% were unsure or did not provide a response. When compared to 2019, there was a statistically significant decline (-6%) in the percentage of respondents who anticipated their household's water supply would be very reliable over the next five years, and a corresponding increase (+7%) in the percentage who expected their water supply to be somewhat reliable.

Question 2 *A reliable water supply is one that can be depended upon to consistently provide enough water to meet a region's needs. Overall, how reliable do you think your household's water supply is going to be over the next five years? Do you think it will be very reliable, somewhat reliable, somewhat unreliable, or very unreliable?*

FIGURE 2 WATER SUPPLY RELIABILITY BY STUDY YEAR



† Statistically significant change ($p < 0.05$) between the 2020 and 2021 studies.

Figures 3 and 4 on the next page display respondents' views regarding the future reliability of their household's water supply by a host of demographic traits. Although there was some variation in opinion (e.g., Division 1 residents were more likely than their counterparts in other areas to rate the supply as *very* reliable), the most striking pattern in these figures is the relative consistency of opinion. Regardless of subgroup category, at least 76% of respondents felt their household's water supply would be reliable over the next five years.

FIGURE 3 WATER SUPPLY RELIABILITY BY SERVICE AREA, HOME OWNERSHIP STATUS & WATER BILL RESPONSIBILITY

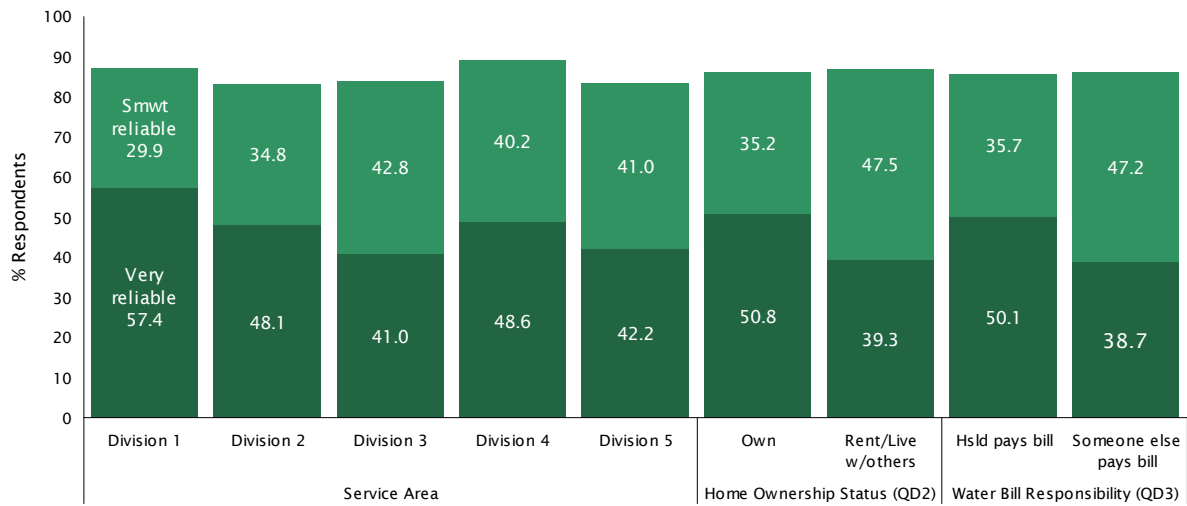
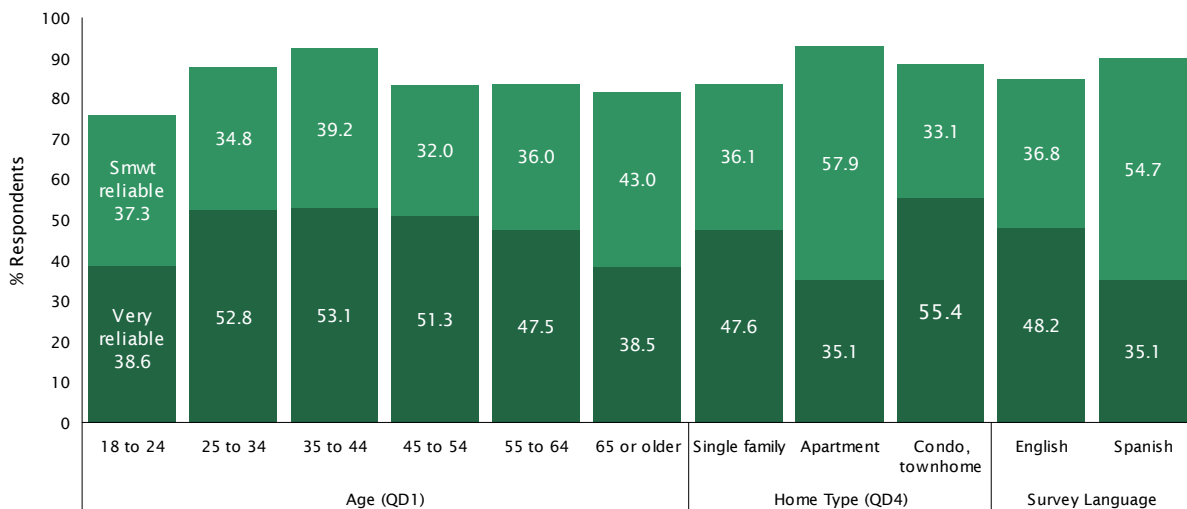


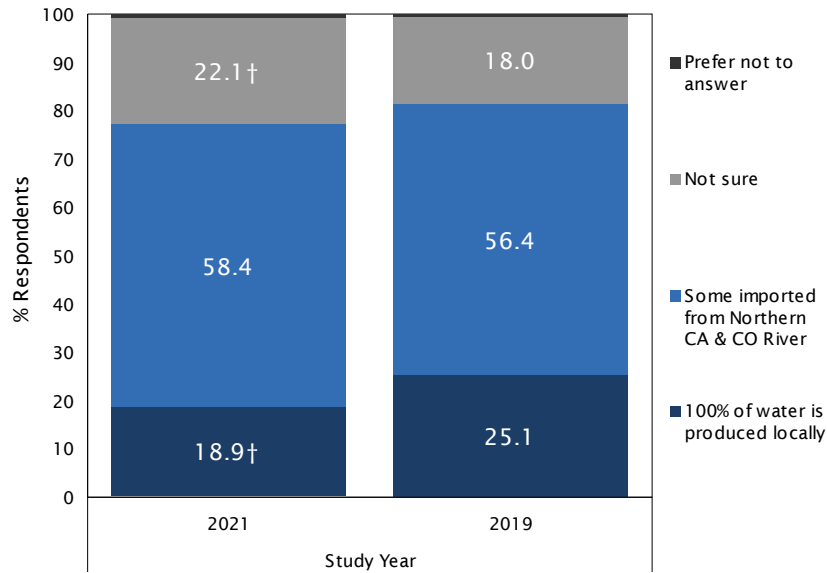
FIGURE 4 WATER SUPPLY RELIABILITY BY AGE, HOME TYPE & SURVEY LANGUAGE



KNOWLEDGE OF WATER ORIGIN Respondents were next presented with two statements about the source of the water their household receives and were asked to select which statement they felt was accurate. Less than one-in-five respondents (19%) correctly indicated that 100% of their household’s water is produced locally, whereas the majority (58%) of respondents thought that some of their water is imported from Northern California and the Colorado River. An additional 22% were unsure of the origin (see Figure 5). When compared to the 2019 survey results, the percentage of respondents who were aware that 100% of their household’s water is produced locally was significantly lower (-6%) in 2021, whereas the percentage who were unsure was significantly higher (+4%).

Question 3 Thinking of the water your household receives, which of the following statements do you think is accurate: _____ OR _____? Rotate Statements

FIGURE 5 KNOWLEDGE OF WATER ORIGIN BY STUDY YEAR



† Statistically significant change ($p < 0.05$) between the 2019 and 2021 studies.

Figures 6 and 7 show customers’ knowledge of their household’s water origin by service area, home ownership status, water bill responsibility, age of the respondent, home type, and the language in which they chose to take the survey. Residents in Division 1, home owners, households that pay their water bill directly, those in single family homes, and those who took the survey in English were the most likely to correctly indicate that 100% of their water is produced locally. That said, the majority of respondents in *every* subgroup were under the mistaken impression that some of their water is imported or were unsure.

FIGURE 6 KNOWLEDGE OF WATER ORIGIN BY SERVICE AREA, HOME OWNERSHIP STATUS & WATER BILL RESPONSIBILITY

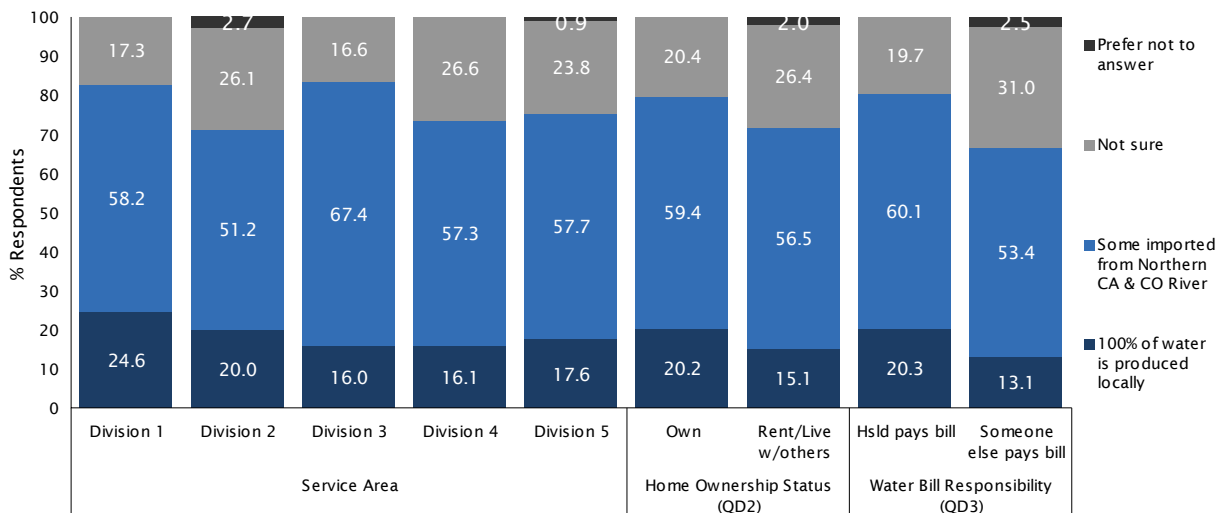
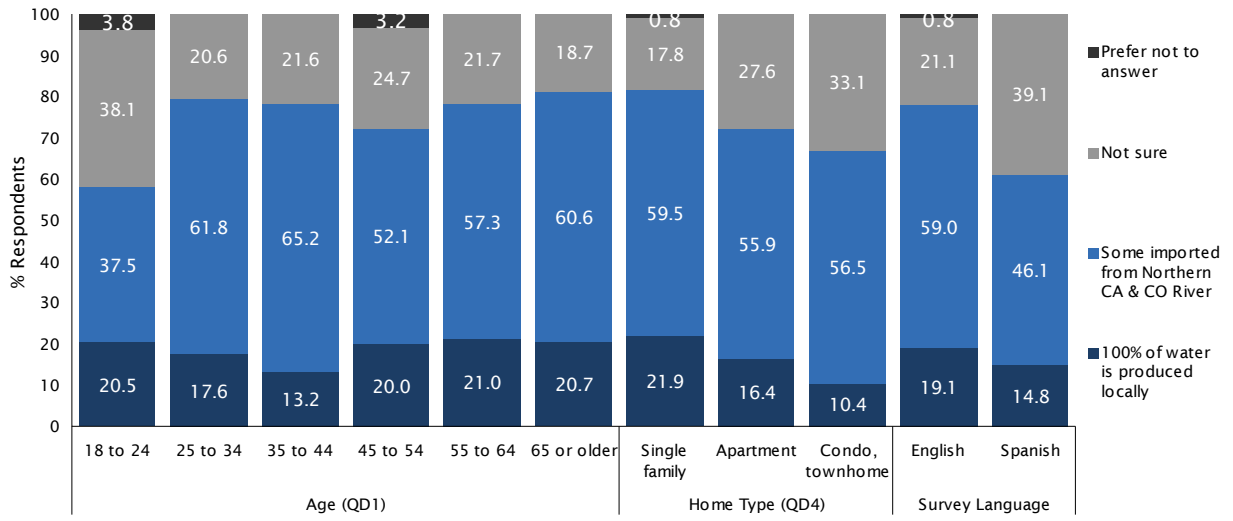


FIGURE 7 KNOWLEDGE OF WATER ORIGIN BY AGE, HOME TYPE & SURVEY LANGUAGE



AWARENESS & OPINIONS OF MESA WATER

One of the goals of this study was to gauge public awareness and perceptions of Mesa Water. Are residents able to recall the name of the agency responsible for providing water services to their household, or at least recognize the name of the agency? Moreover, what are their opinions of Mesa Water and how do they perceive the District on a variety of important dimensions?

Accurately measuring awareness is a delicate exercise. Because many of the questions in the survey addressed topics that could aid a respondent’s recall and/or allow them to guess at describing the agency, awareness questions were purposely located near the beginning of the survey to avoid this potential source of bias.

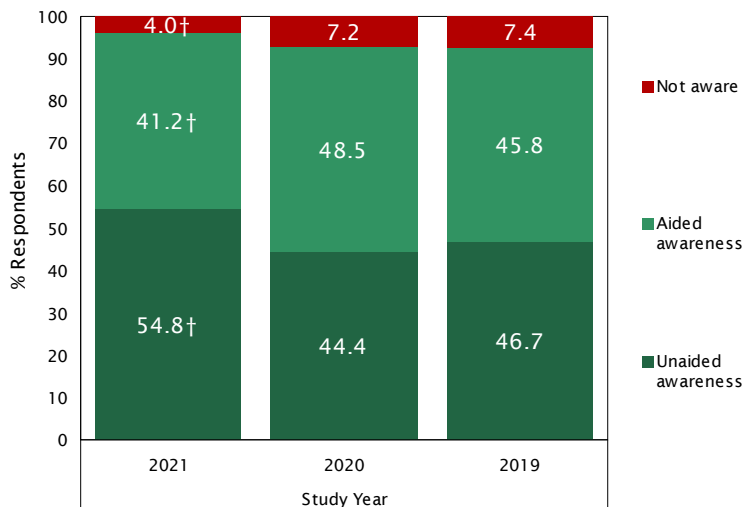
UNAIDED & AIDED AWARENESS OF MESA WATER Respondents were initially asked if they happened to know which agency is responsible for providing water services to their home. Those who said they knew the name of the agency were asked to state the name in a follow-up question, whereas those who did not were asked if they had heard of the Mesa Water District. The responses to questions 2 through 4 are combined in Figure 8 below.

Question 4 *Do you happen to know which agency is responsible for providing water services to your home?*

Question 5 *What is the name of the agency?*

Question 6 *Prior to taking this survey, had you heard of the Mesa Water District?*

FIGURE 8 AIDED & UNAIDED AWARENESS OF MESA WATER DISTRICT BY STUDY YEAR



† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

Among respondents overall, 55% were able to name the Mesa Water District as the agency responsible for providing water services to their home, which is a measure of *unaided awareness*. An additional 41% were not able to name the agency on their own, but indicated that they had heard of the Mesa Water District prior to taking the survey (*aided awareness*). Approximately

4% said that they had not heard of the Mesa Water District prior to participating in the study. When compared to the 2020 study, both unaided awareness and overall awareness of Mesa Water were significantly higher in 2021, with the percentage able to name Mesa Water without prompting increasing 10% in the past year.

Across all subgroups, overall awareness (unaided plus aided) of the Mesa Water District was quite high, ranging from a low of 87% to a high of 97% (see figures 9 and 10). Unaided awareness was highest among residents in Division 3, renters, households that pay their water bill directly, respondents 25 to 44 years of age, those in single family homes and apartments, and those who took the survey in English.

FIGURE 9 AIDED & UNAIDED AWARENESS OF MESA WATER DISTRICT BY SERVICE AREA, HOME OWNERSHIP STATUS & WATER BILL RESPONSIBILITY

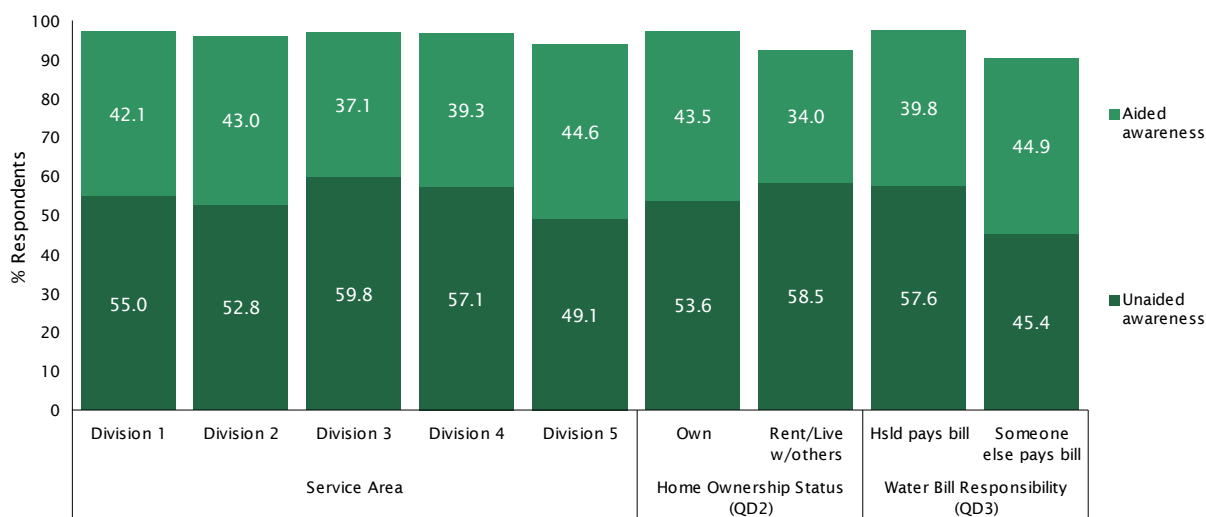
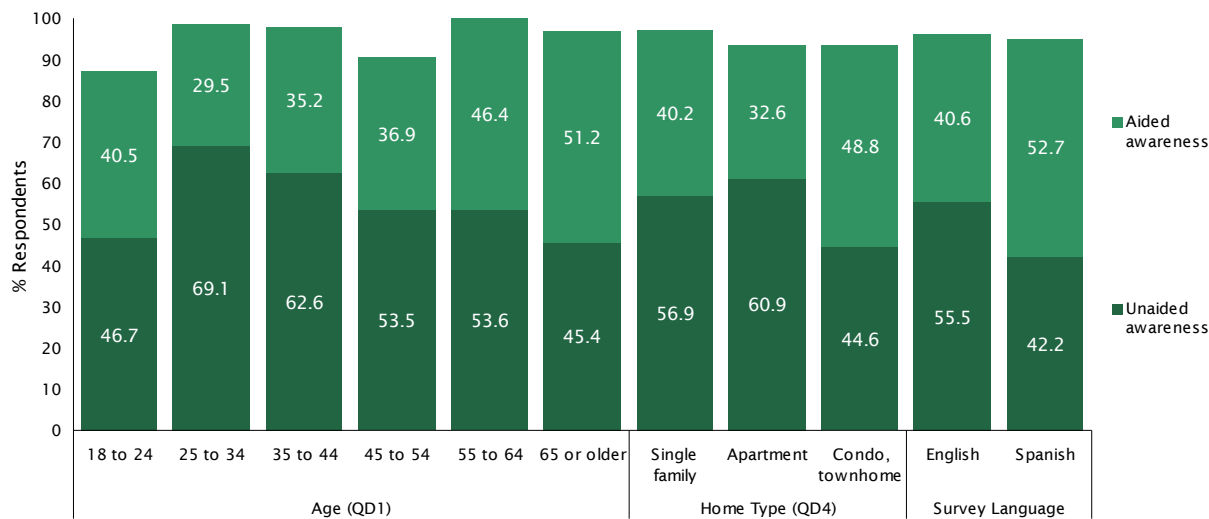


FIGURE 10 AIDED & UNAIDED AWARENESS OF MESA WATER DISTRICT BY AGE, HOME TYPE & SURVEY LANGUAGE

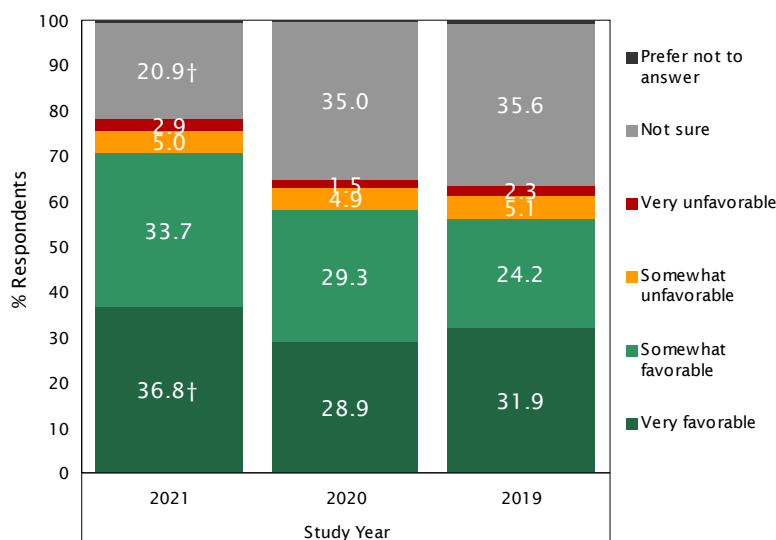


FAVORABILITY After clarifying that the Mesa Water District is the independent public agency responsible for providing water services to their household, the survey next asked respondents whether they held a favorable or unfavorable opinion of Mesa Water—or if they had no opinion either way.

As shown in Figure 11, 21% indicated that they were not sure or held no opinion regarding Mesa Water, or preferred not to state. Among those with an opinion, however, perceptions of Mesa Water were overwhelmingly positive—with more than two-thirds of all respondents (71%) holding a favorable opinion while just 8% expressed an unfavorable opinion. Opinions trended in a positive direction from the 2020 study, with a statistically significant increase (+8%) in the percentage who held a *very* favorable opinion of Mesa Water in 2021, and an overall increase of 12% in those with a favorable opinion of the District.

Question 7 *To clarify, the Mesa Water District is the independent public agency responsible for providing water services to your household. In general, do you have a favorable or unfavorable opinion of the Mesa Water District - or do you not have an opinion either way?*

FIGURE 11 OPINION OF MESA WATER DISTRICT BY STUDY YEAR



† Statistically significant change ($p < 0.05$) between the 2020 and 2021 studies.

Figures 12 and 13 on the next page show how the percentage of respondents with *favorable* opinions of Mesa Water varied across a series of key subgroups among those who provided an opinion. Although there was some variation—e.g., seniors were the most likely to express having a *very* favorable opinion of Mesa Water—the most striking pattern in these figures is the relative consistency of ratings. In all but one subgroup, at least eight-in-ten respondents with an opinion held a *favorable* opinion of Mesa Water. The exception was the small group of respondents who were unaware of Mesa Water prior to taking the survey.

FIGURE 12 OPINION OF MESA WATER DISTRICT BY SERVICE AREA, HOME OWNERSHIP STATUS & WATER BILL RESPONSIBILITY

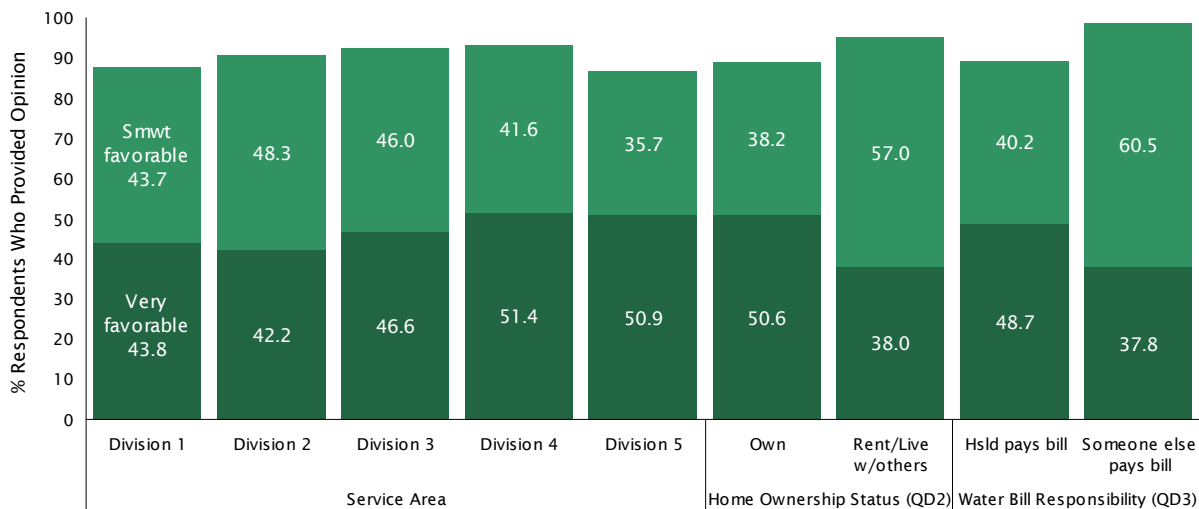
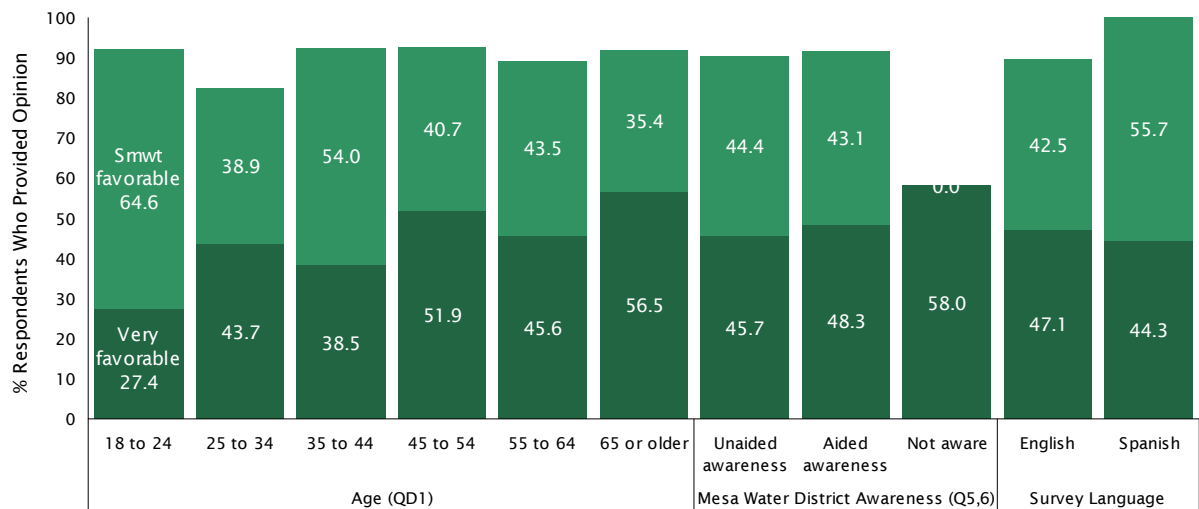


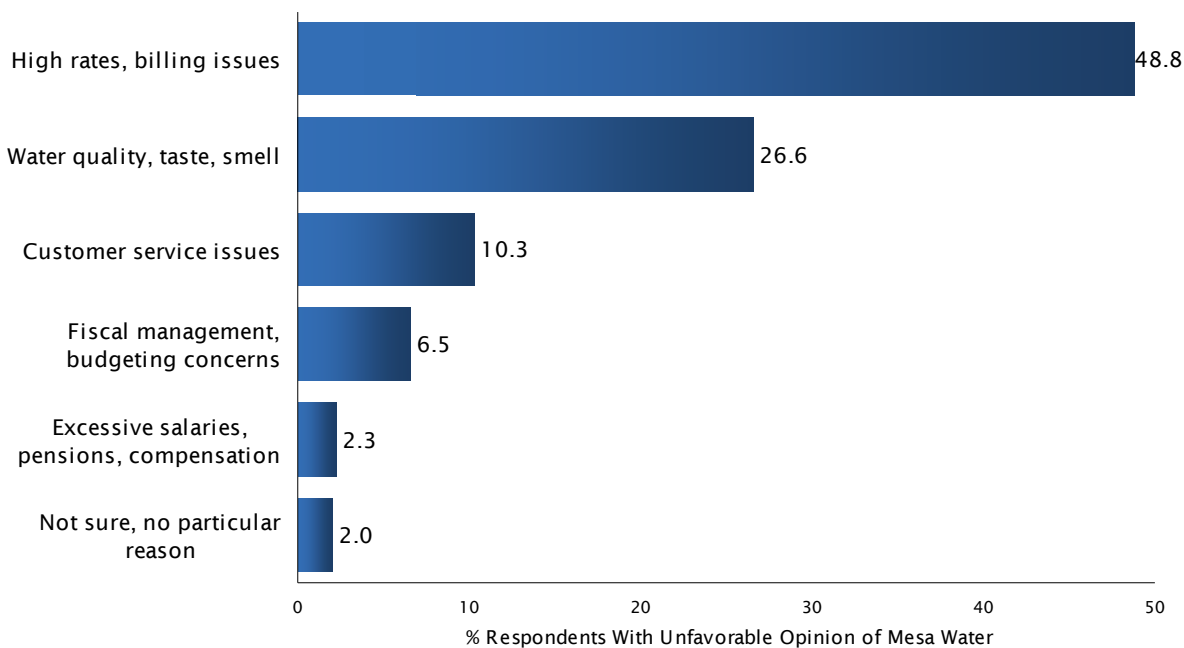
FIGURE 13 OPINION OF MESA WATER DISTRICT BY AGE, WATER DISTRICT AWARENESS & SURVEY LANGUAGE



The small percentage (8%) of respondents with an unfavorable opinion of Mesa Water were asked if there was a particular reason for their opinion. Question 8 was asked in an open-ended manner to allow respondents to explain their opinion in their own words, without being prompted by or restricted to a list of reasons. True North later reviewed the verbatim responses and grouped them into the categories shown in Figure 14 on the next page. A concern about high rates or billing issues was the most common reason why some respondents held an unfavorable opinion of Mesa Water (49%), followed by water quality, taste, or smell (27%) and customer service issues (10%).

Question 8 *Is there a particular reason why you have an unfavorable opinion of the Mesa Water District?*

FIGURE 14 REASON FOR UNFAVORABLE OPINION



CHARACTERIZING MESA WATER The final question in this series was designed to profile how customers perceive Mesa Water on a variety of key dimensions. Specifically, Question 9 presented respondents with five words or phrases and asked respondents whether they thought the word or phrase accurately described the Mesa Water District. Figure 15 on the next page presents those words and phrases, as well as respondents’ characterizations of Mesa Water.

As represented in the gray portion of the bars in the figure, between 25% and 45% of customers did not have an opinion or were unwilling to state whether Mesa Water could be described by each attribute. But among respondents who provided an opinion, Mesa Water was generally characterized in a positive light. The majority of *all* respondents agreed that Mesa Water is efficient (68%), trustworthy (62%), beneficial to the local community (60%), and involved in the community (50%). Just under half of all respondents perceived that Mesa Water is fiscally responsible (45%), although nearly all of the remaining respondents confided that they were unsure (45%) rather than disagreeing with the statement (9%).

Table 2 displays the percentage of respondents who agreed with each descriptor of Mesa Water in 2019, 2020, and 2021, along with the difference between the two most recent studies. In the past year, the percentage who agreed that Mesa Water is involved in the community (+10%), trustworthy (+7%), and fiscally responsible (+5%) each increased by a statistically significant amount.

Question 9 Next, I'm going to read a series of words or phrases. For each I read, I'd like you to tell me whether - in your opinion - it accurately describes the Mesa Water District. 'Yes' means you think the phrase does accurately describe the Mesa Water District. No means it does not. If you don't have an opinion, just say so.

FIGURE 15 AGREEMENT WITH DESCRIPTORS OF MESA WATER

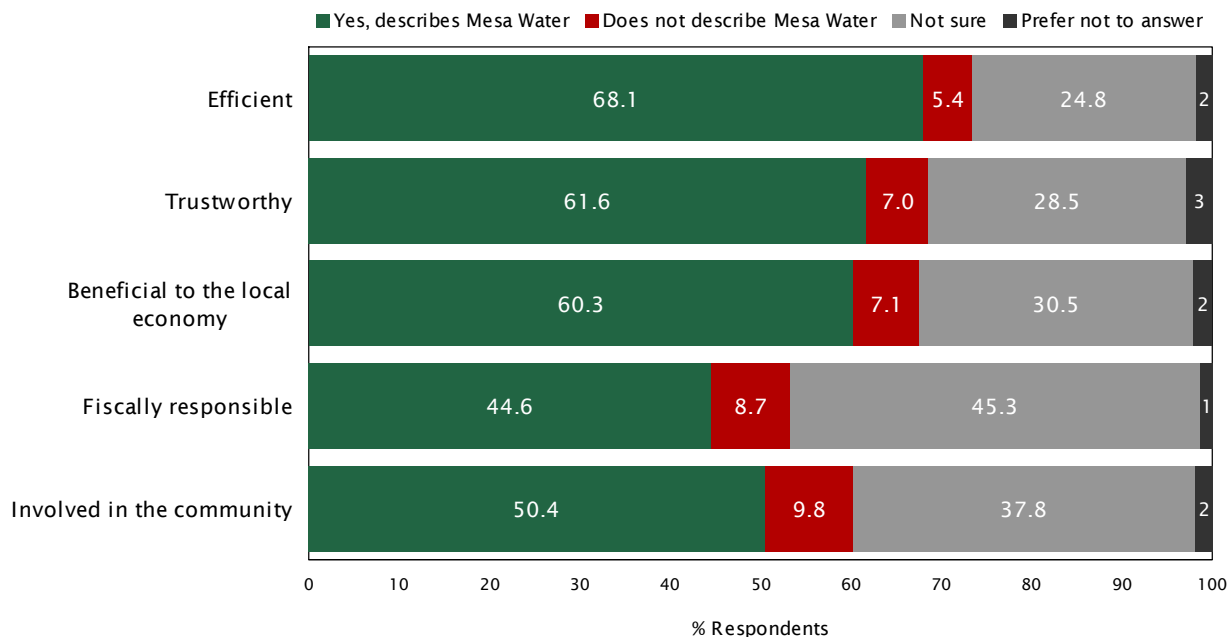


TABLE 2 AGREEMENT WITH DESCRIPTORS OF MESA WATER BY STUDY YEAR

	Study Year			Change in Mesa Water Descriptors 2020 to 2021
	2021	2020	2019	
Involved in the community	50.4	40.5	47.6	+10.0†
Trustworthy	61.6	54.5	57.9	+7.2†
Fiscally responsible	44.6	39.4	40.2	+5.2†
Beneficial to the local economy	60.3	57.2	56.8	+3.1
Efficient	68.1	66.1	66.4	+2.0

† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

Tables 3 and 4 on the next page present the results of this question series by whether the individual was aware of the Mesa Water District, their overall opinion of Mesa Water, and their service area. Individuals with unaided awareness of Mesa Water and those with favorable opinions of Mesa Water were generally more likely than their counterparts to characterize Mesa Water in a positive manner. There was no clear pattern across division when it came to how Mesa Water is perceived, as divisions that were most positive on certain dimensions (e.g. trustworthy and efficient) were not necessarily the most positive on other dimensions (e.g., beneficial to the local economy).

TABLE 3 AGREEMENT WITH DESCRIPTORS OF MESA WATER BY MESA WATER DISTRICT AWARENESS & OPINION OF MESA WATER DISTRICT (SHOWING % YES, ACCURATELY DESCRIBES MESA WATER)

	Mesa Water District Awareness (Q5,6)			Opinion of Mesa Water District (Q7)		
	Unaided awareness	Aided awareness	Not aware	Favorable	Unfavorable	Not sure
Efficient	68.7	67.4	66.5	79.2	22.1	48.6
Trustworthy	64.1	59.9	45.6	74.0	13.1	37.7
Beneficial to the local economy	62.4	58.6	48.8	70.8	13.0	43.2
Involved in the community	51.7	49.6	41.8	59.7	16.6	33.0
Fiscally responsible	46.1	42.4	46.6	51.1	10.5	37.1

TABLE 4 AGREEMENT WITH DESCRIPTORS OF MESA WATER BY SERVICE AREA (SHOWING % YES, ACCURATELY DESCRIBES MESA WATER)

	Service Area				
	Division 1	Division 2	Division 3	Division 4	Division 5
Efficient	69.3	66.2	73.1	64.3	67.6
Trustworthy	63.0	55.2	66.9	61.2	61.9
Beneficial to the local economy	63.3	63.1	57.1	56.2	61.7
Involved in the community	45.1	59.3	54.0	48.6	45.1
Fiscally responsible	43.9	45.2	41.9	46.4	45.7

SATISFACTION WITH WATER SERVICES

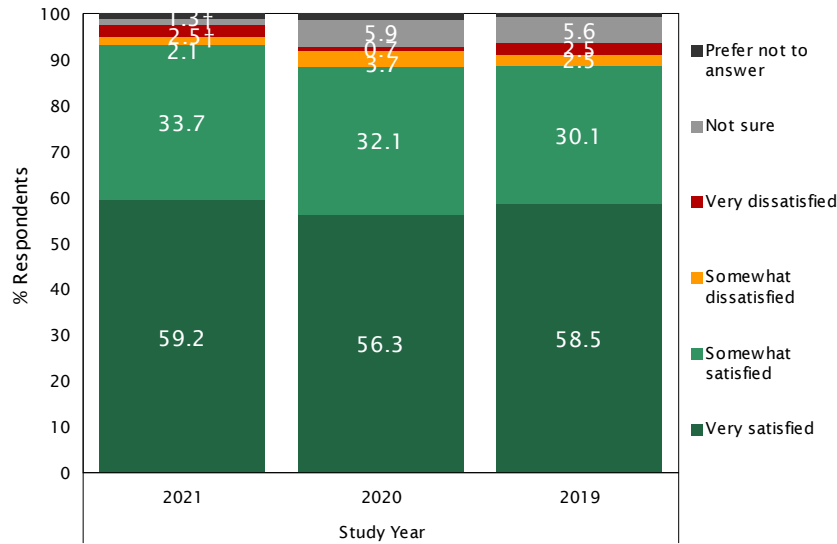
After measuring respondents' views regarding issues of importance in their community, as well as awareness and perceptions of Mesa Water, the survey next turned to assessing customers' opinions about Mesa Water's performance in providing various services.

OVERALL SATISFACTION The first question in this series asked respondents to indicate if, overall, they were satisfied or dissatisfied with the job the Mesa Water District is doing to provide water services to their household. Because this question does not reference a specific program, facility, or service and requested that the respondent consider Mesa Water's performance in general, the findings of this question may be regarded as an *overall performance rating* for the District.

As shown in Figure 16, the vast majority (93%) of respondents indicated they were either very (59%) or somewhat (34%) satisfied with Mesa Water's efforts to provide water services. Approximately 5% were very or somewhat dissatisfied, and 3% were unsure or unwilling to share their opinion. Compared with the findings of the 2020 study, there was a small but statistically significant increase (+2%) in the percentage of customers who reported being *very dissatisfied* in 2021, and a 5% decline in the percentage who were unsure. Meanwhile, the overall percentage of customers who reported being satisfied with Mesa Water's performance increased 5%.

Question 10 *Generally speaking, are you satisfied or dissatisfied with the job the Mesa Water District is doing to provide water services to your household?*

FIGURE 16 OVERALL SATISFACTION BY STUDY YEAR



† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

The two figures on the next page display how customers' opinions about Mesa Water's overall performance in providing water services varied by a host of demographic traits. The high levels of satisfaction exhibited by respondents as a whole (see Figure 16 above) were echoed across all resident subgroups, with satisfaction ranging from a low of 85% to a high of 100%.

FIGURE 17 OVERALL SATISFACTION BY SERVICE AREA, HOME OWNERSHIP STATUS, WATER BILL RESPONSIBILITY & CONTACT WITH MESA WATER IN PAST 12 MONTHS

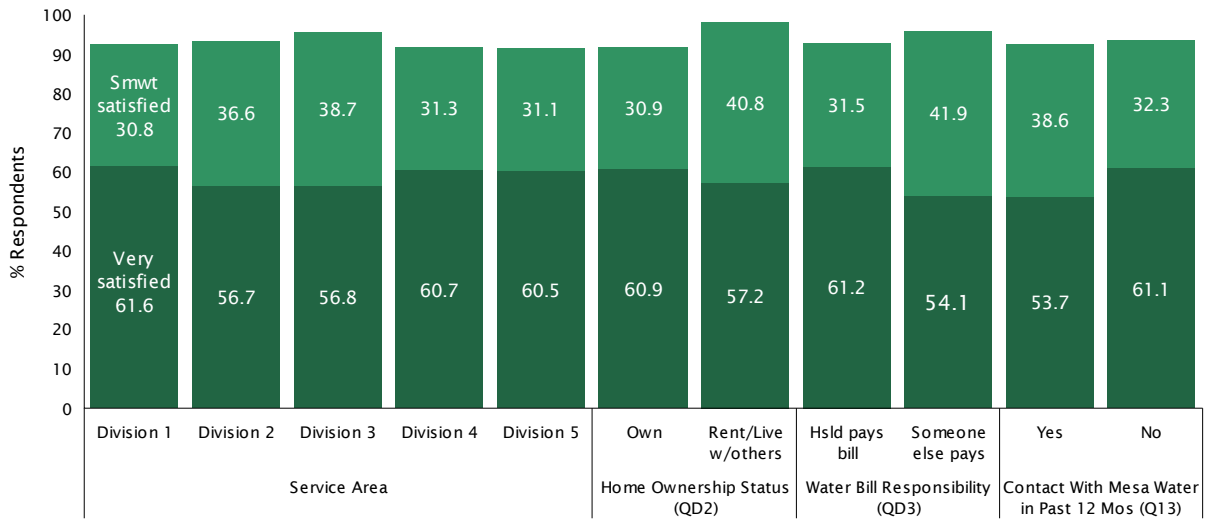
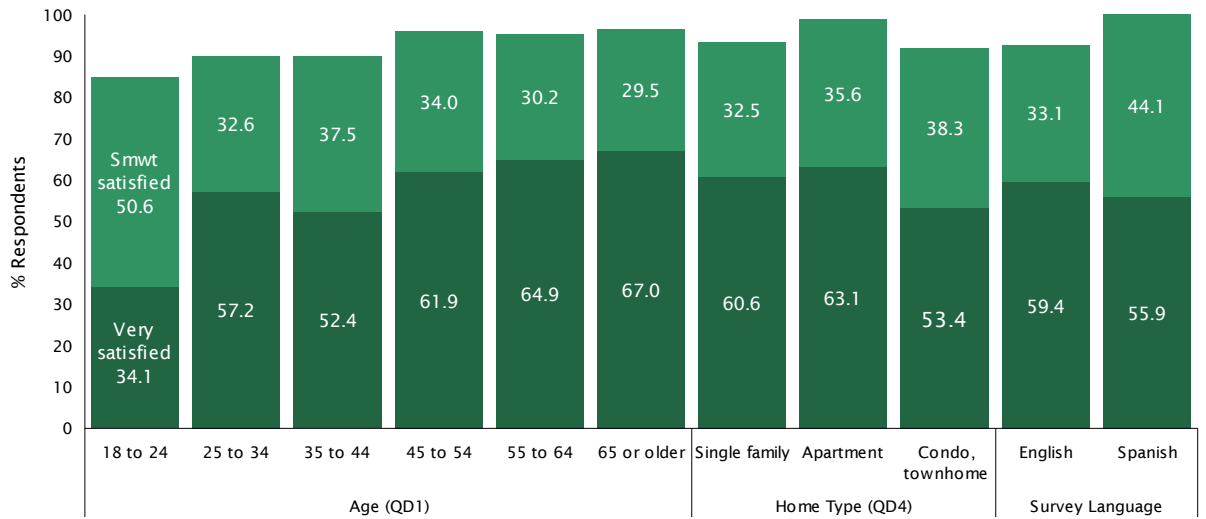


FIGURE 18 OVERALL SATISFACTION BY AGE, HOME TYPE & SURVEY LANGUAGE



SPECIFIC SERVICES Whereas Question 10 addressed Mesa Water’s *overall* performance, the next question series asked respondents to rate their level of satisfaction with Mesa Water’s efforts to provide *specific* services. The order of the items was randomized for each respondent to avoid a systematic position bias.

Figure 19 on the next page presents the services sorted by the percentage of respondents who were either very or somewhat satisfied with Mesa Water’s efforts to provide the service. For comparison purposes between the services, only respondents who held an opinion (satisfied or dissatisfied) are included in the figure. Those who did not have an opinion were removed from this analysis. The percentage of respondents who provided an opinion (satisfied or dissatisfied) is shown in brackets beside the service label in the figure, while the bars represent the answers of those with an opinion.

At the top of the list, respondents were most satisfied with Mesa Water’s efforts to provide reliable water service (97% very or somewhat satisfied), followed by provide accurate billing statements (94%), protect the water supply from contamination and pollutants (93%), provide sufficient water pressure (93%), ensure an adequate water supply now and in the future (93%), keep the water system in good condition through timely repairs and maintenance (93%), and provide convenient hours of operation (93%).

When compared to the other services tested, respondents were somewhat less satisfied with Mesa Water’s efforts to provide rebate programs that encourage customers to purchase water-efficient appliances (71%), offer good value for the cost of water services (79%), and provide water that tastes good (82%). Even for these services, however, is it noteworthy that at least seven-in-ten respondents indicated they were satisfied.

Question 11 *Next, I'm going to read a list of specific services provided by the Mesa Water District. For each of the services I read, please tell me whether you are satisfied or dissatisfied with the District's efforts to provide the service. Are you satisfied or dissatisfied with the District's efforts to: _____, or do you not have an opinion?*

FIGURE 19 SATISFACTION WITH SERVICES

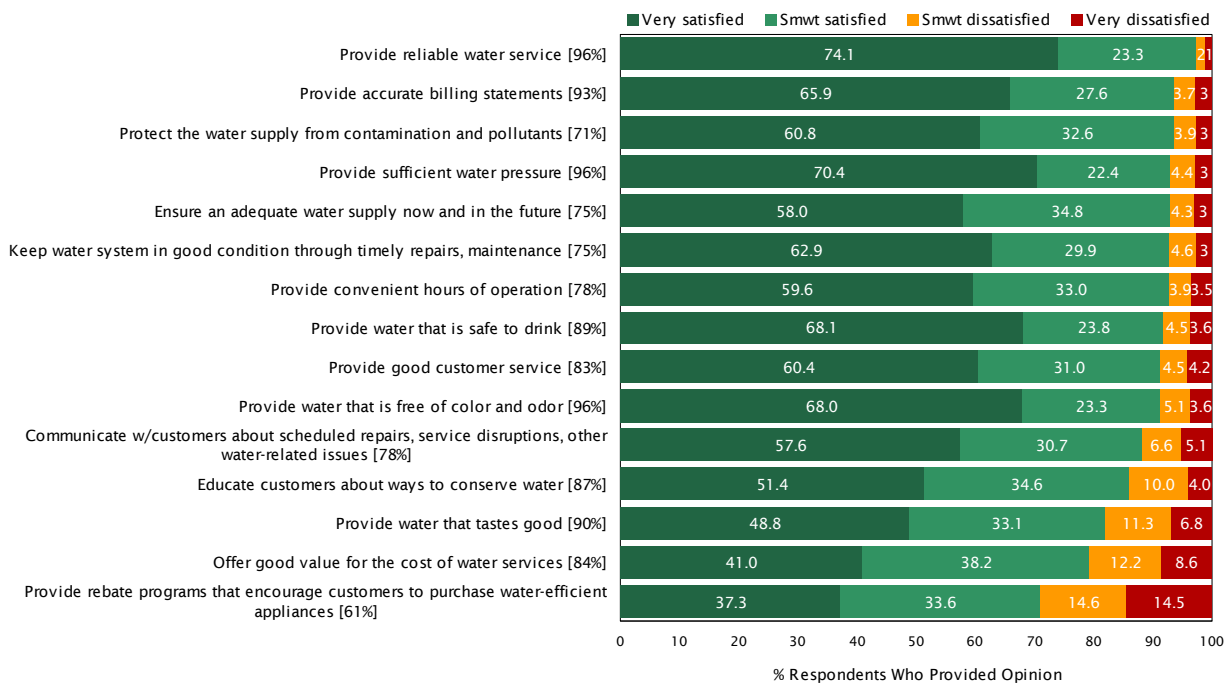


Table 5 on the next page shows the percentage of respondents who reported being satisfied with Mesa Water’s efforts to provide each service in 2019, 2020, and 2021, with the far right column showing the difference between the two most recent surveys. Although overall satisfaction with Mesa Water increased during the past year (see Figure 16), there were five service areas in 2021 that exhibited small, statistically significant declines in satisfaction ranging between -3% to -5%.

TABLE 5 SATISFACTION WITH SERVICES BY STUDY YEAR

	Study Year			Change in Satisfaction 2020 to 2021
	2021	2020	2019	
Educate customers about ways to conserve water	86.0	85.4	84.9	+0.6
Protect the water supply from contamination and pollutants	93.5	94.4	93.3	-0.9
Offer good value for the cost of water services	79.2	80.3	83.9	-1.0
Provide accurate billing statements	93.5	94.6	91.5	-1.1
Provide sufficient water pressure	92.8	94.1	92.0	-1.2
Provide reliable water service	97.4	98.7	97.3	-1.3
Provide water that is safe to drink	91.9	93.3	91.8	-1.4
Provide good customer service	91.4	92.9	93.6	-1.5
Communicate w/customers about scheduled repairs, service disruptions, other water-related issues	88.3	90.1	87.2	-1.9
Keep water system in good condition through timely repairs and maintenance	92.8	95.4	95.0	-2.7
Provide water that is free of color and odor	91.3	94.4	93.1	-3.1†
Ensure an adequate water supply now and in the future	92.8	97.2	94.1	-4.4†
Provide water that tastes good	81.9	86.3	81.8	-4.4†
Provide rebate programs that encourage customers to purchase water-efficient appliances	70.9	76.0	71.7	-5.1†
Provide convenient hours of operation	92.7	97.8	95.9	-5.1†

† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

DIFFERENTIATORS OF OPINION For the interested reader, Table 6 displays how the level of satisfaction with each specific service tested in Question 11 varied according to customers’ overall performance ratings for Mesa Water (see *Overall Satisfaction* on page 23). The table divides residents who were satisfied with the District’s *overall performance* into one group and those dissatisfied into a second group. Shown in the far right column is the difference between the two groups in terms of the percentage who indicated they were satisfied with the provision of each service tested in Question 11. The services are sorted by that difference, with the greatest differentiators of opinion near the top of the table.

When compared with their counterparts, those satisfied with Mesa Water’s performance in providing water services *overall* were also more likely to express satisfaction with efforts to provide each of the individual services tested in Question 11. With that said, the greatest specific differentiators of opinion between satisfied and dissatisfied customers were found with respect to the District’s efforts to provide good customer service, provide reliable water service, and provide rebate programs that encourage customers to purchase water-efficient appliances. At the other end of the spectrum, there was less difference between the two customer groups regarding their satisfaction with the District’s efforts to communicate with customers about scheduled repairs, scheduled disruptions, and other water-related issues, offer good value for the cost of water service, and keep the water system in good condition through timely repairs and maintenance.

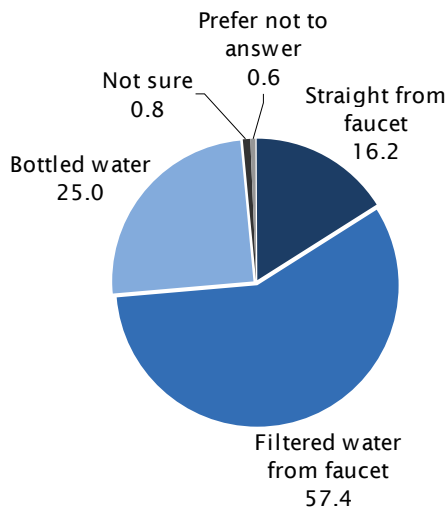
TABLE 6 SATISFACTION WITH SERVICES BY OVERALL SATISFACTION WITH DISTRICT

	Overall Satisfaction With Mesa Water (Q10)		Difference Between Groups For Each Service
	Very or somewhat satisfied	Very or somewhat dissatisfied	
Provide good customer service	83.7	4.0	79.6
Provide reliable water service	96.2	26.8	69.3
Provide rebate programs that encourage customers to purchase water-efficient appliances	95.0	29.1	65.9
Ensure an adequate water supply now and in the future	96.7	33.9	62.8
Provide convenient hours of operation	75.1	12.9	62.1
Educate customers about ways to conserve water	95.8	38.3	57.5
Provide water that is safe to drink	85.1	30.2	54.9
Protect the water supply from contamination and pollutants	92.4	38.2	54.2
Provide water that is free of color and odor	94.8	41.5	53.3
Provide accurate billing statements	95.9	43.5	52.3
Provide sufficient water pressure	94.1	41.9	52.2
Provide water that tastes good	90.9	44.9	46.0
Keep the water system in good condition through timely repairs and maintenance	87.9	44.6	43.3
Offer good value for the cost of water services	94.7	53.3	41.3
Communicate with customers about scheduled repairs, service disruptions, other water-related issues	99.3	63.3	36.1

STRAIGHT, FILTERED OR BOTTLED? The final question in this series asked customers to indicate whether they primarily drink water straight from the faucet, filtered water from the faucet, or bottled water when they are at home. More than half of respondents (57%) indicated they primarily drink filtered water from the faucet when home, and an additional 16% stated they drink water straight from the tap. One-quarter of respondents (25%) offered that they primarily drink bottled water when home, whereas approximately 1% were unsure or unwilling to share their opinion (Figure 20).

Question 12 *At your home, do you primarily drink water straight from the faucet, filtered water from the faucet, or bottled water?*

FIGURE 20 HOME WATER SOURCE



Although the majority of customers in every subgroup indicated they primarily drink water from the faucet (direct or filtered), those dissatisfied with Mesa Water’s overall performance in providing water services, seniors, those with an unfavorable opinion of Mesa Water, and customers in Division 4 were somewhat more likely than their counterparts to rely primarily on bottled water when home (see figures 21 and 22).

FIGURE 21 HOME WATER SOURCE BY OVERALL SATISFACTION & AGE

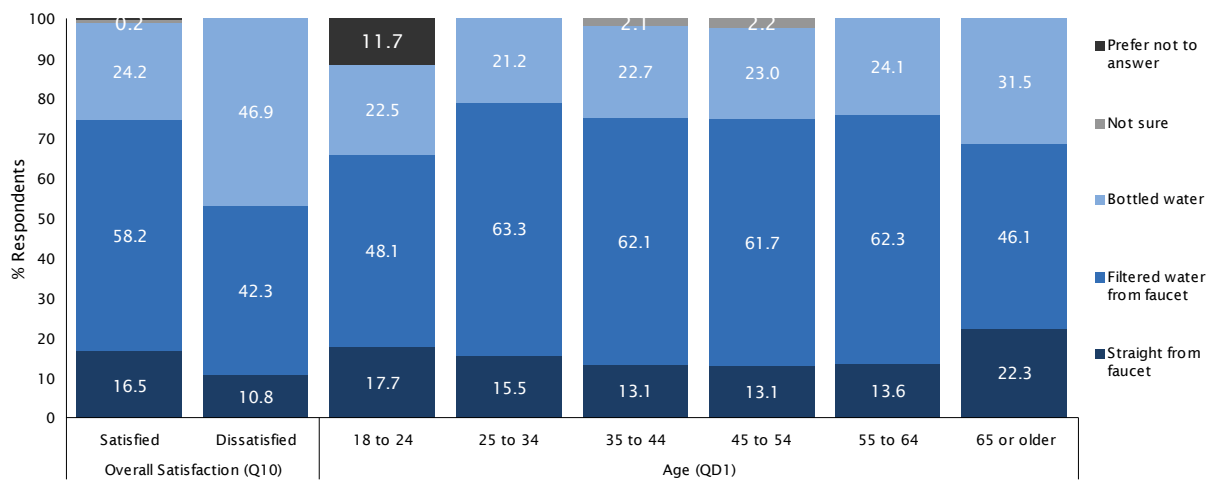
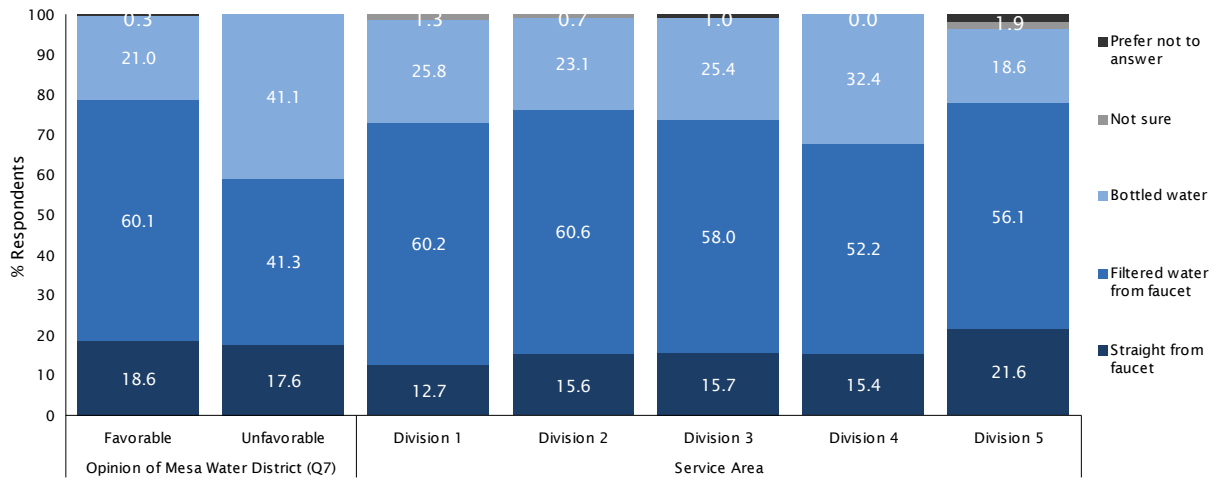


FIGURE 22 HOME WATER SOURCE BY OPINION OF MESA WATER DISTRICT & SERVICE AREA



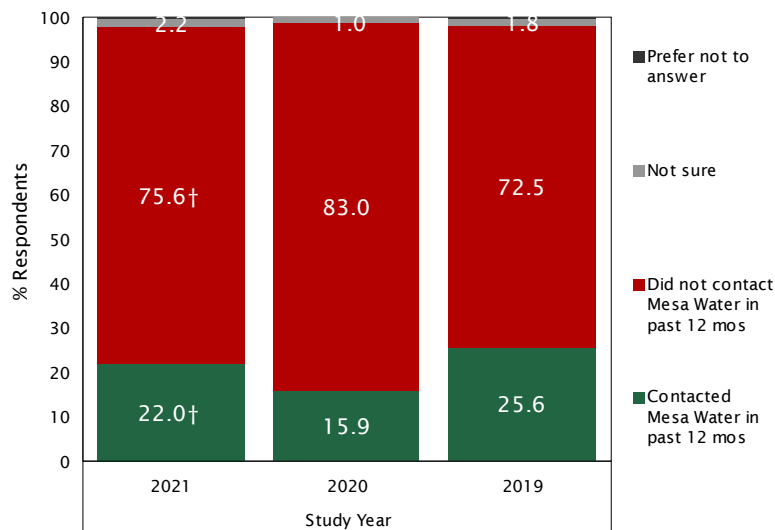
CUSTOMER SERVICE

The next section of the survey included questions to gauge whether residents had interacted with the Mesa Water District in the past 12 months, the reasons for that contact, as well as their satisfaction with the service representative and resolution of the issue.

CONTACT WITH MESA WATER Respondents were initially asked if they had been in contact with Mesa Water in the past 12 months. Figure 23 provides the findings of this question and shows that 22% of respondents said they had contacted the District in the year prior to the 2021 interview, which represents a significant increase (+6%) from the percentage recorded in 2020 during the heart of the pandemic. When compared with their respective counterparts, residents in Division 3, renters, those who aren't directly responsible for paying their water bill, respondents who took the survey in English, residents under 25 years of age, those dissatisfied with the District's overall performance, and respondents who expressed an unfavorable of the District were the most likely to report having contacted Mesa Water during this period (see figures 24 and 25).

Question 13 *In the past 12 months, have you contacted Mesa Water for any reason?*

FIGURE 23 CONTACTED MESA WATER IN PAST 12 MONTHS BY STUDY YEAR



† Statistically significant change ($p < 0.05$) between the 2020 and 2021 studies.

FIGURE 24 CONTACTED MESA WATER IN PAST 12 MONTHS BY SERVICE AREA, HOME OWNERSHIP STATUS, WATER BILL RESPONSIBILITY & SURVEY LANGUAGE

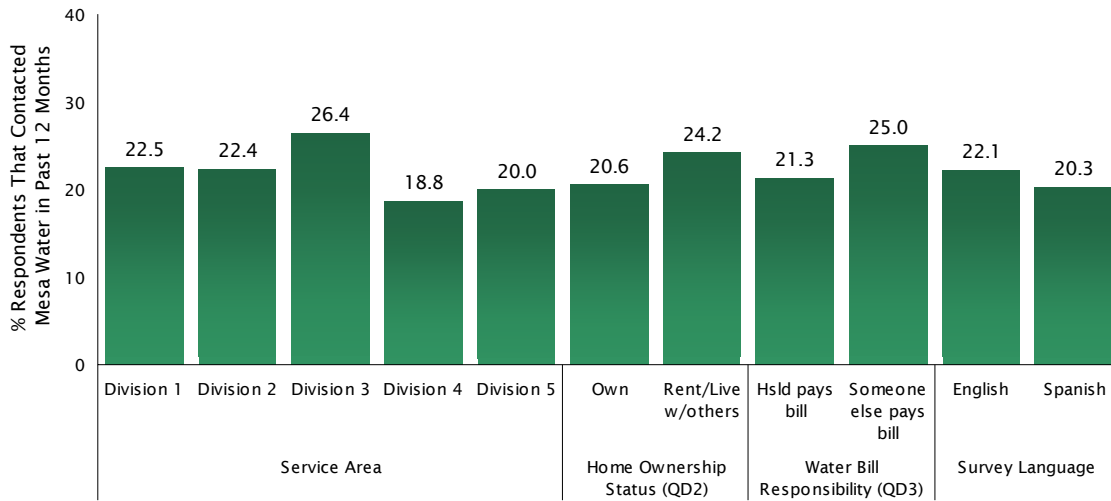
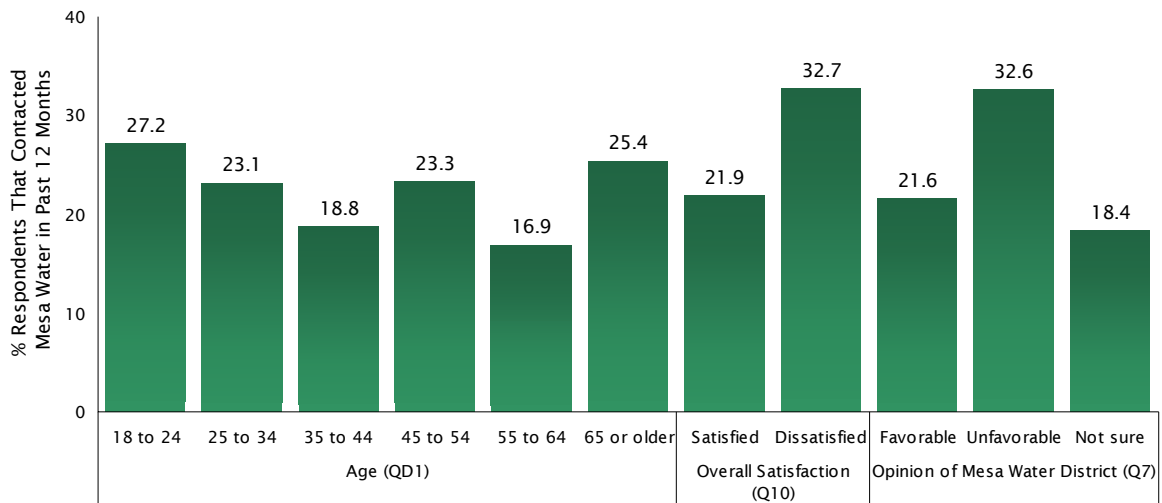


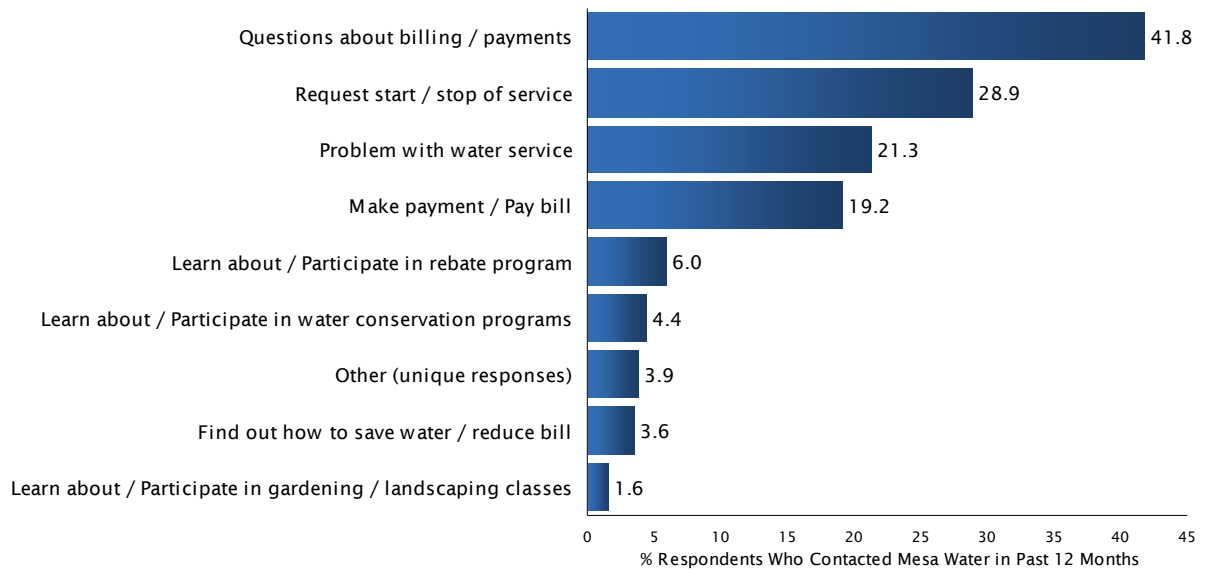
FIGURE 25 CONTACTED MESA WATER IN PAST 12 MONTHS BY AGE, OVERALL SATISFACTION & OPINION OF MESA WATER DISTRICT



REASON FOR CONTACT & RESOLUTION The 22% of respondents who had contacted Mesa Water in the year prior to the survey were asked, in an open-ended manner, to provide the reason(s) for contacting the District. As shown in Figure 26, questions about billing/payments were the most common reason for contacting Mesa Water over the past year (42%), followed by a request to start/stop service (29%), general problems with their water service (21%), and making a payment (19%). Other specific reasons included contacting the District to learn about/participate in a rebate program (6%) and a water conservation program (4%). When asked if the reason for contacting Mesa Water was resolved to their satisfaction, 84% of the customers who had contacted the District answered in the affirmative, which is significantly higher (+11%) than the figure recorded in 2020 (see Figure 27).

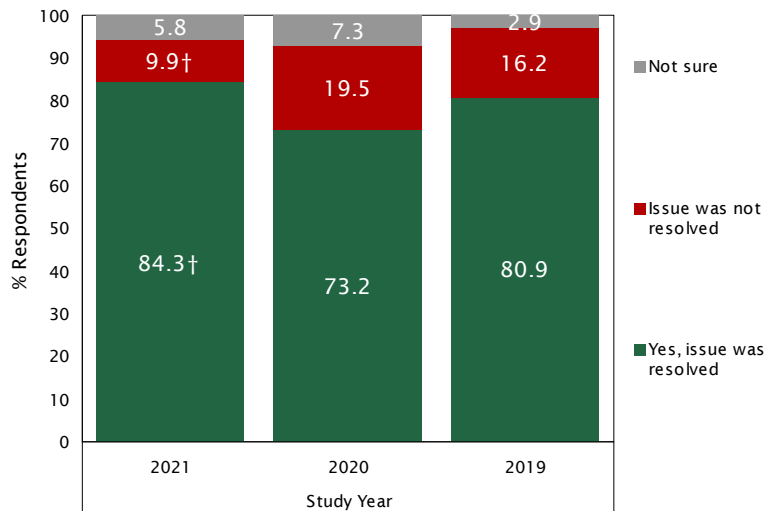
Question 14 For what reason did you contact the District?

FIGURE 26 REASONS FOR CONTACTING MESA WATER DISTRICT



Question 15 Was the reason you contacted them resolved to your satisfaction?

FIGURE 27 ISSUE RESOLVED BY STUDY YEAR



REASONS FOR DISSATISFACTION Customers who had contacted the District in the past year and who indicated that their issue wasn't resolved to their satisfaction (approximately 2% of all respondents) were subsequently asked to explain why the issue wasn't resolved to their satisfaction. Question 16 was asked in an open-ended manner, and given the small number of respondents in this category we have included each of the verbatim responses on the next page. Approximately half of the responses reference a higher than expected bill.

Question 16 Can you briefly explain why it wasn't solved to your satisfaction?

- I am enrolled in paperless auto payment. I received a paper bill. I still receive a paper bill even though my account is paid with an automatic debit from my bank account.
- I wanted to see if they would check for leaks. They said they would not check. It was due to my bill amount.
- It is because of my extraordinarily high bill for several months. They could not explain why.
- Never received a call back on increase in billing.
- They couldn't do anything to adjust the water pressure.
- They didn't respond in a timely manner. The representative was extremely rude. The technician never got back to us.
- They don't care how much they charge. You either pay it or put it. They don't want to resolve any issues. My bill doubled and we were gone for most of the month.
- They just explained that we did not have a sufficient water supply. That is for how much the water costs today.
- They left a note that stated they could cut off our water if we didn't give them our phone numbers.
- They said that I used more water, and I had to pay my bill.

EXPERIENCE WITH SERVICE REPRESENTATIVE Respondents who had contacted Mesa Water in the year prior to the survey were also asked to rate their experience with staff on three dimensions: accessibility, courteousness, and knowledge/expertise. Respondents provided generally positive ratings across all three dimensions (see Figure 28), with approximately nine-in-ten customers with an opinion indicating satisfaction with their ability to reach a service representative (91%), the courtesy of the service representative (91%), and the knowledge and expertise of the service representative (88%).

Question 17 When contacting the Water District, were you satisfied or dissatisfied with _____, or do you not have any opinion?

FIGURE 28 SATISFACTION WITH SERVICE REPRESENTATIVE

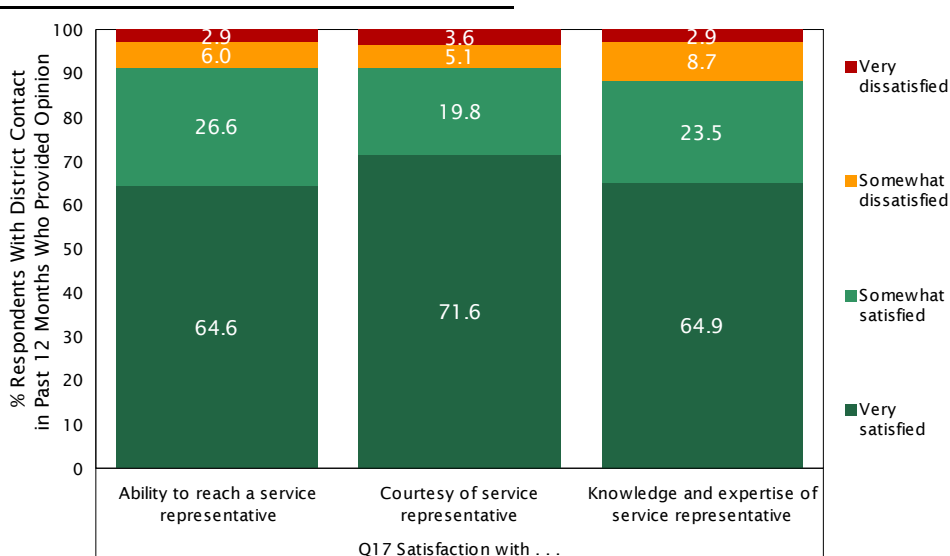


Table 7 presents the percentage of those satisfied with Mesa Water’s customer service representative in 2020 and 2021 for each of the dimensions tested, along with the difference between the 2021 and 2020 scores in the far right column. The percentage of respondents who indicated they were satisfied increased for all three aspects during the past year, although the magnitude of the changes did not reach statistical significance.

TABLE 7 SATISFACTION WITH SERVICE REPRESENTATIVE BY STUDY YEAR

	Study Year		Change in Satisfaction 2020 to 2021
	2021	2020	
Knowledge, expertise of service representative	88.4	84.7	+3.7
Courtesy of service representative	91.3	89.4	+2.0
Ability to reach a service representative	91.2	90.7	+0.5

COMMUNICATION

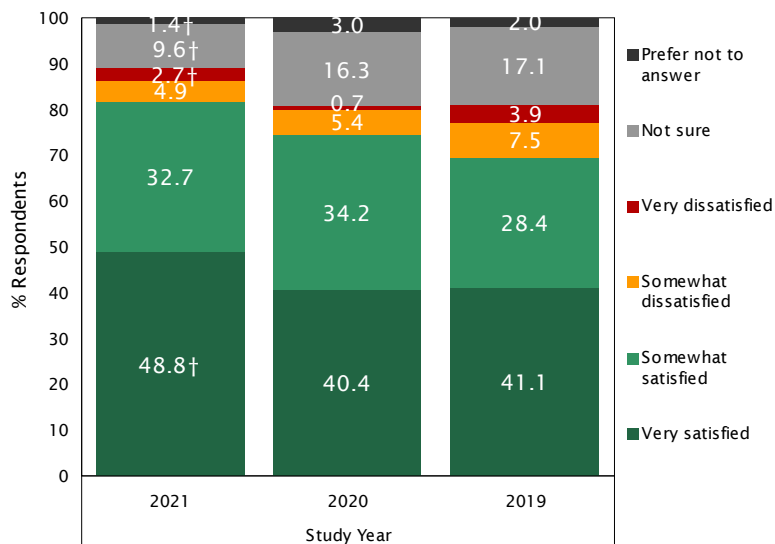
The final substantive section of the report presents the results of questions designed to measure respondents' satisfaction with Mesa Water's efforts to communicate with customers and determine the most effective ways for Mesa Water to communicate with residents.

OVERALL SATISFACTION Question 18 asked respondents to report their overall satisfaction with Mesa Water's efforts to communicate with customers through direct mail, newsletters, social media, and other means. More than eight-in-ten respondents indicated that they were satisfied with the District's efforts in this regard, with 49% saying they were *very* satisfied and 33% saying *somewhat* satisfied (see Figure 29). The remaining respondents were either dissatisfied with Mesa Water's communication efforts (8%) or unsure or unwilling to provide an opinion (11%).

Between 2020 and 2021, overall satisfaction with the District's communication efforts increased by seven percentage points, with a statistically significant increase of 8% among those indicating they were *very* satisfied. There was also a small, but significant 2% increase in the percentage who reported being very dissatisfied, and a significant reduction in the percentage who were unsure (-7%) or preferred to not answer (-2%).

Question 18 *In general, are you satisfied or dissatisfied with the District's efforts to communicate with customers through direct mail, newsletters, social media, and other means?*

FIGURE 29 SATISFACTION WITH MESA WATER'S COMMUNICATION EFFORTS BY STUDY YEAR



† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

The next three figures display how satisfaction with Mesa Water’s efforts to communicate with customers varied across a series of key subgroups among those who provided an opinion. Satisfaction with Mesa Water’s communication efforts was widespread, exceeding 83% of respondents in all subgroups with the exception of those who were not aware of the District prior to taking the survey, had an unfavorable opinion of the District, and those who were dissatisfied with Mesa Water’s overall performance (see figures 30-32).

FIGURE 30 SATISFACTION WITH MESA WATER’S COMMUNICATION EFFORTS BY SERVICE AREA, HOME OWNERSHIP STATUS & WATER BILL RESPONSIBILITY

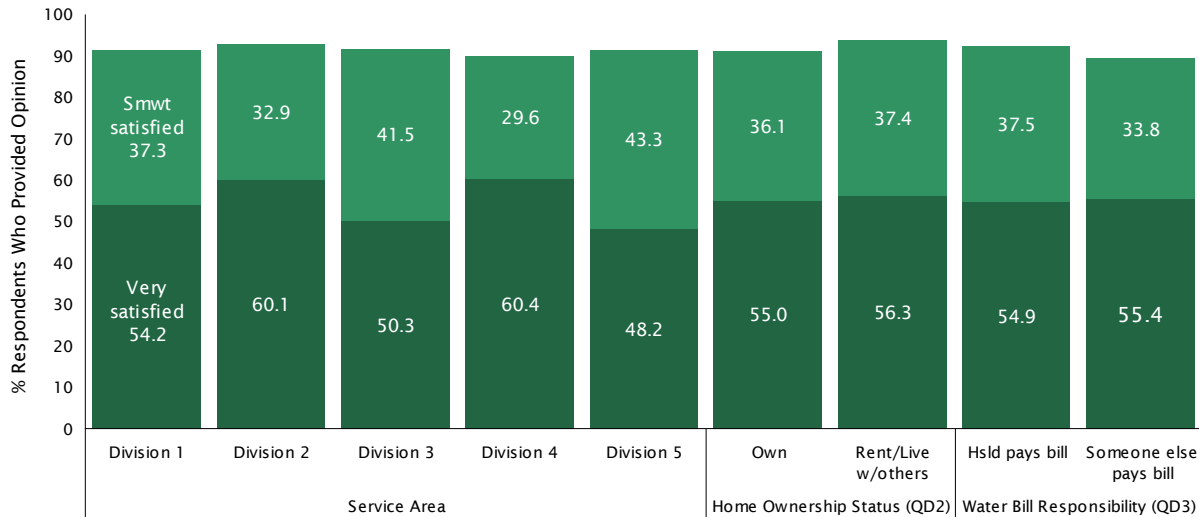


FIGURE 31 SATISFACTION WITH MESA WATER’S COMMUNICATION EFFORTS BY AGE, HOME TYPE & SURVEY LANGUAGE

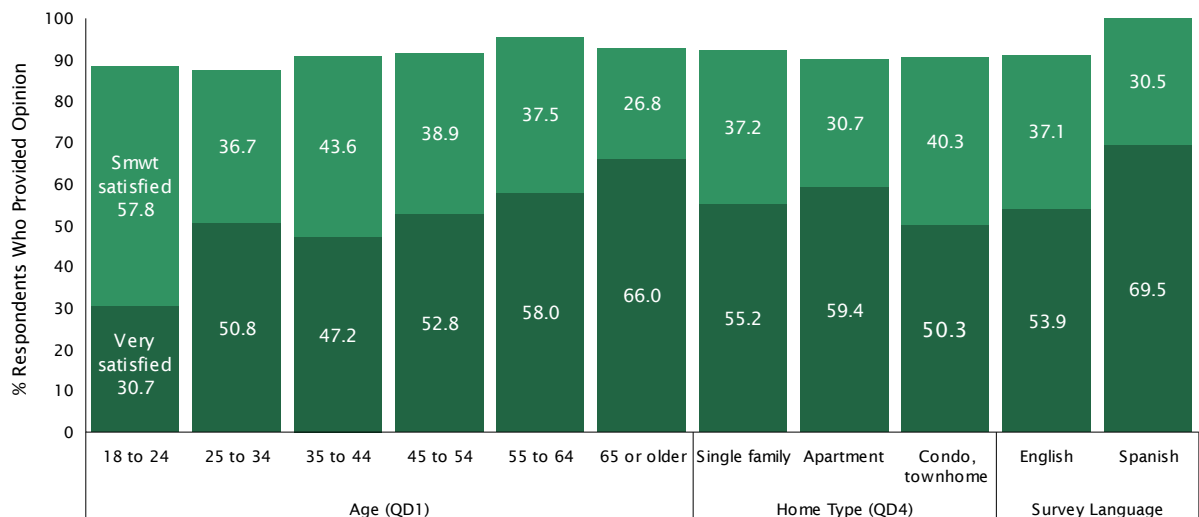
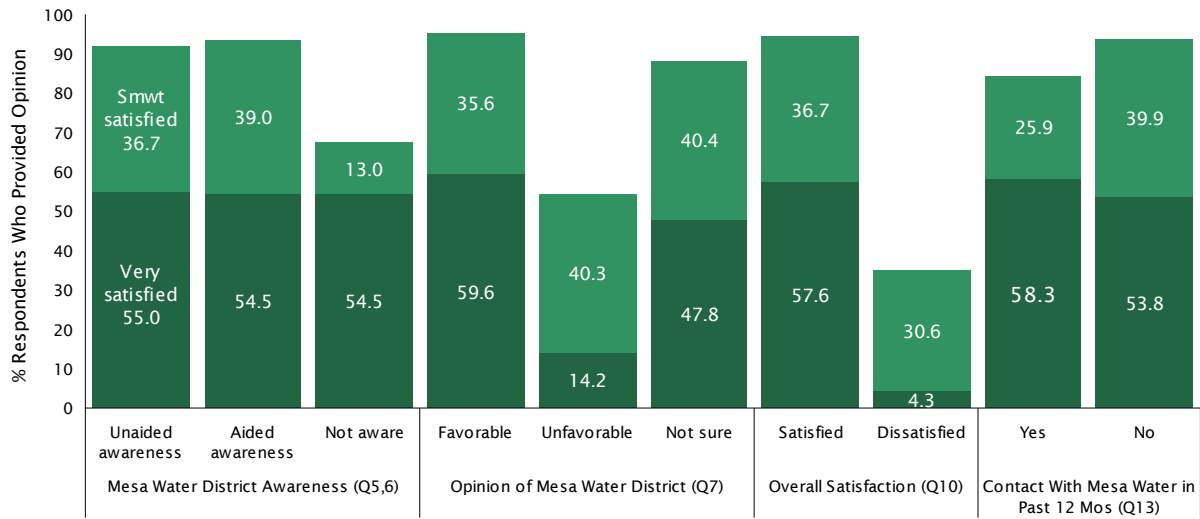


FIGURE 32 SATISFACTION WITH MESA WATER’S COMMUNICATION EFFORTS BY MESA WATER DISTRICT AWARENESS, OPINION OF MESA WATER DISTRICT, OVERALL SATISFACTION & CONTACT WITH MESA WATER IN PAST 12 MONTHS



COMMUNICATION PREFERENCES The final substantive question in the survey presented respondents with each of the methods shown on the left of Figure 33 and asked if each would be an effective way for Mesa Water to communicate with them. Overall, respondents cited postcards mailed to their house (76% very or somewhat effective) and newsletters mailed to their house (75%) as the most effective methods, followed by email (72%) and information inserted into their water bill envelope (67%). At the other end of the spectrum, social media was perceived to be the least effective way for Mesa Water to communicate with residents (33%).

Question 19 *As I read the following ways that the Mesa Water District can communicate with residents, I'd like to know if you think they would be a very effective, somewhat effective, or not at all effective way for the District to communicate with you.*

FIGURE 33 EFFECTIVENESS OF MESA WATER DISTRICT COMMUNICATION EFFORTS

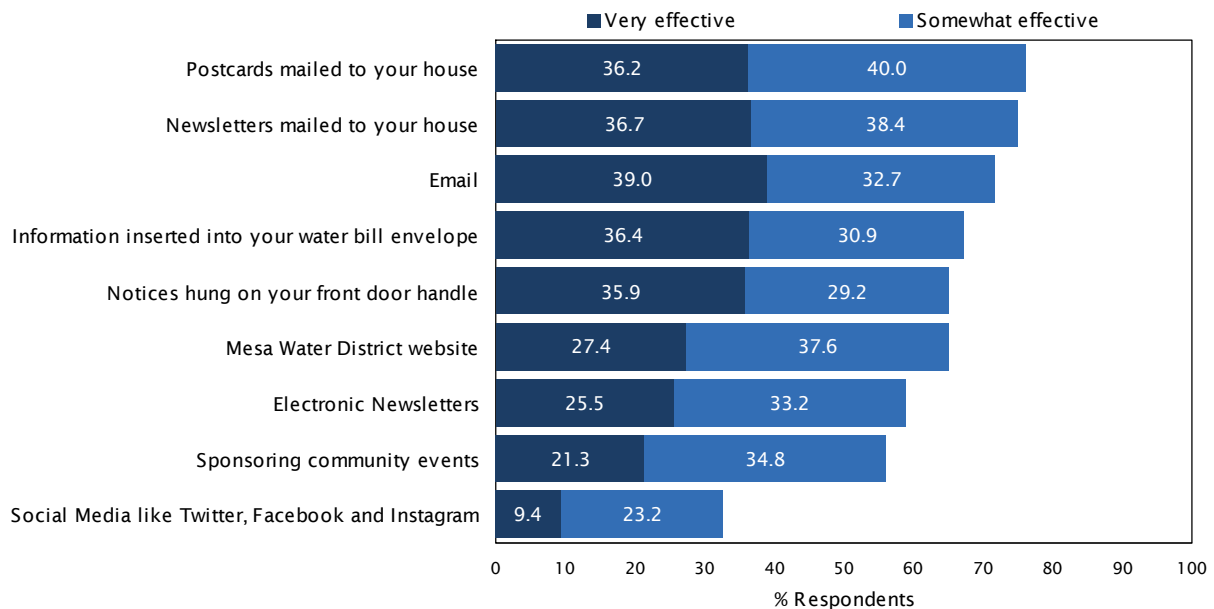


Table 8 displays the percentage of respondents that considered each of the communication methods as effective in 2021 compared with 2020. There were two statistically significant increases found for the perceived effectiveness of email (+5%) and postcards mailed to their house (+4%).

TABLE 8 EFFECTIVENESS OF MESA WATER DISTRICT COMMUNICATION EFFORTS BY STUDY YEAR

	Study Year			Change in Very + Smwt Effective 2020 to 2021
	2021	2020	2019	
Email	71.7	67.0	72.3	+4.7†
Postcards mailed to your house	76.2	71.8	71.7	+4.4†
Electronic Newsletters	58.8	55.1	61.0	+3.6
Notices hung on your front door handle	65.1	62.0	63.9	+3.1
Mesa Water District website	65.0	62.7	60.8	+2.3
Newsletters mailed to your house	75.0	73.1	70.0	+2.0
Information inserted into your water bill envelope	67.3	66.1	67.2	+1.2
Sponsoring community events	56.1	55.9	59.1	+0.2
Social Media like Twitter, Facebook and Instagram	32.6	36.8	41.0	-4.2

† Statistically significant change (p < 0.05) between the 2020 and 2021 studies.

For the interested reader, tables 10-11 display the percentage of respondents who rated each proposed communication method as *very effective* by their age, awareness of Mesa Water, overall satisfaction with communication, service area, and survey language, with the top three most effective methods within each subgroup highlighted in green to ease comparisons.

TABLE 9 EFFECTIVENESS OF COMMUNICATION METHODS BY OVERALL AND AGE (SHOWING % VERY EFFECTIVE)

	Overall	Age (QD1)					
		18 to 24	25 to 34	35 to 44	45 to 54	55 to 64	65 or older
Email	39.0	27.3	42.0	43.3	46.4	37.9	33.8
Newsletters mailed to your house	36.7	29.9	29.9	29.3	33.9	43.6	44.5
Information inserted into water bill envelope	36.4	33.8	28.8	17.6	39.3	39.1	50.3
Postcards mailed to your house	36.2	22.3	22.0	35.9	34.7	44.1	41.9
Notices hung on your front door handle	35.9	20.3	38.6	42.6	42.1	29.3	33.2
Mesa Water District website	27.4	5.3	25.6	29.1	29.7	31.5	27.7
Electronic Newsletters	25.5	20.5	28.1	21.1	32.8	27.3	22.8
Sponsoring community events	21.3	13.2	8.6	26.1	25.8	19.4	24.4
Social Media like Twitter, Facebook, Instagram	9.4	9.3	9.2	12.4	10.8	6.9	8.1

TABLE 10 EFFECTIVENESS OF COMMUNICATION METHODS BY MESA WATER DISTRICT AWARENESS & SATISFACTION WITH COMMUNICATION (SHOWING % VERY EFFECTIVE)

	Mesa Water District Awareness (Q5,6)			Satisfaction With Communication (Q18)		
	Unaided awareness	Aided awareness	Not aware	Satisfied	Dissatisfied	Not sure
Email	38.8	36.9	63.4	40.8	34.1	31.6
Newsletters mailed to your house	38.9	33.4	40.0	42.5	13.4	10.8
Information inserted into water bill envelope	31.3	41.1	58.2	40.4	13.0	22.1
Postcards mailed to your house	34.1	38.7	38.7	40.5	25.4	11.8
Notices hung on your front door handle	34.8	35.7	52.2	38.6	32.8	18.5
Mesa Water District website	27.8	25.3	43.6	31.1	15.4	9.5
Electronic Newsletters	24.3	25.6	40.9	29.3	4.4	13.4
Sponsoring community events	21.6	18.8	41.9	24.0	13.6	6.9
Social Media like Twitter, Facebook, Instagram	10.8	7.5	10.6	10.1	2.4	10.6

TABLE 11 EFFECTIVENESS OF COMMUNICATION METHODS BY SERVICE AREA & SURVEY LANGUAGE (SHOWING % VERY EFFECTIVE)

Methods	Service Area					Survey Language	
	Division 1	Division 2	Division 3	Division 4	Division 5	English	Spanish
Email	40.6	38.7	34.3	38.8	42.7	40.0	20.6
Newsletters mailed to your house	33.8	37.4	36.6	36.8	38.7	36.6	37.7
Information inserted into water bill envelope	37.6	39.9	33.5	32.4	38.6	36.0	44.3
Postcards mailed to your house	35.7	43.3	32.6	37.5	31.9	37.4	13.6
Notices hung on your front door handle	38.8	41.9	37.8	29.0	32.0	36.0	33.9
Mesa Water District website	26.6	30.7	27.6	21.9	30.2	26.4	46.0
Electronic Newsletters	29.1	23.9	22.7	28.1	23.9	25.9	18.9
Sponsoring community events	27.4	23.4	18.8	20.1	16.7	20.5	35.6
Social Media like Twitter, Facebook, Instagram	11.4	9.5	7.2	4.5	14.4	9.1	14.0



BACKGROUND & DEMOGRAPHICS

TABLE 12 DEMOGRAPHICS OF SAMPLE BY STUDY YEAR

	Study Year		
	2021	2020	2019
<i>Total Respondents</i>	<i>810</i>	<i>808</i>	<i>804</i>
Age (QD1)			
18 to 24	4.9	6.1	7.5
25 to 34	12.9	13.8	13.5
35 to 44	19.6	14.0	12.4
45 to 54	16.8	14.9	15.5
55 to 64	20.0	21.1	21.2
65 or older	23.8	27.8	28.0
Prefer not to answer	1.9	2.4	1.9
Home Ownership Status (QD2)			
Own	70.7	74.2	72.5
Rent/Live w/others	26.6	24.7	24.2
Prefer not to answer	2.7	1.1	3.3
Water Bill Responsibility (QD3)			
Hsld pays bill	77.6	76.4	75.5
Someone else pays bill	21.3	21.4	21.2
Note sure / Prefer not to answer	1.1	2.1	3.3
Home Type (QD4)			
Single family	66.8	64.2	60.5
Apartment	12.7	12.8	14.2
Condo, townhome	19.0	18.2	19.6
Mobile home	1.5	2.5	3.4
Prefer not to answer	0.0	2.3	2.3
Service Area			
Division 1	20.0	20.0	20.0
Division 2	20.0	20.0	20.0
Division 3	20.0	20.0	20.0
Division 4	20.0	20.0	20.0
Division 5	20.0	20.0	20.0

Table 12 presents the key demographic information collected during the survey by study year. The primary motivation for collecting the background and demographic information was to provide a better insight into how the results of the substantive questions of the survey vary by demographic characteristics.



M E T H O D O L O G Y

The following sections outline the methodology used in the study, as well as the motivation for using certain techniques.

QUESTIONNAIRE DEVELOPMENT Dr. McLarney of True North Research worked closely with the Mesa Water District to develop a questionnaire that covered the topics of interest and avoided many possible sources of systematic measurement error, including position-order effects, wording effects, response-category effects, scaling effects, and priming. Several questions included multiple individual items. Because asking items in a set order can lead to a systematic position bias in responses, items were asked in random order for each respondent.

Some questions asked in this study were presented only to a subset of respondents. For example, only respondents who indicated that they knew the name of the agency responsible for providing water services to their home (Question 4) were asked to name the agency (Question 5). The questionnaire included with this report (see *Questionnaire & Toplines* on page 43) identifies the skip patterns used during the interview to ensure that each respondent received the appropriate questions.

PROGRAMMING, PRE-TEST & TRANSLATION Prior to fielding the survey, the questionnaire was CATI (Computer Assisted Telephone Interviewing) programmed to assist interviewers when conducting the phone interviews. The CATI program automatically navigates the skip patterns, randomizes the appropriate question items, and alerts interviewers to certain types of keypunching mistakes should they happen during the interview. The survey was also programmed into a passcode-protected online survey application to allow online participation for sampled residents. The integrity of the questionnaire was pre-tested internally by True North and by dialing into random homes in the Mesa Water District's service area prior to formally beginning the survey. The final questionnaire was also professionally translated into Spanish to allow for data collection in English and Spanish.

SAMPLE, RECRUITING & DATA COLLECTION Using a combination of public and private data sources, a comprehensive database of households within the Mesa Water District's service area was developed and utilized for this study, ensuring that all households in the service area had the opportunity to participate in the survey. To accommodate Mesa Water's interest in focusing on residential customers who own their homes (as opposed to renters whose landlord often receives and pays the water bill), the survey oversampled home owners in each of Mesa Water's five divisions, and the final data was weighted to 75% home owners and 25% renters in each division.

Households were recruited to participate in the survey through multiple recruiting methods. A random selection of residents were initially invited to participate in the survey online at a secure, passcode-protected website designed and hosted by True North. Individuals were recruited using email invitations and text invitations, and each was assigned a unique passcode to ensure that only residents in Mesa Water's service area who received an invitation could access the online survey site, and that the survey could be completed only one time per passcode. Email reminder notices were also sent to encourage participation among those who had yet to take the survey. Following a period of online data collection, True North began placing calls to land lines and cell

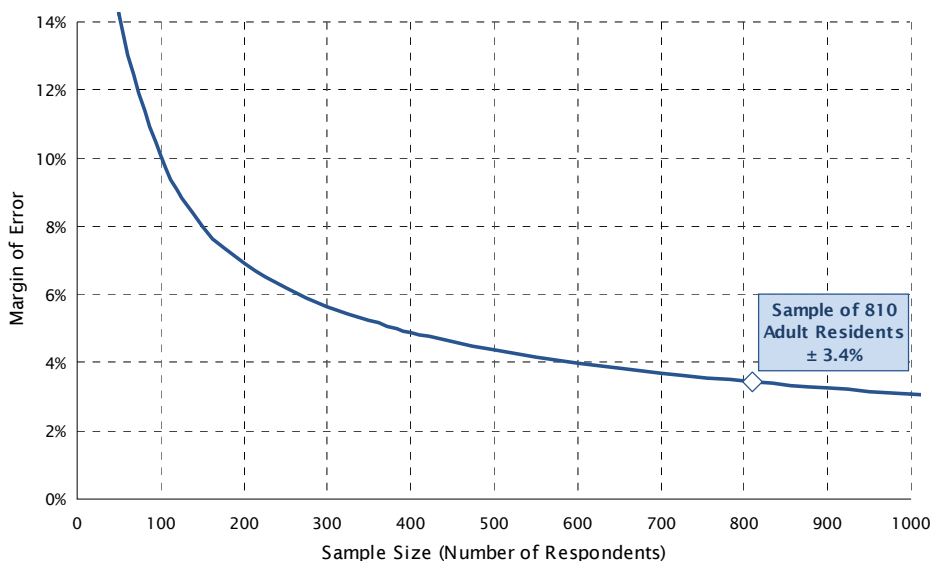
phone numbers of households in Mesa Water’s service area that had yet to participate in the online survey.

Phone interviews averaged 16 minutes in length and were conducted during weekday evenings (5:30PM to 9PM) and on weekends (10AM to 5PM). It is standard practice not to call during the day on weekdays because most working adults are unavailable and thus calling during those hours would bias the sample. A total of 810 completed surveys were gathered online (n=316) and by phone (n=494) in English and Spanish between July 30 and August 1, 2021.

MARGIN OF ERROR DUE TO SAMPLING The results of the survey can be used to estimate the opinions of all adult residents (and their households) within the Mesa Water District’s service area. Because not every adult resident in the service area participated in the survey, however, the results have what is known as a statistical margin of error due to sampling. The margin of error refers to the difference between what was found in the survey of 810 adult residents for a particular question and what would have been found if all adult residents in the service area had been interviewed.

Figure 34 provides a plot of the *maximum* margin of error in this study. The maximum margin of error for a dichotomous percentage result occurs when the answers are evenly split such that 50% provide one response and 50% provide the alternative response. For this survey, the maximum margin of error is $\pm 3.4\%$ for questions answered by all 810 respondents.

FIGURE 34 MAXIMUM MARGIN OF ERROR



Within this report, figures and tables show how responses to certain questions varied by demographic characteristics such as age of the respondent and home ownership status. Figure 34 is thus useful for understanding how the maximum margin of error for a percentage estimate will grow as the number of individuals asked a question (or in a particular subgroup) shrinks. Because the margin of error grows exponentially as the sample size decreases, the reader should use caution when generalizing and interpreting the results for small subgroups.

DATA PROCESSING Data processing consisted of checking the data for errors or inconsistencies, coding and recoding responses, categorizing verbatim responses, and preparing frequency analyses and crosstabulations.

ROUNDING Numbers that end in 0.5 or higher are rounded up to the nearest whole number, whereas numbers that end in 0.4 or lower are rounded down to the nearest whole number. These same rounding rules are also applied, when needed, to arrive at numbers that include a decimal place in constructing figures and tables. Occasionally, these rounding rules lead to small discrepancies in the first decimal place when comparing tables and charts for a given question. Due to rounding, some figures and narrative include numbers that add to more than or less than 100%.

QUESTIONNAIRE & TOPLINES



Mesa Water District
Customer Opinion Survey
Final Toplines (n=810)
August 2021

Section 1: Introduction to Study

Hi, may I please speak to: _____. Hi, my name is _____ and I'm calling on behalf of TNR, an independent public opinion research company. We're conducting a survey about important issues in Costa (Coast-uh) Mesa, Newport Beach, and nearby Orange County areas and we would like to get your opinions.

If needed: This is a survey about community issues – I'm NOT trying to sell anything and I won't ask for a donation.

If needed: The survey should take about 12 minutes to complete.

If needed: If now is not a convenient time, can you let me know a better time so I can call back?

Section 2: Screener

SC1	Before we begin, are you at least 18 years of age?	
	1 Yes	Continue
	2 No	Ask to speak to an adult in the household if land line. Otherwise Terminate.
	99 Not sure / Prefer not to answer	Terminate

Section 3: Importance of Issues

Q1	To begin, what do you feel is the most important issue facing your community today? Verbatim responses recorded and later grouped into categories shown below.	
	Homeless issues	37%
	Safety, crime, drugs	20%
	Not sure, nothing comes to mind	11%
	COVID-19 issues	10%
	Affordable housing	7%
	Overdevelopment	5%
	Traffic congestion	5%
	Climate change, environment	4%
	Government issues, leadership	4%
	Immigration issues	2%
	Parking issues	2%
	Racial inequality, diversity concerns	2%
	Too many sober homes	2%
	Education issues	2%
	Political division	2%
	High cost of living	2%
	Economy, jobs	1%

Mesa Water District

8/17/2021

City beautification, landscaping	1%
High taxes, fees	1%
Water issues	1%
Nothing, everything is okay	1%
Infrastructure, streets, roads	1%
Government budgeting, spending	1%
Voting rights	1%
Traffic law enforcement	1%
Stronger judicial sentencing, more criminal accountability	1%

Section 4: Water Reliability

Next, I'm going to ask you a few questions about drinking water supplies.

Q2 A **reliable** water supply is one that can be depended upon to consistently provide enough water to meet a region's needs.

Overall, how reliable do you think your household's water supply is going to be over the next five years? Do you think it will be very reliable, somewhat reliable, somewhat unreliable, or very unreliable?

1	Very reliable	47%
2	Somewhat reliable	38%
3	Somewhat unreliable	6%
4	Very unreliable	4%
98	Not sure	5%
99	Prefer not to answer	0%

Q3 Thinking of the water your household receives, which of the following statements do you think is accurate: _____ OR _____? *Rotate Statements*

1	100% of the water is produced locally	19%
2	Some of the water is imported from Northern California and the Colorado River	58%
98	Not sure	22%
99	Prefer not to answer	1%

Section 4: Awareness & Opinions of Mesa Water

Q4 Do you happen to know which agency is responsible for providing water services to your home?

1	Yes	82%	Ask Q5
2	No	18%	Skip to Q6
99	Prefer not to answer	1%	Skip to Q6

Q5	What is the name of the agency? Verbatim responses recorded and later grouped into categories shown below.		
	Mesa Water District		70%
	Costa Mesa Water District		15%
	Mesa Consolidated Water District / MCWD		6%
	Newport Beach Utilities		2%
	Other (unique responses)		2%
	Irvine Ranch Water District		1%
	Metropolitan Water		1%
	Orange County Water District		1%
	Not sure / Cannot remember		1%
Q6	Prior to taking this survey, had you heard of the Mesa Water District ?		
	1	Yes	96%
	2	No	3%
	99	Prefer not to answer	1%
Q7	To clarify, the Mesa Water District is the independent public agency responsible for providing water services to your household. In general, do you have a favorable or unfavorable opinion of the Mesa Water District – or do you not have an opinion either way? <i>If favorable or unfavorable, ask: Would that be very (favorable/unfavorable) or somewhat (favorable/unfavorable)?</i>		
	1	Very favorable	37% <i>Skip to Q9</i>
	2	Somewhat favorable	34% <i>Skip to Q9</i>
	3	Somewhat unfavorable	5% <i>Ask Q8</i>
	4	Very unfavorable	3% <i>Ask Q8</i>
	98	No opinion	21% <i>Skip to Q9</i>
	99	Prefer not to answer	1% <i>Skip to Q9</i>
Q8	Is there a particular reason why you have an <u>unfavorable</u> opinion of the Mesa Water District? Verbatim responses recorded and later grouped into categories shown below.		
	High rates, billing issues		49%
	Water quality, taste, smell		27%
	Customer service issues		10%
	Fiscal management, budgeting concerns		7%
	Excessive salaries, pensions, compensation		2%
	Not sure, no particular reason		2%

Q9	Next, I'm going to read a series of words or phrases. For each I read, I'd like you to tell me whether - in your opinion - it accurately describes the Mesa Water District. 'Yes' means you think the phrase does accurately describe the Mesa Water District. No means it does not. If you don't have an opinion, just say so.					
	Here is the (first/next) one: _____. Do you think this phrase accurately describes the Mesa Water District?					
		<i>Randomize</i>	Yes	No	No Opinion	Prefer not to answer
	A	Trustworthy	62%	7%	28%	3%
	B	Fiscally responsible	45%	9%	45%	1%
	C	Beneficial to the local economy	60%	7%	31%	2%
D	Involved in the community	50%	10%	38%	2%	
E	Efficient	68%	5%	25%	2%	

Section 5: Satisfaction with Water Services

Q10	Generally speaking, are you satisfied or dissatisfied with the job the Mesa Water District is doing to provide water services to your household? <i>Get answer, then ask: Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?</i>							
	1	Very satisfied	59%					
	2	Somewhat satisfied	34%					
	3	Somewhat dissatisfied	2%					
	4	Very dissatisfied	3%					
	98	Not sure	1%					
	99	Prefer not to answer	1%					
Q11	Next, I'm going to read a list of specific services provided by the Mesa Water District. For each of the services I read, please tell me whether you are satisfied or dissatisfied with the District's efforts to provide the service.							
	Are you satisfied or dissatisfied with the District's efforts to: _____, or do you not have an opinion? <i>Get answer. If 'satisfied' or 'dissatisfied', then ask: Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?</i>							
		<i>Randomize</i>	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Very Dissatisfied	Not sure	Prefer not to Answer
	A	Protect the water supply from contamination and pollutants	43%	23%	3%	2%	28%	1%
	B	Ensure an adequate water supply now and in the future	44%	26%	3%	2%	24%	1%
	C	Educate customers about ways to conserve water	45%	30%	9%	3%	12%	1%
D	Keep the water system in good condition through timely repairs and maintenance	47%	22%	3%	2%	24%	1%	

Mesa Water District

8/17/2021

E	Provide reliable water service	71%	22%	2%	1%	3%	1%
F	Communicate with customers about scheduled repairs, service disruptions and other water-related issues	45%	24%	5%	4%	21%	1%
G	Provide water that tastes good	44%	30%	10%	6%	8%	2%
H	Provide water that is safe to drink	60%	21%	4%	3%	10%	1%
I	Provide water that is free of color and odor	65%	22%	5%	3%	3%	1%
J	Provide sufficient water pressure	67%	21%	4%	3%	3%	1%
K	Offer good value for the cost of water services	35%	32%	10%	7%	13%	2%
L	Provide good customer service	50%	26%	4%	3%	16%	1%
M	Provide rebate programs that encourage customers to purchase water-efficient appliances	23%	20%	9%	9%	37%	2%
N	Provide convenient hours of operation	46%	26%	3%	3%	21%	1%
O	Provide accurate billing statements	61%	26%	3%	3%	6%	1%
Q12	At your home, do you primarily drink water straight from the faucet, filtered water from the faucet, or bottled water?						
	1	Straight from faucet		16%			
	2	Filtered water from faucet		57%			
	3	Bottled water		25%			
	98	Not sure		1%			
	99	Prefer not to answer		1%			

Section 6: Customer Service

Q13	In the past 12 months, have you contacted the Mesa Water District for any reason?		
	1	Yes	22% Ask Q14
	2	No	76% Skip to Q18
	98	Not sure	2% Skip to Q18
	99	Prefer not to answer	0% Skip to Q18
Q14	For what reason did you contact the District? <i>Do Not Read List. Record up to first 3 responses.</i>		
	1	Problem with water service (leak, disruption of service, quality, etc.)	21%
	2	Request start/stop of service	29%
	3	Questions about billing/payments	42%
	4	Make payment/Pay bill	19%
	5	Find out how to save water/reduce bill	4%

6	Learn about/Participate in rebate program	6%	
7	Learn about/Participate in water conservation programs	4%	
8	Learn about/Participate in gardening /landscaping classes	2%	
9	Other	4%	
98	Not sure	1%	
99	Prefer not to answer	1%	
Q15	Was the reason you contacted them resolved to your satisfaction?		
1	Yes	84%	Skip to Q17
2	No	10%	Ask Q16
98	Not sure	6%	Skip to Q17
99	Prefer not to answer	1%	Skip to Q17
Q16	Can you briefly explain why it wasn't solved to your satisfaction? Verbatim responses shown for dissatisfied respondents who provided a reason.		
	<i>I am enrolled in paperless auto payment. I received a paper bill. I still receive a paper bill even though my account is paid with an automatic debit from my bank account.</i>		
	<i>I wanted to see if they would check for leaks. They said they would not check. It was due to my bill amount.</i>		
	<i>It is because of my extraordinarily high bill for several months. They could not explain why.</i>		
	<i>Never received a call back on increase in billing.</i>		
	<i>They couldn't do anything to adjust the water pressure</i>		
	<i>They didn't respond in a timely manner. The representative was extremely rude. The technician never got back to us.</i>		
	<i>They don't care how much they charge. You either pay it or put it. They don't want to resolve any issues. My bill doubled and we were gone for most of the month.</i>		
	<i>They just explained that we did not have a sufficient water supply. That is for how much the water costs today.</i>		
	<i>They left a note that stated they could cut off our water if we didn't give them our phone numbers.</i>		
	<i>They said that I used more water, and I had to pay my bill.</i>		

Q17	When contacting the Water District, were you satisfied or dissatisfied with _____, or do you not have an opinion? (Get answer. If 'satisfied' or 'dissatisfied', then ask): Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?	Very Satisfied	Somewhat Satisfied	Somewhat Dissatisfied	Very Dissatisfied	Not sure	Prefer not to Answer
	<i>Randomize</i>						
A	Your ability to reach a service representative	62%	26%	6%	3%	3%	1%
B	The courtesy of the service representative	70%	19%	5%	3%	2%	1%
C	The knowledge and expertise of the service representative	62%	22%	8%	3%	4%	1%

Section 7: Communication

Q18	In general, are you satisfied or dissatisfied with the District's efforts to communicate with customers through direct mail, newsletters, social media, and other means? Get answer, then ask: Would that be very (satisfied/dissatisfied) or somewhat (satisfied/dissatisfied)?					
	1	Very satisfied	49%			
	2	Somewhat satisfied	33%			
	3	Somewhat dissatisfied	5%			
	4	Very dissatisfied	3%			
	98	Not sure	10%			
	99	Prefer not to answer	1%			
Q19	As I read the following ways that the Mesa Water District can communicate with residents, I'd like to know if you think they would be a very effective, somewhat effective, or not at all effective way for the District to communicate with you.					
	<i>Randomize</i>		Very	Somewhat	Not at all	Not sure / Prefer not to answer
A	Email	39%	33%	17%	11%	
B	Electronic Newsletters	26%	33%	27%	14%	
C	Social Media like Twitter, Facebook and Instagram	9%	23%	46%	21%	
D	Mesa Water District website	27%	38%	25%	10%	
E	Newsletters mailed to your house	37%	38%	19%	6%	
F	Information inserted into your water bill envelope	36%	31%	23%	10%	
G	Postcards mailed to your house	36%	40%	17%	7%	
H	Notices hung on your front door handle	36%	29%	24%	11%	
I	Sponsoring community events	21%	35%	27%	17%	

Section 8: Background & Demographics

Thank you so much for your participation. I have just a few background questions for statistical purposes.

D1	In what year were you born? Year recorded and grouped into categories shown below.	
	18 to 24	5%
	25 to 34	13%
	35 to 44	20%
	45 to 54	17%
	55 to 64	20%
	65 or older	24%
	Prefer not to answer	2%
D2	Do you own or rent your current residence?	
	1 Own	71%
	2 Rent	26%
	3 Live with family / friends and don't pay rent	1%
	99 Prefer not to answer	3%
D3	Does your household pay the water bill directly, or is it paid for by someone else like a landlord or Homeowner's Association?	
	1 Household pays bill directly	78%
	2 Someone else pays bill	21%
	98 Not sure	0%
	99 Prefer not to answer	1%
D4	Which of the following best describes your current home?	
	1 Single family detached home	67%
	2 Apartment	13%
	3 Condominium or townhome	19%
	4 Mobile home	1%
	99 Prefer not to answer	0%
Those are all of the questions that I have for you! Thanks so much for participating in this important survey!		

<i>Post-Interview & Sample Items</i>		
S1	Service Area	
	1	Division 1
		20%
	2	Division 2
		20%
	3	Division 3
		20%
	4	Division 4
		20%
	5	Division 5
		20%
S2	Survey Language	
	1	English
		95%
	2	Spanish
		5%



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Board of Directors
FROM: Kurt Lind, Business Administrator
DATE: October 13, 2021
SUBJECT: Rules and Regulations for Water Service

RECOMMENDATION

Adopt Resolution No. 1548 Amending Mesa Water's Rules and Regulations for Water Service Superseding Resolution No. 1527.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water and about water.
Goal #6: Provide outstanding customer service.

PRIOR BOARD ACTION/DISCUSSION

None.

BACKGROUND

Mesa Water District (Mesa Water®) periodically updates its Rules and Regulations for Water Service to reflect changes in industry practices, enhance business practices with its customers, and modify requirements based on newly enacted laws. Mesa Water's Rules and Regulations for Water Service provides the minimum requirements of how the District will provide water service to its customers, each parties rights and responsibilities, and methodology of resolving disputes.

DISCUSSION

Mesa Water recently launched Mesa Water Notify, a customized customer notification system that can provide timely and effective service notifications and outreach communications to the District's customers. During a major incident or news event, the system allows staff to send alert messages via text, email and recorded voice message. Mesa Water customers will be automatically registered in the notification database with the option to opt out.

The following is the proposed amendment to Mesa Water's existing Rules and Regulations for Water Service:

Section 3.2 New Accounts and Service Establishment – This section was updated to add language regarding Mesa Water's use of communication software to deliver timely service and community information to its customers.

LEGAL REVIEW

Mesa Water's Legal Counsel – Atkinson, Andelson, Loya, Ruud, and Romo – has reviewed the draft resolution and recommends Board approval.



FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Draft Resolution No. 1548
Attachment B: Resolution No. 1527, Redline

RESOLUTION NO. 1548

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING THE RULES AND REGULATIONS FOR WATER SERVICE SUPERSEDING RESOLUTION NO. 1527

WHEREAS, Mesa Water District (Mesa Water®) is a county water district organized and operating pursuant to the provisions of the laws of the State of California (State or California); and

WHEREAS, Mesa Water has established its Rules and Regulations for Water Service (Rules and Regulations) concerning the sale, distribution and use of water, and related matters, pursuant to the provisions of California Water Code Sections 31000, 31001 and 31024; and

WHEREAS, the Mesa Water Board of Directors (Board) has determined that it is appropriate at this time to provide for certain amendments to the Rules and Regulations; and

WHEREAS, the Board has determined to adopt this Resolution to provide for such amendments to the Rules and Regulations and take related actions.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Rules and Regulations are amended as set forth in Attachment A to this Resolution, which is incorporated herein by this reference. The amendments to the Rules and Regulations shall be effective immediately upon the adoption of this Resolution by the Board.

Section 2. Except as set out in Section 1, above, the Rules and Regulations are not otherwise amended or revised.

Section 3. Mesa Water Resolution No. 1527 is superseded by the adoption of this Resolution.

Section 4. Mesa Water employees and consultants are authorized to take such other and further action(s) as are necessary or desirable to carry out the directives of this Resolution.

ADOPTED, SIGNED AND APPROVED this 13th day of October 2021 by the following roll call vote.

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

Marice H. DePasquale
President, Board of Directors

Denise Garcia
District Secretary

DRAFT

RESOLUTION NO. 1548

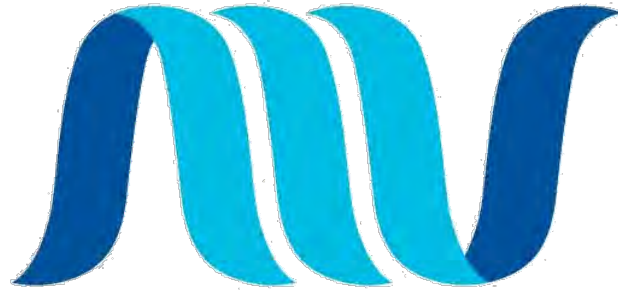
ATTACHMENT A

**RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING THE RULES AND REGULATIONS FOR WATER SERVICE
SUPERSEDING RESOLUTION NO. 1527**

Rules and Regulations for Water Service

Amended October 13, 2021

DRAFT



MesaWater
DISTRICT®

Rules and Regulations for Water Service

Adopted on October 13, 2021

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SECTION 1 – GENERAL

1.1 INTRODUCTION

Mesa Water District (Mesa Water®) was formed on January 1, 1960, under the provisions of the Costa Mesa Merger Law being Water Code Sections 33200 and following, a special act of the California Legislature, which was enacted in 1959. Mesa Water District is a county water district operating pursuant to the County Water District Law. The Board, as authorized by Sections 31000, 31001, 31024, and 31025 of the Water Code, has established these Rules and Regulations for the sale, distribution and use of Water.

Mesa Water provides Water Service to all Applicants, subject to the availability of Water and the facilities necessary to provide the service, conditional upon receipt of all required Fees and Charges and in accordance with these Rules and Regulations.

All terms, conditions, Rates and requirements contained herein are subject to change by actions of the Board.

1.2 DEFINITIONS

Whenever the following terms, or pronouns used in their place, occur in these Rules and Regulations, or in any documents that these Rules and Regulations govern, the intent and meaning shall be interpreted as follows:

AFSSC – shall mean Automatic Fire Sprinkler Service Connection for the dedicated fireline Service Connections.

Air–Gap Separation – shall mean a physical separation between the free flowing discharge end of a Water supply pipeline and an open or non-pressure receiving vessel. The separation shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel, and in no case less than one inch. The design shall be to the satisfaction of the General Manager or the General Manager’s Designee(s) and the Appropriate Regulatory Agencies.

Applicant – shall mean any person, persons, firm, corporation, association or agency that desires and applies to obtain Water Service from Mesa Water.

Application for New Service Form – shall mean a contractual agreement applied for by a person, persons, firm, corporation, association or agency who desires to install, remove, alter or replace, or cause to be installed, removed, altered, or replaced, any Water facility or appurtenance.

Application for New Service Permit – shall mean the Application for New Service Form becomes a permit when approved and validated by Mesa Water.

Application for Temporary Water Service – shall mean a contractual agreement applied

for by a person, persons, firm, corporation, association or agency who desires to obtain temporary Water Service for use during construction.

Appropriate Regulatory Agencies – shall mean those public agencies legally constituted to protect the public health and Water quality such as, but not limited to, the California Department of Health Services, the Santa Ana Regional Water Quality Control Board, the Orange County Health Care Agency and the City of Costa Mesa Building and Safety Department.

Approved Use – shall mean an application of Recycled Water in a manner, and for a purpose, designated in a User Agreement or Water Service Agreement issued by Mesa Water and in compliance with any and all appropriate regulatory agency requirements.

Approved Use Area – shall mean a site, with well-defined boundaries, designated in a User Agreement or Water Service Agreement issued by Mesa Water to receive Recycled Water for an Approved Use and acknowledged by the Appropriate Regulatory Agencies.

AWWA – shall mean American Water Works Association.

AWWA Guidelines – shall mean the latest versions of “*Guidelines for Distribution of Non-Potable Water*” and “*Guidelines for the On-site Retrofit of Facilities Using Disinfected Tertiary Recycle Water*” as put out by the California-Nevada Section of the American Water Works Association.

Backflow – shall mean the flow of Water or other liquids, mixtures, gases or any other substances into the distribution pipes of the Potable Water System from any source or sources other than Mesa Water’s sources.

Backflow Prevention Assembly – shall mean a specially designed and certified Reduced Pressure Principle Backflow Prevention Assembly and the Double Check Valve Assembly, that is used in protecting the Potable Water System from contamination that originated downstream of the assembly.

Basic Charge – shall mean a fixed Rate or charge imposed by Mesa Water for readiness-to-serve Water on a periodic basis based on meter or service size, as applicable, as set forth in the Water Rate and Charge Schedule.

Billing Unit – shall mean the unit of Water used to apply Water Rates for purposes of calculating Water Charges for Water usage. Mesa Water’s Billing Unit is currently equal to 100 cubic feet of Water.

Board or Board of Directors – shall mean the elected Board of Directors of the Mesa Water District.

Business Day – shall mean Monday – Friday 8:00 a.m. to 5:00 p.m. excluding holidays.

Capacity Charge – shall mean a Fee or Charge charged to an Applicant in connection with an Application for New Service Permit, for an increase in demand for Potable Water Service. A Capacity Charge shall be charged for property not previously served by Mesa Water or property with an existing Water Service requiring an increase in demand for Water Service.

Charges – shall mean the accumulation of any and all applicable Fees, Rates, Basic Charge(s), Usage Charge(s), and other amounts due pursuant these Rules and Regulations, or as otherwise directed by Mesa Water, chargeable to the Customer of Record or other person or party, as shall be applicable.

Construction Use – shall mean an Approved Use of Water to support construction activities such as soil compaction and dust control.

Contractor – shall mean the party entering into contract with the Applicant for performance of the work for which Mesa Water issues a Permit. The Applicant and the Contractor may or may not be one and the same.

County of Orange Health Care Agency, Department of Environmental Health (OCHCA) – shall mean the local health agency responsible for onsite public health issues covering Mesa Water’s service area.

County of Orange Department of Public Health (OCDPH) – See County of Orange Health Care Agency, Department of Environmental Health (OCHCA).

Cross Connection – shall mean any unprotected, actual or potential connection between any part of a Potable Water System used to supply Water for drinking purposes and any source or system containing Water or substance that is not or cannot be approved by Mesa Water as safe, wholesome and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover device(s), or other device(s) through which Backflow could occur, shall be considered to be Cross Connections.

Customer – shall mean any person, persons, firm, corporation, association or agency receiving Water or services from Mesa Water.

Customer Agent – shall mean any person, persons, firm, corporation, association, or agency that has power of attorney or other written authorization from the Customer of Record, provided to Mesa Water, to act on their behalf.

Customer Control Valve – shall mean a valve meeting the requirements of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities, installed on the outlet side of a Water meter.

Customer of Record – shall mean the person or persons, firm, corporation, association or agency that has entered into a contractual agreement with Mesa Water for Water Service. The contractual agreement may include the Application for New Service permit,

the Water Service Agreement, the Application for Temporary Water Service Permit, and a request for service received at Mesa Water by phone, mail or in person. The Customer and Customer of Record may or may not be one and the same. The Customer of Record is responsible for payment of all monies owed on accounts for which the Customer of Record has entered into a contractual agreement.

Customer Records – shall mean records described within California Government Code Section 6254.16.

DC or DCV – shall mean a Double Check Valve Assembly, which is a Backflow Prevention Assembly used to protect against a non-health hazard (pollutant).

DCDA – shall mean a Double Check Detector Assembly with a parallel meter arrangement, equipped with an approved Double Check Valve Assembly, to detect unauthorized use of Water.

Delinquent Fee – shall mean a Fee assessed on any bill or invoice in which the payment was not received by the due date, as set forth in the Water Rate and Charge Schedule.

Deposit – shall mean any money held by Mesa Water for the purpose of guaranteeing payment of money owed to the District for the costs of service. Deposits are applicable only to the account(s) for which such money was collected. Deposits are refunded only to the Customer of Record, unless the deposit or has made a written request and has received permission from Mesa Water to do otherwise.

Design Area – shall mean a site, with well-defined boundaries, proposed to receive Water for an Approved Use as delineated in an application for a User Agreement or Water Service Agreement.

Design Consultant – shall mean any person or firm registered with the State as an engineer or landscape architect to provide Water System design plans, site layout, landscaping, or irrigation system design services.

Direct Beneficial Use – shall mean the use of Recycled Water that has been transported from the point of production to the point of use without an intervening discharge to waters of the State.

Direct Overspray – shall mean any discharge of Water directly onto areas other than that for which the application of Recycled Water is approved.

District Agent or District Designee – shall mean any person, persons, firm, corporation, association, or agency that has obtained written authorization from the General Manager or Board of Directors to represent Mesa Water or act on the District’s behalf.

District Engineer – shall mean the duly approved and acting District Engineer of the Mesa Water District or an authorized designee.

District Water System – shall mean the entirety of the Mesa Water owned and controlled Water system, inclusive of the Potable Water System and Recycled Water System, inclusive of all appurtenances and attachments thereto, up to and including the Point of Connection.

Division of Drinking Water (DDW) – shall mean the primary State agency (the State Water Resources Control Board) responsible for protection of public health and the regulation of drinking Water. The California Legislature has defined several specific regulatory responsibilities of DDW related directly or indirectly to Recycled Water use activities.

Drawings – shall mean the plans, working drawings, detail drawings, profiles, typical cross sections and supplemental drawings or reproductions thereof, approved by Mesa Water, which show locations, character, dimensions or details of the work or modifications to be performed.

Due Date – shall mean the date a bill or invoice is due. If not paid by the stated Due Date a bill or invoice becomes delinquent.

Fee – shall mean any amount of money imposed or required by Mesa Water to a Customer of Record or other person or party, as applicable: (i) for Mesa Water employees to perform a service; (ii) as a penalty (which may include assessed penalties resulting from a Violation); and/or (iii) to recoup costs, each as stated in the Water Rate and Charge Schedule or other Fee schedule adopted by Mesa Water. Fees shall include, but are not limited to, those Charges imposed by Mesa Water on its Customers for services based on a fixed schedule for the particular Fee or Charge, generally not tied to a specific volume of use and thus independent of Rates. Examples of Fees include, but are not limited to, plan check and construction inspection Fees and Final Notice Fees.

Final Notice Fee(s) – shall mean a Fee assessed on any bill, after the bill has been in arrears, prior to termination of service in the event payment was not received by the due date, as stated in the Water Rate and Charge Schedule.

General Manager or Designee – shall mean the duly appointed and acting General Manager, interim General Manager or equivalent officer appointed by the Board of Directors of Mesa Water District.

General Public – shall mean any person(s) at large who may come in contact with facilities or areas where Water is approved for use.

Hose Bib – shall mean a faucet or similar device to which a common garden hose can be readily attached (California Code of Regulations Title 22 Section 60301.400).

Irrigation Use – shall mean an Approved Use of Potable Water or Recycled Water for landscape, horticultural, or agricultural irrigation. Irrigation Use for Recycled Water is defined under Title 22 of the California Code of Regulations.

Landscape Irrigation System – shall mean an irrigation system with pipes, drip hoses, spray heads, or sprinkling devices that are operated by hand or through an automated system.

Level – shall mean any building surface above or below the street grade.

Main or Mainline – shall mean Water distribution pipelines located in streets, highways, public ways or private right-of-ways used to deliver or transmit Water.

Mesa Water or District – shall mean the Mesa Water District or authorized District Agent.

Mesa Water Inspector – shall mean any person authorized by Mesa Water to perform inspections of either Onsite or Offsite facilities prior to construction, during construction, after construction and during operation.

Mesa Water Office or Office – shall mean the Mesa Water business office - currently located at 1965 Placentia Avenue, Costa Mesa, California 92627.

Non-Potable Water – shall mean Water (including Recycled Water) that is not intended for human consumption in conformance with the standards referred to in the definition of Potable Water, below, such as Potable Water downstream of an approved Backflow Prevention Assembly within an Landscape Irrigation System.

Offsite or Offsite Facilities or Offsite System – shall mean all Recycled Water Facilities and appurtenances thereto upstream of the Point of Connection.

Onsite or Onsite Facilities or Onsite System – shall mean all Recycled Water Facilities as designed, constructed, altered, repaired, replaced or restored downstream from the Point of Connection.

Owner – shall mean any holder of legal title, contract purchaser, or lessee under a lease where the tenant(s) are responsible for Water Service, of property for which Water Service has been requested or established.

Point of Connection – shall mean the location where the Offsite Water Service line connects to the Onsite System, which shall be taken at the downstream end of Mesa Water’s Customer Control Valve located on the service meter. In the absence of a Customer Control Valve, the Point of Connection will be taken at the downstream end of the service meter unless, by written agreement only, Mesa Water designates another location as the Point of Connection. Mesa Water's meter normally will be set in a location that abuts a curb line or property line of the Approved Use Area.

Point of Ownership – Mesa Water’s Point of Ownership shall end at the outlet side of the Customer Control Valve or, if in the absence of a Customer Control Valve, the outlet side of the water meter or the control valve upstream of the Backflow Assembly. By written agreement only, Mesa Water may designate another location as the ending Point of Ownership.

Ponding – shall mean the retention of Recycled Water on the surface of the ground or other natural or constructed surface for a period of time following the cessation of an approved Recycled Water use activity such that a hazard, or potential hazard, to the public health results.

Potable Water – shall mean Water that is approved for human consumption by the appropriate federal, State, and local regulatory agencies.

Potable Water System – shall mean the facilities that produce, convey, and store Potable Water.

Presentation Date or Billed Date – shall mean the date a bill or invoice is generated. The Presentation Date will generally be printed on the bill or invoice.

Purple Color – shall mean the color Pantone 512 or approved equal that is used to identify aboveground equipment using Recycled Water.

Pulled Meter – shall mean where the meter has been removed, but the service line is still in place.

Qualified Person – shall mean the Mesa Water District Engineer or other designee as assigned by the District Engineer.

Rate(s) – shall mean the Basic Charge and/or the Usage Charge, as shall be applicable.

RPDA – shall mean a line-sized approved Reduced Pressure Principle Detector Assembly with a parallel meter arrangement, equipped with an approved Reduced Pressure Principal Assembly, to detect unauthorized use of Water.

RPP or RPPD – shall mean a Reduced Pressure Principal Assembly, which is a Backflow Prevention Assembly used to protect against a non-health hazard (pollutant) or a health hazard (contaminant).

Recycled Water – shall mean Water that, as a result of treatment of wastewater, is suitable for Direct Beneficial Use or controlled use that would not otherwise occur.

Recycled Water Service – shall mean the furnishing of Recycled Water to a user, pursuant to these Rules and Regulations, through a metered connection to the Onsite Facilities.

Recycled Water System or Recycled Water Facilities – shall mean the Offsite Facilities that produce, convey, store and supply Recycled Water.

Recycled Water User – shall mean any Customer issued a User Agreement or Water Service Agreement by Mesa Water that replaces the User Agreement. The Recycled Water User and Owner may be one and the same.

Record Drawings – shall mean the design drawings that have been marked to show all construction changes for a given project to the best of available knowledge.

Rules and Regulations – shall mean these Rules and Regulations for Water Service as adopted, and as such may be amended from time to time, by Mesa Water.

Returned Item Fee – shall mean a Fee assessed to the Customer of Record for any payment that is returned by the District's or Customer of Record's financial institution or bank, in the amount set forth in the Water Rate and Charge Schedule.

Retrofit – shall mean to change or modify in part or in whole the existing plumbing of an Onsite Potable Water System in order to serve Recycled Water.

Runoff – shall mean the flow of Potable Water or Recycled Water along the surfaces of the ground or other natural or constructed surface, including, but not limited to, pedestrian walkways, streets, playground surfaces and grassy slopes.

SARWQCB – shall mean the Santa Ana Regional Water Quality Control Board.

Service Connection – shall mean the physical Point of Connection of the Customer's Water System with the Water Service facilities of the District, including the tap, line, curb stop, meter and meter box supplied by and owned by the District. Typically, the Service Connection shall be the downstream end of the Water meter tailpiece.

Service Restoration Trip Fee – shall mean a Fee assessed on any account when a Mesa Water employee arrives at the service address to restore Water Services after being terminated for non-payment, as set forth in the Water Rate and Charge Schedule.

Service Termination Trip Fee – shall mean a Fee assessed on any account when a Mesa Water employee arrives at the service address to terminate Water Services after being terminated for non-payment, as set forth in the Water Rate and Charge Schedule.

Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities – shall mean the latest version of Mesa Water's publication.

State – shall mean the State of California.

Usage Charge(s) – shall mean the charge(s) based on the amount of Water that has passed through the Point of Ownership, based on measured usage from Water meter readings, or in some cases, estimated usage.

User Agreement – shall mean the "Recycled Water User Agreement" is a contractual agreement between the user and Mesa Water that establishes the conditions for Recycled Water Service that the District may use in place of the standard Water Service Agreement.

User Supervisor – shall mean a Qualified Person designated by the user (Customer) and approved by Mesa Water who is responsible for the installation, operation, and maintenance of the user onsite facilities, the prevention of Cross Connection, and compliance with these Rules and Regulations.

Violation – shall mean non-compliance with any condition or conditions of these Rules and Regulations, User Agreement, or Water Service Agreement by any person, action or occurrence, whether willfully or by accident.

Water – shall mean all Water provided by Mesa Water for use within its service area or otherwise, and is inclusive of both Potable Water and Recycled Water.

Water Conservation Coordinator – shall mean the person (who may be an officer or employee of Mesa Water) charged with the principal enforcement of the District's Policies and Programs related to water efficiency and the conservation of water within Mesa Water's service area. The Water Conservation Coordinator may be the General Manager or the General Manager's Designee(s).

Water Quality Report – shall mean the annual Consumer Confidence Report.

Water Rate and Charge Schedule – shall mean the then current schedule of Rates, Fees, and Charges as approved by the Board of Directors.

Water Recycling Criteria – shall mean the Uniform Statewide recycling criteria established in California Code of Regulations Title 22 by DDW for each varying type of use of Recycled Water where the use involves the protection of public health (California Water Code Section 13521).

Water Service – shall mean the availability of Water as provided by the District.

Water Service Agreement – shall mean a written contractual agreement between an

Applicant and Mesa Water regarding the terms under which the District shall provide Water Service to the Applicant.

Windblown Spray – shall mean dispersed, airborne Recycled Water capable of being transmitted through the air by natural or manmade wind to locations other than that for which the direct application of Recycled Water is approved.

1.3 SERVICE AREA

Mesa Water provides Potable Water and Recycled Water Service to most of the City of Costa Mesa, parts of the City of Newport Beach and some unincorporated county areas, including the John Wayne Airport. The District's service area is on file at the Mesa Water Office. Mesa Water may only provide water or services outside of the service area through special arrangement.

1.4 SERVICE CONDITIONS

Water Service shall be available only in accordance with these Rules and Regulations, as well as applicable federal, State, and local statutes, ordinances, regulations, and contracts, and other requirements including, but not by way of limitation, the California Water Code, the California Administrative Code and regulations imposed by State and local health departments, as well as the terms of any Water Service Agreement (Refer to Appendix 6) or Permit issued by Mesa Water. Any such Permit may be revoked by Mesa Water, and there upon, all such Water Service, shall cease in the manner provided in these Rules and Regulations.

As a condition of service, Mesa Water reserves the right to require any Applicant to construct any water facility that it deems essential, including adding capacity for future use of the water facilities.

1.5 REQUESTS FOR THE RELEASE OF CUSTOMER RECORDS

Mesa Water holds various records concerning its operations, services, and Customers of Record. Mesa Water has adopted specific policies concerning certain records retained by the District concerning its Customers, which fall within the scope of California Government Code Section 6254.16. That Section provides that certain information and records are not subject to requests made for records pursuant to the provisions of the California Public Records Act (being California Government Code Section 6250 *et seq.*). Those policies and directives are set out in Mesa Water's Public Records Act Policies and are incorporated herein by this reference. Such policies were and are enacted by the Board pursuant to Water Code Sections 31000, 31001 and 31024 and shall be, and are, part of these Rules and Regulations.

1.6 ESTABLISHMENT OF RATES

In accordance with the California Water Code, the Board fixes the Water Rates and other related Fees and Charges. Periodically, the Board reviews and adjusts the Rates, Fees and Charges.

The Water Rate and Charge Schedule is available at the Mesa Water Office and is posted on the website at www.MesaWater.org.

1.7 GUIDELINES AND INTERPRETATIONS

The General Manager shall have the authority to adopt additional guidelines or generate written interpretations of these Rules and Regulations where necessary for day-to-day operations until such time as the Board chooses to act on such matter or on an indefinite basis if the matter is strictly operational. The General Manager shall make the Board aware of any day-to-day changes or adopted guidelines.

1.8 SEVERABILITY

If any section, subsection, sentence, clause or phrase of these Rules and Regulations is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining portions of these Rules and Regulations. The Board hereby declares that it would have passed these Rules and Regulations by section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

1.9 AMENDMENTS

The Board reserves the right, in its sole discretion, to amend these Rules and Regulations from time to time.

SECTION 2 – CONDITIONS FOR SERVICE

2.1 ACCESS TO PREMISES

Authorized employees of Mesa Water, upon presentation of credentials and during reasonable or necessary hours, and at any frequency per the business needs of the District, shall have free access including, but not limited to, gate codes and keys or key cards, to any premises supplied with Water by Mesa Water for the purpose of reading meters, making repairs, inspections, examinations or tests of the Water System upon said premises and to ensure compliance with these Rules and Regulations.

If any authorized employee is refused admittance to any premises, or is hindered or prevented from reading meters, making repairs or inspections, examinations or tests, Mesa Water may cause the Water to be turned off from said premises after giving 24 hours' notice to the Owner or occupant of said premises of the intention to do so. In the case of major Violations, health hazards, or for shut off due to non-payment Mesa Water may cause the Water to be turned off without notice.

2.2 OPERATION BY MESA WATER EMPLOYEES

All of the District's Water System, including but not limited to, Water pipelines, reservoirs, fire hydrants, manholes, pumping stations, valves, connections, treatment facilities and other appurtenances and property, shall be under the management and control of the General Manager. No other persons, except authorized employees of Mesa Water, shall have any right to enter upon, inspect, operate, adjust, change, alter, move or relocate any portion of the foregoing or any of Mesa Water's property without the written consent of the General Manager or the General Manager's Designee(s). In the event that an unauthorized person(s) enters upon, inspects, operates, adjusts, changes, alters, or relocates any facilities without written consent from the General Manager or the General Manager's Designee(s) then Mesa Water reserves the right to prosecute such an unauthorized person to the fullest extent of the law.

2.3 ENFORCEMENT OF EXISTING SERVICE CONNECTIONS

Existing Service Connections shall be brought into compliance with these Rules and Regulations when the Customer of Record is so notified of a Violation or non-compliance by Mesa Water. The notification will include a compliance date. Failure to comply by the compliance date may result in appropriate action(s) by Mesa Water, up, and including, termination of Water Service.

2.4 MESA WATER'S RIGHT TO INTERRUPT SERVICE

Mesa Water reserves the right at any and all times to shut off Water Service for emergency, operational or maintenance purposes.

Mesa Water will make reasonable efforts to minimize negative impacts and provide appropriate notice to the Customer(s) when shutdowns occur. However, Mesa Water assumes no liability for the damages, real or monetary, as a result of such shutdowns or interruptions in service.

2.5 MESA WATER LIMITS OF RESPONSIBILITY AND LIABILITY

Mesa Water assumes no responsibility for the maintenance or operation of the Customer's Water System or facilities beyond the Point of Ownership.

Mesa Water assumes no responsibility or liability if damage or injury is the result of the Customer or Customer of Record violating these Rules and Regulations.

Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Water Service or variations in Water pressure as provided for herein.

2.6 CUSTOMER LIABILITY

Except to shut off Water to prevent damage, no person other than an authorized Mesa Water employee shall, at any time or in any manner, operate or cause to be operated, any valve in or connected with a Water Main, Service Connection or fire hydrant or tamper or otherwise interfere with any Water meter, check valve or other part of the District's Water System, except the Customer Control Valve. In the event a person, for any reason, digs out or uncovers a corporation stop, angle meter stop or valve controlling a Water supply, lifts or removes a meter box cover or its center piece or causes or suffers any such act to be done, such person will be held liable to Mesa Water for any injury or damage occasioned thereby or resulting there from. In addition, the Customer of Record will be held liable to Mesa Water for any costs incurred for repairing, replacing or adjusting any meter or other appurtenances which have been damaged due to negligence or carelessness, including but not limited to, damages caused by hot Water or steam from a boiler.

Tampering with the lock, meter or appurtenances, unauthorized service restoration or in any other manner interfering or tampering with Mesa Water's property, is prohibited per these Rules and Regulations and California Penal Code Sections 498, 592, 624 and 625. Penalties for such interference will be charged in accordance with the Water Rate and Charge Schedule to the Customer of Record. Criminal penalties, as set out in State Law, may also apply.

2.7 VIOLATIONS AND ENFORCEMENT

Mesa Water shall have the right to terminate service to any Customer or property who fails to comply with these Rules and Regulations. Such discontinuance of service shall occur after the Customer of Record has been given notice to remedy such non-compliance and to cease and desist from such Violation or infraction, and a reasonable

opportunity thereafter within which to comply with said notices. Such time may be specified in the notice to comply/desist. No such notice need be given where the non-compliance, Violation or infraction of any rule or regulation by the Customer results, or is likely to result, in a dangerous or unsanitary condition or a health, pollution or system hazard on the Customer's premises or in the District's Water System or elsewhere, or where discontinuance of service is necessary to protect Mesa Water from fraud, loss or abuse.

By definition, non-compliance with any condition or conditions of these Rules and Regulations, Application for New Service or Application for New Service Permit, whether willfully or by accident, shall constitute a Violation. The General Manager may assess a fine to the Customer of Record, as stated in the Water Rate and Charge Schedule (Refer to Mesa Water's website at www.MesaWater.org), for each Violation of these Rules and Regulations and for each incidence involving the intentional and improper taking of Water. Each day that a Violation of these Rules and Regulations continues, or each day such intentional and improper taking of Water continues, shall be treated as a separate Violation of this provision. No further Water Service shall be provided to such Customer or property by Mesa Water until such charge has been paid or otherwise satisfied. If the charge is paid under protest, the Customer of Record may file a written appeal to the Board.

2.8 CORRECTIVE ACTION

Any person, firm, corporation, association, or agency found to be violating any provision of these Rules and Regulations or the terms and conditions of the Application for New Service, Application for New Service Permit, or applicable State or local statutes, regulations, ordinances, or other requirements shall be served by Mesa Water with written notice stating the nature of the Violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease or cure all such Violations. Failure to conform or comply with such notice with the stated time period may subject the noticed party to all rights and remedies available at law or in equity to Mesa Water. This Section 2.8 is in addition to, and not by way of derogation of, any other remedies or procedures available to Mesa Water by law, regulation, or pursuant to any of the provisions of these Rules and Regulations.

2.9 RIGHT OF APPEAL

Notwithstanding any of the provisions of these Rules and Regulations concerning Water Service, any aggrieved Customer of Record, who remains dissatisfied with the final decision of the General Manager in administering these Rules and Regulations, may appeal, in writing, such final decision to the Board. The Board shall hear such appeal and render its decision. The decision of the Board shall be final.

The Board may, in its sole, absolute and exclusive discretion, refer any such appeal to either (i) a committee appointed by the Board, which committee may include Board

members, staff members or both (exclusive of the General Manager) (Appeals Committee); or (ii) a hearing officer designated by the Board (Hearing Officer), either of which will have full authority to hear and administer any appeal on behalf of the Board or to bring the Board recommendations as the Board shall direct. The Appeals Committee or Hearing Officer, as applicable, may be charged with the duty of developing a summary of the issues on appeal and/or developing a recommendation as to the disposition of such appeal based on evidence and information presented and received, for presentation to the Board. The Board's determination shall thereafter be based on such presentation by the Appeals Committee and Hearing Officer. The General Manager may not serve as the Hearing Officer for these purposes.

SECTION 3 – WATER BILLING AND CUSTOMER SERVICE

3.1 RESPONSIBILITY FOR ACCOUNT

The Owner of the property to which Mesa Water provides Water Service shall be responsible for all Water Service related costs and Fees, and shall establish Water Service in their name to become the Customer of Record. The property Owner may allow a tenant or other responsible party to become the Customer of Record.

The Customer of Record, or the Applicant on the Application for New Service (Refer to Appendix 1), is responsible for all Water Service related Charges, costs and Fees until Mesa Water is notified that the account is being closed, or a new Customer of Record is named to the account. The Customer of Record is responsible for services, and Water used up to, and including the day the account is closed.

The Customer of Record is responsible for ensuring the completeness and accuracy of all personal, financial and contact information provided to Mesa Water.

3.2 NEW ACCOUNTS AND SERVICE ESTABLISHMENT

Customers requesting Water Service, and to become a Customer of Record, shall contact Mesa Water's Customer Services staff during business hours to establish an account prior to Water Service being turned on. Subject to the terms set out in these Rules and Regulations, Water service will be provided upon request where there is an existing service line and meter. If Mesa Water determines that Water may run uncontrolled at a property and no Person is present at the property, then Water Service will not be turned on.

Requests must be made at least one Business Day in advance of the requested first day of service, in order to ensure timely service establishment. If one Business Day advance notice is not given prior to the desired first day of service, then a Fee to expedite service establishment may be applied to the corresponding account.

A Customer of Record shall provide the following identifying information in order to establish service:

- Full Legal Name
- Date of Birth, if applicable
- Social Security Number or U.S. Federal Tax Identification Number
- State or U.S. Federal Issued Identification Number (e.g., Driver's License), if applicable
- U.S. Mailing Address
- Additionally, Named Person(s) or Contact Person(s)
- Phone Number(s)
- E-mail Address

Mesa Water uses communication software to deliver timely service and community information to Mesa Water customers. All Mesa Water customers will be automatically signed up to receive notifications via text, email or voice message. Customers can opt-out of receiving such notification at any time, and can adjust their preferences directly from the email notification or by replying STOP to any text message.

3.3 CLOSING OF ACCOUNTS

A Customer of Record requesting to disconnect Water Service shall contact Mesa Water's Customer Services staff during business hours at least one Business Day prior to closing an account.

The Customer of Record will be responsible for payment for all Water registering on the meter up to and including the day the final meter reading is obtained. The Water Service shall be turned off and the meter will be locked at the time of the final meter reading, unless a new Customer of Record has notified Mesa Water that they will be responsible for service to that property and meter.

A closing bill will be prepared, which reflects the Charges for all Water registering on the meter at the time of final reading, any previous balances owed (including prior bills, Fees and Charges) and the Basic Charge, which shall be prorated based on the number of days in service.

Per California Health and Safety Code Section 17920 and California Civil Code Section 1941.1, buildings lacking Water Service are considered substandard and non-tenantable. Therefore, should any domestic Water Service or service providing Water for fire suppression be closed, service will not be left on between parties taking financial responsibility. Mesa Water has no liability to furnish Water for consumptive use or for fire suppression to an uninhabited building. Should Mesa Water find or determine that persons may be inhabiting said building lacking domestic or fire Water Service, the District may, in its sole discretion and without legal obligation, contact the local Building Safety Authority or law enforcement agency to advise them of such situation. Mesa Water shall not be subject to any voluntary assumption of risk or liability as a result of taking such action(s).

3.3.1 Credits on Closed Accounts

Closed accounts may have credits due to overpayments, Deposit refunds and/or other reasons.

Credits may be refunded to the Customer of Record in one of the following methods, per their request and at the discretion of Mesa Water:

- The District may transfer the credit to another account of which the Customer is the current Customer of Record.
- A refund check will be sent to the mailing address listed on the applicable account.

Unclaimed credits will be processed in accordance with State regulations.

3.4 BILLING AND MEASUREMENT OF WATER SERVICE

Bills cover a specified period of service, which is stated on the Water bill.

Billing frequency will be on regular intervals as determined by Mesa Water.

Bills for Water Service will be based on two components, in addition to any applicable surcharges, the Basic Charge and the Usage Charge. The Basic and Usage Charges will be imposed in accordance with the Water Rate and Charge Schedule.

Mesa Water reserves the right to estimate Water usage based on past usage in the case of meter failure.

An additional Charge may be applied to Basic and Usage Charges for accounts that receive Water Service outside of Mesa Water's service area in accordance with the Water Rate and Charge Schedule.

Mesa Water may periodically collect various surcharges imposed by other government entities, including but not limited to, those assessed or imposed by the Orange County Local Agency Formation Commission, State Water Resources Control Board, or the California Department of Water Resources. Mesa Water does not set these surcharges, but has a legal responsibility to collect them. These mandatory surcharges are due and payable along with billings for Water Service, and follow the same billing, delinquency and collection process as such.

Water bills shall be dated as of the Presentation Date. All bills are due and payable no later than the Due Date.

3.5 PAYMENTS

The Customer of Record is responsible for complete and timely payment of all Mesa Water bills.

Non-receipt of a bill does not release the Customer of Record from payment obligation.

Cash payments for all services provided by Mesa Water must be made at the Office currently located at 1965 Placentia Avenue, Costa Mesa, California.

No payment by any method will be accepted by Mesa Water employees away from the Office.

Payments received without sufficient information to properly credit an account may be returned without being processed. As set forth herein, accounts for which no payment is made or processed may be subject to Fees/Charges including, but not limited to,

Delinquent Fees.

Upon receipt, payment(s) to an account shall be credited in the following order, or priority, as shall be applicable:

- To pay outstanding Charges, Fees, and applicable Delinquent Fee(s), in order of oldest to newest; then,
- To pay current Charges and Fees; and then,
- To replenish or provide any required Deposit amounts.

Any funds held as a Deposit for an account shall be applied to pay applicable bills, Charges, or other Fees due and owing on such account, at the time a delinquency would otherwise occur.

3.5.1 Payments Made at the Mesa Water Office

Payments made at the Mesa Water Office may be in the form of cash, credit card, check, cashier's check, or money order. Payments can be made online at the Office via the computer located in the lobby.

Payments made at the Office by close of a Business Day will be credited to the account that same day. Payments received in the night drop box by the opening of business on a regular Business Day will be credited to the account that Business Day. Mesa Water's business hours are posted at the Office and online.

3.5.2 Payments Made by Mail and to the Lockbox

Payments made by mail will be credited to the account on the same day that they are received by Mesa Water or the lockbox service provider so long as proper account and payment information is included.

Postmark dates are not accepted or considered in posting payments to an account.

3.5.3 Payments Made by Third Party Vendor

Mesa Water accepts payments by credit/debit card through its approved third-party administrator that may impose a convenience fee to the Customer for this service. Customers may call Mesa Water's Customer Services staff at 949.631.1200 or visit the website at www.MesaWater.org in order to obtain the toll free number.

Payments made to Mesa Water through its third party administrator(s) will be credited to the Customer of Record's account on the date of transaction. If the Customer's service is in danger of termination, then the Customer should notify Mesa Water that a payment has been made by providing the confirmation number following payment. It is the responsibility of Customers using any third party administrator for payment to ensure timely payment is made to Mesa Water.

3.5.4 Payments Returned by Bank

Should any payment, including, but not limited to, check, credit card, online payment or Electronic Fund Transfer, be returned by Mesa Water's or Customer's bank for any reason, the Customer of Record will be notified and a Returned Item Fee will be charged against the account(s) to which the payment had been credited. The Returned Item Fee will be assessed in accordance with the Water Rate and Charge Schedule. Should a Customer of Record have two returned payments within 12 months, Mesa Water may require all payments by or on behalf of such Customer of Record be made by cash, cashier's check, money order, or credit/debit card for a period of up to 24 months. The District may reduce the time for the foregoing requirement on a case-by-case scenario at the sole discretion of the General Manager or the General Manager's Designee(s).

Returned Item Fees are due and payable immediately. Returned Items Fees are payable by cash, cashier's check, money order or credit/debit card.

Mesa Water may waive the Returned Item Fee if the assessment of the Returned Item Fee was due to the District or District's bank error. In its sole discretion, Mesa Water may waive the Returned Item Fee for other reasons not listed herein. Should Mesa Water waive the Returned Item Fee for reasons other than District error, it may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager's Designee(s).

3.5.5 Payment Extensions

A payment extension is a payment arrangement in which the due date for the entire unpaid balance is delayed to avoid delinquent Charges or service termination. Agreement to payment extension(s) is within the sole discretion of Mesa Water. An account may only have one active payment arrangement at a time.

Payment extension arrangements may be made between Mesa Water and the Customer of Record prior to the due date on any invoices during the billing process. The Customer of Record must adhere to the terms of the payment extension in order to avoid Delinquent Fees or service termination, and the account being ineligible for payment extensions and payment plans for 12 months.

Payment extensions may not extend beyond 30 calendar days; otherwise, a payment plan shall be arranged (See Section 3.5.6 for Payment Plans).

3.5.6 Payment Plans

A payment plan is a payment arrangement in which the entire unpaid balance is spread out over multiple payments over a defined period of time. Agreement to a payment plan is within the sole discretion of Mesa Water. An account may only have one active payment arrangement at a time.

The Customer of Record must adhere to the terms of the payment plan in order to avoid Delinquent Fees or service termination, and the account being ineligible for payment extensions and payment plans for 12 months.

3.5.7 Financial Assistance

Per California Proposition 218 (1996), Mesa Water is unable to use revenues derived from Water Rates and Charges for any purpose other than delivering Water. Mesa Water is legally prohibited from using revenues from Water Rates and Charges to subsidize costs of service to its Customers.

Mesa Water may direct Customers to non-profit and charitable organizations that may offer assistance in paying Water bills.

3.5.8 Overpayments and Credits

Should an account be overpaid due to any reason, regardless of purposeful or accidental, the overpayment will remain on the corresponding account as a credit against future Charges.

Requested refunds of less than \$100.00 and greater will not be approved. Requested refunds of \$100.00 will be considered on a case-by-case scenario.

Requested refunds will be processed with approval by the Chief Financial Officer, General Manager or the General Manager's Designee(s).

3.6 DELINQUENCIES

Customers that have questions or require assistance regarding the payment of water bills should contact Mesa Water District Customer Services Department at 949.631.1200 or visit the Office at 1965 Placentia Avenue, Costa Mesa.

Regular and closing bills have a Due Date of not less than 28 days from the Presentation Date. Unpaid bills are considered delinquent if payment is not received by the Due Date shown on the bill; and a Delinquent Fee will be assessed in accordance with the Water Rate and Charge Schedule.

3.6.1 Delinquent Bills

A Delinquent Fee will be assessed to the account, in accordance with the Water Rate and Charge Schedule, and a delinquent bill will be sent to the Customer of Record if payment is not received by Mesa Water by the regular or closing bill's Due Date Delinquent Fees are due and payable immediately with the outstanding balance of the bill.

The delinquent bill will have a Due Date within 28 calendar days after the Presentation

Date.

The Delinquent Bill will be a mailed notice to the Customer of Record and will contain:

- The Customer of Record's Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

Delinquent Fees are administrative and may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager's Designee(s) up to \$5,000.

3.6.2 Final Written Notice of Service Termination (Final Notice)

A Final Notice Fee will be assessed to the account, in accordance with the Water Rate and Charge Schedule, and a Final Notice bill (Final Notice) will be sent to the Customer of Record if payment is not received by Mesa Water by the Due Date of the delinquent bill. Final Notice Fees are due and payable immediately with the outstanding balance of the bill.

The Final Notice will have a Due Date not less than 28 calendar days after the Presentation Date.

The Final Notice will be a mailed notice to the Customer of Record and will contain:

- The Customer of Record's Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

Where a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling exists, or if the Customer of Record's mailing address is not the Service Address, then a Final Notice will also be mailed, a least 10

days prior to water service termination, to the Service Address attention “Occupant” or “Current Resident” as deemed appropriate by Mesa Water. The Final Notice will also notify the tenant of its opportunity to become the customer of record without being required to pay any amount that may be due on the landlord delinquent account.

The Final Notice is Mesa Water’s final written attempt to collect a past due balance before Water Service is terminated.

Where the delinquent account provides Water Service to more than one residential dwelling unit (for example, apartment buildings), when practical, a Final Notice will be delivered to each dwelling unit benefiting from the service. However, if this step is not practical, the Final Notice shall be posted in a common area accessible to residents. Additional Fees may be charged for this service, in accordance with the Water Rate and Charge Schedule.

If payment of all Water bills, Fees, Charges and Deposits is not received by the Due Date of the Final Notice then Water Service may be terminated.

Final Notice Fees, and Fees related to the Final Notice, are administrative and may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager’s Designee(s).

3.6.3 Notice of Pending Water Service Termination for Non-Payment

In addition to the written notice(s), as described herein, Mesa Water will also make a reasonable attempt to personally contact the Customer of Record by telephone, e-mail, in person, or by posting a Notice of Pending Water Service Termination in a conspicuous place at the Service Address, at least 48-hours prior to terminating service. This personal contact is Mesa Water’s final attempt to collect a past due balance before Water Service is terminated.

The Notice of Pending Water Service Termination will contain all of the following:

- The Customer of Record’s Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

The Notice of Pending Water Service Termination shall be provided in writing, in person, or by telephone contact/message.

3.7 TERMINATION OF WATER SERVICE FOR NON-PAYMENT

Mesa Water strives to provide excellent customer service, and as such provides many opportunities and assistance to avoid Water Service termination. However, after all past attempts have failed to resolve an unpaid balance, and consistent with these Rules and Regulations, the Water Service shall be terminated.

Mesa Water's written policy on termination of water service for non-payment is available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. A printed copy of this policy is available at Mesa Water's Office and on the website.

3.7.1 Circumstances Under Which Water Service Will Not be Immediately Terminated After Exhausting Procedures in Section 3.6

- During an investigation by the District of a customer dispute as described in Sections 3.13.1 – 3.13.3;
- During the pending of an appeal to the Board of Directors under Section 2.9;
- During the period of time in which a Customer of Record's payment is subject to a District-approved Payment Extension or Payment Plan and the Customer of Record remains in compliance with the approved payment arrangement.

3.7.2 Special Medical and Financial Circumstances Under Which Water Service Will Not be Terminated

Mesa Water will not terminate water service if all of the following conditions are met:

- The Customer of Record, or tenant of the Customer of Record, submits to Mesa Water the certification of a licensed primary care provider that termination of water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided;
- The Customer of Record demonstrates that he or she is financially unable to pay for residential service within the normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and,
- The Customer of Record is willing to enter into an alternative payment arrangement, including a Payment Extension or Payment Plan.

The Customer of Record is responsible for demonstrating that the conditions of Section 3.7.2 have been met. Upon receipt of documentation from the Customer of Record, Mesa Water will review the documentation within seven days. The District will then respond

within seven days with one of the following: (1) Notify the customer of the alternative payment arrangement selected by Mesa Water and request the Customer of Record's signed assent to participate in that alternative payment arrangement; (2) Request additional information from the Customer of Record; or (3) Notify the Customer of Record that they do not meet the conditions in Section 3.7.2.

For any Customer of Record who demonstrates that they meet all of the above conditions, Mesa Water will offer the customer one of the following options, to be selected by the District at the discretion of the General Manager or the General Manager's Designee(s):

- Payment Extension, as described in Section 3.5.5.
- Payment Plan, as described in Section 3.5.6.

The Customer of Record must adhere to the terms of the Payment Extension or Payment Plan as stated in Sections 3.5.5 and 3.5.6 to avoid Water Service termination. However, any unpaid balance that was included in the defaulted alternative payment arrangement will not be considered in any investigations or reviews by the District.

3.7.3 Days and Times of Service Termination Due to Non-Payment

Mesa Water will only terminate Water Service due to non-payment during its regular business hours.

3.7.4 Procedures for Terminating Water Service for Non-Payment

When a Mesa Water employee arrives at the service address to terminate Water Services for non-payment a Service Termination Trip Fee will be assessed. Fees and Charges associated with termination of service as a result of non-payments are shown in the Water Rate and Charge Schedule. When Water Service is terminated, the meter will be locked in the off position and a tag will be attached to the meter notifying Customers that tampering with the meter and lock is prohibited per Section 2.6 of these Rules and Regulations and California Penal Code Sections 498, 592, 624, and 625.

Service Termination Trip Fees recuperate the staff, equipment, and fuel costs associated with visiting the property to terminate service, and therefore cannot be waived, except at the discretion of the General Manager or the General Manager's Designee(s).

In the case where a property is served by multiple accounts and services, and are the financial responsibility of the same Customer of Record, then additional and all services may be terminated until the balance(s) have been satisfied.

If payment is not received within ten days of termination of service, the account will be closed, and the process as described in Section 3.3 shall be followed.

3.8 RESTORATION OF WATER SERVICE

Following service termination for non-payment, the Customer of Record must contact Mesa Water by telephone or in person at the Office regarding restoration of water service.

All amounts owed, including all bills, Fees, Charges, and Deposits, must be paid or otherwise satisfied before Water Service will be restored. If the Water meter has been removed, all Fees must be paid before a Water meter is re-installed. Fees for the service restoration are shown in the Water Rate and Charge Schedule.

Service will be restored on the same Business Day that the account balance has been satisfied, if conditions permit. Otherwise, the service will be restored the following Business Day.

Service Restoration Trip Fees recuperate the staff, equipment, and fuel costs associated with visiting the property to restore service, and therefore cannot be waived, except at the discretion of the General Manager or the General Manager's Designee(s)

3.9 PROCEDURES FOR OCCUPANTS OR TENANTS TO BECOME CUSTOMER OF RECORD OF MESA WATER DISTRICT

3.9.1 Applicability

This Section 3.9 shall apply only when the property owner, landlord, manager, or operator of a residential service address is listed as the Customer of Record and has been issued a Final Notice to terminate water service due to non-payment.

3.9.2 Agreement to Mesa Water Rules and Regulations for Water Service

Mesa Water will make Water Service available to the actual residential occupants if each occupant agrees to the Rules and Regulations for Water Service and meets the requirements of Mesa Water's Rules and Regulations. Notwithstanding, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of Mesa Water, or if there is a physical means, legally available to the District, of selectively discontinuing service to those occupants who have not met the requirements of the Mesa Water's Rules and Regulations, the District shall make service available to the occupants who have met those requirements.

3.9.3 Verification of Tenancy

To be eligible to become a Customer of Record without paying the amount due on the delinquent account, the occupant shall verify that the delinquent account's Customer of Record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the sole discretion of Mesa Water District.

3.9.4 Deductions from Rental Payment

Pursuant to Government Code Section 60371(d), any occupant who becomes a Customer of Record of Mesa Water District pursuant to this Section 3.9 and whose periodic payments, such as rental payments, include charges for residential Water Service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the District for those services during the preceding payment period.

3.10 COLLECTIONS

Mesa Water may, at its sole discretion, transfer unpaid and uncollected balances on accounts to any active or new account(s) under the control and responsibility of the same Customer of Record.

Mesa Water may contract with a collection agency for the recovery of any outstanding balances on closed accounts. The past due account must be paid in full or otherwise be arranged for payment within 90 calendar days of the delinquent closing bill due date before being sent to a collection agency. Any account that is sent to a collection agency may be subject to a collection agency Fee, as set forth in the Water Rate and Charge Schedule.

Mesa Water or its collection agency may report on unpaid balances to credit bureaus.

3.11 DEPOSITS

Deposits may, at the discretion of Mesa Water, be required on accounts when any of the following situations occur:

- The Customer of Record's account contains insufficient identification information, as listed in Section 3.2;
- The account receives two Final Notices of Service Termination (Final Notices) within a 24-month period;
- Service is terminated for non-payment;
- The Customer of Record files for bankruptcy or a related Order for Relief;
- Two payment items are returned by the Customer of Record or District's bank within the last 12 months;
- Tampering or damage to District appurtenances including, but not limited to, the Water Service meter;
- The Water Service was off and locked without a current Customer of Record, and Mesa Water has determined that the Water Service has been turned on without the express permission of the District and Water has passed through the meter.

Deposits will be held on the account until one of the following occurs:

- Bills are paid consecutively on time for a period of at least 24 months.
- The account is closed. However, if the Customer of Record becomes the holder of another account with Mesa Water, the Deposit may be transferred to the new account.
- If the Customer of Record provides sufficient identification information as listed in Section 3.2.
- In this case, the Customer of Record must still have a satisfactory payment history of at least 24 months.

Deposits do not excuse future late payments or prevent future Delinquent Fees from being assessed.

Deposits will be refunded as a credit on the account. If the account is being closed, then the Deposit will be used to satisfy the balance on the account before any refund is issued. A closing bill stating any remaining balance will be issued to the Customer of Record. If there are remaining funds, the credit process will follow the procedures listed in 3.3.1, Credits on Closed Accounts.

The standard amount of the Deposit is shown in the Water Rate and Charge Schedule. However, the amount of the Deposit may be set differently at the discretion of the General Manager or the General Manager's Designee(s) in an amount sufficient in his/her judgment to ensure that future bills will be paid when presented. Additional Deposit amounts may be collected in the future to account for higher bills. Mesa Water may make a payment arrangement with the Customer of Record if the Deposit creates an immediate financial hardship.

Any interest accrued on a Deposit will not be refunded to the Customer of Record.

Deposit requirements may be waived once every 24 months or per the discretion of the General Manager or the General Manager's Designee(s).

3.12 CUSTOMER BANKRUPTCY

When Mesa Water receives notice that a Customer of Record has filed for bankruptcy, the Customer of Record's account(s) will be closed, as soon as possible following receipt of such notice. The date used for purposes of determining the amount to be included in the bankruptcy is the date of filing on the notification form. Any outstanding balances as of that time will be considered within the scope of such bankruptcy proceedings and Mesa Water may file a claim accordingly.

A new Customer account will be created for such Customer of Record should the Customer of Record request ongoing service. A Deposit will be charged in accordance with the Water Rate and Charge Schedule and Section 3.11 of these Rules and Regulations for Water Service. Subject to the provisions of these Rules and Regulations,

Mesa Water will not terminate service unless otherwise directed by the Customer of Record.

3.13 CUSTOMER INQUIRIES, DISPUTES, AND COMPLAINTS

All Customer inquiries, disputes, and complaints will be handled as expeditiously as reasonably possible. In some instances, extensive research will be required, thus extending the time required for resolution, and the Customer will be so informed.

3.13.1 Billing Disputes

Any dispute by the Customer of Record of the amount owed, as shown on a bill or invoice, must be raised within ten days of the date of billing produced on the bill or invoice, otherwise the bill or invoice will be considered correct and payable.

Only the disputed portion of the bill may be set aside by Mesa Water pending resolution of the dispute. The Basic Charge plus any outstanding balance, Charges or Deposits must be paid. The undisputed portion of the bill must be paid in accordance with these Rules and Regulations for Water Service governing undisputed bills or invoices.

A timely request for investigation will be reviewed by Mesa Water. The review will include consideration of whether the Customer of Record may receive a Payment Extension, Payment Plan, or none. Mesa Water may, in its sole discretion, review untimely disputes; however, such disputes are not subject to appeal.

In the case of a Water usage dispute, Mesa Water employees will re-read the meter and determine if the usage and bill are correct.

- If the usage is correct, the bill shall be due and payable as presented.
- If the usage is incorrect, the bill will be reissued with the correct usage. The billing and payment process will start over for that portion of the bill.

Multiple similar requests made by the Customer of Record for the same service address may not be able to be fulfilled based upon employee availability and the business needs of Mesa Water District.

Any Customer of Record whose timely dispute has resulted in an adverse determination may appeal the determination to the Board of Directors within ten business days of the District's mailing or communication of its determination, following the process outlined in Section 2.9.

3.13.2 Meter Inquiries and Testing

If the Customer of Record is concerned that the meter is not operating correctly or is not accurate, the Customer of Record may submit a completed Customer Service Meter Test Request form (Refer to Appendix 2). Mesa Water will arrange for an approved third party

testing facility chosen by and facilitated by the District to test, the meter for accuracy based on standards by the American Water Works Association (AWWA). Prior to the removal of the meter for testing, Mesa Water shall require a meter test Deposit in accordance with the Water Rate and Charge Schedule. Meter test Deposits will be refunded if the meter is determined to be recording outside the prescribed limits for meter accuracy as described herein.

If the meter is found to be registering three percent on average in excess of the actual quantity flowing through the meter based on meter accuracy standards by the AWWA, Mesa Water will replace the defective meter, refund the meter test Deposit and refund to the Customer of Record the full amount of the overcharge based on the corrected meter readings for the previous period, not exceeding six months from the date of the written request, that the meter was in use by the same Customer of Record.

If the meter is not found to be defective and does not register three percent in excess, then the meter test Deposit shall be forfeited to Mesa Water and the Water bill shall be due and payable as presented.

If the meter is found to be registering less than 97 percent on average of the actual quantity flowing through the meter, based on meter accuracy standards by the AWWA, the meter will be replaced and the Customer of Record may be assessed based on the average consumption for up to six preceding months during which the meter was in use and found to have been registering correctly.

3.13.3 High Water Use Investigations

Customers may request that Mesa Water assist them in the determination of possible leaks or other conditions, which may result in higher than normal Water usage. Inspections may be arranged with Mesa Water to check the Water meter for potential flow indicating a leak. Such requests will be handled by appointment only. Appointments may be arranged by contacting Mesa Water's Customer Services staff. Multiple similar requests made by the Customer of Record for the same service address may not be able to be fulfilled, based upon employee availability and the business needs of the District. In performing leak determinations, Mesa Water is not providing any warranty or guarantee of accuracy thereof. Mesa Water does not provide leak investigations on private property.

3.13.4 Water Quality Inquiries

Mesa Water strives to provide Customers with high quality Water at all times. If a Customer suspects any problem with the quality of Water provided the Customer may contact the District and a Mesa Water employee will arrange to meet with the Customer at home or business to investigate the concern. Information regarding Water quality analyses of the District's Water is available to the public. Mesa Water's annual Water Quality Report is available on the District's website, and printed copies are made available during business hours at the Office.

SECTION 4 – CONSTRUCTION OF WATER FACILITIES AND APPURTENANCES

4.1 APPLICATION PROCESS

Any person, firm, or corporation who wishes to install, remove, alter or replace, or cause to be installed, removed, altered, or replaced, any Water facility or appurtenance connected to, or part of, the District System must obtain a Permit from Mesa Water to do such work.

Any person legally entitled to apply for and receive the Permit shall complete the Mesa Water supplied Application for New Service form. The Applicant shall submit the Application for New Service form, a complete subdivision map when applicable and a Water facility construction plan showing the proposed Service Connection thereon, signed by a Civil Engineer registered in the State of California. All maps and plans shall be to the standards, size and drawn on material specified in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

4.1.1 Plan Check Process

After payment of the Plan Check Fee (Refer to Appendix 3 for Payment Voucher), Mesa Water's District Engineer, or an authorized designee or other appropriate employee, will review such plans in accordance with the plan check process located in the Standard Specifications and Drawings for the Construction of Mesa Water Facilities. All plans must conform to the current Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities before they will be approved.

4.1.2 Issuing the Permit

Upon approval of such plans, and upon receipt of required Fees and Charges, including Capacity Charges, Mesa Water shall validate and issue a Permit.

The Permit shall be valid for a period of one year from the date of issuance. If construction has not commenced within said year, the Permit automatically becomes invalid and the Applicant forfeits all moneys, except Capacity Charges, paid to Mesa Water in connection with the Permit. The Applicant will be required to reapply for a new Permit.

4.1.3 Water Service Agreement

Before Water Service is provided, the Applicant shall enter into a Water Service Agreement (Refer to Appendix 6) with Mesa Water regarding the terms under which Mesa Water shall provide Water Service to the Applicant. The Applicant shall complete, sign and submit a Water Service Agreement. Mesa Water shall enter into the Water Service Agreement only upon approval of the development project and payment by the Applicant of required Fees and Charges set forth in the Water Service Agreement. No Water Service shall be provided by temporary Water Services or by any other means until the Water Service Agreement has been signed by Mesa Water and the Applicant.

4.1.4 Fees and Charges

Mesa Water employees will determine the Fees and Charges applicable to new development in accordance with the Water Rate and Charge Schedule.

4.1.5 Capacity Charges

Mesa Water has adopted Capacity Charges in the amounts specified in the Water Rate and Charge Schedule. The Capacity Charges will be used to assist Mesa Water in paying for the facilities and improvements to the District's Water System required by this development.

All Rules and Regulations governing Capacity Charges in their entirety are applicable to the same property for which a Water Service Agreement is in effect.

4.1.5.1 Calculating the Capacity Charge

As herein provided, the amount of the applicable Capacity Charge(s) shall be determined by the District Engineer (based on the Capacity Charge rate approved by the Board of Directors). All decisions in regard thereto shall be based on sound engineering practices consistent with new development paying only the amount of money necessary to fund its fair share of facilities required to provide Water capacity.

Capacity Charge credit for existing 5/8 inch and 3/4 inch meters will be applied based on a ratio of the maximum flow rate for that meter using a 1-inch meter as base line for the credit. In all other cases the Capacity Charge shall be assessed in accordance with the Fee schedule contained in the Water Rate and Charge Schedule.

At the time the Applicant requests meters to be installed, Mesa Water will review the assessed Capacity Charge. If there have been changes in the project, which affect the Capacity Charges, additional Capacity Charges will be assessed or a refund will be credited to the meter costs. The meters will not be installed until both the meter costs and all applicable Capacity Charges have been paid.

Capacity Charge credits are the possession of the property Owner and under no circumstances are to be severed from the real property for which such credits were paid. For commercial developments, the property Owner shall provide a letter granting a tenant the right to any Capacity Charge credit(s), if said credits are to be attributed to anyone other than the property Owner.

No Capacity Charges will be assessed if an Applicant is removing a meter and is replacing it with a meter of the same size, providing that one of the following conditions also be satisfied:

- The new meter is installed on the same service line from which the old meter is

- removed; or
- The new meter is installed on a new service line and the existing service line is abandoned when the old meter is removed.

Mesa Water does not assess Capacity Charges for dedicated fireline Service Connections or temporary service connected to fire hydrants.

4.1.5.2 Calculating Capacity Charge Credits on Meters Pulled at the Time of Redevelopment

Mesa Water will apply a Capacity Charge credit on an account for meters that will be pulled at the time the property is redeveloped, providing one of the following conditions is satisfied:

- The old meter is pulled and a new meter of a different size is installed on the existing service line; or
- The old meter is pulled and the existing service line is abandoned. Any new meters of different sizes shall be installed on new service lines.

The District Engineer or an authorized designee will determine the Capacity Charge credit on the meter that is pulled per the Water Rate and Charge Schedule.

The credit will be based on the Capacity Charge in effect for the meter size being pulled according to the building classification and Water use type the meter presently serves.

If the Capacity Charge credit exceeds the Capacity Charge calculated on the new meters, the excess credit may be carried forward with the property for additional development. The excess credit will be discounted five percent each year that it is carried and at the 15th year, the credit can no longer be used. Any excess credit may only be used once. Subsequent excess credit cannot be carried forward.

The number of years used for Capacity Charge credit will be determined by calculating the number of years between the date the Application for New Service Permit was issued for the redevelopment project for which the credit originated and the date the Application for New Service Permit was issued for the redevelopment project for which the Applicant wishes to use the credit.

No Capacity Charge credit will be allowed for the removal of Automatic Fire Sprinkler Service Connections.

4.1.5.3 Calculating Capacity Charge Credits on Meters Pulled Prior to Redevelopment

Mesa Water will apply a Capacity Charge credit on meters pulled prior to the redevelopment of the property providing that all of the following conditions be satisfied:

- The service line to which the meter was once connected is still connected to the District's Water System; and
- The Pulled Meter was recorded and the record is on file at Mesa Water; and
- The new meters that will be installed are a different size (upgrade or downgrade) from the meters that were pulled prior to the redevelopment of the property; and
- A new meter shall be installed on the service line, to which the meter was once connected, or the service line shall be abandoned and the new meter shall be installed on a new service line.

Mesa Water will not apply a Capacity Charge credit for meters where both the meter and the service line were abandoned prior to the redevelopment of the property.

The District Engineer or an authorized designee will determine the appropriate credit amount.

The credit on the Pulled Meter will be based on the Fee in effect for the meter size being replaced according to the building classification and Water use type the meter previously served.

The credit is subject to a five percent reduction for each year that the meter was pulled prior to the Application for New Service Permit. No credit will be given for meters that were pulled 15 years or more prior to the date the Application for New Service Permit is issued.

The number of years that will be used for the reduction in Capacity Charge credit will be determined by calculating the difference between the date on file at Mesa Water that the meter was pulled and the date the Application for New Service Permit is issued.

In the case where the new meters being installed are the same size as the meters that were pulled, Mesa Water will apply a discount on the amount of the Capacity Charge calculated on the new meters, providing all of the following conditions are satisfied:

- The service line to which the meter was once connected is still connected to the District's Water System; and
- The Pulled Meter was recorded and the record is on file at Mesa Water; and
- A new meter shall be installed on the service line to which the meter was once connected or the service line shall be abandoned and the new meter shall be installed on a new service line.

The amount of the discount will be based on the length of time since the meter was pulled. The length of time will be determined by calculating the difference between the date on file at Mesa Water that the meter was pulled and the date the Application for New Service Permit is issued.

4.1.5.4 Application of Capacity Charges to Public Agencies

For purposes of this section "Public Agency" shall have the same meaning as set forth in Government Code Section 54999.1(c) or any successor section thereto.

Any development or application to Mesa Water for increased Water Service by any Public Agency shall be subject to a Capacity Charge. The amount of such Capacity Charge shall be determined under Section 4.1.5 of these Rules and Regulations. The determination of the Capacity Charge with regard to an individual Public Agency development project shall be made based on the same criteria and methodology applicable to non-public Applicants.

The assessment of the Capacity Charge on any school district, county office of education, community college district, the California State University, the University of California or State agency, as defined in Government Code Section 54999.1(g), (collectively referred to as "School/State Agency" for the purposes of this Section) shall be subject to the following:

The Capacity Charge shall be paid by such School/State Agency in an amount equal to the actual construction costs of that portion of the District's Water System actually providing, or needed to provide, service to such School/State Agency.

To the extent that the appropriate Capacity Charge to such School/State Agency is in excess of the amount equal to the actual construction costs, the assessment and collection of said Capacity Charges may be adjusted on a case-by-case basis by the District Engineer.

4.1.5.5 Use of Recycled Water

If a Capacity Charge was calculated, in whole or in part, based on the average annual usage that included service that is later replaced by the use of Recycled Water, upon written request, the Customer of Record shall be entitled to a rebate (without interest) of a portion of the Capacity Charge paid to Mesa Water, provided the Customer of Record has entered into an agreement with Mesa Water for the provision of Recycled Water at the same property for which the Capacity Charge was paid.

The rebate shall be calculated based on the original Capacity Charge paid and the amount of Recycled Water subsequently provided and used on such property. Mesa Water shall pay the rebate to the Customer of Record 30 days after the Customer begins receiving Recycled Water Service from Mesa Water.

New Recycled Water meter connections are not currently available, unless previously approved by Mesa Water and Orange County Water District.

4.1.6 Bonds and Conditions for Release of Bonds

As security for guarantee against defective material or work quality and as security for guarantee of the completion of the proposed project, the Applicant shall deliver to Mesa Water a Construction Performance Bond (“Bond”) in accordance with the Rate specified in the Water Rate and Charge Schedule. The Bond must be received and approved by Mesa Water prior to the District’s final approval of plans or issuance of the Application for Water Service permit.

Mesa Water will accept only a cash bond as payment for the Bond. The bond amount is calculated at ten percent of the Water utility construction cost, or \$1,000 whichever is greater.

The Bond, whether cash or a surety, will be eligible for release one year after all of the following conditions have been satisfied:

- All Fees and Charges are paid current; and
- The project has been completed to the satisfaction of Mesa Water; and
- Mesa Water has received and has recorded with the County Recorder’s office all necessary documents of conveyance and guarantees.

Approximately one year after all of the above conditions have been satisfied, Mesa Water will conduct a follow-up inspection of the Water facilities. If the facilities are free from defective material and work quality, and all Fees and Charges are current, the Bond will be released. The Bond will stay in effect until all such conditions are met.

4.1.7 Document of Conveyance and Guarantee

Easements shall be approved and accepted by the Board prior to the installation of meters. The document(s) will transfer to Mesa Water all interest and title to such system and appurtenances, guaranteed free of all liens, together with necessary deeds, easements or rights-of-way, as applicable, for future maintenance and upkeep. Documents of conveyance shall be received not less than 60 days’ prior installation of meter that was requested to allow sufficient time for Board consideration and approval.

For a period of one year after acceptance of the work by Mesa Water, repair or replacement of any and all dedicated facilities that may prove to be defective in work quality or materials, together with any other works that may be displaced in so doing, shall be at the sole cost and expense of the Applicant. Such repair or replacement shall be without expense whatsoever to Mesa Water unless the repair(s) or replacement(s) were the result of ordinary wear and tear or unusual abuse or neglect by the District.

In the event of an emergency, as determined by Mesa Water, the District shall notify the Applicant of any defect and shall immediately proceed to have the defects repaired or replaced at the expense of the Applicant, who shall pay the costs and Charges upon demand.

In the event that Mesa Water becomes aware of a defect in material or work quality, which does not involve an emergency, the District shall notify the Applicant and the Applicant shall undertake to accomplish the necessary repair or replacement. If within one week from the date of notification the Applicant has not accomplished the necessary corrective procedures or made satisfactory arrangements thereof, Mesa Water shall proceed to have the defects repaired or replaced at the expense of the Applicant, who shall pay the costs and Charges upon demand by the District.

In the event that the Applicant fails to pay for the costs and Charges resulting from repairs or replacements of the facilities as provided in this section, Mesa Water reserves the right to reduce the amount of, or draw upon, the Applicant's security bond by the amount necessary to cover any such costs and Charges.

4.2 CONSTRUCTION OF WATER FACILITIES

The Applicant is required to perform construction with the assistance of a licensed Contractor (Class A or C34).

It will be the responsibility of the Contractor to furnish all materials that meet the specifications contained in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. It also will be the responsibility of the Contractor to provide all labor and equipment necessary to install the Water facilities in conformance with the approved plans and the specifications contained in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

4.2.1 Underground Service Alert

The Contractor shall be responsible for researching utility records and indicating the location of all known utilities on the plans. At least two Business Days before beginning the work, the Contractor shall call U.S.A. (Underground Service Alert) at 1(800) 227-2600 for utility Owners to mark the location of substructures. It shall be the Contractor's responsibility to determine the true location and depth of all utilities and Service Connections. The Contractor shall become familiar with the type, material, age and condition of any utility that may be affected by the work.

The Contractor shall not interrupt the service function or disturb the supporting base of any utility without authority from the utility Owner or on order from Mesa Water.

Where protection is required to ensure support of utilities, the Contractor shall furnish and place the necessary protection at the Contractor's expense.

The Contractor shall immediately notify the District Engineer and the utility Owner if the Contractor disturbs, disconnects or damages any utility.

4.2.2 Safety Requirements

The Contractor must adhere to all appropriate CAL/OSHA safety requirements while on the job site. The Contractor shall have, at the job site, copies or suitable extracts of Construction Safety Orders, Tunnel Safety Orders and General Industrial Safety Orders issued by the California State Division of Industrial Safety. The Contractor shall comply with provisions of these and all other applicable laws, ordinances and regulations.

4.2.3 Charges for Damages

It will be the Contractor's responsibility to "protect in place" all Mesa Water facilities. In the event it becomes necessary for the District to provide assistance to the Applicant, the Contractor or any third party, or to make repairs to Mesa Water's facilities damaged by any of the above, the District will charge the Applicant, Contractor or third party for the actual cost of assistance and/or repairs plus its full overhead Rate.

4.2.4 Valves and Water Main Shutdowns

It shall be the Contractor's responsibility to keep all valves exposed and accessible at all times. If a Water Main shutdown is required, only Mesa Water employees are authorized to perform shutdown operations. The Contractor shall notify Mesa Water's Engineering staff and affected users at least 72 hours in advance in areas where shutdown is requested.

4.2.5 Mesa Water Inspection

All new Water facilities shall be subject to inspection by Mesa Water or its authorized District Agent(s). Such facilities shall be installed in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Inspection of new Water facilities shall be scheduled in accordance with the requirements of the issued permit and accompanying inspection checklist.

The Contractor shall notify Mesa Water's Engineering staff at least two Business Days prior to the commencement of construction of any water facilities.

Contractors requiring inspection outside Mesa Water's business hours shall be charged the District's full overhead Rate and overtime Rate. Requests for after-hours inspections shall be made in writing to the Mesa Water Inspector a minimum of five Business Days in advance.

Water facilities under construction shall be under the Customer's control and under the management of an onsite superintendent designated by the Customer or the Contractor and approved by Mesa Water. The onsite superintendent shall be responsible for the installation, operation, and maintenance of the onsite facility, equipment, enforcement of these Rules and Regulations, and prevention of Cross Connections and potential hazards. The onsite superintendent or his representative shall be available via telephone

at numbers listed with Mesa Water for contact during business hours (Monday through Thursday from 7:00 a.m. to 4:30 p.m. and Friday from 7:00 a.m. to 3:30 p.m.) and after hours.

4.2.6 Size, Location and Installation of Water Services

Mesa Water reserves the right to determine the size of the meter and Service Connection and determine location of the meter and Service Connection in relation to boundaries of the premises to be served.

Due to changes in the 2012 Uniform Plumbing Code, all new residential meter installations are required to be 1 inch or larger in order to supply adequate flow for fire protection.

Mesa Water reserves the right to limit the number of houses or buildings, or the area of the land, under one ownership, to be supplied by one Service Connection. When property provided with a Service Connection is subdivided, the Service Connection shall be considered as belonging to the lot or parcel of land that it directly enters.

A Service Connection shall not be used to supply an adjoining property.

If a Service Connection relocation is more than five feet laterally from the existing Service Connection, it will be considered a new Service Connection.

All new fire Service Connections shall have a fire service tattle-tale meter installed per the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

Mesa Water reserves the right to require the installation of a fire service meter on existing fire service at the Owner's expense per the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities if it has been determined by the District that Water from the fire service has been illegally used by the Owner.

4.2.7 Meter Installation

All meters shall be provided and installed by Mesa Water and shall remain the property of the District at all times, though committed to a particular Service Connection, and shall be maintained, repaired, replaced and meters read by Mesa Water employees. The Applicant shall pay the cost of installing meters at the time the permit is issued before any meters will be installed. The Fees for meter installation will be in accordance with the rates in the Water Rate and Charge Schedule.

4.2.7.1 Meter Equipment Standards

Mesa Water shall install meter styles, registers, and communications endpoints based on the type of use, as delineated in Table 1.

Table 1. Meter Technology by Type of Use

Meter Use	Meter Style	Register	Communications Endpoint
1. Residential ¹	Nutating Disc	8-Digit HR-E	None
2. Multi-Unit Residential ^{2/3}	Nutating Disc	8-Digit HR-E	Migratable
3. High Density ⁷	Master Meter	8-Digit HR-E	Cellular
4. Irrigation (<2")	Nutating Disc	8-Digit HR-E	Cellular
4b. Irrigation (>2")	Turbo	8-Digit HR-E	Cellular
5. Firelines	5/8" Tattletale	8-Digit HR-E	Migratable
6. Commercial ⁴	<3" Nutating Disc >3" Combo Meter	8-Digit HR-E	Migratable ⁵
7. High-Use ⁵	<3" Nutating Disc >3" Combo Meter	8-Digit HR-E	Cellular
8. Hard to Access ⁶	Varies	8-Digit HR-E	Cellular

Notes:

1. Single-family detached home that does not meet the criteria of Notes 2 and 3.
2. Single-family detached or attached townhomes with thirty or more units with meters located in front of home and within a development community.
3. Single-family homes within a development community with meters located within the public right-of-way in a meter bank shall not be equipped with migratable endpoints.
4. Meter size varies based on fixture unit count. Combo meters shall be designed for low and high flow usage patterns based on proposed architectural drawings and plumbing plans.
5. Meters are considered high use when average monthly flows are greater than 65 HCF/month (1"), 100 HCF/month (1.5"), 200 HCF/month (2"), 450 HCF/month (3"), 850 HCF/month (4"), 1,400 HCF/month (6"), and 3,000 HCF/month (8") shall be equipped with a cellular endpoint.
6. Hard to access locations shall be determined by the Meter Reading Group and submitted to the Plan Checker for integration into the approved plans.
7. Master Meter installations shall follow the requirements of Section 4.2.8.2 herein.

The District Engineer or General Manager reserves the right to evaluate and amend the meter, register, or endpoint type of the Table 1 requirements on a case-by-case basis.

4.2.7.2 High-Use Customers

Existing high-use customers with average annual usage greater than the values shown in Table 2 may be equipped with real-time metering equipment at no additional cost to the customer. New development projects will be evaluated for high flow applications during the plan check process and high flow usage will be based on the proposed fixture

count and criteria in Table 2. High-use customers shall receive metering equipment with cellular endpoints that send automatic usage data to the meter reading system.

Table 2. Minimum Use to be Designated as High Use Customer

Meter Size	High Use (Units of Water per Month as 100 Cubic Feet)
1"	65
1.5"	100
2"	200
3"	450
4"	850
6"	1,400
8"	3,000

4.2.7.3 Non-High Use Customers

Non-high use Customers are customers with usage equal to or lower than the average annual usage shown in Table 2. Non-high use customers shall have meters equipped with meter registers as identified in Section 4.2.7.1. Non-high use customers may request Mesa Water to install a real-time meter with a cellular endpoint and access for the cost of the equipment, installation labor, and monthly access fee. The Non-high use customer shall be billed for the total cost of the meter equipment, cellular endpoint, installation and set-up over a one-year period on the customers' regular bi-monthly bill or pay in a lump sum. New meter equipment shall be installed to obtain real-time metering service. The monthly access fee will be billed to the customer on the same billing cycle as their regular water bill and continue in perpetuity or until terminated by the customer.

Termination of the real-time metering program will be granted with a minimum of 30 days written notice to Mesa Water and complete repayment of all equipment and labor installation costs.

4.2.8 Single Meter Policy

Mesa Water's standard metering Policy is that individually owned units shall be individually metered unless otherwise set forth in these Rules and Regulations.

All meters shall be placed in public right of way unless approved easements are accepted by the District Engineer and approved by the Board of Directors per Section 4.2.15.

4.2.8.1 Multi-Family Buildings Policy

Multi-family buildings may apply for a master meter given the following conditions:

- Building has 10 or more and separate units
- Building is greater than three Levels

However, Mesa Water recognizes that there may be local and individual conditions that

make individual metering not feasible. Therefore, the Board delegates to the General Manager the authority to waive the single meter per unit Policy on a case-by-case basis according to the following standards:

- Mesa Water's Policy of appropriate distribution of costs to all consumers still applies. For example, regardless of whether a party occupies the traditional single-family residence or occupies a condominium unit, the same Basic Charge, plus the cost of the Water would apply.
- A development shall be billed on the greater of the following: the cost of Water used, plus the Basic Charge based upon actual meter size, or the cost of Water used, plus the number of individual units multiplied by the Basic Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.
- In addition, Mesa Water shall require a letter signed by the appropriate officer or Customer Agent stating that the appropriate entity accepts full responsibility for payment of all Water bills, and that in the event of transfer of ownership, the new Owner(s), or Owners association, accepts full responsibility for payment.

The District Engineer shall review each case and make recommendations to the General Manager. The General Manager shall report to the Board about each variance granted, the location, Owner and conditions.

4.2.8.2 Master Meter Policy

Mesa Water recognizes that there may be local and individual conditions that make individual metering not feasible as follows:

- Residential meter installations of 30 or more meters located on a manifold within the public right-of-way
- Conflicts with existing infrastructure that would result in non-traditional meter installations
- Commercial complexes with continuously changing tenants

In such cases, the Board delegates to the General Manager the authority to waive the single meter per unit Policy on a case-by-case basis according to the following standards:

- Mesa Water's Policy of appropriate distribution of costs to all consumers still applies. For example, regardless of whether a party occupies the traditional single-family residence or occupies a condominium unit, the same Basic Charge, plus the cost of the Water would apply.
- A development shall be billed on the greater of the following: the cost of Water used, plus the Basic Charge based upon actual meter size, or the cost of Water used, plus the number of individual units multiplied by the Basic Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.
- A development shall be billed on the greater of the following: the Capacity Charge

based upon actual meter size, or number of individual units multiplied by the Capacity Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.

- In addition, Mesa Water shall require a letter signed by the appropriate officer or Customer Agent stating that the appropriate entity accepts full responsibility or payment of all Water bills, and that in the event of transfer of ownership, the new Owner(s), or Owners association, accepts full responsibility for payment.

The District Engineer shall review each case and make recommendations to the General Manager. The Board of Directors will be notified through the Developer's Status Report when a master meter has been installed. Documentation for waiving the single meter unit Policy will be kept in the project file.

4.2.8.3 Landscape Irrigation Meters

Landscape Water meters are defined as a dedicated Water Service meter that provides Water for outdoor uses including but not limited to landscape irrigation, pools, and spas.

- All new irrigated landscapes of 1,000 square feet or more shall require a separate landscape Water meter, except those for single-family residential developments.
- All new single-family residential irrigated landscapes of 5,000 square feet or more shall require a separate landscape Water meter.
- The meter size for an irrigation system shall be a 5/8 inch or larger.
 - In most cases, the irrigation meter shall be sized based on the peak flow through a single valve of the irrigation system (i.e., highest producing valve). However, Mesa Water reserves the right to further evaluate the system and to select a meter size that best meets the needs of the system. The meter size may be based on multiple valves, branches of the system, square footage, or as deemed most appropriate by Mesa Water.

4.2.9 Submetering and Prohibited Practices

4.2.9.1 Application

This rule pertains to all Customers located within Mesa Water's service area to which Mesa Water provides Water Service. For purposes of this rule, multi-family residential units shall mean two or more residential units served from one Water meter.

4.2.9.2 Prohibited Practices

In the case of multi-family residential units, mobile home parks and commercial locations that install or use submeters or a submetering system in order to allocate the costs of Water to tenants, subtenants, lessees or similar persons or parties, the following practices shall be prohibited (unless authorized in advance in writing by the Board, or by the General Manager at the direction of the Board):

- 1) No Customer, or contractee with a Customer, shall represent to any submetered tenant, subtenant, lessee or similar person or party that such Customer (or such contractee) is a provider of Water Service or Water Services; and
- 2) No Customer, or contractee with a Customer, shall terminate, or threaten to terminate, Water Service to any submetered tenant, subtenant, lessee or similar person or party by reason of non-payment of any allocated costs for Water.

A Violation of this rule occurs whenever Mesa Water becomes aware of a Violation of Rule 4.2.9.2 (1) or 4.2.9.2 (2), as set forth above. Upon Mesa Water becoming aware that such a Violation has occurred, Mesa Water shall provide written notice to the Customer of Record to cure such Violation, and the notice shall include; (i) a statement of the nature of the Violation, (ii) the date upon which Mesa Water became aware of the Violation, and (iii) a date by which the Customer of Record shall cure such Violation. If such Violation is not cured by the date stated in the notice, the provisions of Rule 2.7 of these Rules and Regulations shall apply. Any such Violation shall be reported by the General Manager to the Board of Directors, in writing, together with a description of the action(s) taken to compel enforcement of these Rules and Regulations as soon thereafter as shall be practical.

Customers of Record that have submeter systems attached to the District's Water System shall comply with all applicable laws, statutes and regulations of the State of California and the city in which they are located, or the County of Orange, as applicable.

Mesa Water encourages efforts, including submetering, that support and promote the efficient use of Water within its service area; however, it does not encourage, favor, or support any submetering system or process that is used to generate revenue(s) over and above the fair and reasonable cost of installation of such system, fairly allocated costs of Water, and reasonable administrative costs.

4.2.10 Automatic Fire Sprinkler Service Connections

When an automatic fire sprinkler Service Connection (AFSSC) is installed, the control valve will be left closed and sealed until a written order to turn on the Water is received by Mesa Water from the Customer of Record.

After an AFSSC is activated, Mesa Water shall not be liable for damages of any kind whatsoever that may occur on or to the premises served, due to the installation, maintenance, or use of such AFSSC, or due to pressure fluctuations or interruption of Water supply.

Should the Customer request an AFSSC be shut off, Mesa Water must receive, in advance of the shut off, a written order from the Customer of Record and written approval from the appropriate fire department or authority.

Water is not to be used through an AFSSC for any purpose other than the extinguishing

of fires, or a purpose related thereto. Mesa Water shall have the right to shut off the entire supply of Water to the premises through the AFSSC when improper use occurs or for non-payment of bills. Mesa Water will notify the appropriate fire department or authority prior to any such termination.

Should Water be used through an AFSSC for an unauthorized purpose, the Customer of Record shall be charged for the unauthorized taking of Water in accordance with the Water Rate and Charge Schedule. A fireline meter indicating flow will result in a letter being sent to the Customer of Record. It is the Customer of Record's duty to determine if there is an illegal connection or leak and make the necessary repairs.

4.2.10.1 Down-Stream Residential Fire Sprinkler Systems

Certain residential dwelling units located within Mesa Water's service area may have installed, or may in the future install, fire sprinkler systems that are connected downstream of Mesa Water's service meter (Point of Ownership) (for purposes of this Section, a "System"). Mesa Water hereby provides notice that it is not responsible, and assumes no liability of any kind, for the installation, ownership, operation or use of any such System. The provisions of Sections 2.4 and 2.5 of these Rules and Regulations shall apply to any such System. Mesa Water expressly declines to provide, or guarantee, any particular Water Service, or pressure, to a Customer, or Customer account, that has such a System, and no contractual obligation therefore shall arise, whether through a Water Service Agreement or otherwise, without the express prior written agreement of the Board. Mesa Water assumes no liability whatsoever for any injuries or damages, of whatever nature, that arise or occur based on the installation, ownership or use of any such System. The provisions of this Section shall be in addition to, and not in derogation of, Mesa Water's statutory protections applicable to such matters.

4.2.11 Fire Hydrant Installation

The appropriate fire department or authority having jurisdiction shall designate the size and location of all fire hydrants to be installed. Fire hydrants shall be installed in the parking or sidewalk area adjacent to the curb within the public right of way. Residential and commercial developments requiring fire hydrants shall be considered private fire hydrants. Mesa Water shall not be responsible for maintaining or relocating private fire hydrants. Upon request and approval by the appropriate fire agency Mesa Water will change the location of fire hydrants owned and operated by the District when necessary. At the sole cost of the property Owner, Mesa Water may relocate a public fire hydrant with approval from the appropriate fire protection authority.

4.2.12 Water Main Extensions

Mesa Water will extend its Water distribution Mains to individual developers at the expense of the property Owner. If Mesa Water deems it necessary to install larger Mains for future use, the District will bear the costs of such over sizing.

4.2.13 Benefited Property Agreement

In the event that a Mainline extension or a new Mainline will benefit adjacent properties, at its discretion, Mesa Water may enter into a benefited property agreement with developer(s) of the adjacent properties. All terms and conditions of such a benefited property agreement will be subject to approval by the Board of Directors.

4.2.14 Regulation of Booster Pumps

When it becomes necessary, due to low Water pressure or special operating conditions, to install a booster pump on the service to any premise, such pump shall be equipped with a low-pressure cut-off switch designed to shutoff the pump when a Water pressure on the inlet side is 25 pounds per square inch gauge (PSIG) or less. It shall be the duty of the Customer of Record to maintain the cut-off device in proper working order and certify to Mesa Water, at least once a year that the device is operable. A person deemed competent by Mesa Water shall execute low-pressure cut-off device certification.

4.2.15 Acceptance of Easements

Subject to the provisions of this Section 4.2.15, Mesa Water requires that all facilities to convey potable and Recycled Water to Customers be installed in the public right-of-way. Mesa Water shall not accept facilities constructed on private property. However, the District Engineer and General Manager will consider the acceptance of an easement and Water facilities under the following conditions:

- Closed or Dead End Layout: Developments that contain a closed or dead-end layout that could result in substandard Water quality as determined by the District Engineer; or
- Multiple Unit Developments: Developments with 30 or more individually owned units requiring large Mainline construction as determined by the District Engineer.

The above conditions shall be at the discretion of the District Engineer and General Manager and subsequent approval of the Board of Directors. Acceptance of an easement by Mesa Water shall include, but not be limited to, the following criterion:

- Points of Connection: Customer shall establish a minimum of two points of connection Mesa Water's Mainline system as determined by the District Engineer.
- Easement Preparation and Costs: Easements shall be designed by the Customer at their costs and be certified by a California Registered Professional Land Surveyor. Easement documents shall be submitted to and approved by Mesa Water prior to meters being approved for installation.
- Easement Requirements: A 15 feet easement (7.5 feet each side of Main) shall be granted to Mesa Water for Mainlines and five feet for Water Services (2.5 feet each side of the service). Easements shall include within the boundaries Mainlines, service laterals, fire hydrants and Water meters.
- Water System Repair and Maintenance Responsibilities: Mesa Water shall not be

responsible for replacing decorative concrete, pavers, block walls, fences, grass, rock, irrigation systems or other appurtenances within the boundaries of a granted easement as a result of standard maintenance or emergency repair work. Mesa Water shall use asphalt paving to repair maintenance work performed within the easement and only over the location of repair. Mesa Water shall not be responsible for any cost over the cost of replacing the asphalt pavement. This requirement shall be written into the easement document.

- Water System Design Requirements: Mesa Water reserves the right to determine the location of Mains, services, meters and other appurtenances within the private development.
- City of Costa Mesa Private Gate Waiver: Customers shall not apply to the City or construct a privately gated community. This condition must be written into the easement document and a letter from the City received designating their agreement.
- Hold Harmless Agreement: The Customer shall execute Mesa Water's hold harmless agreement indemnifying the District with any existing or future damage caused by its facilities.

SECTION 5 – TEMPORARY WATER SERVICES

5.1 TEMPORARY CONNECTIONS

On a case-by-case basis, Mesa Water will allow the use of temporary connections to the District's Water System when Water Service is needed only for construction or other purposes as approved by Mesa Water. Mesa Water reserves the right to require the Applicant to use an existing Service Connection whenever feasible.

Mesa Water reserves the right at any time to set a meter on any temporary Service Connection and collect the required Deposits, and thereafter charge the regular metered Rate for the kind of service to be rendered.

All meters set on temporary Service Connections will be read by Mesa Water on a regular basis, and all temporary service accounts will be billed monthly or bi-monthly.

5.2 HYDRANT METERS

Water may be procured from fire hydrants for construction or other purposes only in the manner prescribed in these Rules and Regulations for Water Service. When Water is to be procured from a fire hydrant, the Applicant shall sign a Rules for Hydrant Meters For Construction Water Service form (Refer to Appendix 5) and also an Application Temporary Water Service (Refer to Appendix 4), wherein the Applicant shall specify the location of the fire hydrant to be used, the anticipated length of use and shall agree to make the required Deposit to Mesa Water. Copies of both forms shall be issued to the Applicant and shall constitute authority to procure and make such limited use from the fire hydrant therein designated, through a Mesa Water supplied hydrant meter.

Only Mesa Water employees are allowed to install or remove fire hydrant meters, which shall be subject to the approval of the Customer Services Manager. Private hydrants are not available for use with Mesa Water hydrant meters prior to installation of such meter; the permit holder must pay an Installation Fee in accordance with the Water Rate and Charge Schedule and Mesa Water's Policy DS-009 Hydrant Meters. The permit holder is required to give Mesa Water at least one Business Day (24 hours) notice when requesting the installation (set up) or removal of a fire hydrant meter.

Only Mesa Water employees may relocate a fire hydrant meter. The permit holder must give the District at least one Business Day (24 hours) notice when requesting fire hydrant meter relocation. Relocation will only be performed by Mesa Water employees during business hours and a Fee for moving the hydrant meter will be assessed in accordance with the rates listed in the Water Rate and Charge Schedule.

The permit holder is responsible for paying the costs of repairing any damages to the fire hydrant meters or hydrants. These costs will be the actual cost of repairs plus Mesa Water's full labor overhead Rate.

SECTION 6 – CROSS CONNECTION AND BACKFLOW PREVENTION

6.1 INTRODUCTION

Mesa Water recognizes that it has a responsibility to take all reasonable precautions to protect the public Water supply. Thus, in the exercise of this responsibility, Mesa Water must take all reasonable precautions to protect the District's Water System from the hazards originating on the premises of its Customers that may degrade the Water in the Water System.

To affect such precautions, Mesa Water, has adopted these Rules and Regulations pursuant to the State of California Administrative Code, Title 17 - Public Health entitled "Regulations Relating to Cross Connections."

In addition to these Rules and Regulations for Water Service, the Customer must comply with Public Law 99-339 - the Safe Drinking Water Act and its amendments, all State and local regulations including but not limited to Title 17 - Regulations Relating to Cross Connections, and the latest edition of the Manual of Cross Connection Control from the Foundation for Cross Connection Control and Hydraulic Research, University of Southern California.

These Rules and Regulations were written to assist Mesa Water in safeguarding its Potable Water supply. Mesa Water cannot, and will not, be held liable for actions by others that are beyond its control, including, but not limited to, willful sabotage, deceptive or fraudulent activities and acts of nature. These Rules and Regulations do not provide regulatory measures for protection of Water users from the hazards of Cross Connection within the Water users own premises.

6.2 GENERAL PROVISIONS

6.2.1 Protection

Protection shall be accomplished by isolating within the premises, any and all used, degraded, contaminated or polluted Water or other liquids, mixtures or substances. Mesa Water recognizes that there are varying degrees of potential and actual hazards; consequently, the degree of protection shall be commensurate with the degree of hazard.

6.2.2 Backflow Prevention Assemblies

Backflow Prevention Assemblies shall be provided and maintained by the Applicant, Owner or Customer of Record at his/her expense. Such assemblies shall be located on the premises of the property served and shall not be installed on Mesa Water's portion of the Water System. All such assemblies shall be readily accessible for testing and maintenance and no assembly shall be submerged at any time or exposed to Recycled Water, Direct Overspray or Runoff at any time.

From time to time, representatives of any health agency having jurisdiction or Mesa Water may conduct surveys of any premises where Recycled Water Service is provided by the District. The purpose of such surveys is to determine if any actual or potential cross-connections exist. The Applicant, Owner or Customer shall provide reasonable cooperation in facilitating such surveys.

The type of Backflow protection required is related to the degree of hazard that exists on the premises served. The type of Backflow Prevention Assembly that may be required (listed in increasing level of protection) includes Double Check Valve Assembly (DCV), Reduced Pressure Principle Assembly (RPP), and an Air Gap Separation (AG). The Applicant may choose to install an assembly with a higher level of protection than required by Mesa Water. The minimum types required, relative to various situations shall be as required by California Administrative Regulations, Title 17, or to the extent not covered thereby, as determined by Mesa Water or applicable regulatory agency.

It shall be the responsibility of the Applicant on any premises on which Backflow Prevention Assembly(ies) are installed to have competent inspections made at least once a year, or more often in those instances where successive inspections indicate repeated failure.

6.2.3 Unprotected Cross Connections

Unprotected Cross Connections to the public Water supply are prohibited.

6.2.4 New Service Requests

Mesa Water shall review all requests for new service to determine if Backflow protection is needed. Plans and specifications must be submitted to Mesa Water for review of possible Cross Connection hazards as a condition of service for new Service Connections.

6.2.5 Protection Required Before Granting Service

Whenever Backflow protection is found necessary, Mesa Water will require the Customer of Record or Applicant to install an approved Backflow Prevention Assembly at the Customer's expense for continued services or before a new service is approved.

6.2.6 Protect All Water Lines

Wherever Backflow protection is necessary on a Water supply line entering a Customer's premises, any and all Water Service lines from Mesa Water's Mains entering such premises, buildings or structures shall be protected by an approved Backflow Prevention Assembly. The type of assembly to be installed will be in accordance with the requirements of these Rules and Regulations.

6.3 WHERE PROTECTION IS REQUIRED

6.3.1 Premises Having an Auxiliary Water Supply

Premises that have an auxiliary Water supply shall be protected against Backflow of Water from the premises into the public Water System, unless the auxiliary Water supply is accepted as an additional source by Mesa Water and is approved by the public health agency having jurisdiction.

6.3.2 Premises Handling Processed Water

Premises, on which any substance is handled in such fashion that it may allow its entry into the Water System; shall be protected against Backflow of the Water from the premises into the public Water System. Such substances include, but are not limited to, the handling of processed Waters and Waters originating from the District's Water System subjected to deterioration in sanitary quality.

6.4 PREMISES HAVING OR POSSIBLY HAVING CROSS CONNECTIONS

Premises that have any one of the following shall be protected against Backflow of the Water from the premises into the public Water System:

- Internal Cross Connections;
- Intricate plumbing and piping arrangements susceptible to Cross Connection; or
- Where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not Cross Connections exist.

6.5 TYPE OF PROTECTION

6.5.1 Type of Backflow Assembly

The type of approved Backflow Prevention Assembly shall depend upon the degree of hazard. The decision as to when, where and which assembly to be used shall be made at the discretion of Mesa Water and shall depend upon the facts of each particular situation.

In determining, the degree of hazard and the type of approved Backflow Assembly required the following principles shall apply:

- Health or System Hazard – An approved Air-Gap Separation or an approved Reduced Pressure Principle Backflow Prevention Assembly (RPP) shall be used where there is an existing or potential contaminant (health or system hazard).
- Pollution Hazard – A Double Check Valve Assembly (DCV) is to be used where there is an existing or potential pollution (non-health hazard).

6.6 APPLICATION

6.6.1 Structures of More Than Two Stories in Height

At the Service Connection to any premises, where there are more than two stories in height above the Service Connection, an approved Backflow Prevention Assembly shall protect the District's Water supply.

6.6.2 Residential Buildings with Fire Sprinklers

New residential buildings requiring fire sprinkler protection systems shall utilize a 13D flow through the sprinkler system or install a testable Backflow Prevention Assembly.

Remodeled residential buildings installing fire sprinkler protection systems shall utilize a 13D flow through the sprinkler system or install a testable Backflow Prevention Assembly.

6.6.3 Recirculating Water

At the Service Connection to any premises containing recirculating Water systems (hot or cold); the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.4 Five or More Units

At the Service Connection to any premises where there are multiple units or dwellings that have five or more individual units being serviced through one metering system, the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.5 Health or System Hazard from Auxiliary Water Supply

At the Service Connection to any premises, where there is an auxiliary Water supply that may constitute a health or system hazard, an approved Air-Gap Separation or an approved reduced pressure principle Backflow Assembly, or both, shall be installed.

6.6.6 Sewage and Storm Drain Facilities

At the Service Connection to any wastewater treatment plant, wastewater pumping station or storm Water pumping station, the District's Water supply shall be protected by an approved Air-Gap Separation. All piping between the meter and the receiving vessel shall be entirely visible. If, in the opinion of Mesa Water, an Air-Gap Separation provides insufficient protection, the District may require installation of an additional approved Backflow Prevention Assembly(ies).

6.6.7 Hospitals, Mortuaries, Etc.

At the Service Connection to hospitals, medical and dental buildings, mortuaries and

other premises where special hazards exist, the District's Water supply shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly.

6.6.8 Commercial or Industrial Buildings

At the Service Connection to any premises containing commercial or industrial buildings subject to varying and unknown use, the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.9 Fireline Services

Approved Double Check Detector Assembly (DCDA) shall be installed on all fireline services, except where, in the opinion of Mesa Water, the DCDA does not provide sufficient Backflow protection. In this case, Mesa Water will require the installation of an approved Reduced Pressure Principle Detector Assembly (RPDA).

6.6.10 Irrigation Services

Meters serving only irrigation systems shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly.

6.6.11 Multiple Use Services

In the case of meters serving domestic and fire services (sprinklers), the District's Water supply shall be protected by an approved Backflow Prevention Assembly that will meet the minimum requirement for the existing or potential hazard.

6.7 INSTALLATION

6.7.1 Only Mesa Water Approved Assemblies

Only Backflow Prevention Assemblies that have been approved by Mesa Water and the DDW shall be acceptable for installation on a Service Connection. Upon request, Mesa Water will provide a list of approved Backflow Prevention Assemblies.

6.7.2 Installation Specifications

Backflow Prevention Assemblies shall be installed in a manner prescribed in Section 7603, Title 17 of the California Administrative Code and they shall be installed on the Customer's side of, and as close to the Service Connection as is practical. The assembly shall be installed a minimum of 12 inches and a maximum of 36 inches above final grade measured from the concrete pad to the bottom of the assembly and with a minimum of 12 inches clearance on either side. The assembly shall be installed so that it is readily accessible for maintenance and testing. Mesa Water shall have the final authority in determining the required location of a Backflow Prevention Assembly.

6.7.3 Replacement of Obsolete Assemblies

The Customer of Record must replace obsolete Backflow Prevention Assemblies when notified by Mesa Water that the assembly is no longer appropriate or acceptable. An obsolete assembly may be upgraded provided that a factory manufactured upgrading kit is available. The upgraded Backflow Prevention Assembly must be approved by Mesa Water and the California Department of Health Services Office of Drinking Water.

6.7.4 Testing New Assemblies

As soon as the installation of the Backflow Prevention Assembly has been completed, the Customer of Record shall have the assembly tested by a certified tester, and submit the test results to Mesa Water within ten days of the test date. An Orange County Health Department approved list of local certified testers may be obtained at the Mesa Water Office or on the website at www.MesaWater.org.

6.7.5 Right to Reject

Mesa Water reserves the right to reject any installation or assemblies.

6.7.6 Potable Water Plumbing

In September 2006, the State Legislature passed Assembly Bill 1953 prohibiting the use of any pipe, pipe or plumbing fitting or fixture, solder or flux that is not lead free in the installation or repair of any fixture intended to convey or dispense Water for human consumption. The prohibition has been in effect since January 1, 2010. All Potable Water facilities shall be provided with materials that meet the lead free requirements as defined in AB 1953, and certified by an independent American National Standards Institute (ANSI) accredited third party, including but not limited to, NSF International, as being in compliance with Section 116875 (g) of the Health and Safety Code as amended by AB 1953. Each shipment shall contain a copy of the certification that the item is lead free as defined by AB 1953.

6.8 INSPECTION AND TESTING

6.8.1 Original Test

All Backflow Prevention Assemblies shall be inspected, tested and certified as operational when the assembly is originally installed, replaced, relocated or repaired. All tests shall be conducted by a certified tester who shall prepare a report certifying that the assembly has been tested and is operating satisfactorily.

6.8.2 Annual Test by Certified Tester

At the expense of the Customer of Record, all Backflow Prevention Assemblies shall be inspected, tested and certified as operational at least once a year. All tests shall be

conducted by a certified tester who shall complete a Mesa Water Backflow test form report for each assembly certifying that the assembly has been tested and is operating satisfactorily.

6.8.2.1 First Notification

Mesa Water will notify the Applicant, Owner, or Customer(s) when their annual testing is required and supply them with the necessary test form(s) that must be filled out each time a Backflow Prevention Assembly is tested or repaired. Such notice will include the date by which the test must be completed, (generally 30 days after the date of the notice). Copies of the completed forms shall also be sent to the local regulatory agency (OCHCA). The Applicant, Owner, or Customer shall notify Mesa Water any time an assembly is repaired, replaced or relocated. A Backflow Prevention Assembly shall be repaired or replaced by, and at the expense of the Applicant, whenever it is found to be defective. Records of all such tests and repairs shall be submitted to Mesa Water with ten days and maintained by the Applicant.

6.8.2.2 Shutoff Notification

A shutoff notice shall be sent to each Customer of Record who does not have the Backflow Prevention Assembly tested within the 30-day period as prescribed in the first notice. The shutoff notice will give the Customer of Record a two-week period to have the applicable Backflow Prevention Assembly tested. If no action is taken within such two-week period, Mesa Water may terminate Water Service to the Customer's premises until the subject assembly is scheduled for testing and testing company calls in to restore Water Service.

6.8.2.3 Customer of Record's Responsibility

The Customer of Record shall cause annual tests to be made of the Backflow Prevention Assembly at the expense of the Customer of Record. Defective assemblies shall be repaired, overhauled or replaced immediately at the expense of the Customer of Record. As a courtesy Mesa Water provides a notice of annual testing, but failure to receive such notice shall not relieve the Customer of Record of requirements under this section.

6.8.2.4 Reports

Reports of inspections, tests, repairs, overhauling of the assembly and corrections made shall be submitted to Mesa Water within ten days of the test date by the certified tester. Such reports shall be submitted to Mesa Water on forms supplied by the District.

6.8.3 Random Tests and Inspections of Assemblies

Mesa Water will maintain a program of random or spot testing of various Backflow Prevention Assemblies at no cost to the Customer of Record. This testing may be done at the time of installation and periodically thereafter. This testing will in no way relieve the

Customer of Record from responsibility for maintaining functional assemblies, but will serve to help assure that the program is serving its intended purpose.

6.8.4 On-Premise Inspection by Mesa Water

At its discretion, Mesa Water may require an on-premises inspection for Cross Connection hazards on any property to which it serves Water. Mesa Water will transmit a written notice requesting an inspection appointment to each Customer of Record. Any Customer or Customer of Record who cannot or will not allow an on premise inspection of the piping system shall be required to install any Backflow Prevention Assembly that Mesa Water considers necessary.

6.8.5 More Frequent Inspection

Where successive annual reports indicate defective operation of a Backflow Prevention Assembly, Mesa Water may require more frequent inspections or require replacement of the assembly.

6.8.6 Duty of Tester

The certified tester shall be responsible for the competency of inspections, corrective actions and the accuracy of reports required under this Section and Mesa Water's code of conduct for Backflow assembly testers.

6.8.7 Testing Methods

Test results of Backflow Prevention Assemblies will only be accepted if performed in accordance with the methods used by the Foundation for Cross Connection Control and Hydraulic Research at the University of Southern California and County of Orange/Health Care Agency/Environmental Health.

6.9 ENFORCEMENT

6.9.1 New Service Connections

No new Service Connections shall be completed, nor meters installed, until all provisions of these Rules and Regulations for Water Service have been satisfied.

6.9.2 Existing Service Connections

Existing Service Connections shall comply with all provisions of these Rules and Regulations for Water Service. If it is found that the service is out of compliance, the service will be brought into compliance with all provisions of these Rules and Regulations for Water Service when the Customer of Record is notified by Mesa Water. Failure to comply shall result in termination of Water service.

6.9.3 Termination of Water Service

Mesa Water may immediately terminate service to any premises where an actual or potential Cross Connection or other hazard to the District's Water supply is found to exist. Any Customer who violates any of the provisions of these Rules and Regulations or alters, bypasses or renders inoperative, or removes any installed Backflow Prevention Assembly, or fails to test the assembly as required, shall be subject to immediate termination of Water service.

6.9.4 Civil and Criminal Actions

Violation of these Rules and Regulations may constitute a public nuisance within the meaning of Health and Safety Code Section 117035 and Penal Code Sections 372 and 373a. Violators may be subject to civil actions for abatement and damages (Civil Code Section 3479, et seq.) and Criminal Penalties of up to six months in county jail or \$1,000 or both (Penal Code Section 19). Customers may also be assessed a fine of \$500 per day by Mesa Water for Violation of these Rules and Regulations for Water Service.

6.9.5 Onsite Irrigation Systems

For onsite irrigation systems, Mesa Water will focus its review on the identification requirements and any other specific items that are specified by these Rules and Regulations. The character and quality of the materials used for the irrigation system will be the responsibility of the design engineer or Applicant of the property.

The Contractor shall furnish Mesa Water with such information, as it may desire, regarding the character and quality of materials used. When requested by Mesa Water, the Contractor shall submit a certification that the product meets the requirements of these Rules and Regulations.

The onsite irrigation system shall be tested as required by the design engineer or landscape architect for the Applicant of the property and as is required by the local governing codes, rules, and regulations.

6.10 GENERAL TESTING

6.10.1 Offsite Facilities

Prior to final acceptance by Mesa Water, all offsite water and Recycled Water Facilities that will be ultimately be owned by the District shall pass all testing requirements specified within the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. All testing shall be conducted in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. The tests shall be conducted by the Contractor in the presence of the Mesa Water Inspector. The scheduling of these tests shall be the responsibility of the Contractor. The Contractor shall provide adequate resources.

Upon the successful completion of the required testing, Mesa Water shall perform the final inspection in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. All identification requirements will be reviewed and field inspected. Mesa Water will note all required corrections in the form of a punch list issued to the Contractor. Final acceptance of the Offsite Facilities will not be authorized until all corrections are made to the satisfaction of the District.

6.10.2 Onsite Facilities

Prior to final acceptance by Mesa Water, all Onsite Recycled Water and Potable Water Systems shall pass an operational test within 30 days of the completed irrigation system installation. The test shall be conducted by the Contractor in the presence of Mesa Water Inspector. The scheduling of these tests shall be the responsibility of the Contractor. The Contractor shall provide adequate resources.

Mesa Water shall note all required corrections in the form of a punch list issued to the Contractor. Regular service startup shall not be authorized until all corrections are made to the satisfaction of Mesa Water. Punch list is valid for 30 days only.

6.11 TERMINATION

6.11.1 Basis for Termination of Water Service

In the event of contamination or pollution of its Potable Water System due to a cross-connection on premises to which the District's Water System is connected, the local health officer and Mesa Water shall be promptly advised by the person responsible for the premise Water System so that appropriate measures may be promptly taken to mitigate the contamination or pollution. When the District determines that Water uses or conditions encountered by Mesa Water employees represent a clear and immediate hazard to the District's Water supply that cannot be immediately abated, it shall institute the procedure for discontinuing Water use as set forth below. Conditions or Water uses that create a basis for Water Service termination shall include, but are not limited to, the

following:

- a. Refusal to install a required Backflow Prevention Assembly
- b. Refusal to test a Backflow Prevention Assembly
- c. Refusal to repair a faulty Backflow Prevention Assembly
- d. Refusal to replace a faulty Backflow Prevention Assembly
- e. Direct or indirect connection between the District's Water System and a sewer line
- f. Unprotected direct or indirect connection between the District's Water System and a system or equipment containing contaminants
- g. Unprotected direct or indirect connection between the District's Water system and an auxiliary Water System
- h. A situation that presents an immediate health hazard to the District's Water System
- i. Failure to comply with other provisions of these Rules and Regulations for Water Service

6.11.2 Termination Procedures

For conditions, a through d stated in Section 6.11.1 Mesa Water will terminate service to a Customer's premises after two written notices have been sent specifying the corrective action(s) needed and the time period in which it must be taken. If no action is taken within the allowed time period, Water Service may be immediately terminated without further notice.

For conditions, e through i stated in Section 6.11.1 Mesa Water will make a reasonable effort to advise the Customer of the intent to terminate Water Service before termination.

6.11.3 Restoration of Water Service

Water Service shall not be restored until all identified hazards are eliminated and/or all Violations have been corrected to the satisfaction of Mesa Water. Nor shall Water Service be restored until Mesa Water has received reimbursement for any costs incurred in terminating the Water Service and advance payment for the cost of service restoration. All costs will be in accordance with the Fees specified in the Water Rate and Charge Schedule.

SECTION 7 – WATER USE EFFICIENCY AND WATER WASTE PROHIBITION

7.1 INTRODUCTION

Mesa Water is dedicated to promoting and implementing the efficient use of water.

Water using appliances, devices, and irrigation systems shall be designed, installed, and used in such a way as to use Water efficiently, and to meet or exceed Water efficiency requirements of any applicable local or State standards or law.

7.2 WATER USE EFFICIENCY PROGRAMS AND SERVICES

The District's Water Conservation Coordinator administers various programs and services to assist Customers in using Water efficiently in their homes, businesses, and landscapes.

Descriptions of these programs and services may be found on Mesa Water's website at www.MesaWater.org

7.3 WATER CONSERVATION AND WATER SUPPLY EMERGENCY PROGRAM

Mesa Water has adopted a Permanent and Emergency Water Conservation Program that includes permanent Water-waste prohibitions, escalating water requirements to be implemented over Water supply shortage conditions, penalties and Violations, and other general provisions. The permanent Water-waste restrictions include primarily behavioral measures such as limiting irrigation times, prohibiting the washing of paved surfaces, and controlling excessive Runoff.

The Permanent and Emergency Water Conservation Program can be found on Mesa Water's website at www.MesaWater.org or upon request by calling 949.631.1200.

SECTION 8 – RECYCLED WATER SERVICE

8.1 INTRODUCTION

It is Mesa Water's desire to promote conservation of Water resources. Whenever possible, Recycled Water Service by Mesa Water, on behalf of Orange County Water District, may be made available to Customers.

When Recycled Water Service is available at a reasonable cost, as a condition to receiving Water Service, Mesa Water shall require, pursuant to California Water Code Sections 13550 and 13551, the Applicant, Owner or Customer to accept and use Recycled Water in lieu of Potable Water for legally permissible uses, as determined by the District. Mesa Water additionally may require an Applicant, Owner or Customer to install or pay for the installation of Recycled Water Service lines, Service Connections, meters, Backflow Prevention Assemblies and any and all other appurtenances to a service in compliance with these Rules and Regulations for Water Service.

In most instances where service is desired for the purposes of landscape irrigation, industrial Water use or other non-potable use, it is the general intent of Mesa Water to provide Recycled Water in lieu of Potable Water. However, the General Manager, on a case-by-case basis, must approve each use. Mesa Water may determine, at its discretion, whether it is necessary or desirable to furnish Potable Water at the Potable Water Rate, either on a permanent basis or on an interim basis.

Determinations on the specific, allowable uses of Recycled Water shall be in accordance with the standards of treatment and Water quality requirements set forth in Title 22, California Code of Regulations, Chapter 3, Water Recycling Criteria, and with the intent to protect the public health. In addition, each use shall be subject to the availability of facilities and the feasibility of making such facilities available.

8.2 GENERAL PROVISIONS

8.2.1 Specific Authority

The Recycled Water User shall comply with these Rules and Regulations as well as, but not limited to, all applicable State, federal and local governing codes, rules and regulations, regardless if the above mentioned section(s) specifically refer to Recycled Water or Recycled Water Service. Mesa Water reserves the right, at its discretion, to determine the applicability of a specific rule, regulation or other provision.

8.2.2 Enforcement

Mesa Water shall enforce these Rules and Regulations in all matters concerning the use of any Recycled Water or Recycled Water Service within its service area. Each and every condition and requirement with respect to the use, connection, disconnection, reconnection or discontinuance of Recycled Water or Recycled Water Service provided

by and set forth in these Rules and Regulations shall apply with equal force and effect to any person, persons or firm, public or private. There shall be no deviation from these Rules and Regulations except upon authorization by the General Manager, who will act at all times within any and all appropriate regulatory agency constraints.

8.2.3 Amendments

These Rules and Regulations affecting Recycled Water Service (Sections) may be amended by Board action at any regular or special meeting for cause determined by the General Manager and without the approval of any user or Owner. Moreover, any amendments so made shall be incorporated immediately by these regulations and will be administered accordingly. Insofar as these regulations are based upon portions of the California Code of Regulations, Title 17 and Title 22, to the extent such State regulations are amended, these Rules and Regulations shall be deemed to have been amended in a corresponding manner or form.

8.2.4 Federal, State and Local Authority

All Onsite Facilities shall be designed to meet the standards of all applicable federal, State and local governing codes, rules and regulations.

8.2.5 Precedence

These Rules and Regulations shall take precedence when requirements contained herein are more stringent than those specified in federal, State or local governing codes, rules and regulations.

8.2.6 Service Area

The regulations set forth in this Section 8 pertain to Recycled Water Service to lands or improvements within the legal boundaries of Mesa Water's service area unless otherwise stated. Legal boundaries include, but are not limited to, most of the City of Costa Mesa Water, parts of the City of Newport Beach and some unincorporated county area, including the John Wayne Airport area. Mesa Water's service area may be subject to future changes.

8.2.7 System Responsibility

All Offsite Facilities within Mesa Water's service area are the responsibility of the District and shall be under the management and control of Mesa Water. Only Mesa Water and those authorized by the District shall have any right to operate the Offsite Facilities and related property in any manner. Mesa Water shall be responsible for the operation of the Offsite Facilities and distribution system within its service area and for the surveillance of all Recycled Water Users within its service area. Mesa Water shall not be responsible for the quality assessment of Recycled Water as it relates to compliance with requirements of the Appropriate Regulatory Agencies.

8.2.8 Protection of Public Health

Mesa Water reserves the right to take any action(s) with respect to the operation of the Recycled Water System and to take such action(s) at such time as it deems proper to safeguard public health.

The Appropriate Regulatory Agencies have independent authority and responsibility to protect public health and may take action at such time as deemed proper to safeguard public health.

8.2.9 Authorized Uses

This Section 8 of these Rules and Regulations address the application of Recycled Water for irrigation and Construction Use. Other proposed uses will be reviewed on a case-by-case basis by Mesa Water and the Appropriate Regulatory Agencies. In all cases, Mesa Water's approval of any proposed use will be contingent upon the proposed use being acceptable to the Appropriate Regulatory Agencies. Only those uses specified in the User Agreement or Water Service Agreement are uses authorized by these Rules and Regulations.

8.2.10 Approved Use Areas

These Rules and Regulations for Recycled Water pertain to Recycled Water Service to land or improvements, or both, lying within the boundaries of Mesa Water's service area and within the areas where Recycled Water Facilities are available. If Mesa Water has determined that Recycled Water shall be provided in accordance to the requirements contained in this Section; such service shall be provided only if a permit for such Recycled Water Service is obtained in the manner hereinafter provided.

The acceptable uses of Recycled Water for irrigations purposes include any of the following:

- Parks, greenbelts, and playgrounds
- School yards
- Athletic fields
- Golf courses
- Cemeteries
- Residential landscaping, common areas (individual owned residences are not eligible under the Orange County Water District Discharge Permit)
- Commercial landscaping, except eating areas
- Industrial landscaping, except eating areas
- Freeway, highway and street landscaping
- Agricultural irrigation
- Firefighting (only with special approval)
- Construction Use (soil compaction, dust control, etc.)

- Groundwater recharge (case-by-case basis)

Each such use must be considered for approval by Mesa Water on a case-by-case basis, and the District may determine, in its sole discretion, whether it is feasible to furnish Recycled Water for the specific use involved. Prior to approving such uses, Mesa Water may, in its sole discretion, set forth specific requirements as conditions to providing such services or require specific prior approval from the Appropriate Regulatory Agencies. Only those use areas specified in the User Agreement or Water Service Agreement are authorized areas for use of Recycled Water.

8.2.11 Design Approval

Prior to the construction of Onsite Facilities, in or on an Approved Use Area, that will use or receive Recycled Water; the design of such Onsite Facilities must be approved by Mesa Water. Approval shall be obtained only through the procedure contained in these Rules and Regulations. Approval shall be contingent upon evidence that all applicable design requirements, including those contained within these Rules and Regulations, are satisfied.

8.2.12 Construction Inspection

Mesa Water or its authorized District Agents may inspect the construction of Onsite Facilities that will use or receive Recycled Water to verify that such facilities are constructed in conformance with the approved Drawings and these Rules and Regulations.

8.2.13 Service Approval

Before Mesa Water approves commencement of service for any facilities using Recycled Water, the Record Drawings of the facilities as constructed must be approved by the District. In addition, the system must have passed tests for Cross Connections and proper operation under design conditions, in accordance with these Rules and Regulations and the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities, to the satisfaction of the District.

8.2.14 Service Conditions

Mesa Water reserves the right to control and schedule the use of Recycled Water if in the opinion of the General Manager, control and scheduling are necessary to maintain acceptable working conditions in the Offsite System. These and other service conditions contained in Section 8 of these Rules and Regulations will be administered by Mesa Water at its discretion.

8.2.15 Rates, Fees and Deposit Schedule

All rates, Fees and Deposits regarding Recycled Water Service and respective

administrative provisions, shall be fixed and established by the Board. All costs will be in accordance with the Fees specified in the Water Rate and Charge Schedule.

8.2.16 Mesa Water Limits of Responsibility and Liability

Mesa Water assumes no responsibility for the maintenance and operation of any Onsite Recycled Water System. Pursuant to the terms, which shall be set forth in all User Agreements or Water Service Agreements, the Owner shall assume all liability and responsibility and Mesa Water shall be kept whole and blameless at all times in any claim resulting from matters involving quantities, quality, time or occasion of delivery, or any other phase of the maintenance, operation and service of the Owner's Onsite Facilities.

Mesa Water will not turn on Recycled Water at any property unless the designated User Supervisor is onsite and available at the time.

Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Recycled Water Service provided pursuant to these Rules and Regulations for reasons Mesa Water deems an emergency or a matter of public health and safety. In addition, Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Recycled Water Service provided pursuant to these Rules and Regulations for reasons that are beyond its control.

8.2.17 Surveillance

It is the responsibility of the user to provide surveillance and supervision of the Onsite Facilities in a manner that assures compliance at all times with these Rules and Regulations. A User Supervisor shall be designated by the user and shall be approved by the District. Mesa Water shall provide surveillance and supervision of the Offsite Facilities for compliance with these Rules and Regulations. Moreover, Mesa Water shall, and reserves the right to, inspect on a regular basis the Onsite System and operations for conformance with these Rules and Regulations.

8.2.18 Contingency Reservations

If real or potential hazards are evidenced at any time during the construction or operation of any portion of the Recycled Water System or Onsite Facilities, Mesa Water reserves the right, and shall have the authority to, terminate Recycled Water Service without notice to the user in the interest of protecting public health.

8.2.19 Specific Prohibitions

The following conditions are specifically prohibited. Should any such conditions occur at or on a location, Recycled Water Service may be terminated by Mesa Water in accordance with Section 2.4.

8.2.19.1 Runoff Conditions

Conditions that directly or indirectly cause Recycled Water Runoff outside of/or within the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized. The use of Recycled Water on Water-saturated or frozen ground or during periods of precipitation such that Runoff is induced, is prohibited.

8.2.19.2 Ponding Conditions

Conditions that directly or indirectly cause a Ponding condition outside of or within the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized. Temporary Ponding in a vegetated area caused by draining of system or meter testing is allowed in specified areas with prior Mesa Water approval.

8.2.19.3 Direct Overspray Conditions

Any discharge of Recycled Water directly onto areas other than that within the Approved Use Area is strictly prohibited.

8.2.19.4 Windblown Overspray Conditions

Conditions that directly or indirectly permit windblown Recycled Water spray to pass outside of the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized.

8.2.19.5 Unapproved Uses

Use of Recycled Water for any purposes other than those explicitly approved in the currently effective User Agreement or Water Service Agreement without the prior knowledge and written approval of Mesa Water is strictly prohibited.

8.2.19.6 Disposal in Unapproved Areas

Disposal of Recycled Water for any purposes, including Approved Uses, in areas other than those explicitly approved in the User Agreement or Water Service Agreement issued by Mesa Water and without the prior knowledge and approval of the District, and is strictly prohibited. The discharge of Recycled Water from flushing or draining of the recycled system shall be done either at the Approved Use site and in a manner, that does not create Ponding or Runoff conditions, (See Section 8.2.19.2. "Ponding Conditions" for special considerations) or to a sanitary sewer manhole with the approval of the agency responsible for operation of such sanitary sewer. In no case shall the discharge of Recycled Water to a sanitary sewer cause the sewer to overflow or otherwise create a public health hazard or nuisance. Air gap protocol shall be applied.

The direct or indirect discharge from Approved Use Areas of Recycled Water to surface waters, either perennial or ephemeral, including wetlands, vernal pools, etc. is prohibited,

unless otherwise authorized by an NPDES Permit.

8.2.19.7 Cross Connections

Cross connections between the Recycled Water System and the Potable Water System, whether by design, construction practices, or system operation is strictly prohibited.

8.2.19.8 Unprotected Drinking Fountains

Any and all drinking fountains located within the Approved Use Area, as designated in the currently effective User Agreement or Water Service Agreement, shall be protected from contact with Recycled Water, whether by Windblown Spray or by direct application through irrigation or other Approved Use. The lack of such protection, whether by design, construction practice, or system operation, is strictly prohibited.

8.2.19.9 Unprotected Public Facilities

Facilities that may be used by the General Public, or onsite staff, including, but not limited, to eating areas, eating surfaces/benches, pools, spas, hardscape, and playground equipment/play areas, and located within the Approved Use Area designated by the User Agreement or Water Service Agreement, shall be protected by siting or a structure from contact with mist, Runoff or direct contact with Recycled Water. Lack of such protection is prohibited until review and concurrence by Mesa Water and regulatory agencies on a case-by-case basis

8.2.19.10 Hose Bibs

Installation of Hose Bibs on any Onsite System that presently operates or is designed to operate with Recycled Water, regardless of the Hose Bib construction or identification, is strictly prohibited unless the Customer is a cemetery or an industrial facility with minimal public access or exposure.

8.2.19.11 Fire Hydrants

The use or installation of fire hydrants on any Onsite System that presently operates or is designed to operate with Recycled Water, regardless of the fire hydrant construction or identification, is strictly prohibited.

8.2.19.12 Domestic Wells

The application of Recycled Water within 50 feet of a domestic well, and impoundment of Recycled Water within 100 feet of a domestic well, unless approved by Mesa Water and DDW, is prohibited.

8.2.19.13 Hours of Operation

Irrigation with Recycled Water is restricted to particular hours that vary for the following Approved Use Areas:

- Turf areas and center street medians – between 10:00 p.m. and 6:00 a.m.
- Slopes and groundcover/shrub areas – any hour (if no potential for public contact)
- Golf courses – between 9:00 p.m. and 5:00 a.m.
- Golf courses – fill impoundments - between 5:00 a.m. and 6:00 p.m.

Potential public contact with Recycled Water shall take precedence over recycled watering schedules. Irrigation system runtimes shall be adjusted to minimize public contact with Recycled Water, on an individual lateral system basis. Mesa Water shall require specific run times and durations where there is a history of public contact. Consideration shall also be given to allow maximum drying time prior to subsequent public use.

8.2.19.14 Water/Garden Hoses and Hose Appurtenances

Water/garden hoses and hose appurtenances using Recycled Water shall be purple in color with heavy-duty brass fittings. Hoses shall be continuously imprinted with “Caution; Recycled/reclaimed Water – Do Not Drink” and rated at 150 psi working pressure. Hoses shall only be used for Recycled Water use. Use of such hoses for Potable Water use is strictly prohibited.

8.2.19.15 Recycled Water Impoundments

All Recycled Water impoundments shall be adequately protected from erosion, washout and flooding such that no discharge occurs unless the discharge is a result of a 25-year, 24-hour storm event or greater.

Any storage facility or impoundment containing Recycled Water for reuse applications shall be managed in a manner to control odors, nuisance conditions or vectors such as mosquitoes. Should such problems develop, a management plan shall be devised and implemented to monitor, correct and control future occurrences.

8.3 REQUIREMENTS FOR DESIGN AND OPERATION

8.3.1 Design Requirements

Design of Onsite Systems shall be performed by the Owner and such design plans shall be in conformance with the applicable portions of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities and AWWA Guidelines except as herein modified.

8.3.1.1 Design Responsibility

The design of an Onsite System that will use Recycled Water, including the preparation of plans and construction specifications, shall be under the responsibility of the Customer of Record. Onsite Facilities, in addition to conforming to these Rules and Regulations, shall conform to all applicable local governing codes, rules and regulations. Mesa Water shall have authority over materials, equipment, design, and construction methods used for Onsite Facilities.

8.3.1.2 Point of Connection for Service

Mesa Water will establish the Point of Connection for each Recycled Water Service. The user shall be responsible for extending the Onsite service line to the established Point of Connection and the user will be responsible for all costs associated with extending the Offsite Facilities to the users Recycled Water site.

8.3.1.3 Piping

All Onsite System piping used in conveying Recycled Water shall be of adequate size and structural integrity to ensure that leaks or ruptures will not occur. Lines crossing roadways or other areas receiving regular vehicular traffic must be buried to a depth of at least 24 inches and sleeved. Rigid pipe, able to withstand the planned vehicle loads, shall be used for such installations.

8.3.1.4 Irrigation System Layout

Each Recycled Water irrigation system shall be designed based on peak-application rate requirements to prevent discharge onto areas outside of the Approved Use Areas. Adjustable arc, adjustable radius sprinklers with anti-drain/check valves shall be used adjacent to roadways, boundary lines, and hardscape to confine the discharge from the irrigation system to the Approved Use Area(s). A drainage device under control of the Owner shall be installed at the toe of slope draining to single-family residential lots. Drainage devices must stand-alone; slope drainage devices and shall not be tied into any other drainage systems, e.g., private systems for single-family lots.

The Onsite irrigation system shall be required to automatically shut off in the event of a line break. Use all available equipment to prevent unauthorized discharge of Recycled Water.

The irrigation system design shall avoid spray patterns that include obstructions that tend to concentrate Recycled Water to produce Ponding or Runoff, such as direct or indirect spraying against structures or objects.

No common trenching with other utilities of any kind is permitted.

Mesa Water reserves the right to limit the area of land under one ownership or homeowner's association to be supplied by one Recycled Water Service Connection and corresponding meter. A Recycled Water Service Connection and its corresponding meter shall not be used to supply adjoining property of a different Owner, without the prior approval in writing from Mesa Water stating conditions and restrictions, such as easements or Memorandum of Understanding.

Irrigation systems where the landscaping around the homes and in common areas is served with one meter and owned by the same Customer, (e.g., a homeowner's association), may be allowed to cross roads, streets, or other public right-of-ways within the Customer's property.

When a property provided with a Recycled Water connection and corresponding meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land on which the meter is located. Additional Recycled Water Mains or Recycled Water Service lines shall be required for all subdivided areas in accordance with these Rules and Regulations.

For properties of the same Customer, irrigation systems shall be allowed to cross roads, streets, or other public rights-of-way to serve medians and slopes along streets. Recycled Water meters shall be located in the public right of way.

All Recycled Water used on any property must pass through the corresponding water meter. Customers shall be held responsible and charged for all Recycled Water passing through the Water meter(s).

8.3.1.5 Storage Facilities

Onsite storage tanks used in storing Recycled Water shall be of adequate design and structural integrity to ensure that leaks or ruptures will not occur in the course of normal use. All storage tanks that are less than eight feet in elevation above ground Level shall be contained within a fence or other enclosure that will restrict access by the General Public to these facilities at all times. Outlet control with positive shut-off shall be provided at each storage facility. All storage facilities shall comply with posting and identification regulations contained in Section 8.4.7.

8.3.1.6 Distribution Vehicles

Vehicles used for distributing Recycled Water for soil compaction and dust control purposes shall be provided with an adequate tank and plumbing systems to ensure that leaks and ruptures will not occur in the course of normal use. Control valves shall be provided such that Recycled Water can be applied in a controlled fashion on the Approved Use Area and completely retained during transit to all other areas. Spray heads or nozzles shall be provided and configured in such a way that the Recycled Water is uniformly applied and Runoff, Ponding or Windblown Spray conditions prevented. Each tank shall be equipped with an approved Air-Gap Separation. All vehicles used for distributing

Recycled Water shall comply with posting and identification Regulations contained in Section 8.4.7.

8.3.1.7 Temporary Connections to Potable Water System

In those areas where Recycled Water is not immediately available for use and an approved Onsite Recycled Water System has been constructed, a temporary connection to Mesa Water's Potable Water System may be allowed with written approval by the General Manager. Mesa Water shall be solely responsible for making any connections to the Potable Water System. All temporary connections to Mesa Water's Potable Water System shall conform to all requirements specified within its Cross Connection and Backflow Prevention Rules and Regulations.

At the time when Mesa Water determines that Recycled Water is available, the District shall notify any user with a temporary Potable Water connection of the availability of Recycled Water and schedule a mutually acceptable time for making the conversion to Recycled Water. Mesa Water will establish Point of Connection to the Offsite Facilities.

8.3.2 Operational Requirements

8.3.2.1 Supervision

The operation and surveillance of Onsite Systems shall be under the management of the User Supervisor designated by the user and approved by Mesa Water. This User Supervisor, or their representative, shall be available during business hours at an address listed with Mesa Water for the purpose of hosting an inspection tour or for discussing operational aspects of the Onsite System. The User Supervisor, or representative, shall be available via telephone (at a number listed with Mesa Water) for emergency off-hours contact. It is a requirement of Mesa Water that the User Supervisor and their representative can adequately communicate with employees in the English language.

8.3.2.2 Employee Training

It shall be the responsibility of the user to ensure that all Operations staff are trained in and familiarized with the use of Recycled Water, and are familiar with these Rules and Regulations and the requirements of the Appropriate Regulatory Agencies concerning the use of Recycled Water. The user shall attest, by way of the User Agreement or Water Service Agreement that such training shall be provided to all existing employees as well as to all new employees. In addition, the user shall provide Mesa Water with written confirmation stating what training is provided to the Operations staff, who received the training and on what date the training was provided. A copy of these Rules and Regulations shall be maintained at the user's site at all times.

8.3.2.3 Onsite Information

The user shall be responsible for furnishing the Water Operations staff with comprehensive system operating instructions, maintenance instructions, and Record Drawings to ensure proper operation in accordance with the system design and these Rules and Regulations. At least one complete set of this information shall be kept onsite or in the nearest field office or maintenance building established by the user. The user shall have the responsibility of properly disseminating this information to all appropriate Water Operations staff. The user shall provide Mesa Water with written confirmation stating what information was provided to the Water Operations staff, to whom the information was given and on what date the information was provided.

8.3.2.4 Onsite Inspection

Inspection of the Onsite System may occur at any time without prior notice by Mesa Water, a District Agent, and various Appropriate Regulatory Agencies. The user and Water Operations staff shall cooperate with Inspectors and assist in the performance of operational tests as requested.

8.3.2.5 Confinement of Irrigation

Any onsite irrigation system shall be operated to prevent discharge onto areas that are not approved for use. Overspray resulting from attempts to reach remote portions of the Approved Use Area shall not be practiced. This situation shall be rectified by appropriate design corrections to the system layout.

8.3.2.6 Construction Use

Recycled Water used for the purpose of soil compaction and dust control shall not be stored or applied in a manner that causes Runoff, Ponding, windblown overspray conditions, or discharge in any way onto unapproved areas. If such conditions occur, the method of application shall be altered to correct them and prevent any further Ponding, Runoff, or Windblown Spray onto unapproved areas. Control valves on the Water distribution vehicles and other controlling devices shall be properly employed to prevent the application of Recycled Water outside the Approved Use Area onto surfaces including, but not limited to, street pavements, sidewalks, and drainage courses.

8.3.2.7 Maintenance

A written preventative maintenance program and schedule designed to ensure the continued operation of all Onsite System elements within the requirements of these Rules and Regulations shall be evidenced by the user and shall be open to inspection by Mesa Water at all times.

8.3.2.8 Reuse of Recycled Water Equipment

Any equipment, such as tanks, Water trucks, temporary piping or valves and portable pumps that have been used for Recycled Water purposes shall be drained, cleaned and disinfected before removal from the Approved Use area to another job site. This disinfection and cleaning shall ensure the protection of the public health in the event of any reuse of such equipment with higher quality Water.

Methods of disinfection shall be approved by the District or the appropriate regulatory agency, and the disinfection process shall be performed in Mesa Water employee's presence. When storage tanks or distribution vehicle tanks are provided with an inlet air gap whose configuration is approved by the DDW and OCHCA, such Onsite disinfection shall not be required.

8.3.3 Submittals and Records

Facility layout Drawings shall be submitted as specified within these Rules and Regulations by the Customer and approved by Mesa Water prior to commencing any installation of Recycled Water Facilities. The Drawings shall be signed by the Design Consultant and shall include the construction of the use area, and the onsite irrigation system, as a minimum. A materials list shall also be submitted to Mesa Water and it shall include the following:

- Offsite or Onsite Distribution Facilities – The manufacturer, diameter, approximate length, and construction material of all offsite or onsite distribution Recycled Water Mains (pressurized).
- Onsite Storage Facilities – The estimated number and locations of fixed storage tanks or ponds and the approximate volume of each.
- Recycled Water Volume – The maximum and average amounts in gpm that will be drawn from Mesa Water Recycled Water distribution system, and the hours of operation.

Applicants that propose to use Recycled Water for industrial applications or for other special uses may be required to supply additional information, on a case-by-case basis.

8.3.3.1 Preliminary Investigation

The Applicant shall meet with the District at the earliest possible date to determine whether the Design Area is within Mesa Water's service area. At this time, the availability of Recycled Water and the proximity of the site to the Offsite Facilities will be reviewed. Feasibility acceptance by Mesa Water must be obtained before an Application for Recycled Water Service will be accepted.

8.3.3.2 Comprehensive Investigation (Retrofitting Only)

Upon accepting an Application for Recycled Water Service that involves retrofitting, Mesa

Water may conduct a comprehensive investigation of the existing facilities. The Applicant shall cooperate with Mesa Water in its efforts to: (i) obtain required information; (ii) review existing documents; and (iii) inspect the existing facilities.

8.3.3.3 System Design Documents

The following information briefly outlines what shall be submitted to, and approved by, Mesa Water prior to the commencing of any construction. Refer to the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities for a complete list of requirements for design document submittals:

Drawing and Specifications –

Drawing and specifications for the construction of an Onsite System with Offsite Facilities are located in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Drawings and Specifications shall be submitted to Mesa Water for review and approval with associated Deposits and Fees outlined in the Water Rate and Charge Schedule. As part of such submittal, a construction cost estimate for the subject facilities shall be provided.

Meter Criteria –

The following information shall be provided, both on the Drawings and as a separate cost submittal:

- Existing meter sizes (inches)
- Proposed Recycled Water meter size (inches)
- Gross area to be served through the Recycled Water meter (square feet or acres)
- Peak flow through the Recycled Water meter (gpm) along with supporting calculations
- Estimate of the yearly Water requirements through the Recycled Water meter (acre-feet)
- Time of day when Recycled Water would normally be taken

Dimensioning – All dimensions shall be taken from two permanent points of reference.

Call-Outs – Backflow Prevention Assemblies, all Potable Water lines, exterior drinking fountains and other public facilities in the Design Area shall be shown and called out on the Drawings. If no Backflow Prevention Assemblies, Potable Water lines, exterior drinking fountains or other public facilities are present in the Design Area, it shall be specifically stated on Drawings that none exists.

Standard Water Construction Notes for Recycled Water

The standard notes for Recycled Water listed in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities shall be listed on all Drawings.

It shall be the responsibility of the Applicant to submit the Drawings and specifications as approved by Mesa Water to any agency having jurisdiction over such projects for their review, and to obtain all required permits prior to construction. Any costs associated with such submittals shall be borne by the Applicant.

8.3.3.4 Record Drawings

Record Drawings shall be submitted by the Applicant and approved by Mesa Water prior to the installation of Water meter(s) or the commencement of Recycled Water Service.

All changes in the work constituting departures from the original design Drawings, including changes in both pressure and gravity lines shall be accurately recorded on one reproducible set of design Drawings, which shall become the Record Drawings. The changes and dimensions shall be recorded in a legible manner to the satisfaction of Mesa Water. One complete set shall be maintained onsite at all times.

Specific Call-Outs – The locations and depths of the following items shall be shown:

- Points of connection
- Points of line severing
- Routing of sprinkler pressure lines
- Gate valves
- Sprinkler control valves
- Quick coupling valves
- Routing of control wires
- Control stations
- Backflow Prevention Assemblies, including type of such assembly(ies)

8.3.4 Cross Connection Control Requirements

The following requirements apply to all user sites where Recycled Water is stored, conveyed or applied in any manner.

8.3.4.1 Protection at Potable Water Service Connection

An approved Air–Gap Separation shall be required on the user's Potable Water line at a location that is as close as practical to the Service Connection with Mesa Water's Potable Water System. An approved Reduced Pressure Principle Backflow Prevention Assembly may be provided in lieu of an Air–Gap Separation if approved by Mesa Water and the Appropriate Regulatory Agencies.

8.3.4.2 Protection Within Onsite Potable Water System

Approved Backflow Prevention Assemblies, as required by the Appropriate Regulatory Agencies, shall be installed by the user at specified locations in the user's Onsite Potable Water System.

8.3.4.3 Inspection of Onsite Facilities

Mesa Water or Appropriate Regulatory Agencies may, at their discretion, require an inspection of the user's Onsite Facilities for Cross Connection hazards. The Customer of Record shall cooperate with Mesa Water or Appropriate Regulatory Agencies in requests for information.

8.3.4.4 Mesa Water's Cross Connection and Backflow Prevention Regulations for Recycled Water

In addition to the requirements contained in Sections 8.3.4.1 through 8.3.4.3, all requirements specified in Section 6 of these Rules and Regulations shall be adhered to by the user at the user's expense.

8.4 CONSTRUCTION REQUIREMENTS

8.4.1 General Requirements

Construction of Onsite Recycled Water Systems shall be in conformance with the applicable portions of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities except as herein modified.

8.4.2 Areas of Responsibility

All Recycled Water meters and Customer Control Valves shall be provided and installed by Mesa Water at the expense of the Applicant. The cost of installing the meters must be paid by the Applicant before any meters will be installed. The responsibility for providing a Backflow Prevention Assembly at the Potable Water Service Connection shall be determined by Mesa Water at the time an application for Recycled Water is filed. The Applicant shall be responsible for constructing and maintaining all Onsite Recycled Water Facilities downstream of the established Point of Connection, and for testing and maintaining all Backflow Prevention Assemblies.

The Contractor shall keep fully informed of all laws, ordinances and regulations that in any manner affect those engaged or employed in the work or the materials used in the work, or that in any way affect the conduct of the work, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. If any discrepancy or inconsistency is discovered in the plans, Drawings, specifications, or other documents in relation to any such law, ordinance, regulations, order, or decree, the Contractor shall forthwith report the same to the Design Consultant and Mesa Water in writing.

The Contractor shall observe and comply with and shall cause all of the Contractor's employees to observe and comply with all such existing and future laws, ordinances, resolutions, regulations, orders and decrees, and shall protect and indemnify Mesa Water, Orange County Water District, SARWQCB, DDW, OCHCA, and all their officers and Agents against any claim or liability arising from or based on the Violation of any such law, ordinance, regulation, order or decree, whether by the Contractor or Contractor's employees.

The Contractor shall also indemnify and save Mesa Water, its officers, its employees or authorized District Agents harmless from all costs, losses, expenses, damages, attorneys' Fees, and other costs of defense that the District may incur with respect to or on account of the work, and with respect to the failure, neglect or refusal of Contractor to faithfully perform the work and all of Contractor's obligations under the contract. Such costs, expenses, and damages shall include all costs incurred by Mesa Water to defend against any claims, stop notices or lawsuits based thereon in which it is made a party.

The Contractor shall observe the rules and regulations of the State Department of Industrial Relations, Division of Industrial Safety, and, in particular, rules and regulations relating to shoring of trenches and excavations. All work shall be done in accordance with all directives, provisions and requirements pertaining to the method and manner of performing the work, in accordance with CAL-OSHA latest amendment or revision.

The Contractor shall provide a job foreman present during business hours that can communicate with Mesa Water employees both orally and in writing.

8.4.3 Specific Requirements

8.4.3.1 Connections to Existing Mesa Water Facilities

The Applicant shall not make a connection to existing Mesa Water facilities or interrupt Recycled Water Service in any portion of Mesa Water's service area unless it has been approved by the District. If it becomes necessary to interrupt service to an existing system, this interruption shall be done at a time determined by Mesa Water, under its direction and inspection.

8.4.3.2 Inspection Authority

Mesa Water, those authorized by the District, and various Appropriate Regulatory Agencies shall at all times have access to all the onsite work during construction, and shall be provided with such information as it may desire regarding location of facilities, the progress, workmanship and character of materials used in the work.

Mesa Water shall have the authority to notify the Customer of an apparent failure on the part of the Contractor to carry out orders given or to perform any provisions of the approved plans or specifications. Upon its confirmation of the apparent failure, the

Customer shall be obligated to require the Contractor to suspend the work wholly or in part. The Contractor shall immediately comply with the written order of Mesa Water to suspend the work wholly or in part. Dependent on the nature of the non-compliance, it may require immediate action by the Contractor via verbal order with a written order following. The work shall be resumed when methods or defective work are corrected as ordered and approved in writing by Mesa Water. Failure to comply with requests of Mesa Water will prevent further work, may result in termination of all Potable Water and Recycled Water, and may prevent or delay the final release of the entire project.

8.4.4 Material of Construction

The following information briefly outlines the materials of construction that will be approved by, Mesa Water and other appropriate Regulating Agencies prior to the commencing of any construction. Refer to the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities for a complete list of requirements for Materials of Construction.

8.4.4.1 Valves

Quick coupling valves may be required to be removed if they are used in a manner contrary to these Rules and Regulations or are located in an area that encourages unauthorized use. The manner of removal shall be subject to approval by Mesa Water. Quick coupling valves shall conform to the following:

- Rating – Quick coupling valves for Recycled Water shall be ¾ inch or one-inch nominal size with brass construction, acme thread body and key, and a normal working pressure of 125 psi. All quick coupling valves for Recycled Water shall be of a design that prevents the quick coupler key (spike) from being used in Potable Water or Non-Potable Water quick couplers.
- Key – All quick coupling valves shall be operated with a special coupler key with an Acme thread for opening and closing the valve. This provision may be modified by Mesa Water in those cases where an existing Onsite Potable Water System is currently equipped with quick coupling valves that are operated with an Acme threaded key.
- Identification – All quick coupling valves shall be tagged to for identification. All tagging shall be to the satisfaction of Mesa Water and Appropriate Regulatory Agencies.
- Cover – The cover shall be permanently attached to the quick coupling valve. It shall be purple in color and made of rubber or vinyl with the following information stamped or molded on the cover: “Recycled Water” in English and Spanish; “Do Not Drink” in English and Spanish; or the international “Do Not Drink” symbol (a glass of Water in a circle with a slash through it), and a locking cover.

All Recycled Water valves shall be in serviceable condition and free from leaks and structural faults. All underground gate valves three inches and smaller may be furnished with either operating nuts or handwheels.

8.4.4.2 Valve Boxes

All new valve boxes (gate valves, manual control valves or electrical control valves) on the recycled Water irrigation system shall be purple (Pantone 512) and have the words “Recycled Water” in white letters on top.

8.4.4.3 Piping

All new buried onsite constant pressure Recycled Water irrigation piping shall be marked as follows: PVC Pipe must be purple-colored PVC pipe with continuous wording “Caution – Recycled Water – Do Not Drink” printed on opposite sides of the pipe. The use of continuous lettering on 3-inch minimum width of purple tape with 1 inch black or white contrasting lettering bearing the continuous wording “Caution – Recycled Water – Do Not Drink” permanently affixed at 5 foot intervals atop all horizontal piping, laterals and Mains is an acceptable alternative to purple pipe.

All new Recycled Water piping above ground or in vaults, including adapters and fittings, shall be painted purple in color (Color Code Pantone 512). Black or white stenciling shall appear on both sides of the pipe with the marking “Caution – Recycled Water” in 5/8 inch letters repeated every 3 feet.

8.4.4.4 Storage Tanks

All storage tanks used for Recycled Water, whether fixed or mounted on distribution vehicles; shall be structurally sound and free from leaks.

8.4.5 Construction Notification

The Applicant shall give Mesa Water at least two Business Days’ notice before starting the Onsite Recycled Water System construction work.

8.4.6 Final Inspection and Testing

8.4.6.1 Final Inspection

Following completion of all construction work, and upon receiving Mesa Water approval of Record Drawings, the Applicant shall request final inspection of the work. This request shall include the scheduling of a Cross Connection control test and an operational test. The tests shall be scheduled in coordination with and in the presence of Mesa Water and representatives of the various Appropriate Regulatory Agencies in order to verify such testing.

8.4.6.1.1 Cross Connection Control Testing

A Cross Connection control test shall be conducted on both the Onsite Potable Water and the Onsite Recycled Water Systems. The test shall be conducted in the following manner:

- The activated and pressurized Recycled Water System shall be shut down at or near the Point of Connection. After shutting the Recycled Water System down, all outlets of the Recycled Water System shall be opened. Flow from any Recycled Water System outlet shall be deemed to indicate a Cross Connection condition. (Note: Initial flows that result from the system's depressurization can be ignored for purposes of this test.) After conducting this test of the Recycled Water System, the Potable Water System shall be tested by opening all Potable Water outlets. A no-flow result from any Potable Water outlet shall be deemed to indicate a Cross Connection condition.
- Recharge Recycled Water System, then the activated and pressurized Potable Water System, shall be shut down at the Backflow Prevention Assembly. After shutting the Potable Water System down, all outlets of the Potable Water System shall be opened. Flow from any Potable Water outlet shall be deemed to indicate a Cross Connection condition. (Note: Initial flows that result from the system's depressurization can be ignored for purposes of this test.) After conducting this test of the Potable Water System, the Recycled Water System shall be tested by opening all Recycled Water outlets. A no-flow result from any Recycled Water outlet shall be deemed to indicate a Cross Connection condition.

8.4.6.1.2 Operational Testing

Prior to final acceptance by Mesa Water, all Onsite Recycled Water Systems shall be required to successfully pass an operational test. Any required corrections shall be noted and submitted to the Applicant by Mesa Water. Regular service start-up shall not be authorized until all corrections are made to the satisfaction of the District.

8.4.7 Posting and Identification

Posting and Identification requirements for the design and construction of an Onsite System with Onsite and Offsite facilities are located in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Proposed posting and identification shall be submitted within the design and specifications to Mesa Water for review and approval with associated Deposits and Fees outlined in the Water Rate and Charge Schedule

8.4.7.1 Posting of Approved Use Areas

Recycled Water identification signs shall be made of 1/16-inch-thick, minimum, aluminum and its size shall be 18 inches wide by 12 inches high, minimum. The signage size and wording shall be approved by the City and the site Owner. At a minimum, the wording shall include "Recycled Water – Do Not Drink" and display the international symbol shown

on Figure 30610-A in Title 22 of the California Code of Regulations. Submit the final verbiage including colors to the City for review and approval prior to ordering the identification signs. The location of the sign placement shall be determined in the field by the City and the site Owner. An example of an approved sign is Christy's Part Number ID-Sign REC1218. Other wordings may be used with approval of Mesa Water and the Appropriate Regulatory Agencies.

8.4.7.2 Recycled Water Pipe Identification

8.4.7.2.1 Buried Recycled Water Pipe

The following pipe identification requirements and options shall be applied to all new Recycled Water Systems that are to be constructed, and applied to retrofitted Recycled Water Systems whenever buried pipe is replaced.

- Purple Pipe – For all buried offsite Recycled Water pipelines (PVC, ductile iron pipe or copper) and any onsite Recycled Water pipelines that cross public streets, the pipelines shall have Purple Colored warning tape, minimum of 12 inches wide, placed in the trench 12 inches above the pipe with the wording, “CAUTION: RECYCLED WATER LINE BURIED BELOW”. This requirement is to provide additional warning for any excavation activities within the public streets to reduce the potential for damaging the Recycled Water pipeline.
- Warning Tape – The plastic identification (warning) tape shall be virgin low-density polyethylene specifically formulated for prolonged underground use. The minimum thickness shall be 4 mils and the overall width of the tape shall be 12 inches for 8 inch or larger diameter pipe and 6 inches for 6 inch and smaller diameter pipe.
- Identification /Warning Tags – Identification /warning tags shall be inert plastic film or polyurethane specifically formulated for prolonged exposure. The identification /warning tag shall incorporate an integral attachment neck and reinforced attachment hole. The size of the tag shall be 3 inch by 4 inch with a minimum thickness of 10 mils. Identification /warning tags shall be attached with heavy-duty nylon fasteners. The size, type of label and location will be dictated by each individual application and subject to acceptance by the City's representative. The minimum size shall be ½-inch letters. Tags shall be as manufactured by T. Christy Enterprise (ID-Max-P2-RC009 for Recycled Water (purple) or ID-Max-B2-PW015 for Potable Water (blue) or ID-Max-Y2-NP012 for Non-Potable Water (yellow)) or approved equal. T. Christy Enterprises, Inc. is located at 655 E. Ball Road, Anaheim, CA 92805 (phone: (714)507-3300).
- Warning Labels – Warning labels shall be a minimum of 3.5 mil flexible vinyl base with a permanent acrylic adhesive backing on a 90# stayflat liner. Both the background and legend shall be printed with a UV cured vinyl ink. The entire decal shall be clear flood over-printed for superior weathering and UV protection. The size shall be 3.5 inch by 4.4 inch for controllers, 2.5 inch by 8.25 inch for pumping equipment, and 1.25 inch by 5.75 inch for Potable Water decals. The controller warning label shall be as manufactured by T. Christy Enterprise (Christy's Part No. 4100) or approved equal. The pumping equipment warning label shall be as

manufactured by T. Christy Enterprise (Christy's Part No. 4200) or approved equal. The Potable Water decals shall be as manufactured by T. Christy Enterprise (Christy's Part No. 4300) or approved equal.

8.4.7.2.2 Above Ground Recycled Water Pipe

The following identification requirements shall be applied to all Recycled Water Systems.

- Purple Pipe – All such piping, including adapters and fittings, shall be purple in color. Black or white stenciling shall appear on both sides of the pipe with the marking "CAUTION - RECYCLED WATER" in 5/8 inch letters repeated every 3 feet. Mesa Water must review and approve any proposal that calls for above ground Recycled Water pipe to be painted as a means for complying with the color requirement. Other proposed methods for identifying above ground pipe must be reviewed and approved by Mesa Water on a case-by-case basis.
- Sprinkler Labeling/Tags – For sprinkler risers located on slopes or in the vicinity of adjacent properties, the risers shall be installed with either sprinkler warning labels/warning tags or riser markers as is appropriate for each situation. The riser markers shall be Christy's Model #5100 for Recycled Water applications, and Christy's Model #5200 for Non-Potable Water applications, or approved equal.

8.4.7.3 Valve Identification

All remote control valves, gate valves, quick coupling, drip valve assemblies, flush valve assemblies, manual drain valves, and pressure relief valves shall be installed in suitable valve boxes, complete with locking and hinged cover, or other approved secure enclosure. Recycled Water valve boxes and covers must be colored purple and have Recycled Water identification imprinted. All valve box covers shall be bolted down with stainless steel bolts and washers

8.4.7.4 Storage Tank Identification

Each and every storage tank shall be identified by a painted label as containing Recycled Water. The label shall contain the words "DO NO DRINK - RECYCLED WATER" with white letters at least two inches high on a purple background. In addition, at least one sign shall be posted on the fence surrounding each storage tank. The label and sign shall be so placed that they can be readily seen by all Water Operations staff using the facilities.

8.4.7.5 Vehicle Identification

Each and every vehicle used to distribute Recycled Water shall be identified by painted labels or signs as using Recycled Water. The label shall contain the words "DO NOT DRINK - RECYCLED WATER" with white letters on a purple background. The label shall be placed on the driver's side of the vehicle on the tank at a spot close to the cab. The labels or signs shall be so placed that they can be readily seen by all Operations staff using the vehicles.

8.5 PROCEDURES FOR ADMINISTRATION

8.5.1 Obtaining Service

The following interactions between Mesa Water and the Applicant are required for the administration of a Recycled Water Service.

8.5.1.1 Application Submittal

An application form for Recycled Water Service, in the form supplied by Mesa Water, shall be completed and signed by the Applicant, who may be the Owner or authorized representative. The Application shall request information concerning the Applicant's relationship to the subject property as legal Owner, tenants, or lessee; the type of Recycled Water use being proposed; the address and telephone number; and a legal description of the property to be served; purpose for which the property is to be used; and total area to be served. The Application may also list any special conditions for service pursuant to these Rules and Regulations. Certain technical information, derived from the design and peculiar to the type of Recycled Water use, may also be requested.

The Application form shall be accompanied by a service exhibit. This exhibit shall be a drawing delineating the subject Design Area, identifying the location and size of all Service Connections, delineating areas in which Recycled Water Service is to be applied or excluded, and showing the nearest major street(s).

8.5.1.2 Mesa Water Evaluation

Upon receipt of a completed Application, the General Manager shall review such Application and make such investigation relating thereto, as deemed necessary. The General Manager may prescribe specific requirements applicable to such Application, which may include, but shall not be limited to the design of the facilities, the manner of construction, the method of operation, and the conditions of service. An evaluation shall be performed by Mesa Water that will establish that all information obtained on the form is consistent with these Rules and Regulations and the requirements of the Appropriate Regulatory Agencies.

8.5.1.3 Issuing of User Agreement

A User Agreement or Water Service Agreement issued by Mesa Water and signed by the Applicant shall constitute a legally binding service agreement. A User Agreement or Water Service Agreement shall incorporate expressly, or by reference, these Rules and Regulations and shall also include any additional requirements prescribed by Mesa Water to ensure contained operation of the Recycled Water System and to protect the public's health.

8.5.1.4 Service Activation

Following final inspection, testing and approval of the project by Mesa Water the Applicant shall request in writing Recycled Water Service activation. Following a service termination, regardless of the reason, service may be re-established by telephone request. For all service activation requests, Mesa Water shall require two Business Days' notice. In addition to two Business Days' notice, the designated User Supervisor must be onsite and available at the time.

8.5.2 Conditions of Service

Mesa Water reserves the right to revoke a User Agreement or Water Service Agreement if all or any of the service conditions contained herein is not complied with at all times.

8.5.2.1 Regulatory Conditions

Service to a user may be terminated at any time if the quality of the Recycled Water does not comply with the requirements of Appropriate Regulatory Agencies or at any time the user's operations do not conform to these Rules and Regulations.

8.5.2.2 Financial Conditions

Conditions relating to Fees, Deposits, and billings shall be the same as established for the Potable Water System, as specified in Section 3 – Water Billing and Customer Service. Rates, Fees, and Charges for Recycled Water Service shall be as established by the Board.

A Fee may be imposed upon a user to re-establish Recycled Water Service if service was terminated at the request of the user or for reason of failure on the user's part to comply with Mesa Water requirements or these Rules and Regulations for Water Service. Fees shall be in accordance with those listed in the Water Rate and Charge Schedule.

8.5.2.3 Operational Conditions

8.5.2.3.1 Liability

Mesa Water shall not be liable for any damage caused by any Onsite Facilities.

8.5.2.3.2 Service Scheduling

In order to maintain acceptable working conditions throughout the Recycled Water distribution system, Mesa Water may schedule the use of Recycled Water. Such scheduling may involve programming deliveries to different users or to various portions of a single user's Onsite System. Scheduling shall take into account the constraints of Appropriate Regulatory Agencies, the requirements of these Rules and Regulations, and the operating constraints of affected users.

8.5.2.3.3 Relations of Property to Service

A Service Connection shall not be used to supply adjoining property of a different Owner nor an area outside the Owner's defined area.

8.5.2.3.4 Metering

All Recycled Water used on any premises where a Mesa Water meter is installed shall pass through that meter. Users shall be held responsible and charged for all Water passing through a Mesa Water meter.

8.5.2.3.5 Other Conditions

Conditions relating to meter reading and testing and service terminations shall be the same as established for the Potable Water System.

8.5.3 Reporting

The following types of reporting shall be transmitted in writing.

8.5.3.1 Mesa Water to User

The following items shall be reported by Mesa Water to the user:

- The quantity of Recycled Water delivered to the user during the applicable billing period, to be submitted as part of Mesa Water's billing for Recycled Water Service and shall be based on readings taken from its meter.
- The quality of Recycled Water delivered to the user, to be submitted only at the specific written request of the user.

8.5.3.2 User to Mesa Water

The user shall report the following items within 24 hours of an occurrence to Engineering or Water Operations staff:

- Any failure of Onsite potable or Recycled Water pipelines, storage tanks or related facilities.
- Any Violation of Mesa Water's Rules and Regulations for Water Service.
- Change in Owner, User Supervisor.
- Alterations to any Onsite Facilities or topography.

8.5.4 Violations

8.5.4.1 Determination

Mesa Water reserves the right to determine whether a Violation of these Rules and Regulations has resulted from any action or occurrence that is the responsibility of the user.

8.5.4.2 Specific Violations

Specific Violations shall include those that directly caused non-compliance with any one of the specific prohibitions as listed in Section 8.2.19 of these Rules and Regulations: Runoff conditions, Ponding conditions, unapproved uses, disposal in unapproved areas, Cross Connections, unprotected drinking fountains, Hose Bibs and fire hydrants. However, by definition, non-compliance with any condition or conditions of these Rules and Regulations, whether willfully or by accident, shall constitute a Violation.

8.5.4.3 Corrective Action

If the General Manager's investigation results in the determination that a Violation has occurred, Mesa Water shall immediately notify the user. It shall be the responsibility of the user to promptly initiate action that will correct the conditions having caused the Violation. If, in the opinion of the General Manager, the Violation constitutes an immediate danger to the public health, then service may be terminated immediately by shutting off the meter and locking it. Service shall be resumed only after such Violation has been corrected to the satisfaction of the General Manager. If the Violation is determined to be of a lesser degree of danger to public health, then a timetable for completing the corrections shall be negotiated between the General Manager and the user, with Mesa Water having final approval. Corrections not being made in accordance with the timetable may also result in the termination of service.

The Appropriate Regulatory Agencies may order a service termination if they find a Violation that constitutes an immediate danger to public health. Service shall be resumed only after the Violation has been corrected to the satisfaction of both the Appropriate Regulatory Agencies and Mesa Water.

8.5.4.4 Appeal

A user may appeal Mesa Water's determination on a matter in accordance with Section 2.7-2.9 of these Rules and Regulations.

Appendix 1: Application for New Service



1965 Placentia Avenue, Costa Mesa, CA 92627 949-631-1291

MESA WATER FILE NO.

THIS APPLICATION BECOMES A PERMIT WHEN APPROVED AND VALIDATED

APPLICATION FOR NEW SERVICE

Legal Description of Property

Assessors Parcel No.

Address of Property

APPLICANT (Property Owner Only) Type or Print

(Property Owner)

(Mailing Address)

(City/State/Zip)

Phone

DL#/SS#

I attest under penalty of law to the truth and correctness of all facts, exhibits, maps and attachments presented with and made a part of this application.

I hereby authorize to act as my representative and to bind me in all matters concerning this application.

Signature - Applicant (Property Owner only)

day of , 20

Signature (Notary)

(SEAL)

FOR MESA WATER USE ONLY - Do Not Write Below This Line

PERMIT

THE TERMS AND CONDITIONS OF THIS PERMIT ARE PRINTED ON BOTH SIDES OF THIS FORM. APPLICANT HEREBY ACKNOWLEDGES THAT HE OR SHE HAS READ AND UNDERSTANDS SAID TERMS AND CONDITIONS AND AGREES TO ABIDE BY THEM.

WATER BILLING SERVICE CUSTOMER

Applicant Contractor Other (Below)

Name

Address

Zip

Phone

DL#/SS#

CONTRACTOR Type or Print (if applicable)

Name

Address

Bus. Phone

Job Site Phone

License No.

License Type

Business Tax ID#

Date Entered on Computer

Customer No.

Account Nos.

Signature of Applicant (Property Owner only)

PERMIT APPROVED FOR MESA WATER

By

Date

Permit Expires

VALIDATION



For Work Done By Mesa Water District® (Mesa)

AGREEMENT: I agree to have my installation fee credited to charges for installation costs and I understand the installation fee is on a fixed cost basis. I further understand that the installation shall at all times remain under the exclusive control of Mesa, and that the water will not be turned on until any required backflow devices have been installed, tested and certified. I further understand that the water service will be billed to the applicant whose name appears on this form, or if specified to the billing customer, until Mesa has been instructed to bill otherwise. This Agreement is subject to the current Mesa Rules and Regulations and Standard Specifications on file at Mesa's office.

For Work Done Under Permit

A construction performance bond shall be posted in accordance with the current Mesa Rules and Regulations. The bond and Permit Fee must be received by Mesa prior to Mesa's final approval of plans and/or issuance of Permit. All work done under this Permit shall in accordance with the current Mesa Rules and Regulations and Standard Specifications.

I understand that the installation shall at all times remain under the exclusive control of Mesa, and that the water will not be turned on until any required backflow devices have been installed, tested and certified. I further understand that the water service will be billed to the applicant whose name appears on this form, or if specified to the billing customer, until Mesa has been instructed to bill otherwise.

Capacity Charges

Capacity Charges will be collected by Mesa on all projects requiring new or additional water service in accordance with the current Mesa Rules and Regulations. I understand that if Mesa determines after installation that water use exceeds the expected amount for the sized capacity of a meter, a larger meter with a larger flow capacity will be installed and I will be required to pay the additional net increase in the Capacity Charges.

Appendix 2: Customer Service Meter Request Form



Customer Service Meter Test Request Form

Customer Information			
Name on Water Bill		Phone	
Account Number	----- -- -----		
Property Address		City	
Mailing Address (if different)		City	
Email Address			

Customer's Reason for Meter Test Request:

The terms and conditions as listed in the Rules and Regulations for Water Service shall apply to the Customer of Record requesting testing of a water meter.

The Customer of Record shall submit to Mesa Water a meter test deposit of \$50.00, or as listed in the current Water Rate and Charge Schedule.

A receipt for payment of the meter test deposit will be provided to the customer of record, and a copy will be kept with this request form.

I agree to the terms and conditions as listed in the Rules and Regulations for Water Service, and that the meter test deposit may be forfeited if the meter is found to be accurate within the limits as specified therein.

Customer Name

Customer Signature

Appendix 3: Payment Voucher



1965 Placentia Avenue, Costa Mesa, CA 92627 949-631-1291

PAYMENT VOUCHER

DATE: _____ JOB LOCATION: _____

MC FILE NO.: _____

APPLICANT: _____

PAID BY: _____ CHECK: _____ CASH: _____

AFFILIATION: _____ PHONE: _____

ADDRESS: _____ ZIP CODE: _____

DESCRIPTION	QUANTITY	PRICE EACH (1)	DEPOSIT AMOUNT (1)
METER INSTALLATION	SIZE: 5/8"	\$	\$ _____
	SIZE: 3/4"	\$	\$ _____
	SIZE: 1"	\$	\$ _____
	SIZE: 1 1/2"	\$	\$ _____
	SIZE: 2"	\$	\$ _____
MANIFOLD	SIZE:	\$	\$ _____
PLAN CHECK -			
FIRST SERVICE (RESIDENTIAL / COMMERCIAL)		\$	\$ _____
ADDITIONAL SERVICES		\$	\$ _____
METER CHANGES ONLY		\$	\$ _____
ADDITIONAL PLAN REVIEWS (4 TH OR MORE)		\$	\$ _____
CONSTRUCTION PERFORMANCE BOND			\$ _____
CAPACITY CHARGES			\$ _____
OTHER (PLEASE SPECIFY)			\$ _____
CONSTRUCTION INSPECTION	DEPOSIT	QUANTITY	
Backflow Devices	\$		\$ _____
Meters	\$		\$ _____
Service Connection	\$		\$ _____
Manifolds	\$		\$ _____
Pressure Test	\$		\$ _____
Firelines	\$		\$ _____
Valves	\$		\$ _____
Chlorination/Flushing & Health Sample	\$		\$ _____
Weld Connections	\$		\$ _____
Shutdown	\$		\$ _____
AFTER HOURS INSPECTION-	\$ PER HOUR		\$ _____
CONSTRUCTION INSPECTION TOTAL			\$ _____

(1) Refer to the Mesa Water District website (www.mesawater.org) under Water Rate and Charge Schedules for costs.

TOTAL DEPOSIT \$ _____

Prepared by: _____

Date: _____

Checked by: _____

Date: _____

Approved by: _____

Date: _____

Appendix 4: Application for Temporary Water Service



APPLICATION FOR TEMPORARY WATER SERVICE

Mesa Water District
1965 Placentia Avenue, Costa Mesa, CA 92627
949.631.1200

Date

Customer Billing Information

<input type="checkbox"/>	Company	<input type="checkbox"/>	Individual		
Name			Phone		
Federal Tax ID					
CA Contractor's License #					
Billing/Mailing Address					
City		State		Zip	

Job Site Information

Site Contact Name		Contact Phone	
Address / Cross Streets			
Estimated Length of time at location			

Deposit

Deposit Amount	\$	Payment Method	Check / Credit / Cash
----------------	----	----------------	-----------------------

I have read and agree to the Rules for Hydrant Meters for Construction Water Service.

Contact Name (Print) _____ Contact Signature _____

Mesa Water District use only

Account Number _____ - _____

Location: Atlas Sheet _____ Hydrant # _____

**Appendix 5: Rules for Hydrant Meters
for Construction Water Service**



RULES FOR HYDRANT METERS FOR CONSTRUCTION WATER SERVICE

Mesa Water District Policy DS-009, Attachment B

Revised January 01, 2018

REQUIREMENTS:

1. Mesa Water District (Mesa Water®) requires a minimum of one business day notice to set up or pick up hydrant meters.
2. An applicant or acting agent for the applicant must confirm the beginning meter read of the hydrant meter and complete the Rules for Hydrant Meters for Construction Water Service in order to activate water service.
3. Hydrant meters are locked to the selected hydrant. Selected hydrants must be a Mesa Water hydrant; Private hydrants may not be used with Mesa Water hydrant meters.
4. Mesa Water requires a minimum of one business day notice for moving a hydrant meter to an alternate location, during normal business hours. Only Mesa Water employees are authorized to move hydrant meters.
5. The hydrant meter permit holder assumes all liability arising from the use of said Mesa Water facilities and equipment, and will pay all costs for repair or replacement regardless of circumstances.
6. Mesa Water reserves the right to determine the degree of hazard associated with the temporary connection and may elect to require backflow protection. Mesa Water will install and certify the appropriate backflow device when required.

FEES & CHARGES:

1. A deposit of **\$1,030.00** for each hydrant meter must be paid once the hydrant meter has been set and water service has started.
2. A one-time **\$149.00** hydrant meter Installation Fee to set up each hydrant meter will be charged to the customer's account.
3. The water usage charge is **\$4.27** per unit (1 unit = 748 gallons) of water used.
4. Daily rental rate for hydrant meters is **\$10.00**
5. A charge of **\$75.00** for moving the hydrant meter will be assessed when Mesa Water is not given sufficient advance notice to relocate hydrant meter. There is no charge for moving a hydrant meter with a minimum of one business day notice.
6. Backflow device set-up and certification fee is **\$45.00**.
7. Repair to or replacement of damaged hydrant meter parts is the actual cost of the part, plus labor. Labor costs are currently **\$150.00** per incident.
8. Replacement of stolen, lost meters is the actual cost of a replacement meter, which is currently **\$1,030.00**.

PAYMENT:

1. Regular Bi-monthly Bills and Closing bills are due and payable upon receipt.
2. Delinquent Bills: Accounts not paid by the due date on the bill will be sent a delinquent bill and charged a late fee. Past due accounts will be sent to a collection agency and are subject to a penalty.

By accepting water service, you are subject to Mesa Water's Rules and Regulations for Water Service, and are responsible for all charges until you notify Mesa Water to stop your water service/pick up hydrant meter. Please call 949.631.1200 to schedule pick-up when your job is completed.

I have read and agree to the Rules for Hydrant Meters for Construction Water Service.

Contact Name (Print) _____ Contact Signature _____

Appendix 6: Water Service Agreement

FILE NO. _____

**WATER SERVICE AGREEMENT WITH THE
MESA WATER DISTRICT
FOR WATER SERVICE**

Date: _____
File No.: _____
Location: _____
Atlas Sheet No.: _____

The undersigned, (hereinafter referred to as "Applicant"), hereby requests water service by the **MESA WATER DISTRICT**, (hereinafter referred to as "Mesa Water"), in accordance with all of the terms and conditions of this Water Service Agreement and Mesa Water's Rules and Regulations For Water Service", (hereinafter referred to as "Rules and Regulations"), which are incorporated herein by this reference and made a part hereof as though fully set forth.

Applicant hereby applies for that service as applicable, which can be provided by the facilities described below, to that certain real property located within Mesa Water, in the County of Orange, State of California, described as follows (metes and bounds description or as acceptable to Mesa Water):

AP-

Said property is to be used for the purpose(s) of:

Applicant hereby represents that Applicant is the owner of said real property. Applicant estimates that the total service to be required of Mesa Water upon development of said real property is _____ gallons per minute ("GPM") on the basis of the connected capacity demand ("CCD") as defined in the Rules and Regulations of Mesa Water.

Upon acceptance of this Application by Mesa Water, together with all costs, including the Capacity Charge as determined by the Mesa Water District Engineer or an authorized representative subject to appeal to the General Manager or the Board of Directors, plans and specifications, bonds, conveyance of necessary easements, and other items as may be required herein, Mesa Water agrees to provide the requested water service subject to the terms and conditions herein set forth and set forth in the Rules and Regulations of Mesa Water. Mesa Water shall deliver to the Applicant an executed copy of this Agreement.

1. Applicant shall adhere to the requirements prescribed by the Rules and Regulations, as amended from time to time, and to any additional requirements prescribed from time to time by the General Manager or Board of Directors of Mesa Water, or both, to insure compliance with such Rules and Regulations as to obtaining water.

2. Applicant hereby agrees to build or cause to be built the described water facilities, (hereinafter collectively referred to as "the Facilities"), and agrees to pay all costs of installation of same, including, but not limited to, cost of labor, materials, equipment, contractor's expense and profit,

environmental studies, design, engineering, surveying, inspection, testing, plan check, land and easement acquisition, condemnation, attorney's fees, insurance and bond premiums.

3. Applicant agrees that the Facilities shall be constructed in accordance with plans and specifications which shall comply with all applicable requirements of Mesa Water's "Standard Specifications for the Construction of Water Facilities", including, but not limited to, requirements as to information to be shown on the plans. Said document is on file at the office of Mesa Water and is by this reference incorporated herein. Such plans and specifications shall be approved by Mesa Water. Such approval of the plans and specifications by Mesa Water shall not constitute approval of the permit applied for herein. The Facilities shall be constructed by a contractor licensed by the State of California to install said Facilities.

4. Applicant guarantees the Facilities constructed under this Agreement against defects in workmanship and materials for a period of one (1) year after the date of acceptance of the Facilities by Mesa Water. It is further agreed that the Facilities shall be restored to full compliance with the requirements of the plans and specifications, including any test requirements, if during said one (1) year period the Facilities or any portion thereof are found not to be in conformance with any provisions of said plans and specifications. This guarantee is in addition to any and all other warranties, express or implied, with respect to the Facilities.

5. Applicant agrees to grant, or cause to be granted to Mesa Water, without cost to Mesa Water, all necessary easements for construction, installation, maintenance and access to the Facilities, across all privately-owned lands to be traversed by the Facilities, which easements shall be in a form and condition of title satisfactory to Mesa Water and shall be executed by all necessary parties having an interest in said lands.

6. Applicant, if applicable, agrees to provide to Mesa Water, prior to acceptance of the Facilities, a complete set of reproducible mylars of the approved plans and specifications for the Facilities.

7. Upon completion of the Facilities, Applicant, if applicable, agrees to execute and deliver to Mesa Water a report of the actual costs of the Facilities and to substantiate such report with invoices and receipts acceptable to Mesa Water. Applicant further agrees that such Facilities will become the property of Mesa Water when it is accepted by its duly authorized employee, evidencing acceptance of the Facilities. However, Applicant hereby disclaims in favor of Mesa Water all right, title and interest in and to said systems, appurtenances and easements; and Applicant hereby covenants and agrees to execute and deliver to Mesa Water any documents required to complete the transfer of the Facilities concurrently with the acceptance thereof by Mesa Water; and Applicant hereby agrees that Applicant is holding any title to said Facilities, pending acceptance thereof by Mesa Water, as trustee, acknowledging Applicant's obligation to complete said Facilities and transfer the same debt free to Mesa Water.

8. It is agreed that the above provisions shall not preclude the use of the Facilities by property owners within the developed area or outside of said development prior to such delivery of actual costs to Mesa Water, as long as the quality of said water is acceptable to Mesa Water under its Rules and Regulations and written permission has been obtained from Mesa Water by such property owners to connect to the Facilities or to existing facilities. Applicant agrees that the use of the Facilities by the Applicant, transferee or assignee of the Applicant, or others within Mesa Water, will not constitute acceptance of the Facilities by Mesa Water.

9. Applicant agrees to hold Mesa Water harmless from any expense or liability resulting from the construction of the Facilities, and further agrees that Applicant will indemnify and hold Mesa Water, its agents, employees, officers and representatives, free and harmless from and against any and all liabilities for death, injury, loss, damage or expense, (including reasonable attorney's fees), to person or property which may arise or is claimed to have arisen as a result of any work or action performed by Applicant or on behalf of Applicant with respect to the construction and in the installation or repair of the Facilities.

10. Applicant shall submit, concurrently with this Application, if applicable, Payment and Performance Bonds, in connection with the Facilities to be constructed, and for an amount to be determined by Mesa Water.

11. Applicant hereby agrees to pay all administration and engineering costs, (including inspection and plan check costs), calculated as a percentage of the total cost as estimated by Mesa Water, as well as Capacity Charges, meter costs, interim water service line costs, (if applicable), and any other costs incurred by Mesa Water. The amount of such costs shall be based on the applicable schedules of the Rules and Regulations in effect on the date when Applicant has submitted to Mesa Water its completed Application, payment of all deposits, plans and specifications, bonds, conveyance of necessary easements and other items which may be required herein prior to issuance of the permit and the plans of the Applicant have been approved by Mesa Water. Such deposits shall be set forth on Exhibit "A" hereto by Mesa Water, which Exhibit is by this reference incorporated herein, and is subject to revision pursuant to any changes in the applicable schedules prior to the date and application and all accompanying materials and payment are completed, submitted to and approved by Mesa Water.

Applicant hereby agrees that the meter costs set forth in Exhibit "A" includes the provisions by Mesa Water of a water meter and customer control valve. Applicant agrees that the customer control valve is to be obtained from Mesa Water and installed by the Applicant's contractor as the work progresses, and that the water meter is to be installed by Mesa Water prior to the provision of permanent water service by Mesa Water.

Applicant acknowledges and agrees that the payment of such costs is being required prior to final inspection or issuance of certificates of occupancy for the development proposed by Applicant, and that such requirement for prior payment is in accordance with all applicable legal requirements pursuant to Section 53077 et seq. of the Government Code.

12. Applicant agrees to accept such conditions of pressure and service as are provided for by District's water system at the location of all proposed connections thereto and to hold Mesa Water harmless from and against any and all damages, liability and expense arising out of high or low pressure conditions with respect thereto or from interruptions of service.

13. Applicant agrees, if said Mesa Water employs an attorney to enforce this Agreement, to pay said Mesa Water for all attorney's fees to be incurred.

14. Applicant agrees that the General Manager of Mesa Water or his authorized representative may enter upon the hereinabove described property during reasonable hours for the purpose of ascertaining whether the provisions of this Agreement are being performed. Applicant shall not be responsible in any way for the failure of its successors or assigns to comply with any of the provisions of this Agreement.

15. Applicant agrees that service shall be commenced only after the Facilities have been completed and transferred to Mesa Water and all required testing and inspection has been accomplished by Mesa Water.

Applicant is aware that the contracts may not have been let for all necessary water facilities of Mesa Water in order that Applicant can actually receive water service. Applicant further agrees that Mesa Water shall not be obligated to the Applicant or the successors of the Applicant for water service until such time as the actual completion of said necessary Mesa Water facilities.

16. Special conditions for service, if any:

IN WITNESS WHEREOF, the parties have duly caused their authorized signatures to be affixed hereto.

APPLICANT

PROPERTY OWNER

Date: _____

Date: _____

Print Name

Print Name

MESA WATER DISTRICT

By: _____
Mesa Water District Engineer

Date: _____

**EXHIBIT "A" TO
APPLICATION TO AND AGREEMENT WITH
THE MESA WATER DISTRICT
FOR WATER SERVICE**

Water Service Deposits

(i)	<u>Capacity Charges</u>		
	(a)	_____ GPM	\$ _____
	(b)	Credit Towards Capacity Charges, (If Applicable)	\$ _____
	(c)	Existing Meter Sizes, (If Applicable)	

		SUBTOTAL	\$ _____
(ii)	<u>Administrative and Engineering</u>		
	Performance Bond	\$ _____ at _____ %	\$ _____
	Plan Check		\$ _____
	Construction Inspection		\$ _____
		SUBTOTAL	\$ _____
(iii)	<u>Meter Installation</u>		
	_____ meters	at \$ _____ per meter	\$ _____
	_____ meters	at \$ _____ per meter	\$ _____
	_____ meters	at \$ _____ per meter	\$ _____
		SUBTOTAL	\$ _____
		TOTAL DEPOSIT	\$ _____

NOTICE – The Mesa Water District imposes a Capacity Charge pursuant to provisions of Government Code §66000 and following the Rules and Regulations of Mesa Water District adopted pursuant to Water Code §31024. These fees are used to finance necessary water facilities. The Capacity Charges and the basis for their collection are further described in the documents providing for their imposition and collection.

NOTICE IS FURTHER GIVEN, pursuant to Government Code §66020(d) that you have a 90-day period from the date of approval of the relevant project, or payment of the Capacity Charges, whichever first occurs, to provide a protest to Mesa Water District of the basis or the amount for such Capacity Charges.

I have received and read the above notice for Capacity Charges.

Signed _____

as an agent for _____

Date _____

Applicant Acknowledgment of Responsibility for Meters

I acknowledge that I have read and understand the following concerning the meter(s) to be installed on this project.

- 1) Meter(s) installation, operation and billing will be done in compliance with Mesa Water's Rules and Regulations for Water Service and Standard Specifications.
- 2) All meters smaller than 3" will only be installed by Mesa Water. Meter(s) 3" or larger will be installed only in the presence of authorized Mesa Water personnel regardless of the presence of any other agency(ies)' representatives.
- 3) The meter(s) must be clearly marked and protected from damage at all times. The applicant will be responsible for all damaged meters.
- 4) The meter(s) must remain accessible for reading at all times. If it is not, applicant will pay for costs incurred in rereading the meter.
- 5) Once the meter(s) is installed the applicant will be responsible for the meter. If it is damaged in any manner it will be repaired or replaced only by Mesa Water and the applicant will be required to pay Mesa Water for repairs and/or replacement.
- 6) Charges for the Basic Charge and any Usage Charges will commence as soon as the meter(s) is installed by Mesa Water or received by the applicant from Mesa Water.
- 7) If applicant wishes the meter(s) shut off and locked by Mesa Water they will not be responsible for the Basic Charge. Please call Customer Service, 949-631-1200, to arrange for termination of service. When the meter is turned on again any Usage registered on the meter will be billed to the applicant. If it is not possible to shut off and lock the meter(s) (which is the case with meters 3" or larger) applicant will be billed for both the Basic Charge and any Usage recorded by the meter.
- 8) Any costs to Mesa Water for failure to comply with these requirements will be payable by the applicant.

Signature of Applicant

Date

Name of Applicant (please print)

Witnessed by: _____
(Mesa Water Engineering staff)

MC Number: _____

Location: _____

RESOLUTION NO. 15271548

**RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING THE RULES AND REGULATIONS FOR WATER SERVICE
SUPERSEDING RESOLUTION NO. 15141527**

WHEREAS, Mesa Water District (Mesa Water®) is a county water district organized and operating pursuant to the provisions of the laws of the State of California (State or California); and

WHEREAS, Mesa Water has established its Rules and Regulations for Water Service (Rules and Regulations) concerning the sale, distribution and use of water, and related matters, pursuant to the provisions of California Water Code Sections 31000, 31001 and 31024; and

WHEREAS, the Mesa Water Board of Directors (Board) has determined that it is appropriate at this time to provide for certain amendments to the Rules and Regulations; and

WHEREAS, the Board has determined to adopt this Resolution to provide for such amendments to the Rules and Regulations and take related actions.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Rules and Regulations are amended as set forth in Attachment A to this Resolution, which is incorporated herein by this reference. The amendments to the Rules and Regulations shall be effective immediately upon the adoption of this Resolution by the Board.

Section 2. Except as set out in Section 1, above, the Rules and Regulations are not otherwise amended or revised.

Section 3. Mesa Water Resolution No. 1527 is superseded by the adoption of this Resolution.

Section 34. Mesa Water staff-employees and consultants are authorized to take such other and further action(s) as are necessary or desirable to carry out the directives of this Resolution.

ADOPTED, SIGNED AND APPROVED this ~~25th~~13th day of ~~November 2019~~October 2021 by the following roll call vote.

AYES: DIRECTORS: ~~Atkinson, Bockmiller, Fidler, DePasquale, Dewane~~
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

~~Shawn Dewane~~Marice H. DePasquale
President, Board of Directors

Denise Garcia
District Secretary

DRAFT

RESOLUTION NO. ~~1527~~1548

ATTACHMENT A

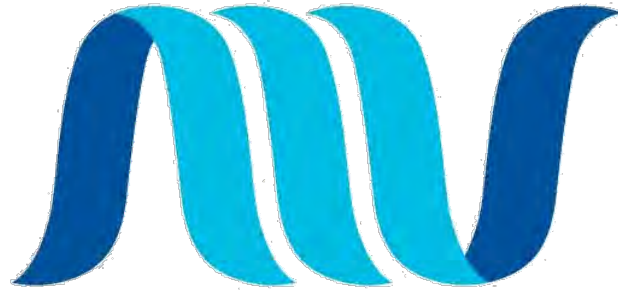
**RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING THE RULES AND REGULATIONS FOR WATER SERVICE
SUPERSEDING RESOLUTION NO. ~~1514~~1527**

Rules and Regulations for Water Service

Amended ~~November 25, 2019~~ October 13, 2021

DRAFT

DRAFT



MesaWater
DISTRICT®

Rules and Regulations for Water Service

Adopted on ~~November 25, 2019~~ October 13, 2021

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SECTION 1 – GENERAL

1.1 INTRODUCTION

Mesa Water District (Mesa Water®) was formed on January 1, 1960, under the provisions of the Costa Mesa Merger Law being Water Code Sections 33200 and following, a special act of the California Legislature, which was enacted in 1959. Mesa Water District is a county water district operating pursuant to the County Water District Law. The Board, as authorized by Sections 31000, 31001, 31024, and 31025 of the Water Code, has established these Rules and Regulations for the sale, distribution and use of Water.

Mesa Water provides Water Service to all Applicants, subject to the availability of Water and the facilities necessary to provide the service, conditional upon receipt of all required Fees and Charges and in accordance with these Rules and Regulations.

All terms, conditions, Rates and requirements contained herein are subject to change by actions of the Board.

1.2 DEFINITIONS

Whenever the following terms, or pronouns used in their place, occur in these Rules and Regulations, or in any documents that these Rules and Regulations govern, the intent and meaning shall be interpreted as follows:

AFSSC – shall mean Automatic Fire Sprinkler Service Connection for the dedicated fireline Service Connections.

Air–Gap Separation – shall mean a physical separation between the free flowing discharge end of a Water supply pipeline and an open or non-pressure receiving vessel. The separation shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel, and in no case less than one inch. The design shall be to the satisfaction of the General Manager or the General Manager’s Designee(s) and the Appropriate Regulatory Agencies.

Applicant – shall mean any person, persons, firm, corporation, association or agency that desires and applies to obtain Water Service from Mesa Water.

Application for New Service Form – shall mean a contractual agreement applied for by a person, persons, firm, corporation, association or agency who desires to install, remove, alter or replace, or cause to be installed, removed, altered, or replaced, any Water facility or appurtenance.

Application for New Service Permit – shall mean the Application for New Service Form becomes a permit when approved and validated by Mesa Water.

Application for Temporary Water Service – shall mean a contractual agreement applied

for by a person, persons, firm, corporation, association or agency who desires to obtain temporary Water Service for use during construction.

Appropriate Regulatory Agencies – shall mean those public agencies legally constituted to protect the public health and Water quality such as, but not limited to, the California Department of Health Services, the Santa Ana Regional Water Quality Control Board, the Orange County Health Care Agency and the City of Costa Mesa Building and Safety Department.

Approved Use – shall mean an application of Recycled Water in a manner, and for a purpose, designated in a User Agreement or Water Service Agreement issued by Mesa Water and in compliance with any and all appropriate regulatory agency requirements.

Approved Use Area – shall mean a site, with well-defined boundaries, designated in a User Agreement or Water Service Agreement issued by Mesa Water to receive Recycled Water for an Approved Use and acknowledged by the Appropriate Regulatory Agencies.

AWWA – shall mean American Water Works Association.

AWWA Guidelines – shall mean the latest versions of “*Guidelines for Distribution of Non-Potable Water*” and “*Guidelines for the On-site Retrofit of Facilities Using Disinfected Tertiary Recycle Water*” as put out by the California-Nevada Section of the American Water Works Association.

Backflow – shall mean the flow of Water or other liquids, mixtures, gases or any other substances into the distribution pipes of the Potable Water System from any source or sources other than Mesa Water’s sources.

Backflow Prevention Assembly – shall mean a specially designed and certified Reduced Pressure Principle Backflow Prevention Assembly and the Double Check Valve Assembly, that is used in protecting the Potable Water System from contamination that originated downstream of the assembly.

Basic Charge – shall mean a fixed Rate or charge imposed by Mesa Water for readiness-to-serve Water on a periodic basis based on meter or service size, as applicable, as set forth in the Water Rate and Charge Schedule.

Billing Unit – shall mean the unit of Water used to apply Water Rates for purposes of calculating Water Charges for Water usage. Mesa Water’s Billing Unit is currently equal to 100 cubic feet of Water.

Board or Board of Directors – shall mean the elected Board of Directors of the Mesa Water District.

Business Day – shall mean Monday – Friday 8:00 a.m. to 5:00 p.m. excluding holidays.

Capacity Charge – shall mean a Fee or Charge charged to an Applicant in connection with an Application for New Service Permit, for an increase in demand for Potable Water Service. A Capacity Charge shall be charged for property not previously served by Mesa Water or property with an existing Water Service requiring an increase in demand for Water Service.

Charges – shall mean the accumulation of any and all applicable Fees, Rates, Basic Charge(s), Usage Charge(s), and other amounts due pursuant these Rules and Regulations, or as otherwise directed by Mesa Water, chargeable to the Customer of Record or other person or party, as shall be applicable.

Construction Use – shall mean an Approved Use of Water to support construction activities such as soil compaction and dust control.

Contractor – shall mean the party entering into contract with the Applicant for performance of the work for which Mesa Water issues a Permit. The Applicant and the Contractor may or may not be one and the same.

County of Orange Health Care Agency, Department of Environmental Health (OCHCA) – shall mean the local health agency responsible for onsite public health issues covering Mesa Water’s service area.

County of Orange Department of Public Health (OCDPH) – See County of Orange Health Care Agency, Department of Environmental Health (OCHCA).

Cross Connection – shall mean any unprotected, actual or potential connection between any part of a Potable Water System used to supply Water for drinking purposes and any source or system containing Water or substance that is not or cannot be approved by Mesa Water as safe, wholesome and potable. By-pass arrangements, jumper connections, removable sections, swivel or changeover device(s), or other device(s) through which Backflow could occur, shall be considered to be Cross Connections.

Customer – shall mean any person, persons, firm, corporation, association or agency receiving Water or services from Mesa Water.

Customer Agent – shall mean any person, persons, firm, corporation, association, or agency that has power of attorney or other written authorization from the Customer of Record, provided to Mesa Water, to act on their behalf.

Customer Control Valve – shall mean a valve meeting the requirements of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities, installed on the outlet side of a Water meter.

Customer of Record – shall mean the person or persons, firm, corporation, association or agency that has entered into a contractual agreement with Mesa Water for Water Service. The contractual agreement may include the Application for New Service permit,

the Water Service Agreement, the Application for Temporary Water Service Permit, and a request for service received at Mesa Water by phone, mail or in person. The Customer and Customer of Record may or may not be one and the same. The Customer of Record is responsible for payment of all monies owed on accounts for which the Customer of Record has entered into a contractual agreement.

Customer Records – shall mean records described within California Government Code Section 6254.16.

DC or DCV – shall mean a Double Check Valve Assembly, which is a Backflow Prevention Assembly used to protect against a non-health hazard (pollutant).

DCDA – shall mean a Double Check Detector Assembly with a parallel meter arrangement, equipped with an approved Double Check Valve Assembly, to detect unauthorized use of Water.

Delinquent Fee – shall mean a Fee assessed on any bill or invoice in which the payment was not received by the due date, as set forth in the Water Rate and Charge Schedule.

Deposit – shall mean any money held by Mesa Water for the purpose of guaranteeing payment of money owed to the District for the costs of service. Deposits are applicable only to the account(s) for which such money was collected. Deposits are refunded only to the Customer of Record, unless the deposit or has made a written request and has received permission from Mesa Water to do otherwise.

Design Area – shall mean a site, with well-defined boundaries, proposed to receive Water for an Approved Use as delineated in an application for a User Agreement or Water Service Agreement.

Design Consultant – shall mean any person or firm registered with the State as an engineer or landscape architect to provide Water System design plans, site layout, landscaping, or irrigation system design services.

Direct Beneficial Use – shall mean the use of Recycled Water that has been transported from the point of production to the point of use without an intervening discharge to waters of the State.

Direct Overspray – shall mean any discharge of Water directly onto areas other than that for which the application of Recycled Water is approved.

District Agent or District Designee – shall mean any person, persons, firm, corporation, association, or agency that has obtained written authorization from the General Manager or Board of Directors to represent Mesa Water or act on the District’s behalf.

District Engineer – shall mean the duly approved and acting District Engineer of the Mesa Water District or an authorized designee.

District Water System – shall mean the entirety of the Mesa Water owned and controlled Water system, inclusive of the Potable Water System and Recycled Water System, inclusive of all appurtenances and attachments thereto, up to and including the Point of Connection.

Division of Drinking Water (DDW) – shall mean the primary State agency (the State Water Resources Control Board) responsible for protection of public health and the regulation of drinking Water. The California Legislature has defined several specific regulatory responsibilities of DDW related directly or indirectly to Recycled Water use activities.

Drawings – shall mean the plans, working drawings, detail drawings, profiles, typical cross sections and supplemental drawings or reproductions thereof, approved by Mesa Water, which show locations, character, dimensions or details of the work or modifications to be performed.

Due Date – shall mean the date a bill or invoice is due. If not paid by the stated Due Date a bill or invoice becomes delinquent.

Fee – shall mean any amount of money imposed or required by Mesa Water to a Customer of Record or other person or party, as applicable: (i) for Mesa Water employees to perform a service; (ii) as a penalty (which may include assessed penalties resulting from a Violation); and/or (iii) to recoup costs, each as stated in the Water Rate and Charge Schedule or other Fee schedule adopted by Mesa Water. Fees shall include, but are not limited to, those Charges imposed by Mesa Water on its Customers for services based on a fixed schedule for the particular Fee or Charge, generally not tied to a specific volume of use and thus independent of Rates. Examples of Fees include, but are not limited to, plan check and construction inspection Fees and Final Notice Fees.

Final Notice Fee(s) – shall mean a Fee assessed on any bill, after the bill has been in arrears, prior to termination of service in the event payment was not received by the due date, as stated in the Water Rate and Charge Schedule.

General Manager or Designee – shall mean the duly appointed and acting General Manager, interim General Manager or equivalent officer appointed by the Board of Directors of Mesa Water District.

General Public – shall mean any person(s) at large who may come in contact with facilities or areas where Water is approved for use.

Hose Bib – shall mean a faucet or similar device to which a common garden hose can be readily attached (California Code of Regulations Title 22 Section 60301.400).

Irrigation Use – shall mean an Approved Use of Potable Water or Recycled Water for landscape, horticultural, or agricultural irrigation. Irrigation Use for Recycled Water is defined under Title 22 of the California Code of Regulations.

Landscape Irrigation System – shall mean an irrigation system with pipes, drip hoses, spray heads, or sprinkling devices that are operated by hand or through an automated system.

Level – shall mean any building surface above or below the street grade.

Main or Mainline – shall mean Water distribution pipelines located in streets, highways, public ways or private right-of-ways used to deliver or transmit Water.

Mesa Water or District – shall mean the Mesa Water District or authorized District Agent.

Mesa Water Inspector – shall mean any person authorized by Mesa Water to perform inspections of either Onsite or Offsite facilities prior to construction, during construction, after construction and during operation.

Mesa Water Office or Office – shall mean the Mesa Water business office - currently located at 1965 Placentia Avenue, Costa Mesa, California 92627.

Non-Potable Water – shall mean Water (including Recycled Water) that is not intended for human consumption in conformance with the standards referred to in the definition of Potable Water, below, such as Potable Water downstream of an approved Backflow Prevention Assembly within an Landscape Irrigation System.

Offsite or Offsite Facilities or Offsite System – shall mean all Recycled Water Facilities and appurtenances thereto upstream of the Point of Connection.

Onsite or Onsite Facilities or Onsite System – shall mean all Recycled Water Facilities as designed, constructed, altered, repaired, replaced or restored downstream from the Point of Connection.

Owner – shall mean any holder of legal title, contract purchaser, or lessee under a lease where the tenant(s) are responsible for Water Service, of property for which Water Service has been requested or established.

Point of Connection – shall mean the location where the Offsite Water Service line connects to the Onsite System, which shall be taken at the downstream end of Mesa Water’s Customer Control Valve located on the service meter. In the absence of a Customer Control Valve, the Point of Connection will be taken at the downstream end of the service meter unless, by written agreement only, Mesa Water designates another location as the Point of Connection. Mesa Water's meter normally will be set in a location that abuts a curb line or property line of the Approved Use Area.

Point of Ownership – Mesa Water’s Point of Ownership shall end at the outlet side of the Customer Control Valve or, if in the absence of a Customer Control Valve, the outlet side of the water meter or the control valve upstream of the Backflow Assembly. By written agreement only, Mesa Water may designate another location as the ending Point of Ownership.

Ponding – shall mean the retention of Recycled Water on the surface of the ground or other natural or constructed surface for a period of time following the cessation of an approved Recycled Water use activity such that a hazard, or potential hazard, to the public health results.

Potable Water – shall mean Water that is approved for human consumption by the appropriate federal, State, and local regulatory agencies.

Potable Water System – shall mean the facilities that produce, convey, and store Potable Water.

Presentation Date or Billed Date – shall mean the date a bill or invoice is generated. The Presentation Date will generally be printed on the bill or invoice.

Purple Color – shall mean the color Pantone 512 or approved equal that is used to identify aboveground equipment using Recycled Water.

Pulled Meter – shall mean where the meter has been removed, but the service line is still in place.

Qualified Person – shall mean the Mesa Water District Engineer or other designee as assigned by the District Engineer.

Rate(s) – shall mean the Basic Charge and/or the Usage Charge, as shall be applicable.

RPDA – shall mean a line-sized approved Reduced Pressure Principle Detector Assembly with a parallel meter arrangement, equipped with an approved Reduced Pressure Principal Assembly, to detect unauthorized use of Water.

RPP or RPPD – shall mean a Reduced Pressure Principal Assembly, which is a Backflow Prevention Assembly used to protect against a non-health hazard (pollutant) or a health hazard (contaminant).

Recycled Water – shall mean Water that, as a result of treatment of wastewater, is suitable for Direct Beneficial Use or controlled use that would not otherwise occur.

Recycled Water Service – shall mean the furnishing of Recycled Water to a user, pursuant to these Rules and Regulations, through a metered connection to the Onsite Facilities.

Recycled Water System or Recycled Water Facilities – shall mean the Offsite Facilities that produce, convey, store and supply Recycled Water.

Recycled Water User – shall mean any Customer issued a User Agreement or Water Service Agreement by Mesa Water that replaces the User Agreement. The Recycled Water User and Owner may be one and the same.

Record Drawings – shall mean the design drawings that have been marked to show all construction changes for a given project to the best of available knowledge.

Rules and Regulations – shall mean these Rules and Regulations for Water Service as adopted, and as such may be amended from time to time, by Mesa Water.

Returned Item Fee – shall mean a Fee assessed to the Customer of Record for any payment that is returned by the District's or Customer of Record's financial institution or bank, in the amount set forth in the Water Rate and Charge Schedule.

Retrofit – shall mean to change or modify in part or in whole the existing plumbing of an Onsite Potable Water System in order to serve Recycled Water.

Runoff – shall mean the flow of Potable Water or Recycled Water along the surfaces of the ground or other natural or constructed surface, including, but not limited to, pedestrian walkways, streets, playground surfaces and grassy slopes.

SARWQCB – shall mean the Santa Ana Regional Water Quality Control Board.

Service Connection – shall mean the physical Point of Connection of the Customer's Water System with the Water Service facilities of the District, including the tap, line, curb stop, meter and meter box supplied by and owned by the District. Typically, the Service Connection shall be the downstream end of the Water meter tailpiece.

Service Restoration Trip Fee – shall mean a Fee assessed on any account when a Mesa Water employee arrives at the service address to restore Water Services after being terminated for non-payment, as set forth in the Water Rate and Charge Schedule.

Service Termination Trip Fee – shall mean a Fee assessed on any account when a Mesa Water employee arrives at the service address to terminate Water Services after being terminated for non-payment, as set forth in the Water Rate and Charge Schedule.

Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities – shall mean the latest version of Mesa Water's publication.

State – shall mean the State of California.

Usage Charge(s) – shall mean the charge(s) based on the amount of Water that has passed through the Point of Ownership, based on measured usage from Water meter readings, or in some cases, estimated usage.

User Agreement – shall mean the "Recycled Water User Agreement" is a contractual agreement between the user and Mesa Water that establishes the conditions for Recycled Water Service that the District may use in place of the standard Water Service Agreement.

User Supervisor – shall mean a Qualified Person designated by the user (Customer) and approved by Mesa Water who is responsible for the installation, operation, and maintenance of the user onsite facilities, the prevention of Cross Connection, and compliance with these Rules and Regulations.

Violation – shall mean non-compliance with any condition or conditions of these Rules and Regulations, User Agreement, or Water Service Agreement by any person, action or occurrence, whether willfully or by accident.

Water – shall mean all Water provided by Mesa Water for use within its service area or otherwise, and is inclusive of both Potable Water and Recycled Water.

Water Conservation Coordinator – shall mean the person (who may be an officer or employee of Mesa Water) charged with the principal enforcement of the District's Policies and Programs related to water efficiency and the conservation of water within Mesa Water's service area. The Water Conservation Coordinator may be the General Manager or the General Manager's Designee(s).

Water Quality Report – shall mean the annual Consumer Confidence Report.

Water Rate and Charge Schedule – shall mean the then current schedule of Rates, Fees, and Charges as approved by the Board of Directors.

Water Recycling Criteria – shall mean the Uniform Statewide recycling criteria established in California Code of Regulations Title 22 by DDW for each varying type of use of Recycled Water where the use involves the protection of public health (California Water Code Section 13521).

Water Service – shall mean the availability of Water as provided by the District.

Water Service Agreement – shall mean a written contractual agreement between an

Applicant and Mesa Water regarding the terms under which the District shall provide Water Service to the Applicant.

Windblown Spray – shall mean dispersed, airborne Recycled Water capable of being transmitted through the air by natural or manmade wind to locations other than that for which the direct application of Recycled Water is approved.

1.3 SERVICE AREA

Mesa Water provides Potable Water and Recycled Water Service to most of the City of Costa Mesa, parts of the City of Newport Beach and some unincorporated county areas, including the John Wayne Airport. The District's service area is on file at the Mesa Water Office. Mesa Water may only provide water or services outside of the service area through special arrangement.

1.4 SERVICE CONDITIONS

Water Service shall be available only in accordance with these Rules and Regulations, as well as applicable federal, State, and local statutes, ordinances, regulations, and contracts, and other requirements including, but not by way of limitation, the California Water Code, the California Administrative Code and regulations imposed by State and local health departments, as well as the terms of any Water Service Agreement (Refer to Appendix 6) or Permit issued by Mesa Water. Any such Permit may be revoked by Mesa Water, and there upon, all such Water Service, shall cease in the manner provided in these Rules and Regulations.

As a condition of service, Mesa Water reserves the right to require any Applicant to construct any water facility that it deems essential, including adding capacity for future use of the water facilities.

1.5 REQUESTS FOR THE RELEASE OF CUSTOMER RECORDS

Mesa Water holds various records concerning its operations, services, and Customers of Record. Mesa Water has adopted specific policies concerning certain records retained by the District concerning its Customers, which fall within the scope of California Government Code Section 6254.16. That Section provides that certain information and records are not subject to requests made for records pursuant to the provisions of the California Public Records Act (being California Government Code Section 6250 *et seq.*). Those policies and directives are set out in Mesa Water's Public Records Act Policies and are incorporated herein by this reference. Such policies were and are enacted by the Board pursuant to Water Code Sections 31000, 31001 and 31024 and shall be, and are, part of these Rules and Regulations.

1.6 ESTABLISHMENT OF RATES

In accordance with the California Water Code, the Board fixes the Water Rates and other related Fees and Charges. Periodically, the Board reviews and adjusts the Rates, Fees and Charges.

The Water Rate and Charge Schedule is available at the Mesa Water Office and is posted on the website at www.MesaWater.org.

1.7 GUIDELINES AND INTERPRETATIONS

The General Manager shall have the authority to adopt additional guidelines or generate written interpretations of these Rules and Regulations where necessary for day-to-day operations until such time as the Board chooses to act on such matter or on an indefinite basis if the matter is strictly operational. The General Manager shall make the Board aware of any day-to-day changes or adopted guidelines.

1.8 SEVERABILITY

If any section, subsection, sentence, clause or phrase of these Rules and Regulations is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining portions of these Rules and Regulations. The Board hereby declares that it would have passed these Rules and Regulations by section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

1.9 AMENDMENTS

The Board reserves the right, in its sole discretion, to amend these Rules and Regulations from time to time.

SECTION 2 – CONDITIONS FOR SERVICE

2.1 ACCESS TO PREMISES

Authorized employees of Mesa Water, upon presentation of credentials and during reasonable or necessary hours, and at any frequency per the business needs of the District, shall have free access including, but not limited to, gate codes and keys or key cards, to any premises supplied with Water by Mesa Water for the purpose of reading meters, making repairs, inspections, examinations or tests of the Water System upon said premises and to ensure compliance with these Rules and Regulations.

If any authorized employee is refused admittance to any premises, or is hindered or prevented from reading meters, making repairs or inspections, examinations or tests, Mesa Water may cause the Water to be turned off from said premises after giving 24 hours' notice to the Owner or occupant of said premises of the intention to do so. In the case of major Violations, health hazards, or for shut off due to non-payment Mesa Water may cause the Water to be turned off without notice.

2.2 OPERATION BY MESA WATER EMPLOYEES

All of the District's Water System, including but not limited to, Water pipelines, reservoirs, fire hydrants, manholes, pumping stations, valves, connections, treatment facilities and other appurtenances and property, shall be under the management and control of the General Manager. No other persons, except authorized employees of Mesa Water, shall have any right to enter upon, inspect, operate, adjust, change, alter, move or relocate any portion of the foregoing or any of Mesa Water's property without the written consent of the General Manager or the General Manager's Designee(s). In the event that an unauthorized person(s) enters upon, inspects, operates, adjusts, changes, alters, or relocates any facilities without written consent from the General Manager or the General Manager's Designee(s) then Mesa Water reserves the right to prosecute such an unauthorized person to the fullest extent of the law.

2.3 ENFORCEMENT OF EXISTING SERVICE CONNECTIONS

Existing Service Connections shall be brought into compliance with these Rules and Regulations when the Customer of Record is so notified of a Violation or non-compliance by Mesa Water. The notification will include a compliance date. Failure to comply by the compliance date may result in appropriate action(s) by Mesa Water, up, and including, termination of Water Service.

2.4 MESA WATER'S RIGHT TO INTERRUPT SERVICE

Mesa Water reserves the right at any and all times to shut off Water Service for emergency, operational or maintenance purposes.

Mesa Water will make reasonable efforts to minimize negative impacts and provide appropriate notice to the Customer(s) when shutdowns occur. However, Mesa Water assumes no liability for the damages, real or monetary, as a result of such shutdowns or interruptions in service.

2.5 MESA WATER LIMITS OF RESPONSIBILITY AND LIABILITY

Mesa Water assumes no responsibility for the maintenance or operation of the Customer's Water System or facilities beyond the Point of Ownership.

Mesa Water assumes no responsibility or liability if damage or injury is the result of the Customer or Customer of Record violating these Rules and Regulations.

Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Water Service or variations in Water pressure as provided for herein.

2.6 CUSTOMER LIABILITY

Except to shut off Water to prevent damage, no person other than an authorized Mesa Water employee shall, at any time or in any manner, operate or cause to be operated, any valve in or connected with a Water Main, Service Connection or fire hydrant or tamper or otherwise interfere with any Water meter, check valve or other part of the District's Water System, except the Customer Control Valve. In the event a person, for any reason, digs out or uncovers a corporation stop, angle meter stop or valve controlling a Water supply, lifts or removes a meter box cover or its center piece or causes or suffers any such act to be done, such person will be held liable to Mesa Water for any injury or damage occasioned thereby or resulting there from. In addition, the Customer of Record will be held liable to Mesa Water for any costs incurred for repairing, replacing or adjusting any meter or other appurtenances which have been damaged due to negligence or carelessness, including but not limited to, damages caused by hot Water or steam from a boiler.

Tampering with the lock, meter or appurtenances, unauthorized service restoration or in any other manner interfering or tampering with Mesa Water's property, is prohibited per these Rules and Regulations and California Penal Code Sections 498, 592, 624 and 625. Penalties for such interference will be charged in accordance with the Water Rate and Charge Schedule to the Customer of Record. Criminal penalties, as set out in State Law, may also apply.

2.7 VIOLATIONS AND ENFORCEMENT

Mesa Water shall have the right to terminate service to any Customer or property who fails to comply with these Rules and Regulations. Such discontinuance of service shall occur after the Customer of Record has been given notice to remedy such non-compliance and to cease and desist from such Violation or infraction, and a reasonable

opportunity thereafter within which to comply with said notices. Such time may be specified in the notice to comply/desist. No such notice need be given where the non-compliance, Violation or infraction of any rule or regulation by the Customer results, or is likely to result, in a dangerous or unsanitary condition or a health, pollution or system hazard on the Customer's premises or in the District's Water System or elsewhere, or where discontinuance of service is necessary to protect Mesa Water from fraud, loss or abuse.

By definition, non-compliance with any condition or conditions of these Rules and Regulations, Application for New Service or Application for New Service Permit, whether willfully or by accident, shall constitute a Violation. The General Manager may assess a fine to the Customer of Record, as stated in the Water Rate and Charge Schedule (Refer to Mesa Water's website at www.MesaWater.org), for each Violation of these Rules and Regulations and for each incidence involving the intentional and improper taking of Water. Each day that a Violation of these Rules and Regulations continues, or each day such intentional and improper taking of Water continues, shall be treated as a separate Violation of this provision. No further Water Service shall be provided to such Customer or property by Mesa Water until such charge has been paid or otherwise satisfied. If the charge is paid under protest, the Customer of Record may file a written appeal to the Board.

2.8 CORRECTIVE ACTION

Any person, firm, corporation, association, or agency found to be violating any provision of these Rules and Regulations or the terms and conditions of the Application for New Service, Application for New Service Permit, or applicable State or local statutes, regulations, ordinances, or other requirements shall be served by Mesa Water with written notice stating the nature of the Violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease or cure all such Violations. Failure to conform or comply with such notice with the stated time period may subject the noticed party to all rights and remedies available at law or in equity to Mesa Water. This Section 2.8 is in addition to, and not by way of derogation of, any other remedies or procedures available to Mesa Water by law, regulation, or pursuant to any of the provisions of these Rules and Regulations.

2.9 RIGHT OF APPEAL

Notwithstanding any of the provisions of these Rules and Regulations concerning Water Service, any aggrieved Customer of Record, who remains dissatisfied with the final decision of the General Manager in administering these Rules and Regulations, may appeal, in writing, such final decision to the Board. The Board shall hear such appeal and render its decision. The decision of the Board shall be final.

The Board may, in its sole, absolute and exclusive discretion, refer any such appeal to either (i) a committee appointed by the Board, which committee may include Board

members, staff members or both (exclusive of the General Manager) (Appeals Committee); or (ii) a hearing officer designated by the Board (Hearing Officer), either of which will have full authority to hear and administer any appeal on behalf of the Board or to bring the Board recommendations as the Board shall direct. The Appeals Committee or Hearing Officer, as applicable, may be charged with the duty of developing a summary of the issues on appeal and/or developing a recommendation as to the disposition of such appeal based on evidence and information presented and received, for presentation to the Board. The Board's determination shall thereafter be based on such presentation by the Appeals Committee and Hearing Officer. The General Manager may not serve as the Hearing Officer for these purposes.

SECTION 3 – WATER BILLING AND CUSTOMER SERVICE

3.1 RESPONSIBILITY FOR ACCOUNT

The Owner of the property to which Mesa Water provides Water Service shall be responsible for all Water Service related costs and Fees, and shall establish Water Service in their name to become the Customer of Record. The property Owner may allow a tenant or other responsible party to become the Customer of Record.

The Customer of Record, or the Applicant on the Application for New Service (Refer to Appendix 1), is responsible for all Water Service related Charges, costs and Fees until Mesa Water is notified that the account is being closed, or a new Customer of Record is named to the account. The Customer of Record is responsible for services, and Water used up to, and including the day the account is closed.

The Customer of Record is responsible for ensuring the completeness and accuracy of all personal, financial and contact information provided to Mesa Water.

3.2 NEW ACCOUNTS AND SERVICE ESTABLISHMENT

Customers requesting Water Service, and to become a Customer of Record, shall contact Mesa Water's Customer Services staff during business hours to establish an account prior to Water Service being turned on. Subject to the terms set out in these Rules and Regulations, Water service will be provided upon request where there is an existing service line and meter. If Mesa Water determines that Water may run uncontrolled at a property and no Person is present at the property, then Water Service will not be turned on.

Requests must be made at least one Business Day in advance of the requested first day of service, in order to ensure timely service establishment. If one Business Day advance notice is not given prior to the desired first day of service, then a Fee to expedite service establishment may be applied to the corresponding account.

A Customer of Record shall provide the following identifying information in order to establish service:

- Full Legal Name
- Date of Birth, if applicable
- Social Security Number or U.S. Federal Tax Identification Number
- State or U.S. Federal Issued Identification Number (e.g., Driver's License), if applicable
- U.S. Mailing Address
- Additionally, Named Person(s) or Contact Person(s)
- Phone Number(s)
- E-mail Address

Mesa Water uses communication software to deliver timely service and community information to Mesa Water customers. All Mesa Water customers will be automatically signed up to receive notifications via text, email or voice message. Customers can opt-out of receiving such notification at any time, and can adjust their preferences directly from the email notification or by replying STOP to any text message.

3.3 CLOSING OF ACCOUNTS

A Customer of Record requesting to disconnect Water Service shall contact Mesa Water's Customer Services staff during business hours at least one Business Day prior to closing an account.

The Customer of Record will be responsible for payment for all Water registering on the meter up to and including the day the final meter reading is obtained. The Water Service shall be turned off and the meter will be locked at the time of the final meter reading, unless a new Customer of Record has notified Mesa Water that they will be responsible for service to that property and meter.

A closing bill will be prepared, which reflects the Charges for all Water registering on the meter at the time of final reading, any previous balances owed (including prior bills, Fees and Charges) and the Basic Charge, which shall be prorated based on the number of days in service.

Per California Health and Safety Code Section 17920 and California Civil Code Section 1941.1, buildings lacking Water Service are considered substandard and non-tenantable. Therefore, should any domestic Water Service or service providing Water for fire suppression be closed, service will not be left on between parties taking financial responsibility. Mesa Water has no liability to furnish Water for consumptive use or for fire suppression to an uninhabited building. Should Mesa Water find or determine that persons may be inhabiting said building lacking domestic or fire Water Service, the District may, in its sole discretion and without legal obligation, contact the local Building Safety Authority or law enforcement agency to advise them of such situation. Mesa Water shall not be subject to any voluntary assumption of risk or liability as a result of taking such action(s).

3.3.1 Credits on Closed Accounts

Closed accounts may have credits due to overpayments, Deposit refunds and/or other reasons.

Credits may be refunded to the Customer of Record in one of the following methods, per their request and at the discretion of Mesa Water:

- The District may transfer the credit to another account of which the Customer is the current Customer of Record.
- A refund check will be sent to the mailing address listed on the applicable account.

Unclaimed credits will be processed in accordance with State regulations.

3.4 BILLING AND MEASUREMENT OF WATER SERVICE

Bills cover a specified period of service, which is stated on the Water bill.

Billing frequency will be on regular intervals as determined by Mesa Water.

Bills for Water Service will be based on two components, in addition to any applicable surcharges, the Basic Charge and the Usage Charge. The Basic and Usage Charges will be imposed in accordance with the Water Rate and Charge Schedule.

Mesa Water reserves the right to estimate Water usage based on past usage in the case of meter failure.

An additional Charge may be applied to Basic and Usage Charges for accounts that receive Water Service outside of Mesa Water's service area in accordance with the Water Rate and Charge Schedule.

Mesa Water may periodically collect various surcharges imposed by other government entities, including but not limited to, those assessed or imposed by the Orange County Local Agency Formation Commission, State Water Resources Control Board, or the California Department of Water Resources. Mesa Water does not set these surcharges, but has a legal responsibility to collect them. These mandatory surcharges are due and payable along with billings for Water Service, and follow the same billing, delinquency and collection process as such.

Water bills shall be dated as of the Presentation Date. All bills are due and payable no later than the Due Date.

3.5 PAYMENTS

The Customer of Record is responsible for complete and timely payment of all Mesa Water bills.

Non-receipt of a bill does not release the Customer of Record from payment obligation.

Cash payments for all services provided by Mesa Water must be made at the Office currently located at 1965 Placentia Avenue, Costa Mesa, California.

No payment by any method will be accepted by Mesa Water employees away from the Office.

Payments received without sufficient information to properly credit an account may be returned without being processed. As set forth herein, accounts for which no payment is made or processed may be subject to Fees/Charges including, but not limited to,

Delinquent Fees.

Upon receipt, payment(s) to an account shall be credited in the following order, or priority, as shall be applicable:

- To pay outstanding Charges, Fees, and applicable Delinquent Fee(s), in order of oldest to newest; then,
- To pay current Charges and Fees; and then,
- To replenish or provide any required Deposit amounts.

Any funds held as a Deposit for an account shall be applied to pay applicable bills, Charges, or other Fees due and owing on such account, at the time a delinquency would otherwise occur.

3.5.1 Payments Made at the Mesa Water Office

Payments made at the Mesa Water Office may be in the form of cash, credit card, check, cashier's check, or money order. Payments can be made online at the Office via the computer located in the lobby.

Payments made at the Office by close of a Business Day will be credited to the account that same day. Payments received in the night drop box by the opening of business on a regular Business Day will be credited to the account that Business Day. Mesa Water's business hours are posted at the Office and online.

3.5.2 Payments Made by Mail and to the Lockbox

Payments made by mail will be credited to the account on the same day that they are received by Mesa Water or the lockbox service provider so long as proper account and payment information is included.

Postmark dates are not accepted or considered in posting payments to an account.

3.5.3 Payments Made by Third Party Vendor

Mesa Water accepts payments by credit/debit card through its approved third-party administrator that may impose a convenience fee to the Customer for this service. Customers may call Mesa Water's Customer Services staff at 949.631.1200 or visit the website at www.MesaWater.org in order to obtain the toll free number.

Payments made to Mesa Water through its third party administrator(s) will be credited to the Customer of Record's account on the date of transaction. If the Customer's service is in danger of termination, then the Customer should notify Mesa Water that a payment has been made by providing the confirmation number following payment. It is the responsibility of Customers using any third party administrator for payment to ensure timely payment is made to Mesa Water.

3.5.4 Payments Returned by Bank

Should any payment, including, but not limited to, check, credit card, online payment or Electronic Fund Transfer, be returned by Mesa Water's or Customer's bank for any reason, the Customer of Record will be notified and a Returned Item Fee will be charged against the account(s) to which the payment had been credited. The Returned Item Fee will be assessed in accordance with the Water Rate and Charge Schedule. Should a Customer of Record have two returned payments within 12 months, Mesa Water may require all payments by or on behalf of such Customer of Record be made by cash, cashier's check, money order, or credit/debit card for a period of up to 24 months. The District may reduce the time for the foregoing requirement on a case-by-case scenario at the sole discretion of the General Manager or the General Manager's Designee(s).

Returned Item Fees are due and payable immediately. Returned Items Fees are payable by cash, cashier's check, money order or credit/debit card.

Mesa Water may waive the Returned Item Fee if the assessment of the Returned Item Fee was due to the District or District's bank error. In its sole discretion, Mesa Water may waive the Returned Item Fee for other reasons not listed herein. Should Mesa Water waive the Returned Item Fee for reasons other than District error, it may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager's Designee(s).

3.5.5 Payment Extensions

A payment extension is a payment arrangement in which the due date for the entire unpaid balance is delayed to avoid delinquent Charges or service termination. Agreement to payment extension(s) is within the sole discretion of Mesa Water. An account may only have one active payment arrangement at a time.

Payment extension arrangements may be made between Mesa Water and the Customer of Record prior to the due date on any invoices during the billing process. The Customer of Record must adhere to the terms of the payment extension in order to avoid Delinquent Fees or service termination, and the account being ineligible for payment extensions and payment plans for 12 months.

Payment extensions may not extend beyond 30 calendar days; otherwise, a payment plan shall be arranged (See Section 3.5.6 for Payment Plans).

3.5.6 Payment Plans

A payment plan is a payment arrangement in which the entire unpaid balance is spread out over multiple payments over a defined period of time. Agreement to a payment plan is within the sole discretion of Mesa Water. An account may only have one active payment arrangement at a time.

The Customer of Record must adhere to the terms of the payment plan in order to avoid Delinquent Fees or service termination, and the account being ineligible for payment extensions and payment plans for 12 months.

3.5.7 Financial Assistance

Per California Proposition 218 (1996), Mesa Water is unable to use revenues derived from Water Rates and Charges for any purpose other than delivering Water. Mesa Water is legally prohibited from using revenues from Water Rates and Charges to subsidize costs of service to its Customers.

Mesa Water may direct Customers to non-profit and charitable organizations that may offer assistance in paying Water bills.

3.5.8 Overpayments and Credits

Should an account be overpaid due to any reason, regardless of purposeful or accidental, the overpayment will remain on the corresponding account as a credit against future Charges.

Requested refunds of less than \$100.00 and greater will not be approved. Requested refunds of \$100.00 will be considered on a case-by-case scenario.

Requested refunds will be processed with approval by the Chief Financial Officer, General Manager or the General Manager's Designee(s).

3.6 DELINQUENCIES

Customers that have questions or require assistance regarding the payment of water bills should contact Mesa Water District Customer Services Department at 949.631.1200 or visit the Office at 1965 Placentia Avenue, Costa Mesa.

Regular and closing bills have a Due Date of not less than 28 days from the Presentation Date. Unpaid bills are considered delinquent if payment is not received by the Due Date shown on the bill; and a Delinquent Fee will be assessed in accordance with the Water Rate and Charge Schedule.

3.6.1 Delinquent Bills

A Delinquent Fee will be assessed to the account, in accordance with the Water Rate and Charge Schedule, and a delinquent bill will be sent to the Customer of Record if payment is not received by Mesa Water by the regular or closing bill's Due Date Delinquent Fees are due and payable immediately with the outstanding balance of the bill.

The delinquent bill will have a Due Date within 28 calendar days after the Presentation

Date.

The Delinquent Bill will be a mailed notice to the Customer of Record and will contain:

- The Customer of Record's Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

Delinquent Fees are administrative and may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager's Designee(s) up to \$5,000.

3.6.2 Final Written Notice of Service Termination (Final Notice)

A Final Notice Fee will be assessed to the account, in accordance with the Water Rate and Charge Schedule, and a Final Notice bill (Final Notice) will be sent to the Customer of Record if payment is not received by Mesa Water by the Due Date of the delinquent bill. Final Notice Fees are due and payable immediately with the outstanding balance of the bill.

The Final Notice will have a Due Date not less than 28 calendar days after the Presentation Date.

The Final Notice will be a mailed notice to the Customer of Record and will contain:

- The Customer of Record's Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

Where a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling exists, or if the Customer of Record's mailing address is not the Service Address, then a Final Notice will also be mailed, a least 10

days prior to water service termination, to the Service Address attention “Occupant” or “Current Resident” as deemed appropriate by Mesa Water. The Final Notice will also notify the tenant of its opportunity to become the customer of record without being required to pay any amount that may be due on the landlord delinquent account.

The Final Notice is Mesa Water’s final written attempt to collect a past due balance before Water Service is terminated.

Where the delinquent account provides Water Service to more than one residential dwelling unit (for example, apartment buildings), when practical, a Final Notice will be delivered to each dwelling unit benefiting from the service. However, if this step is not practical, the Final Notice shall be posted in a common area accessible to residents. Additional Fees may be charged for this service, in accordance with the Water Rate and Charge Schedule.

If payment of all Water bills, Fees, Charges and Deposits is not received by the Due Date of the Final Notice then Water Service may be terminated.

Final Notice Fees, and Fees related to the Final Notice, are administrative and may be waived one time per account in a rolling 24-month period, or at the discretion of the General Manager or the General Manager’s Designee(s).

3.6.3 Notice of Pending Water Service Termination for Non-Payment

In addition to the written notice(s), as described herein, Mesa Water will also make a reasonable attempt to personally contact the Customer of Record by telephone, e-mail, in person, or by posting a Notice of Pending Water Service Termination in a conspicuous place at the Service Address, at least 48-hours prior to terminating service. This personal contact is Mesa Water’s final attempt to collect a past due balance before Water Service is terminated.

The Notice of Pending Water Service Termination will contain all of the following:

- The Customer of Record’s Name and Service Address;
- The amount of the delinquency;
- The date by which payment or payment arrangement must be made to avoid termination of service;
- A description of the procedure by which the Customer of Record may request a Payment Extension or Payment Plan;
- The procedure for the customer to obtain information on financial assistance, if applicable; and,
- The telephone number where the Customer of Record may request a Payment Extension, Payment Plan, or receive additional information from the District.

The Notice of Pending Water Service Termination shall be provided in writing, in person, or by telephone contact/message.

3.7 TERMINATION OF WATER SERVICE FOR NON-PAYMENT

Mesa Water strives to provide excellent customer service, and as such provides many opportunities and assistance to avoid Water Service termination. However, after all past attempts have failed to resolve an unpaid balance, and consistent with these Rules and Regulations, the Water Service shall be terminated.

Mesa Water's written policy on termination of water service for non-payment is available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean. A printed copy of this policy is available at Mesa Water's Office and on the website.

3.7.1 Circumstances Under Which Water Service Will Not be Immediately Terminated After Exhausting Procedures in Section 3.6

- During an investigation by the District of a customer dispute as described in Sections 3.13.1 – 3.13.3;
- During the pending of an appeal to the Board of Directors under Section 2.9;
- During the period of time in which a Customer of Record's payment is subject to a District-approved Payment Extension or Payment Plan and the Customer of Record remains in compliance with the approved payment arrangement.

3.7.2 Special Medical and Financial Circumstances Under Which Water Service Will Not be Terminated

Mesa Water will not terminate water service if all of the following conditions are met:

- The Customer of Record, or tenant of the Customer of Record, submits to Mesa Water the certification of a licensed primary care provider that termination of water service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided;
- The Customer of Record demonstrates that he or she is financially unable to pay for residential service within the normal billing cycle. The customer is deemed financially unable to pay during the normal billing cycle if: (a) any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or (b) the customer declares under penalty of perjury that the household's annual income is less than 200 percent of the federal poverty level; and,
- The Customer of Record is willing to enter into an alternative payment arrangement, including a Payment Extension or Payment Plan.

The Customer of Record is responsible for demonstrating that the conditions of Section 3.7.2 have been met. Upon receipt of documentation from the Customer of Record, Mesa Water will review the documentation within seven days. The District will then respond

within seven days with one of the following: (1) Notify the customer of the alternative payment arrangement selected by Mesa Water and request the Customer of Record's signed assent to participate in that alternative payment arrangement; (2) Request additional information from the Customer of Record; or (3) Notify the Customer of Record that they do not meet the conditions in Section 3.7.2.

For any Customer of Record who demonstrates that they meet all of the above conditions, Mesa Water will offer the customer one of the following options, to be selected by the District at the discretion of the General Manager or the General Manager's Designee(s):

- Payment Extension, as described in Section 3.5.5.
- Payment Plan, as described in Section 3.5.6.

The Customer of Record must adhere to the terms of the Payment Extension or Payment Plan as stated in Sections 3.5.5 and 3.5.6 to avoid Water Service termination. However, any unpaid balance that was included in the defaulted alternative payment arrangement will not be considered in any investigations or reviews by the District.

3.7.3 Days and Times of Service Termination Due to Non-Payment

Mesa Water will only terminate Water Service due to non-payment during its regular business hours.

3.7.4 Procedures for Terminating Water Service for Non-Payment

When a Mesa Water employee arrives at the service address to terminate Water Services for non-payment a Service Termination Trip Fee will be assessed. Fees and Charges associated with termination of service as a result of non-payments are shown in the Water Rate and Charge Schedule. When Water Service is terminated, the meter will be locked in the off position and a tag will be attached to the meter notifying Customers that tampering with the meter and lock is prohibited per Section 2.6 of these Rules and Regulations and California Penal Code Sections 498, 592, 624, and 625.

Service Termination Trip Fees recuperate the staff, equipment, and fuel costs associated with visiting the property to terminate service, and therefore cannot be waived, except at the discretion of the General Manager or the General Manager's Designee(s).

In the case where a property is served by multiple accounts and services, and are the financial responsibility of the same Customer of Record, then additional and all services may be terminated until the balance(s) have been satisfied.

If payment is not received within ten days of termination of service, the account will be closed, and the process as described in Section 3.3 shall be followed.

3.8 RESTORATION OF WATER SERVICE

Following service termination for non-payment, the Customer of Record must contact Mesa Water by telephone or in person at the Office regarding restoration of water service.

All amounts owed, including all bills, Fees, Charges, and Deposits, must be paid or otherwise satisfied before Water Service will be restored. If the Water meter has been removed, all Fees must be paid before a Water meter is re-installed. Fees for the service restoration are shown in the Water Rate and Charge Schedule.

Service will be restored on the same Business Day that the account balance has been satisfied, if conditions permit. Otherwise, the service will be restored the following Business Day.

Service Restoration Trip Fees recuperate the staff, equipment, and fuel costs associated with visiting the property to restore service, and therefore cannot be waived, except at the discretion of the General Manager or the General Manager's Designee(s)

3.9 PROCEDURES FOR OCCUPANTS OR TENANTS TO BECOME CUSTOMER OF RECORD OF MESA WATER DISTRICT

3.9.1 Applicability

This Section 3.9 shall apply only when the property owner, landlord, manager, or operator of a residential service address is listed as the Customer of Record and has been issued a Final Notice to terminate water service due to non-payment.

3.9.2 Agreement to Mesa Water Rules and Regulations for Water Service

Mesa Water will make Water Service available to the actual residential occupants if each occupant agrees to the Rules and Regulations for Water Service and meets the requirements of Mesa Water's Rules and Regulations. Notwithstanding, if one or more of the occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of Mesa Water, or if there is a physical means, legally available to the District, of selectively discontinuing service to those occupants who have not met the requirements of the Mesa Water's Rules and Regulations, the District shall make service available to the occupants who have met those requirements.

3.9.3 Verification of Tenancy

To be eligible to become a Customer of Record without paying the amount due on the delinquent account, the occupant shall verify that the delinquent account's Customer of Record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code, at the sole discretion of Mesa Water District.

3.9.4 Deductions from Rental Payment

Pursuant to Government Code Section 60371(d), any occupant who becomes a Customer of Record of Mesa Water District pursuant to this Section 3.9 and whose periodic payments, such as rental payments, include charges for residential Water Service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the District for those services during the preceding payment period.

3.10 COLLECTIONS

Mesa Water may, at its sole discretion, transfer unpaid and uncollected balances on accounts to any active or new account(s) under the control and responsibility of the same Customer of Record.

Mesa Water may contract with a collection agency for the recovery of any outstanding balances on closed accounts. The past due account must be paid in full or otherwise be arranged for payment within 90 calendar days of the delinquent closing bill due date before being sent to a collection agency. Any account that is sent to a collection agency may be subject to a collection agency Fee, as set forth in the Water Rate and Charge Schedule.

Mesa Water or its collection agency may report on unpaid balances to credit bureaus.

3.11 DEPOSITS

Deposits may, at the discretion of Mesa Water, be required on accounts when any of the following situations occur:

- The Customer of Record's account contains insufficient identification information, as listed in Section 3.2;
- The account receives two Final Notices of Service Termination (Final Notices) within a 24-month period;
- Service is terminated for non-payment;
- The Customer of Record files for bankruptcy or a related Order for Relief;
- Two payment items are returned by the Customer of Record or District's bank within the last 12 months;
- Tampering or damage to District appurtenances including, but not limited to, the Water Service meter;
- The Water Service was off and locked without a current Customer of Record, and Mesa Water has determined that the Water Service has been turned on without the express permission of the District and Water has passed through the meter.

Deposits will be held on the account until one of the following occurs:

- Bills are paid consecutively on time for a period of at least 24 months.
- The account is closed. However, if the Customer of Record becomes the holder of another account with Mesa Water, the Deposit may be transferred to the new account.
- If the Customer of Record provides sufficient identification information as listed in Section 3.2.
- In this case, the Customer of Record must still have a satisfactory payment history of at least 24 months.

Deposits do not excuse future late payments or prevent future Delinquent Fees from being assessed.

Deposits will be refunded as a credit on the account. If the account is being closed, then the Deposit will be used to satisfy the balance on the account before any refund is issued. A closing bill stating any remaining balance will be issued to the Customer of Record. If there are remaining funds, the credit process will follow the procedures listed in 3.3.1, Credits on Closed Accounts.

The standard amount of the Deposit is shown in the Water Rate and Charge Schedule. However, the amount of the Deposit may be set differently at the discretion of the General Manager or the General Manager's Designee(s) in an amount sufficient in his/her judgment to ensure that future bills will be paid when presented. Additional Deposit amounts may be collected in the future to account for higher bills. Mesa Water may make a payment arrangement with the Customer of Record if the Deposit creates an immediate financial hardship.

Any interest accrued on a Deposit will not be refunded to the Customer of Record.

Deposit requirements may be waived once every 24 months or per the discretion of the General Manager or the General Manager's Designee(s).

3.12 CUSTOMER BANKRUPTCY

When Mesa Water receives notice that a Customer of Record has filed for bankruptcy, the Customer of Record's account(s) will be closed, as soon as possible following receipt of such notice. The date used for purposes of determining the amount to be included in the bankruptcy is the date of filing on the notification form. Any outstanding balances as of that time will be considered within the scope of such bankruptcy proceedings and Mesa Water may file a claim accordingly.

A new Customer account will be created for such Customer of Record should the Customer of Record request ongoing service. A Deposit will be charged in accordance with the Water Rate and Charge Schedule and Section 3.11 of these Rules and Regulations for Water Service. Subject to the provisions of these Rules and Regulations,

Mesa Water will not terminate service unless otherwise directed by the Customer of Record.

3.13 CUSTOMER INQUIRIES, DISPUTES, AND COMPLAINTS

All Customer inquiries, disputes, and complaints will be handled as expeditiously as reasonably possible. In some instances, extensive research will be required, thus extending the time required for resolution, and the Customer will be so informed.

3.13.1 Billing Disputes

Any dispute by the Customer of Record of the amount owed, as shown on a bill or invoice, must be raised within ten days of the date of billing produced on the bill or invoice, otherwise the bill or invoice will be considered correct and payable.

Only the disputed portion of the bill may be set aside by Mesa Water pending resolution of the dispute. The Basic Charge plus any outstanding balance, Charges or Deposits must be paid. The undisputed portion of the bill must be paid in accordance with these Rules and Regulations for Water Service governing undisputed bills or invoices.

A timely request for investigation will be reviewed by Mesa Water. The review will include consideration of whether the Customer of Record may receive a Payment Extension, Payment Plan, or none. Mesa Water may, in its sole discretion, review untimely disputes; however, such disputes are not subject to appeal.

In the case of a Water usage dispute, Mesa Water employees will re-read the meter and determine if the usage and bill are correct.

- If the usage is correct, the bill shall be due and payable as presented.
- If the usage is incorrect, the bill will be reissued with the correct usage. The billing and payment process will start over for that portion of the bill.

Multiple similar requests made by the Customer of Record for the same service address may not be able to be fulfilled based upon employee availability and the business needs of Mesa Water District.

Any Customer of Record whose timely dispute has resulted in an adverse determination may appeal the determination to the Board of Directors within ten business days of the District's mailing or communication of its determination, following the process outlined in Section 2.9.

3.13.2 Meter Inquiries and Testing

If the Customer of Record is concerned that the meter is not operating correctly or is not accurate, the Customer of Record may submit a completed Customer Service Meter Test Request form (Refer to Appendix 2). Mesa Water will arrange for an approved third party

testing facility chosen by and facilitated by the District to test, the meter for accuracy based on standards by the American Water Works Association (AWWA). Prior to the removal of the meter for testing, Mesa Water shall require a meter test Deposit in accordance with the Water Rate and Charge Schedule. Meter test Deposits will be refunded if the meter is determined to be recording outside the prescribed limits for meter accuracy as described herein.

If the meter is found to be registering three percent on average in excess of the actual quantity flowing through the meter based on meter accuracy standards by the AWWA, Mesa Water will replace the defective meter, refund the meter test Deposit and refund to the Customer of Record the full amount of the overcharge based on the corrected meter readings for the previous period, not exceeding six months from the date of the written request, that the meter was in use by the same Customer of Record.

If the meter is not found to be defective and does not register three percent in excess, then the meter test Deposit shall be forfeited to Mesa Water and the Water bill shall be due and payable as presented.

If the meter is found to be registering less than 97 percent on average of the actual quantity flowing through the meter, based on meter accuracy standards by the AWWA, the meter will be replaced and the Customer of Record may be assessed based on the average consumption for up to six preceding months during which the meter was in use and found to have been registering correctly.

3.13.3 High Water Use Investigations

Customers may request that Mesa Water assist them in the determination of possible leaks or other conditions, which may result in higher than normal Water usage. Inspections may be arranged with Mesa Water to check the Water meter for potential flow indicating a leak. Such requests will be handled by appointment only. Appointments may be arranged by contacting Mesa Water's Customer Services staff. Multiple similar requests made by the Customer of Record for the same service address may not be able to be fulfilled, based upon employee availability and the business needs of the District. In performing leak determinations, Mesa Water is not providing any warranty or guarantee of accuracy thereof. Mesa Water does not provide leak investigations on private property.

3.13.4 Water Quality Inquiries

Mesa Water strives to provide Customers with high quality Water at all times. If a Customer suspects any problem with the quality of Water provided the Customer may contact the District and a Mesa Water employee will arrange to meet with the Customer at home or business to investigate the concern. Information regarding Water quality analyses of the District's Water is available to the public. Mesa Water's annual Water Quality Report is available on the District's website, and printed copies are made available during business hours at the Office.

SECTION 4 – CONSTRUCTION OF WATER FACILITIES AND APPURTENANCES

4.1 APPLICATION PROCESS

Any person, firm, or corporation who wishes to install, remove, alter or replace, or cause to be installed, removed, altered, or replaced, any Water facility or appurtenance connected to, or part of, the District System must obtain a Permit from Mesa Water to do such work.

Any person legally entitled to apply for and receive the Permit shall complete the Mesa Water supplied Application for New Service form. The Applicant shall submit the Application for New Service form, a complete subdivision map when applicable and a Water facility construction plan showing the proposed Service Connection thereon, signed by a Civil Engineer registered in the State of California. All maps and plans shall be to the standards, size and drawn on material specified in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

4.1.1 Plan Check Process

After payment of the Plan Check Fee (Refer to Appendix 3 for Payment Voucher), Mesa Water's District Engineer, or an authorized designee or other appropriate employee, will review such plans in accordance with the plan check process located in the Standard Specifications and Drawings for the Construction of Mesa Water Facilities. All plans must conform to the current Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities before they will be approved.

4.1.2 Issuing the Permit

Upon approval of such plans, and upon receipt of required Fees and Charges, including Capacity Charges, Mesa Water shall validate and issue a Permit.

The Permit shall be valid for a period of one year from the date of issuance. If construction has not commenced within said year, the Permit automatically becomes invalid and the Applicant forfeits all moneys, except Capacity Charges, paid to Mesa Water in connection with the Permit. The Applicant will be required to reapply for a new Permit.

4.1.3 Water Service Agreement

Before Water Service is provided, the Applicant shall enter into a Water Service Agreement (Refer to Appendix 6) with Mesa Water regarding the terms under which Mesa Water shall provide Water Service to the Applicant. The Applicant shall complete, sign and submit a Water Service Agreement. Mesa Water shall enter into the Water Service Agreement only upon approval of the development project and payment by the Applicant of required Fees and Charges set forth in the Water Service Agreement. No Water Service shall be provided by temporary Water Services or by any other means until the Water Service Agreement has been signed by Mesa Water and the Applicant.

4.1.4 Fees and Charges

Mesa Water employees will determine the Fees and Charges applicable to new development in accordance with the Water Rate and Charge Schedule.

4.1.5 Capacity Charges

Mesa Water has adopted Capacity Charges in the amounts specified in the Water Rate and Charge Schedule. The Capacity Charges will be used to assist Mesa Water in paying for the facilities and improvements to the District's Water System required by this development.

All Rules and Regulations governing Capacity Charges in their entirety are applicable to the same property for which a Water Service Agreement is in effect.

4.1.5.1 Calculating the Capacity Charge

As herein provided, the amount of the applicable Capacity Charge(s) shall be determined by the District Engineer (based on the Capacity Charge rate approved by the Board of Directors). All decisions in regard thereto shall be based on sound engineering practices consistent with new development paying only the amount of money necessary to fund its fair share of facilities required to provide Water capacity.

Capacity Charge credit for existing 5/8 inch and 3/4 inch meters will be applied based on a ratio of the maximum flow rate for that meter using a 1-inch meter as base line for the credit. In all other cases the Capacity Charge shall be assessed in accordance with the Fee schedule contained in the Water Rate and Charge Schedule.

At the time the Applicant requests meters to be installed, Mesa Water will review the assessed Capacity Charge. If there have been changes in the project, which affect the Capacity Charges, additional Capacity Charges will be assessed or a refund will be credited to the meter costs. The meters will not be installed until both the meter costs and all applicable Capacity Charges have been paid.

Capacity Charge credits are the possession of the property Owner and under no circumstances are to be severed from the real property for which such credits were paid. For commercial developments, the property Owner shall provide a letter granting a tenant the right to any Capacity Charge credit(s), if said credits are to be attributed to anyone other than the property Owner.

No Capacity Charges will be assessed if an Applicant is removing a meter and is replacing it with a meter of the same size, providing that one of the following conditions also be satisfied:

- The new meter is installed on the same service line from which the old meter is

- removed; or
- The new meter is installed on a new service line and the existing service line is abandoned when the old meter is removed.

Mesa Water does not assess Capacity Charges for dedicated fireline Service Connections or temporary service connected to fire hydrants.

4.1.5.2 Calculating Capacity Charge Credits on Meters Pulled at the Time of Redevelopment

Mesa Water will apply a Capacity Charge credit on an account for meters that will be pulled at the time the property is redeveloped, providing one of the following conditions is satisfied:

- The old meter is pulled and a new meter of a different size is installed on the existing service line; or
- The old meter is pulled and the existing service line is abandoned. Any new meters of different sizes shall be installed on new service lines.

The District Engineer or an authorized designee will determine the Capacity Charge credit on the meter that is pulled per the Water Rate and Charge Schedule.

The credit will be based on the Capacity Charge in effect for the meter size being pulled according to the building classification and Water use type the meter presently serves.

If the Capacity Charge credit exceeds the Capacity Charge calculated on the new meters, the excess credit may be carried forward with the property for additional development. The excess credit will be discounted five percent each year that it is carried and at the 15th year, the credit can no longer be used. Any excess credit may only be used once. Subsequent excess credit cannot be carried forward.

The number of years used for Capacity Charge credit will be determined by calculating the number of years between the date the Application for New Service Permit was issued for the redevelopment project for which the credit originated and the date the Application for New Service Permit was issued for the redevelopment project for which the Applicant wishes to use the credit.

No Capacity Charge credit will be allowed for the removal of Automatic Fire Sprinkler Service Connections.

4.1.5.3 Calculating Capacity Charge Credits on Meters Pulled Prior to Redevelopment

Mesa Water will apply a Capacity Charge credit on meters pulled prior to the redevelopment of the property providing that all of the following conditions be satisfied:

- The service line to which the meter was once connected is still connected to the District's Water System; and
- The Pulled Meter was recorded and the record is on file at Mesa Water; and
- The new meters that will be installed are a different size (upgrade or downgrade) from the meters that were pulled prior to the redevelopment of the property; and
- A new meter shall be installed on the service line, to which the meter was once connected, or the service line shall be abandoned and the new meter shall be installed on a new service line.

Mesa Water will not apply a Capacity Charge credit for meters where both the meter and the service line were abandoned prior to the redevelopment of the property.

The District Engineer or an authorized designee will determine the appropriate credit amount.

The credit on the Pulled Meter will be based on the Fee in effect for the meter size being replaced according to the building classification and Water use type the meter previously served.

The credit is subject to a five percent reduction for each year that the meter was pulled prior to the Application for New Service Permit. No credit will be given for meters that were pulled 15 years or more prior to the date the Application for New Service Permit is issued.

The number of years that will be used for the reduction in Capacity Charge credit will be determined by calculating the difference between the date on file at Mesa Water that the meter was pulled and the date the Application for New Service Permit is issued.

In the case where the new meters being installed are the same size as the meters that were pulled, Mesa Water will apply a discount on the amount of the Capacity Charge calculated on the new meters, providing all of the following conditions are satisfied:

- The service line to which the meter was once connected is still connected to the District's Water System; and
- The Pulled Meter was recorded and the record is on file at Mesa Water; and
- A new meter shall be installed on the service line to which the meter was once connected or the service line shall be abandoned and the new meter shall be installed on a new service line.

The amount of the discount will be based on the length of time since the meter was pulled. The length of time will be determined by calculating the difference between the date on file at Mesa Water that the meter was pulled and the date the Application for New Service Permit is issued.

4.1.5.4 Application of Capacity Charges to Public Agencies

For purposes of this section "Public Agency" shall have the same meaning as set forth in Government Code Section 54999.1(c) or any successor section thereto.

Any development or application to Mesa Water for increased Water Service by any Public Agency shall be subject to a Capacity Charge. The amount of such Capacity Charge shall be determined under Section 4.1.5 of these Rules and Regulations. The determination of the Capacity Charge with regard to an individual Public Agency development project shall be made based on the same criteria and methodology applicable to non-public Applicants.

The assessment of the Capacity Charge on any school district, county office of education, community college district, the California State University, the University of California or State agency, as defined in Government Code Section 54999.1(g), (collectively referred to as "School/State Agency" for the purposes of this Section) shall be subject to the following:

The Capacity Charge shall be paid by such School/State Agency in an amount equal to the actual construction costs of that portion of the District's Water System actually providing, or needed to provide, service to such School/State Agency.

To the extent that the appropriate Capacity Charge to such School/State Agency is in excess of the amount equal to the actual construction costs, the assessment and collection of said Capacity Charges may be adjusted on a case-by-case basis by the District Engineer.

4.1.5.5 Use of Recycled Water

If a Capacity Charge was calculated, in whole or in part, based on the average annual usage that included service that is later replaced by the use of Recycled Water, upon written request, the Customer of Record shall be entitled to a rebate (without interest) of a portion of the Capacity Charge paid to Mesa Water, provided the Customer of Record has entered into an agreement with Mesa Water for the provision of Recycled Water at the same property for which the Capacity Charge was paid.

The rebate shall be calculated based on the original Capacity Charge paid and the amount of Recycled Water subsequently provided and used on such property. Mesa Water shall pay the rebate to the Customer of Record 30 days after the Customer begins receiving Recycled Water Service from Mesa Water.

New Recycled Water meter connections are not currently available, unless previously approved by Mesa Water and Orange County Water District.

4.1.6 Bonds and Conditions for Release of Bonds

As security for guarantee against defective material or work quality and as security for guarantee of the completion of the proposed project, the Applicant shall deliver to Mesa Water a Construction Performance Bond (“Bond”) in accordance with the Rate specified in the Water Rate and Charge Schedule. The Bond must be received and approved by Mesa Water prior to the District’s final approval of plans or issuance of the Application for Water Service permit.

Mesa Water will accept only a cash bond as payment for the Bond. The bond amount is calculated at ten percent of the Water utility construction cost, or \$1,000 whichever is greater.

The Bond, whether cash or a surety, will be eligible for release one year after all of the following conditions have been satisfied:

- All Fees and Charges are paid current; and
- The project has been completed to the satisfaction of Mesa Water; and
- Mesa Water has received and has recorded with the County Recorder’s office all necessary documents of conveyance and guarantees.

Approximately one year after all of the above conditions have been satisfied, Mesa Water will conduct a follow-up inspection of the Water facilities. If the facilities are free from defective material and work quality, and all Fees and Charges are current, the Bond will be released. The Bond will stay in effect until all such conditions are met.

4.1.7 Document of Conveyance and Guarantee

Easements shall be approved and accepted by the Board prior to the installation of meters. The document(s) will transfer to Mesa Water all interest and title to such system and appurtenances, guaranteed free of all liens, together with necessary deeds, easements or rights-of-way, as applicable, for future maintenance and upkeep. Documents of conveyance shall be received not less than 60 days’ prior installation of meter that was requested to allow sufficient time for Board consideration and approval.

For a period of one year after acceptance of the work by Mesa Water, repair or replacement of any and all dedicated facilities that may prove to be defective in work quality or materials, together with any other works that may be displaced in so doing, shall be at the sole cost and expense of the Applicant. Such repair or replacement shall be without expense whatsoever to Mesa Water unless the repair(s) or replacement(s) were the result of ordinary wear and tear or unusual abuse or neglect by the District.

In the event of an emergency, as determined by Mesa Water, the District shall notify the Applicant of any defect and shall immediately proceed to have the defects repaired or replaced at the expense of the Applicant, who shall pay the costs and Charges upon demand.

In the event that Mesa Water becomes aware of a defect in material or work quality, which does not involve an emergency, the District shall notify the Applicant and the Applicant shall undertake to accomplish the necessary repair or replacement. If within one week from the date of notification the Applicant has not accomplished the necessary corrective procedures or made satisfactory arrangements thereof, Mesa Water shall proceed to have the defects repaired or replaced at the expense of the Applicant, who shall pay the costs and Charges upon demand by the District.

In the event that the Applicant fails to pay for the costs and Charges resulting from repairs or replacements of the facilities as provided in this section, Mesa Water reserves the right to reduce the amount of, or draw upon, the Applicant's security bond by the amount necessary to cover any such costs and Charges.

4.2 CONSTRUCTION OF WATER FACILITIES

The Applicant is required to perform construction with the assistance of a licensed Contractor (Class A or C34).

It will be the responsibility of the Contractor to furnish all materials that meet the specifications contained in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. It also will be the responsibility of the Contractor to provide all labor and equipment necessary to install the Water facilities in conformance with the approved plans and the specifications contained in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

4.2.1 Underground Service Alert

The Contractor shall be responsible for researching utility records and indicating the location of all known utilities on the plans. At least two Business Days before beginning the work, the Contractor shall call U.S.A. (Underground Service Alert) at 1(800) 227-2600 for utility Owners to mark the location of substructures. It shall be the Contractor's responsibility to determine the true location and depth of all utilities and Service Connections. The Contractor shall become familiar with the type, material, age and condition of any utility that may be affected by the work.

The Contractor shall not interrupt the service function or disturb the supporting base of any utility without authority from the utility Owner or on order from Mesa Water.

Where protection is required to ensure support of utilities, the Contractor shall furnish and place the necessary protection at the Contractor's expense.

The Contractor shall immediately notify the District Engineer and the utility Owner if the Contractor disturbs, disconnects or damages any utility.

4.2.2 Safety Requirements

The Contractor must adhere to all appropriate CAL/OSHA safety requirements while on the job site. The Contractor shall have, at the job site, copies or suitable extracts of Construction Safety Orders, Tunnel Safety Orders and General Industrial Safety Orders issued by the California State Division of Industrial Safety. The Contractor shall comply with provisions of these and all other applicable laws, ordinances and regulations.

4.2.3 Charges for Damages

It will be the Contractor's responsibility to "protect in place" all Mesa Water facilities. In the event it becomes necessary for the District to provide assistance to the Applicant, the Contractor or any third party, or to make repairs to Mesa Water's facilities damaged by any of the above, the District will charge the Applicant, Contractor or third party for the actual cost of assistance and/or repairs plus its full overhead Rate.

4.2.4 Valves and Water Main Shutdowns

It shall be the Contractor's responsibility to keep all valves exposed and accessible at all times. If a Water Main shutdown is required, only Mesa Water employees are authorized to perform shutdown operations. The Contractor shall notify Mesa Water's Engineering staff and affected users at least 72 hours in advance in areas where shutdown is requested.

4.2.5 Mesa Water Inspection

All new Water facilities shall be subject to inspection by Mesa Water or its authorized District Agent(s). Such facilities shall be installed in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Inspection of new Water facilities shall be scheduled in accordance with the requirements of the issued permit and accompanying inspection checklist.

The Contractor shall notify Mesa Water's Engineering staff at least two Business Days prior to the commencement of construction of any water facilities.

Contractors requiring inspection outside Mesa Water's business hours shall be charged the District's full overhead Rate and overtime Rate. Requests for after-hours inspections shall be made in writing to the Mesa Water Inspector a minimum of five Business Days in advance.

Water facilities under construction shall be under the Customer's control and under the management of an onsite superintendent designated by the Customer or the Contractor and approved by Mesa Water. The onsite superintendent shall be responsible for the installation, operation, and maintenance of the onsite facility, equipment, enforcement of these Rules and Regulations, and prevention of Cross Connections and potential hazards. The onsite superintendent or his representative shall be available via telephone

at numbers listed with Mesa Water for contact during business hours (Monday through Thursday from 7:00 a.m. to 4:30 p.m. and Friday from 7:00 a.m. to 3:30 p.m.) and after hours.

4.2.6 Size, Location and Installation of Water Services

Mesa Water reserves the right to determine the size of the meter and Service Connection and determine location of the meter and Service Connection in relation to boundaries of the premises to be served.

Due to changes in the 2012 Uniform Plumbing Code, all new residential meter installations are required to be 1 inch or larger in order to supply adequate flow for fire protection.

Mesa Water reserves the right to limit the number of houses or buildings, or the area of the land, under one ownership, to be supplied by one Service Connection. When property provided with a Service Connection is subdivided, the Service Connection shall be considered as belonging to the lot or parcel of land that it directly enters.

A Service Connection shall not be used to supply an adjoining property.

If a Service Connection relocation is more than five feet laterally from the existing Service Connection, it will be considered a new Service Connection.

All new fire Service Connections shall have a fire service tattle-tale meter installed per the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities.

Mesa Water reserves the right to require the installation of a fire service meter on existing fire service at the Owner's expense per the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities if it has been determined by the District that Water from the fire service has been illegally used by the Owner.

4.2.7 Meter Installation

All meters shall be provided and installed by Mesa Water and shall remain the property of the District at all times, though committed to a particular Service Connection, and shall be maintained, repaired, replaced and meters read by Mesa Water employees. The Applicant shall pay the cost of installing meters at the time the permit is issued before any meters will be installed. The Fees for meter installation will be in accordance with the rates in the Water Rate and Charge Schedule.

4.2.7.1 Meter Equipment Standards

Mesa Water shall install meter styles, registers, and communications endpoints based on the type of use, as delineated in Table 1.

Table 1. Meter Technology by Type of Use

Meter Use	Meter Style	Register	Communications Endpoint
1. Residential ¹	Nutating Disc	8-Digit HR-E	None
2. Multi-Unit Residential ^{2/3}	Nutating Disc	8-Digit HR-E	Migratable
3. High Density ⁷	Master Meter	8-Digit HR-E	Cellular
4. Irrigation (<2")	Nutating Disc	8-Digit HR-E	Cellular
4b. Irrigation (>2")	Turbo	8-Digit HR-E	Cellular
5. Firelines	5/8" Tattletale	8-Digit HR-E	Migratable
6. Commercial ⁴	<3" Nutating Disc >3" Combo Meter	8-Digit HR-E	Migratable ⁵
7. High-Use ⁵	<3" Nutating Disc >3" Combo Meter	8-Digit HR-E	Cellular
8. Hard to Access ⁶	Varies	8-Digit HR-E	Cellular

Notes:

1. Single-family detached home that does not meet the criteria of Notes 2 and 3.
2. Single-family detached or attached townhomes with thirty or more units with meters located in front of home and within a development community.
3. Single-family homes within a development community with meters located within the public right-of-way in a meter bank shall not be equipped with migratable endpoints.
4. Meter size varies based on fixture unit count. Combo meters shall be designed for low and high flow usage patterns based on proposed architectural drawings and plumbing plans.
5. Meters are considered high use when average monthly flows are greater than 65 HCF/month (1"), 100 HCF/month (1.5"), 200 HCF/month (2"), 450 HCF/month (3"), 850 HCF/month (4"), 1,400 HCF/month (6"), and 3,000 HCF/month (8") shall be equipped with a cellular endpoint.
6. Hard to access locations shall be determined by the Meter Reading Group and submitted to the Plan Checker for integration into the approved plans.
7. Master Meter installations shall follow the requirements of Section 4.2.8.2 herein.

The District Engineer or General Manager reserves the right to evaluate and amend the meter, register, or endpoint type of the Table 1 requirements on a case-by-case basis.

4.2.7.2 High-Use Customers

Existing high-use customers with average annual usage greater than the values shown in Table 2 may be equipped with real-time metering equipment at no additional cost to the customer. New development projects will be evaluated for high flow applications during the plan check process and high flow usage will be based on the proposed fixture

count and criteria in Table 2. High-use customers shall receive metering equipment with cellular endpoints that send automatic usage data to the meter reading system.

Table 2. Minimum Use to be Designated as High Use Customer

Meter Size	High Use (Units of Water per Month as 100 Cubic Feet)
1"	65
1.5"	100
2"	200
3"	450
4"	850
6"	1,400
8"	3,000

4.2.7.3 Non-High Use Customers

Non-high use Customers are customers with usage equal to or lower than the average annual usage shown in Table 2. Non-high use customers shall have meters equipped with meter registers as identified in Section 4.2.7.1. Non-high use customers may request Mesa Water to install a real-time meter with a cellular endpoint and access for the cost of the equipment, installation labor, and monthly access fee. The Non-high use customer shall be billed for the total cost of the meter equipment, cellular endpoint, installation and set-up over a one-year period on the customers’ regular bi-monthly bill or pay in a lump sum. New meter equipment shall be installed to obtain real-time metering service. The monthly access fee will be billed to the customer on the same billing cycle as their regular water bill and continue in perpetuity or until terminated by the customer.

Termination of the real-time metering program will be granted with a minimum of 30 days written notice to Mesa Water and complete repayment of all equipment and labor installation costs.

4.2.8 Single Meter Policy

Mesa Water’s standard metering Policy is that individually owned units shall be individually metered unless otherwise set forth in these Rules and Regulations.

All meters shall be placed in public right of way unless approved easements are accepted by the District Engineer and approved by the Board of Directors per Section 4.2.15.

4.2.8.1 Multi-Family Buildings Policy

Multi-family buildings may apply for a master meter given the following conditions:

- Building has 10 or more and separate units
- Building is greater than three Levels

However, Mesa Water recognizes that there may be local and individual conditions that

make individual metering not feasible. Therefore, the Board delegates to the General Manager the authority to waive the single meter per unit Policy on a case-by-case basis according to the following standards:

- Mesa Water's Policy of appropriate distribution of costs to all consumers still applies. For example, regardless of whether a party occupies the traditional single-family residence or occupies a condominium unit, the same Basic Charge, plus the cost of the Water would apply.
- A development shall be billed on the greater of the following: the cost of Water used, plus the Basic Charge based upon actual meter size, or the cost of Water used, plus the number of individual units multiplied by the Basic Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.
- In addition, Mesa Water shall require a letter signed by the appropriate officer or Customer Agent stating that the appropriate entity accepts full responsibility for payment of all Water bills, and that in the event of transfer of ownership, the new Owner(s), or Owners association, accepts full responsibility for payment.

The District Engineer shall review each case and make recommendations to the General Manager. The General Manager shall report to the Board about each variance granted, the location, Owner and conditions.

4.2.8.2 Master Meter Policy

Mesa Water recognizes that there may be local and individual conditions that make individual metering not feasible as follows:

- Residential meter installations of 30 or more meters located on a manifold within the public right-of-way
- Conflicts with existing infrastructure that would result in non-traditional meter installations
- Commercial complexes with continuously changing tenants

In such cases, the Board delegates to the General Manager the authority to waive the single meter per unit Policy on a case-by-case basis according to the following standards:

- Mesa Water's Policy of appropriate distribution of costs to all consumers still applies. For example, regardless of whether a party occupies the traditional single-family residence or occupies a condominium unit, the same Basic Charge, plus the cost of the Water would apply.
- A development shall be billed on the greater of the following: the cost of Water used, plus the Basic Charge based upon actual meter size, or the cost of Water used, plus the number of individual units multiplied by the Basic Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.
- A development shall be billed on the greater of the following: the Capacity Charge

based upon actual meter size, or number of individual units multiplied by the Capacity Charge for the size of meter that would have been installed at each unit, if the variance had not been granted.

- In addition, Mesa Water shall require a letter signed by the appropriate officer or Customer Agent stating that the appropriate entity accepts full responsibility or payment of all Water bills, and that in the event of transfer of ownership, the new Owner(s), or Owners association, accepts full responsibility for payment.

The District Engineer shall review each case and make recommendations to the General Manager. The Board of Directors will be notified through the Developer's Status Report when a master meter has been installed. Documentation for waiving the single meter unit Policy will be kept in the project file.

4.2.8.3 Landscape Irrigation Meters

Landscape Water meters are defined as a dedicated Water Service meter that provides Water for outdoor uses including but not limited to landscape irrigation, pools, and spas.

- All new irrigated landscapes of 1,000 square feet or more shall require a separate landscape Water meter, except those for single-family residential developments.
- All new single-family residential irrigated landscapes of 5,000 square feet or more shall require a separate landscape Water meter.
- The meter size for an irrigation system shall be a 5/8 inch or larger.
 - In most cases, the irrigation meter shall be sized based on the peak flow through a single valve of the irrigation system (i.e., highest producing valve). However, Mesa Water reserves the right to further evaluate the system and to select a meter size that best meets the needs of the system. The meter size may be based on multiple valves, branches of the system, square footage, or as deemed most appropriate by Mesa Water.

4.2.9 Submetering and Prohibited Practices

4.2.9.1 Application

This rule pertains to all Customers located within Mesa Water's service area to which Mesa Water provides Water Service. For purposes of this rule, multi-family residential units shall mean two or more residential units served from one Water meter.

4.2.9.2 Prohibited Practices

In the case of multi-family residential units, mobile home parks and commercial locations that install or use submeters or a submetering system in order to allocate the costs of Water to tenants, subtenants, lessees or similar persons or parties, the following practices shall be prohibited (unless authorized in advance in writing by the Board, or by the General Manager at the direction of the Board):

- 1) No Customer, or contractee with a Customer, shall represent to any submetered tenant, subtenant, lessee or similar person or party that such Customer (or such contractee) is a provider of Water Service or Water Services; and
- 2) No Customer, or contractee with a Customer, shall terminate, or threaten to terminate, Water Service to any submetered tenant, subtenant, lessee or similar person or party by reason of non-payment of any allocated costs for Water.

A Violation of this rule occurs whenever Mesa Water becomes aware of a Violation of Rule 4.2.9.2 (1) or 4.2.9.2 (2), as set forth above. Upon Mesa Water becoming aware that such a Violation has occurred, Mesa Water shall provide written notice to the Customer of Record to cure such Violation, and the notice shall include; (i) a statement of the nature of the Violation, (ii) the date upon which Mesa Water became aware of the Violation, and (iii) a date by which the Customer of Record shall cure such Violation. If such Violation is not cured by the date stated in the notice, the provisions of Rule 2.7 of these Rules and Regulations shall apply. Any such Violation shall be reported by the General Manager to the Board of Directors, in writing, together with a description of the action(s) taken to compel enforcement of these Rules and Regulations as soon thereafter as shall be practical.

Customers of Record that have submeter systems attached to the District's Water System shall comply with all applicable laws, statutes and regulations of the State of California and the city in which they are located, or the County of Orange, as applicable.

Mesa Water encourages efforts, including submetering, that support and promote the efficient use of Water within its service area; however, it does not encourage, favor, or support any submetering system or process that is used to generate revenue(s) over and above the fair and reasonable cost of installation of such system, fairly allocated costs of Water, and reasonable administrative costs.

4.2.10 Automatic Fire Sprinkler Service Connections

When an automatic fire sprinkler Service Connection (AFSSC) is installed, the control valve will be left closed and sealed until a written order to turn on the Water is received by Mesa Water from the Customer of Record.

After an AFSSC is activated, Mesa Water shall not be liable for damages of any kind whatsoever that may occur on or to the premises served, due to the installation, maintenance, or use of such AFSSC, or due to pressure fluctuations or interruption of Water supply.

Should the Customer request an AFSSC be shut off, Mesa Water must receive, in advance of the shut off, a written order from the Customer of Record and written approval from the appropriate fire department or authority.

Water is not to be used through an AFSSC for any purpose other than the extinguishing

of fires, or a purpose related thereto. Mesa Water shall have the right to shut off the entire supply of Water to the premises through the AFSSC when improper use occurs or for non-payment of bills. Mesa Water will notify the appropriate fire department or authority prior to any such termination.

Should Water be used through an AFSSC for an unauthorized purpose, the Customer of Record shall be charged for the unauthorized taking of Water in accordance with the Water Rate and Charge Schedule. A fireline meter indicating flow will result in a letter being sent to the Customer of Record. It is the Customer of Record's duty to determine if there is an illegal connection or leak and make the necessary repairs.

4.2.10.1 Down-Stream Residential Fire Sprinkler Systems

Certain residential dwelling units located within Mesa Water's service area may have installed, or may in the future install, fire sprinkler systems that are connected downstream of Mesa Water's service meter (Point of Ownership) (for purposes of this Section, a "System"). Mesa Water hereby provides notice that it is not responsible, and assumes no liability of any kind, for the installation, ownership, operation or use of any such System. The provisions of Sections 2.4 and 2.5 of these Rules and Regulations shall apply to any such System. Mesa Water expressly declines to provide, or guarantee, any particular Water Service, or pressure, to a Customer, or Customer account, that has such a System, and no contractual obligation therefore shall arise, whether through a Water Service Agreement or otherwise, without the express prior written agreement of the Board. Mesa Water assumes no liability whatsoever for any injuries or damages, of whatever nature, that arise or occur based on the installation, ownership or use of any such System. The provisions of this Section shall be in addition to, and not in derogation of, Mesa Water's statutory protections applicable to such matters.

4.2.11 Fire Hydrant Installation

The appropriate fire department or authority having jurisdiction shall designate the size and location of all fire hydrants to be installed. Fire hydrants shall be installed in the parking or sidewalk area adjacent to the curb within the public right of way. Residential and commercial developments requiring fire hydrants shall be considered private fire hydrants. Mesa Water shall not be responsible for maintaining or relocating private fire hydrants. Upon request and approval by the appropriate fire agency Mesa Water will change the location of fire hydrants owned and operated by the District when necessary. At the sole cost of the property Owner, Mesa Water may relocate a public fire hydrant with approval from the appropriate fire protection authority.

4.2.12 Water Main Extensions

Mesa Water will extend its Water distribution Mains to individual developers at the expense of the property Owner. If Mesa Water deems it necessary to install larger Mains for future use, the District will bear the costs of such over sizing.

4.2.13 Benefited Property Agreement

In the event that a Mainline extension or a new Mainline will benefit adjacent properties, at its discretion, Mesa Water may enter into a benefited property agreement with developer(s) of the adjacent properties. All terms and conditions of such a benefited property agreement will be subject to approval by the Board of Directors.

4.2.14 Regulation of Booster Pumps

When it becomes necessary, due to low Water pressure or special operating conditions, to install a booster pump on the service to any premise, such pump shall be equipped with a low-pressure cut-off switch designed to shutoff the pump when a Water pressure on the inlet side is 25 pounds per square inch gauge (PSIG) or less. It shall be the duty of the Customer of Record to maintain the cut-off device in proper working order and certify to Mesa Water, at least once a year that the device is operable. A person deemed competent by Mesa Water shall execute low-pressure cut-off device certification.

4.2.15 Acceptance of Easements

Subject to the provisions of this Section 4.2.15, Mesa Water requires that all facilities to convey potable and Recycled Water to Customers be installed in the public right-of-way. Mesa Water shall not accept facilities constructed on private property. However, the District Engineer and General Manager will consider the acceptance of an easement and Water facilities under the following conditions:

- Closed or Dead End Layout: Developments that contain a closed or dead-end layout that could result in substandard Water quality as determined by the District Engineer; or
- Multiple Unit Developments: Developments with 30 or more individually owned units requiring large Mainline construction as determined by the District Engineer.

The above conditions shall be at the discretion of the District Engineer and General Manager and subsequent approval of the Board of Directors. Acceptance of an easement by Mesa Water shall include, but not be limited to, the following criterion:

- Points of Connection: Customer shall establish a minimum of two points of connection Mesa Water's Mainline system as determined by the District Engineer.
- Easement Preparation and Costs: Easements shall be designed by the Customer at their costs and be certified by a California Registered Professional Land Surveyor. Easement documents shall be submitted to and approved by Mesa Water prior to meters being approved for installation.
- Easement Requirements: A 15 feet easement (7.5 feet each side of Main) shall be granted to Mesa Water for Mainlines and five feet for Water Services (2.5 feet each side of the service). Easements shall include within the boundaries Mainlines, service laterals, fire hydrants and Water meters.
- Water System Repair and Maintenance Responsibilities: Mesa Water shall not be

responsible for replacing decorative concrete, pavers, block walls, fences, grass, rock, irrigation systems or other appurtenances within the boundaries of a granted easement as a result of standard maintenance or emergency repair work. Mesa Water shall use asphalt paving to repair maintenance work performed within the easement and only over the location of repair. Mesa Water shall not be responsible for any cost over the cost of replacing the asphalt pavement. This requirement shall be written into the easement document.

- Water System Design Requirements: Mesa Water reserves the right to determine the location of Mains, services, meters and other appurtenances within the private development.
- City of Costa Mesa Private Gate Waiver: Customers shall not apply to the City or construct a privately gated community. This condition must be written into the easement document and a letter from the City received designating their agreement.
- Hold Harmless Agreement: The Customer shall execute Mesa Water's hold harmless agreement indemnifying the District with any existing or future damage caused by its facilities.

SECTION 5 – TEMPORARY WATER SERVICES

5.1 TEMPORARY CONNECTIONS

On a case-by-case basis, Mesa Water will allow the use of temporary connections to the District's Water System when Water Service is needed only for construction or other purposes as approved by Mesa Water. Mesa Water reserves the right to require the Applicant to use an existing Service Connection whenever feasible.

Mesa Water reserves the right at any time to set a meter on any temporary Service Connection and collect the required Deposits, and thereafter charge the regular metered Rate for the kind of service to be rendered.

All meters set on temporary Service Connections will be read by Mesa Water on a regular basis, and all temporary service accounts will be billed monthly or bi-monthly.

5.2 HYDRANT METERS

Water may be procured from fire hydrants for construction or other purposes only in the manner prescribed in these Rules and Regulations for Water Service. When Water is to be procured from a fire hydrant, the Applicant shall sign a Rules for Hydrant Meters For Construction Water Service form (Refer to Appendix 5) and also an Application Temporary Water Service (Refer to Appendix 4), wherein the Applicant shall specify the location of the fire hydrant to be used, the anticipated length of use and shall agree to make the required Deposit to Mesa Water. Copies of both forms shall be issued to the Applicant and shall constitute authority to procure and make such limited use from the fire hydrant therein designated, through a Mesa Water supplied hydrant meter.

Only Mesa Water employees are allowed to install or remove fire hydrant meters, which shall be subject to the approval of the Customer Services Manager. Private hydrants are not available for use with Mesa Water hydrant meters prior to installation of such meter; the permit holder must pay an Installation Fee in accordance with the Water Rate and Charge Schedule and Mesa Water's Policy DS-009 Hydrant Meters. The permit holder is required to give Mesa Water at least one Business Day (24 hours) notice when requesting the installation (set up) or removal of a fire hydrant meter.

Only Mesa Water employees may relocate a fire hydrant meter. The permit holder must give the District at least one Business Day (24 hours) notice when requesting fire hydrant meter relocation. Relocation will only be performed by Mesa Water employees during business hours and a Fee for moving the hydrant meter will be assessed in accordance with the rates listed in the Water Rate and Charge Schedule.

The permit holder is responsible for paying the costs of repairing any damages to the fire hydrant meters or hydrants. These costs will be the actual cost of repairs plus Mesa Water's full labor overhead Rate.

SECTION 6 – CROSS CONNECTION AND BACKFLOW PREVENTION

6.1 INTRODUCTION

Mesa Water recognizes that it has a responsibility to take all reasonable precautions to protect the public Water supply. Thus, in the exercise of this responsibility, Mesa Water must take all reasonable precautions to protect the District's Water System from the hazards originating on the premises of its Customers that may degrade the Water in the Water System.

To affect such precautions, Mesa Water, has adopted these Rules and Regulations pursuant to the State of California Administrative Code, Title 17 - Public Health entitled "Regulations Relating to Cross Connections."

In addition to these Rules and Regulations for Water Service, the Customer must comply with Public Law 99-339 - the Safe Drinking Water Act and its amendments, all State and local regulations including but not limited to Title 17 - Regulations Relating to Cross Connections, and the latest edition of the Manual of Cross Connection Control from the Foundation for Cross Connection Control and Hydraulic Research, University of Southern California.

These Rules and Regulations were written to assist Mesa Water in safeguarding its Potable Water supply. Mesa Water cannot, and will not, be held liable for actions by others that are beyond its control, including, but not limited to, willful sabotage, deceptive or fraudulent activities and acts of nature. These Rules and Regulations do not provide regulatory measures for protection of Water users from the hazards of Cross Connection within the Water users own premises.

6.2 GENERAL PROVISIONS

6.2.1 Protection

Protection shall be accomplished by isolating within the premises, any and all used, degraded, contaminated or polluted Water or other liquids, mixtures or substances. Mesa Water recognizes that there are varying degrees of potential and actual hazards; consequently, the degree of protection shall be commensurate with the degree of hazard.

6.2.2 Backflow Prevention Assemblies

Backflow Prevention Assemblies shall be provided and maintained by the Applicant, Owner or Customer of Record at his/her expense. Such assemblies shall be located on the premises of the property served and shall not be installed on Mesa Water's portion of the Water System. All such assemblies shall be readily accessible for testing and maintenance and no assembly shall be submerged at any time or exposed to Recycled Water, Direct Overspray or Runoff at any time.

From time to time, representatives of any health agency having jurisdiction or Mesa Water may conduct surveys of any premises where Recycled Water Service is provided by the District. The purpose of such surveys is to determine if any actual or potential cross-connections exist. The Applicant, Owner or Customer shall provide reasonable cooperation in facilitating such surveys.

The type of Backflow protection required is related to the degree of hazard that exists on the premises served. The type of Backflow Prevention Assembly that may be required (listed in increasing level of protection) includes Double Check Valve Assembly (DCV), Reduced Pressure Principle Assembly (RPP), and an Air Gap Separation (AG). The Applicant may choose to install an assembly with a higher level of protection than required by Mesa Water. The minimum types required, relative to various situations shall be as required by California Administrative Regulations, Title 17, or to the extent not covered thereby, as determined by Mesa Water or applicable regulatory agency.

It shall be the responsibility of the Applicant on any premises on which Backflow Prevention Assembly(ies) are installed to have competent inspections made at least once a year, or more often in those instances where successive inspections indicate repeated failure.

6.2.3 Unprotected Cross Connections

Unprotected Cross Connections to the public Water supply are prohibited.

6.2.4 New Service Requests

Mesa Water shall review all requests for new service to determine if Backflow protection is needed. Plans and specifications must be submitted to Mesa Water for review of possible Cross Connection hazards as a condition of service for new Service Connections.

6.2.5 Protection Required Before Granting Service

Whenever Backflow protection is found necessary, Mesa Water will require the Customer of Record or Applicant to install an approved Backflow Prevention Assembly at the Customer's expense for continued services or before a new service is approved.

6.2.6 Protect All Water Lines

Wherever Backflow protection is necessary on a Water supply line entering a Customer's premises, any and all Water Service lines from Mesa Water's Mains entering such premises, buildings or structures shall be protected by an approved Backflow Prevention Assembly. The type of assembly to be installed will be in accordance with the requirements of these Rules and Regulations.

6.3 WHERE PROTECTION IS REQUIRED

6.3.1 Premises Having an Auxiliary Water Supply

Premises that have an auxiliary Water supply shall be protected against Backflow of Water from the premises into the public Water System, unless the auxiliary Water supply is accepted as an additional source by Mesa Water and is approved by the public health agency having jurisdiction.

6.3.2 Premises Handling Processed Water

Premises, on which any substance is handled in such fashion that it may allow its entry into the Water System; shall be protected against Backflow of the Water from the premises into the public Water System. Such substances include, but are not limited to, the handling of processed Waters and Waters originating from the District's Water System subjected to deterioration in sanitary quality.

6.4 PREMISES HAVING OR POSSIBLY HAVING CROSS CONNECTIONS

Premises that have any one of the following shall be protected against Backflow of the Water from the premises into the public Water System:

- Internal Cross Connections;
- Intricate plumbing and piping arrangements susceptible to Cross Connection; or
- Where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not Cross Connections exist.

6.5 TYPE OF PROTECTION

6.5.1 Type of Backflow Assembly

The type of approved Backflow Prevention Assembly shall depend upon the degree of hazard. The decision as to when, where and which assembly to be used shall be made at the discretion of Mesa Water and shall depend upon the facts of each particular situation.

In determining, the degree of hazard and the type of approved Backflow Assembly required the following principles shall apply:

- Health or System Hazard – An approved Air-Gap Separation or an approved Reduced Pressure Principle Backflow Prevention Assembly (RPP) shall be used where there is an existing or potential contaminant (health or system hazard).
- Pollution Hazard – A Double Check Valve Assembly (DCV) is to be used where there is an existing or potential pollution (non-health hazard).

6.6 APPLICATION

6.6.1 Structures of More Than Two Stories in Height

At the Service Connection to any premises, where there are more than two stories in height above the Service Connection, an approved Backflow Prevention Assembly shall protect the District's Water supply.

6.6.2 Residential Buildings with Fire Sprinklers

New residential buildings requiring fire sprinkler protection systems shall utilize a 13D flow through the sprinkler system or install a testable Backflow Prevention Assembly.

Remodeled residential buildings installing fire sprinkler protection systems shall utilize a 13D flow through the sprinkler system or install a testable Backflow Prevention Assembly.

6.6.3 Recirculating Water

At the Service Connection to any premises containing recirculating Water systems (hot or cold); the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.4 Five or More Units

At the Service Connection to any premises where there are multiple units or dwellings that have five or more individual units being serviced through one metering system, the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.5 Health or System Hazard from Auxiliary Water Supply

At the Service Connection to any premises, where there is an auxiliary Water supply that may constitute a health or system hazard, an approved Air-Gap Separation or an approved reduced pressure principle Backflow Assembly, or both, shall be installed.

6.6.6 Sewage and Storm Drain Facilities

At the Service Connection to any wastewater treatment plant, wastewater pumping station or storm Water pumping station, the District's Water supply shall be protected by an approved Air-Gap Separation. All piping between the meter and the receiving vessel shall be entirely visible. If, in the opinion of Mesa Water, an Air-Gap Separation provides insufficient protection, the District may require installation of an additional approved Backflow Prevention Assembly(ies).

6.6.7 Hospitals, Mortuaries, Etc.

At the Service Connection to hospitals, medical and dental buildings, mortuaries and

other premises where special hazards exist, the District's Water supply shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly.

6.6.8 Commercial or Industrial Buildings

At the Service Connection to any premises containing commercial or industrial buildings subject to varying and unknown use, the District's Water supply shall be protected by an approved Backflow Prevention Assembly.

6.6.9 Fireline Services

Approved Double Check Detector Assembly (DCDA) shall be installed on all fireline services, except where, in the opinion of Mesa Water, the DCDA does not provide sufficient Backflow protection. In this case, Mesa Water will require the installation of an approved Reduced Pressure Principle Detector Assembly (RPDA).

6.6.10 Irrigation Services

Meters serving only irrigation systems shall be protected by an approved Reduced Pressure Principle Backflow Prevention Assembly.

6.6.11 Multiple Use Services

In the case of meters serving domestic and fire services (sprinklers), the District's Water supply shall be protected by an approved Backflow Prevention Assembly that will meet the minimum requirement for the existing or potential hazard.

6.7 INSTALLATION

6.7.1 Only Mesa Water Approved Assemblies

Only Backflow Prevention Assemblies that have been approved by Mesa Water and the DDW shall be acceptable for installation on a Service Connection. Upon request, Mesa Water will provide a list of approved Backflow Prevention Assemblies.

6.7.2 Installation Specifications

Backflow Prevention Assemblies shall be installed in a manner prescribed in Section 7603, Title 17 of the California Administrative Code and they shall be installed on the Customer's side of, and as close to the Service Connection as is practical. The assembly shall be installed a minimum of 12 inches and a maximum of 36 inches above final grade measured from the concrete pad to the bottom of the assembly and with a minimum of 12 inches clearance on either side. The assembly shall be installed so that it is readily accessible for maintenance and testing. Mesa Water shall have the final authority in determining the required location of a Backflow Prevention Assembly.

6.7.3 Replacement of Obsolete Assemblies

The Customer of Record must replace obsolete Backflow Prevention Assemblies when notified by Mesa Water that the assembly is no longer appropriate or acceptable. An obsolete assembly may be upgraded provided that a factory manufactured upgrading kit is available. The upgraded Backflow Prevention Assembly must be approved by Mesa Water and the California Department of Health Services Office of Drinking Water.

6.7.4 Testing New Assemblies

As soon as the installation of the Backflow Prevention Assembly has been completed, the Customer of Record shall have the assembly tested by a certified tester, and submit the test results to Mesa Water within ten days of the test date. An Orange County Health Department approved list of local certified testers may be obtained at the Mesa Water Office or on the website at www.MesaWater.org.

6.7.5 Right to Reject

Mesa Water reserves the right to reject any installation or assemblies.

6.7.6 Potable Water Plumbing

In September 2006, the State Legislature passed Assembly Bill 1953 prohibiting the use of any pipe, pipe or plumbing fitting or fixture, solder or flux that is not lead free in the installation or repair of any fixture intended to convey or dispense Water for human consumption. The prohibition has been in effect since January 1, 2010. All Potable Water facilities shall be provided with materials that meet the lead free requirements as defined in AB 1953, and certified by an independent American National Standards Institute (ANSI) accredited third party, including but not limited to, NSF International, as being in compliance with Section 116875 (g) of the Health and Safety Code as amended by AB 1953. Each shipment shall contain a copy of the certification that the item is lead free as defined by AB 1953.

6.8 INSPECTION AND TESTING

6.8.1 Original Test

All Backflow Prevention Assemblies shall be inspected, tested and certified as operational when the assembly is originally installed, replaced, relocated or repaired. All tests shall be conducted by a certified tester who shall prepare a report certifying that the assembly has been tested and is operating satisfactorily.

6.8.2 Annual Test by Certified Tester

At the expense of the Customer of Record, all Backflow Prevention Assemblies shall be inspected, tested and certified as operational at least once a year. All tests shall be

conducted by a certified tester who shall complete a Mesa Water Backflow test form report for each assembly certifying that the assembly has been tested and is operating satisfactorily.

6.8.2.1 First Notification

Mesa Water will notify the Applicant, Owner, or Customer(s) when their annual testing is required and supply them with the necessary test form(s) that must be filled out each time a Backflow Prevention Assembly is tested or repaired. Such notice will include the date by which the test must be completed, (generally 30 days after the date of the notice). Copies of the completed forms shall also be sent to the local regulatory agency (OCHCA). The Applicant, Owner, or Customer shall notify Mesa Water any time an assembly is repaired, replaced or relocated. A Backflow Prevention Assembly shall be repaired or replaced by, and at the expense of the Applicant, whenever it is found to be defective. Records of all such tests and repairs shall be submitted to Mesa Water with ten days and maintained by the Applicant.

6.8.2.2 Shutoff Notification

A shutoff notice shall be sent to each Customer of Record who does not have the Backflow Prevention Assembly tested within the 30-day period as prescribed in the first notice. The shutoff notice will give the Customer of Record a two-week period to have the applicable Backflow Prevention Assembly tested. If no action is taken within such two-week period, Mesa Water may terminate Water Service to the Customer's premises until the subject assembly is scheduled for testing and testing company calls in to restore Water Service.

6.8.2.3 Customer of Record's Responsibility

The Customer of Record shall cause annual tests to be made of the Backflow Prevention Assembly at the expense of the Customer of Record. Defective assemblies shall be repaired, overhauled or replaced immediately at the expense of the Customer of Record. As a courtesy Mesa Water provides a notice of annual testing, but failure to receive such notice shall not relieve the Customer of Record of requirements under this section.

6.8.2.4 Reports

Reports of inspections, tests, repairs, overhauling of the assembly and corrections made shall be submitted to Mesa Water within ten days of the test date by the certified tester. Such reports shall be submitted to Mesa Water on forms supplied by the District.

6.8.3 Random Tests and Inspections of Assemblies

Mesa Water will maintain a program of random or spot testing of various Backflow Prevention Assemblies at no cost to the Customer of Record. This testing may be done at the time of installation and periodically thereafter. This testing will in no way relieve the

Customer of Record from responsibility for maintaining functional assemblies, but will serve to help assure that the program is serving its intended purpose.

6.8.4 On-Premise Inspection by Mesa Water

At its discretion, Mesa Water may require an on-premises inspection for Cross Connection hazards on any property to which it serves Water. Mesa Water will transmit a written notice requesting an inspection appointment to each Customer of Record. Any Customer or Customer of Record who cannot or will not allow an on premise inspection of the piping system shall be required to install any Backflow Prevention Assembly that Mesa Water considers necessary.

6.8.5 More Frequent Inspection

Where successive annual reports indicate defective operation of a Backflow Prevention Assembly, Mesa Water may require more frequent inspections or require replacement of the assembly.

6.8.6 Duty of Tester

The certified tester shall be responsible for the competency of inspections, corrective actions and the accuracy of reports required under this Section and Mesa Water's code of conduct for Backflow assembly testers.

6.8.7 Testing Methods

Test results of Backflow Prevention Assemblies will only be accepted if performed in accordance with the methods used by the Foundation for Cross Connection Control and Hydraulic Research at the University of Southern California and County of Orange/Health Care Agency/Environmental Health.

6.9 ENFORCEMENT

6.9.1 New Service Connections

No new Service Connections shall be completed, nor meters installed, until all provisions of these Rules and Regulations for Water Service have been satisfied.

6.9.2 Existing Service Connections

Existing Service Connections shall comply with all provisions of these Rules and Regulations for Water Service. If it is found that the service is out of compliance, the service will be brought into compliance with all provisions of these Rules and Regulations for Water Service when the Customer of Record is notified by Mesa Water. Failure to comply shall result in termination of Water service.

6.9.3 Termination of Water Service

Mesa Water may immediately terminate service to any premises where an actual or potential Cross Connection or other hazard to the District's Water supply is found to exist. Any Customer who violates any of the provisions of these Rules and Regulations or alters, bypasses or renders inoperative, or removes any installed Backflow Prevention Assembly, or fails to test the assembly as required, shall be subject to immediate termination of Water service.

6.9.4 Civil and Criminal Actions

Violation of these Rules and Regulations may constitute a public nuisance within the meaning of Health and Safety Code Section 117035 and Penal Code Sections 372 and 373a. Violators may be subject to civil actions for abatement and damages (Civil Code Section 3479, et seq.) and Criminal Penalties of up to six months in county jail or \$1,000 or both (Penal Code Section 19). Customers may also be assessed a fine of \$500 per day by Mesa Water for Violation of these Rules and Regulations for Water Service.

6.9.5 Onsite Irrigation Systems

For onsite irrigation systems, Mesa Water will focus its review on the identification requirements and any other specific items that are specified by these Rules and Regulations. The character and quality of the materials used for the irrigation system will be the responsibility of the design engineer or Applicant of the property.

The Contractor shall furnish Mesa Water with such information, as it may desire, regarding the character and quality of materials used. When requested by Mesa Water, the Contractor shall submit a certification that the product meets the requirements of these Rules and Regulations.

The onsite irrigation system shall be tested as required by the design engineer or landscape architect for the Applicant of the property and as is required by the local governing codes, rules, and regulations.

6.10 GENERAL TESTING

6.10.1 Offsite Facilities

Prior to final acceptance by Mesa Water, all offsite water and Recycled Water Facilities that will be ultimately be owned by the District shall pass all testing requirements specified within the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. All testing shall be conducted in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. The tests shall be conducted by the Contractor in the presence of the Mesa Water Inspector. The scheduling of these tests shall be the responsibility of the Contractor. The Contractor shall provide adequate resources.

Upon the successful completion of the required testing, Mesa Water shall perform the final inspection in accordance with the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. All identification requirements will be reviewed and field inspected. Mesa Water will note all required corrections in the form of a punch list issued to the Contractor. Final acceptance of the Offsite Facilities will not be authorized until all corrections are made to the satisfaction of the District.

6.10.2 Onsite Facilities

Prior to final acceptance by Mesa Water, all Onsite Recycled Water and Potable Water Systems shall pass an operational test within 30 days of the completed irrigation system installation. The test shall be conducted by the Contractor in the presence of Mesa Water Inspector. The scheduling of these tests shall be the responsibility of the Contractor. The Contractor shall provide adequate resources.

Mesa Water shall note all required corrections in the form of a punch list issued to the Contractor. Regular service startup shall not be authorized until all corrections are made to the satisfaction of Mesa Water. Punch list is valid for 30 days only.

6.11 TERMINATION

6.11.1 Basis for Termination of Water Service

In the event of contamination or pollution of its Potable Water System due to a cross-connection on premises to which the District's Water System is connected, the local health officer and Mesa Water shall be promptly advised by the person responsible for the premise Water System so that appropriate measures may be promptly taken to mitigate the contamination or pollution. When the District determines that Water uses or conditions encountered by Mesa Water employees represent a clear and immediate hazard to the District's Water supply that cannot be immediately abated, it shall institute the procedure for discontinuing Water use as set forth below. Conditions or Water uses that create a basis for Water Service termination shall include, but are not limited to, the

following:

- a. Refusal to install a required Backflow Prevention Assembly
- b. Refusal to test a Backflow Prevention Assembly
- c. Refusal to repair a faulty Backflow Prevention Assembly
- d. Refusal to replace a faulty Backflow Prevention Assembly
- e. Direct or indirect connection between the District's Water System and a sewer line
- f. Unprotected direct or indirect connection between the District's Water System and a system or equipment containing contaminants
- g. Unprotected direct or indirect connection between the District's Water system and an auxiliary Water System
- h. A situation that presents an immediate health hazard to the District's Water System
- i. Failure to comply with other provisions of these Rules and Regulations for Water Service

6.11.2 Termination Procedures

For conditions, a through d stated in Section 6.11.1 Mesa Water will terminate service to a Customer's premises after two written notices have been sent specifying the corrective action(s) needed and the time period in which it must be taken. If no action is taken within the allowed time period, Water Service may be immediately terminated without further notice.

For conditions, e through i stated in Section 6.11.1 Mesa Water will make a reasonable effort to advise the Customer of the intent to terminate Water Service before termination.

6.11.3 Restoration of Water Service

Water Service shall not be restored until all identified hazards are eliminated and/or all Violations have been corrected to the satisfaction of Mesa Water. Nor shall Water Service be restored until Mesa Water has received reimbursement for any costs incurred in terminating the Water Service and advance payment for the cost of service restoration. All costs will be in accordance with the Fees specified in the Water Rate and Charge Schedule.

SECTION 7 – WATER USE EFFICIENCY AND WATER WASTE PROHIBITION

7.1 INTRODUCTION

Mesa Water is dedicated to promoting and implementing the efficient use of water.

Water using appliances, devices, and irrigation systems shall be designed, installed, and used in such a way as to use Water efficiently, and to meet or exceed Water efficiency requirements of any applicable local or State standards or law.

7.2 WATER USE EFFICIENCY PROGRAMS AND SERVICES

The District's Water Conservation Coordinator administers various programs and services to assist Customers in using Water efficiently in their homes, businesses, and landscapes.

Descriptions of these programs and services may be found on Mesa Water's website at www.MesaWater.org

7.3 WATER CONSERVATION AND WATER SUPPLY EMERGENCY PROGRAM

Mesa Water has adopted a Permanent and Emergency Water Conservation Program that includes permanent Water-waste prohibitions, escalating water requirements to be implemented over Water supply shortage conditions, penalties and Violations, and other general provisions. The permanent Water-waste restrictions include primarily behavioral measures such as limiting irrigation times, prohibiting the washing of paved surfaces, and controlling excessive Runoff.

The Permanent and Emergency Water Conservation Program can be found on Mesa Water's website at www.MesaWater.org or upon request by calling 949.631.1200.

SECTION 8 – RECYCLED WATER SERVICE

8.1 INTRODUCTION

It is Mesa Water's desire to promote conservation of Water resources. Whenever possible, Recycled Water Service by Mesa Water, on behalf of Orange County Water District, may be made available to Customers.

When Recycled Water Service is available at a reasonable cost, as a condition to receiving Water Service, Mesa Water shall require, pursuant to California Water Code Sections 13550 and 13551, the Applicant, Owner or Customer to accept and use Recycled Water in lieu of Potable Water for legally permissible uses, as determined by the District. Mesa Water additionally may require an Applicant, Owner or Customer to install or pay for the installation of Recycled Water Service lines, Service Connections, meters, Backflow Prevention Assemblies and any and all other appurtenances to a service in compliance with these Rules and Regulations for Water Service.

In most instances where service is desired for the purposes of landscape irrigation, industrial Water use or other non-potable use, it is the general intent of Mesa Water to provide Recycled Water in lieu of Potable Water. However, the General Manager, on a case-by-case basis, must approve each use. Mesa Water may determine, at its discretion, whether it is necessary or desirable to furnish Potable Water at the Potable Water Rate, either on a permanent basis or on an interim basis.

Determinations on the specific, allowable uses of Recycled Water shall be in accordance with the standards of treatment and Water quality requirements set forth in Title 22, California Code of Regulations, Chapter 3, Water Recycling Criteria, and with the intent to protect the public health. In addition, each use shall be subject to the availability of facilities and the feasibility of making such facilities available.

8.2 GENERAL PROVISIONS

8.2.1 Specific Authority

The Recycled Water User shall comply with these Rules and Regulations as well as, but not limited to, all applicable State, federal and local governing codes, rules and regulations, regardless if the above mentioned section(s) specifically refer to Recycled Water or Recycled Water Service. Mesa Water reserves the right, at its discretion, to determine the applicability of a specific rule, regulation or other provision.

8.2.2 Enforcement

Mesa Water shall enforce these Rules and Regulations in all matters concerning the use of any Recycled Water or Recycled Water Service within its service area. Each and every condition and requirement with respect to the use, connection, disconnection, reconnection or discontinuance of Recycled Water or Recycled Water Service provided

by and set forth in these Rules and Regulations shall apply with equal force and effect to any person, persons or firm, public or private. There shall be no deviation from these Rules and Regulations except upon authorization by the General Manager, who will act at all times within any and all appropriate regulatory agency constraints.

8.2.3 Amendments

These Rules and Regulations affecting Recycled Water Service (Sections) may be amended by Board action at any regular or special meeting for cause determined by the General Manager and without the approval of any user or Owner. Moreover, any amendments so made shall be incorporated immediately by these regulations and will be administered accordingly. Insofar as these regulations are based upon portions of the California Code of Regulations, Title 17 and Title 22, to the extent such State regulations are amended, these Rules and Regulations shall be deemed to have been amended in a corresponding manner or form.

8.2.4 Federal, State and Local Authority

All Onsite Facilities shall be designed to meet the standards of all applicable federal, State and local governing codes, rules and regulations.

8.2.5 Precedence

These Rules and Regulations shall take precedence when requirements contained herein are more stringent than those specified in federal, State or local governing codes, rules and regulations.

8.2.6 Service Area

The regulations set forth in this Section 8 pertain to Recycled Water Service to lands or improvements within the legal boundaries of Mesa Water's service area unless otherwise stated. Legal boundaries include, but are not limited to, most of the City of Costa Mesa Water, parts of the City of Newport Beach and some unincorporated county area, including the John Wayne Airport area. Mesa Water's service area may be subject to future changes.

8.2.7 System Responsibility

All Offsite Facilities within Mesa Water's service area are the responsibility of the District and shall be under the management and control of Mesa Water. Only Mesa Water and those authorized by the District shall have any right to operate the Offsite Facilities and related property in any manner. Mesa Water shall be responsible for the operation of the Offsite Facilities and distribution system within its service area and for the surveillance of all Recycled Water Users within its service area. Mesa Water shall not be responsible for the quality assessment of Recycled Water as it relates to compliance with requirements of the Appropriate Regulatory Agencies.

8.2.8 Protection of Public Health

Mesa Water reserves the right to take any action(s) with respect to the operation of the Recycled Water System and to take such action(s) at such time as it deems proper to safeguard public health.

The Appropriate Regulatory Agencies have independent authority and responsibility to protect public health and may take action at such time as deemed proper to safeguard public health.

8.2.9 Authorized Uses

This Section 8 of these Rules and Regulations address the application of Recycled Water for irrigation and Construction Use. Other proposed uses will be reviewed on a case-by-case basis by Mesa Water and the Appropriate Regulatory Agencies. In all cases, Mesa Water's approval of any proposed use will be contingent upon the proposed use being acceptable to the Appropriate Regulatory Agencies. Only those uses specified in the User Agreement or Water Service Agreement are uses authorized by these Rules and Regulations.

8.2.10 Approved Use Areas

These Rules and Regulations for Recycled Water pertain to Recycled Water Service to land or improvements, or both, lying within the boundaries of Mesa Water's service area and within the areas where Recycled Water Facilities are available. If Mesa Water has determined that Recycled Water shall be provided in accordance to the requirements contained in this Section; such service shall be provided only if a permit for such Recycled Water Service is obtained in the manner hereinafter provided.

The acceptable uses of Recycled Water for irrigations purposes include any of the following:

- Parks, greenbelts, and playgrounds
- School yards
- Athletic fields
- Golf courses
- Cemeteries
- Residential landscaping, common areas (individual owned residences are not eligible under the Orange County Water District Discharge Permit)
- Commercial landscaping, except eating areas
- Industrial landscaping, except eating areas
- Freeway, highway and street landscaping
- Agricultural irrigation
- Firefighting (only with special approval)
- Construction Use (soil compaction, dust control, etc.)

- Groundwater recharge (case-by-case basis)

Each such use must be considered for approval by Mesa Water on a case-by-case basis, and the District may determine, in its sole discretion, whether it is feasible to furnish Recycled Water for the specific use involved. Prior to approving such uses, Mesa Water may, in its sole discretion, set forth specific requirements as conditions to providing such services or require specific prior approval from the Appropriate Regulatory Agencies. Only those use areas specified in the User Agreement or Water Service Agreement are authorized areas for use of Recycled Water.

8.2.11 Design Approval

Prior to the construction of Onsite Facilities, in or on an Approved Use Area, that will use or receive Recycled Water; the design of such Onsite Facilities must be approved by Mesa Water. Approval shall be obtained only through the procedure contained in these Rules and Regulations. Approval shall be contingent upon evidence that all applicable design requirements, including those contained within these Rules and Regulations, are satisfied.

8.2.12 Construction Inspection

Mesa Water or its authorized District Agents may inspect the construction of Onsite Facilities that will use or receive Recycled Water to verify that such facilities are constructed in conformance with the approved Drawings and these Rules and Regulations.

8.2.13 Service Approval

Before Mesa Water approves commencement of service for any facilities using Recycled Water, the Record Drawings of the facilities as constructed must be approved by the District. In addition, the system must have passed tests for Cross Connections and proper operation under design conditions, in accordance with these Rules and Regulations and the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities, to the satisfaction of the District.

8.2.14 Service Conditions

Mesa Water reserves the right to control and schedule the use of Recycled Water if in the opinion of the General Manager, control and scheduling are necessary to maintain acceptable working conditions in the Offsite System. These and other service conditions contained in Section 8 of these Rules and Regulations will be administered by Mesa Water at its discretion.

8.2.15 Rates, Fees and Deposit Schedule

All rates, Fees and Deposits regarding Recycled Water Service and respective

administrative provisions, shall be fixed and established by the Board. All costs will be in accordance with the Fees specified in the Water Rate and Charge Schedule.

8.2.16 Mesa Water Limits of Responsibility and Liability

Mesa Water assumes no responsibility for the maintenance and operation of any Onsite Recycled Water System. Pursuant to the terms, which shall be set forth in all User Agreements or Water Service Agreements, the Owner shall assume all liability and responsibility and Mesa Water shall be kept whole and blameless at all times in any claim resulting from matters involving quantities, quality, time or occasion of delivery, or any other phase of the maintenance, operation and service of the Owner's Onsite Facilities.

Mesa Water will not turn on Recycled Water at any property unless the designated User Supervisor is onsite and available at the time.

Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Recycled Water Service provided pursuant to these Rules and Regulations for reasons Mesa Water deems an emergency or a matter of public health and safety. In addition, Mesa Water does not, and will not, assume any liability for damages to private property or for personal injury as a result of interruptions in Recycled Water Service provided pursuant to these Rules and Regulations for reasons that are beyond its control.

8.2.17 Surveillance

It is the responsibility of the user to provide surveillance and supervision of the Onsite Facilities in a manner that assures compliance at all times with these Rules and Regulations. A User Supervisor shall be designated by the user and shall be approved by the District. Mesa Water shall provide surveillance and supervision of the Offsite Facilities for compliance with these Rules and Regulations. Moreover, Mesa Water shall, and reserves the right to, inspect on a regular basis the Onsite System and operations for conformance with these Rules and Regulations.

8.2.18 Contingency Reservations

If real or potential hazards are evidenced at any time during the construction or operation of any portion of the Recycled Water System or Onsite Facilities, Mesa Water reserves the right, and shall have the authority to, terminate Recycled Water Service without notice to the user in the interest of protecting public health.

8.2.19 Specific Prohibitions

The following conditions are specifically prohibited. Should any such conditions occur at or on a location, Recycled Water Service may be terminated by Mesa Water in accordance with Section 2.4.

8.2.19.1 Runoff Conditions

Conditions that directly or indirectly cause Recycled Water Runoff outside of/or within the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized. The use of Recycled Water on Water-saturated or frozen ground or during periods of precipitation such that Runoff is induced, is prohibited.

8.2.19.2 Ponding Conditions

Conditions that directly or indirectly cause a Ponding condition outside of or within the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized. Temporary Ponding in a vegetated area caused by draining of system or meter testing is allowed in specified areas with prior Mesa Water approval.

8.2.19.3 Direct Overspray Conditions

Any discharge of Recycled Water directly onto areas other than that within the Approved Use Area is strictly prohibited.

8.2.19.4 Windblown Overspray Conditions

Conditions that directly or indirectly permit windblown Recycled Water spray to pass outside of the Approved Use Area, whether by design, construction practice, or system operation, shall be minimized.

8.2.19.5 Unapproved Uses

Use of Recycled Water for any purposes other than those explicitly approved in the currently effective User Agreement or Water Service Agreement without the prior knowledge and written approval of Mesa Water is strictly prohibited.

8.2.19.6 Disposal in Unapproved Areas

Disposal of Recycled Water for any purposes, including Approved Uses, in areas other than those explicitly approved in the User Agreement or Water Service Agreement issued by Mesa Water and without the prior knowledge and approval of the District, and is strictly prohibited. The discharge of Recycled Water from flushing or draining of the recycled system shall be done either at the Approved Use site and in a manner, that does not create Ponding or Runoff conditions, (See Section 8.2.19.2. "Ponding Conditions" for special considerations) or to a sanitary sewer manhole with the approval of the agency responsible for operation of such sanitary sewer. In no case shall the discharge of Recycled Water to a sanitary sewer cause the sewer to overflow or otherwise create a public health hazard or nuisance. Air gap protocol shall be applied.

The direct or indirect discharge from Approved Use Areas of Recycled Water to surface waters, either perennial or ephemeral, including wetlands, vernal pools, etc. is prohibited,

unless otherwise authorized by an NPDES Permit.

8.2.19.7 Cross Connections

Cross connections between the Recycled Water System and the Potable Water System, whether by design, construction practices, or system operation is strictly prohibited.

8.2.19.8 Unprotected Drinking Fountains

Any and all drinking fountains located within the Approved Use Area, as designated in the currently effective User Agreement or Water Service Agreement, shall be protected from contact with Recycled Water, whether by Windblown Spray or by direct application through irrigation or other Approved Use. The lack of such protection, whether by design, construction practice, or system operation, is strictly prohibited.

8.2.19.9 Unprotected Public Facilities

Facilities that may be used by the General Public, or onsite staff, including, but not limited, to eating areas, eating surfaces/benches, pools, spas, hardscape, and playground equipment/play areas, and located within the Approved Use Area designated by the User Agreement or Water Service Agreement, shall be protected by siting or a structure from contact with mist, Runoff or direct contact with Recycled Water. Lack of such protection is prohibited until review and concurrence by Mesa Water and regulatory agencies on a case-by-case basis

8.2.19.10 Hose Bibs

Installation of Hose Bibs on any Onsite System that presently operates or is designed to operate with Recycled Water, regardless of the Hose Bib construction or identification, is strictly prohibited unless the Customer is a cemetery or an industrial facility with minimal public access or exposure.

8.2.19.11 Fire Hydrants

The use or installation of fire hydrants on any Onsite System that presently operates or is designed to operate with Recycled Water, regardless of the fire hydrant construction or identification, is strictly prohibited.

8.2.19.12 Domestic Wells

The application of Recycled Water within 50 feet of a domestic well, and impoundment of Recycled Water within 100 feet of a domestic well, unless approved by Mesa Water and DDW, is prohibited.

8.2.19.13 Hours of Operation

Irrigation with Recycled Water is restricted to particular hours that vary for the following Approved Use Areas:

- Turf areas and center street medians – between 10:00 p.m. and 6:00 a.m.
- Slopes and groundcover/shrub areas – any hour (if no potential for public contact)
- Golf courses – between 9:00 p.m. and 5:00 a.m.
- Golf courses – fill impoundments - between 5:00 a.m. and 6:00 p.m.

Potential public contact with Recycled Water shall take precedence over recycled watering schedules. Irrigation system runtimes shall be adjusted to minimize public contact with Recycled Water, on an individual lateral system basis. Mesa Water shall require specific run times and durations where there is a history of public contact. Consideration shall also be given to allow maximum drying time prior to subsequent public use.

8.2.19.14 Water/Garden Hoses and Hose Appurtenances

Water/garden hoses and hose appurtenances using Recycled Water shall be purple in color with heavy-duty brass fittings. Hoses shall be continuously imprinted with “Caution; Recycled/reclaimed Water – Do Not Drink” and rated at 150 psi working pressure. Hoses shall only be used for Recycled Water use. Use of such hoses for Potable Water use is strictly prohibited.

8.2.19.15 Recycled Water Impoundments

All Recycled Water impoundments shall be adequately protected from erosion, washout and flooding such that no discharge occurs unless the discharge is a result of a 25-year, 24-hour storm event or greater.

Any storage facility or impoundment containing Recycled Water for reuse applications shall be managed in a manner to control odors, nuisance conditions or vectors such as mosquitoes. Should such problems develop, a management plan shall be devised and implemented to monitor, correct and control future occurrences.

8.3 REQUIREMENTS FOR DESIGN AND OPERATION

8.3.1 Design Requirements

Design of Onsite Systems shall be performed by the Owner and such design plans shall be in conformance with the applicable portions of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities and AWWA Guidelines except as herein modified.

8.3.1.1 Design Responsibility

The design of an Onsite System that will use Recycled Water, including the preparation of plans and construction specifications, shall be under the responsibility of the Customer of Record. Onsite Facilities, in addition to conforming to these Rules and Regulations, shall conform to all applicable local governing codes, rules and regulations. Mesa Water shall have authority over materials, equipment, design, and construction methods used for Onsite Facilities.

8.3.1.2 Point of Connection for Service

Mesa Water will establish the Point of Connection for each Recycled Water Service. The user shall be responsible for extending the Onsite service line to the established Point of Connection and the user will be responsible for all costs associated with extending the Offsite Facilities to the users Recycled Water site.

8.3.1.3 Piping

All Onsite System piping used in conveying Recycled Water shall be of adequate size and structural integrity to ensure that leaks or ruptures will not occur. Lines crossing roadways or other areas receiving regular vehicular traffic must be buried to a depth of at least 24 inches and sleeved. Rigid pipe, able to withstand the planned vehicle loads, shall be used for such installations.

8.3.1.4 Irrigation System Layout

Each Recycled Water irrigation system shall be designed based on peak-application rate requirements to prevent discharge onto areas outside of the Approved Use Areas. Adjustable arc, adjustable radius sprinklers with anti-drain/check valves shall be used adjacent to roadways, boundary lines, and hardscape to confine the discharge from the irrigation system to the Approved Use Area(s). A drainage device under control of the Owner shall be installed at the toe of slope draining to single-family residential lots. Drainage devices must stand-alone; slope drainage devices and shall not be tied into any other drainage systems, e.g., private systems for single-family lots.

The Onsite irrigation system shall be required to automatically shut off in the event of a line break. Use all available equipment to prevent unauthorized discharge of Recycled Water.

The irrigation system design shall avoid spray patterns that include obstructions that tend to concentrate Recycled Water to produce Ponding or Runoff, such as direct or indirect spraying against structures or objects.

No common trenching with other utilities of any kind is permitted.

Mesa Water reserves the right to limit the area of land under one ownership or homeowner's association to be supplied by one Recycled Water Service Connection and corresponding meter. A Recycled Water Service Connection and its corresponding meter shall not be used to supply adjoining property of a different Owner, without the prior approval in writing from Mesa Water stating conditions and restrictions, such as easements or Memorandum of Understanding.

Irrigation systems where the landscaping around the homes and in common areas is served with one meter and owned by the same Customer, (e.g., a homeowner's association), may be allowed to cross roads, streets, or other public right-of-ways within the Customer's property.

When a property provided with a Recycled Water connection and corresponding meter is subdivided, such connection and meter shall be considered as serving the lot or parcel of land on which the meter is located. Additional Recycled Water Mains or Recycled Water Service lines shall be required for all subdivided areas in accordance with these Rules and Regulations.

For properties of the same Customer, irrigation systems shall be allowed to cross roads, streets, or other public rights-of-way to serve medians and slopes along streets. Recycled Water meters shall be located in the public right of way.

All Recycled Water used on any property must pass through the corresponding water meter. Customers shall be held responsible and charged for all Recycled Water passing through the Water meter(s).

8.3.1.5 Storage Facilities

Onsite storage tanks used in storing Recycled Water shall be of adequate design and structural integrity to ensure that leaks or ruptures will not occur in the course of normal use. All storage tanks that are less than eight feet in elevation above ground Level shall be contained within a fence or other enclosure that will restrict access by the General Public to these facilities at all times. Outlet control with positive shut-off shall be provided at each storage facility. All storage facilities shall comply with posting and identification regulations contained in Section 8.4.7.

8.3.1.6 Distribution Vehicles

Vehicles used for distributing Recycled Water for soil compaction and dust control purposes shall be provided with an adequate tank and plumbing systems to ensure that leaks and ruptures will not occur in the course of normal use. Control valves shall be provided such that Recycled Water can be applied in a controlled fashion on the Approved Use Area and completely retained during transit to all other areas. Spray heads or nozzles shall be provided and configured in such a way that the Recycled Water is uniformly applied and Runoff, Ponding or Windblown Spray conditions prevented. Each tank shall be equipped with an approved Air-Gap Separation. All vehicles used for distributing

Recycled Water shall comply with posting and identification Regulations contained in Section 8.4.7.

8.3.1.7 Temporary Connections to Potable Water System

In those areas where Recycled Water is not immediately available for use and an approved Onsite Recycled Water System has been constructed, a temporary connection to Mesa Water's Potable Water System may be allowed with written approval by the General Manager. Mesa Water shall be solely responsible for making any connections to the Potable Water System. All temporary connections to Mesa Water's Potable Water System shall conform to all requirements specified within its Cross Connection and Backflow Prevention Rules and Regulations.

At the time when Mesa Water determines that Recycled Water is available, the District shall notify any user with a temporary Potable Water connection of the availability of Recycled Water and schedule a mutually acceptable time for making the conversion to Recycled Water. Mesa Water will establish Point of Connection to the Offsite Facilities.

8.3.2 Operational Requirements

8.3.2.1 Supervision

The operation and surveillance of Onsite Systems shall be under the management of the User Supervisor designated by the user and approved by Mesa Water. This User Supervisor, or their representative, shall be available during business hours at an address listed with Mesa Water for the purpose of hosting an inspection tour or for discussing operational aspects of the Onsite System. The User Supervisor, or representative, shall be available via telephone (at a number listed with Mesa Water) for emergency off-hours contact. It is a requirement of Mesa Water that the User Supervisor and their representative can adequately communicate with employees in the English language.

8.3.2.2 Employee Training

It shall be the responsibility of the user to ensure that all Operations staff are trained in and familiarized with the use of Recycled Water, and are familiar with these Rules and Regulations and the requirements of the Appropriate Regulatory Agencies concerning the use of Recycled Water. The user shall attest, by way of the User Agreement or Water Service Agreement that such training shall be provided to all existing employees as well as to all new employees. In addition, the user shall provide Mesa Water with written conformation stating what training is provided to the Operations staff, who received the training and on what date the training was provided. A copy of these Rules and Regulations shall be maintained at the user's site at all times.

8.3.2.3 Onsite Information

The user shall be responsible for furnishing the Water Operations staff with comprehensive system operating instructions, maintenance instructions, and Record Drawings to ensure proper operation in accordance with the system design and these Rules and Regulations. At least one complete set of this information shall be kept onsite or in the nearest field office or maintenance building established by the user. The user shall have the responsibility of properly disseminating this information to all appropriate Water Operations staff. The user shall provide Mesa Water with written confirmation stating what information was provided to the Water Operations staff, to whom the information was given and on what date the information was provided.

8.3.2.4 Onsite Inspection

Inspection of the Onsite System may occur at any time without prior notice by Mesa Water, a District Agent, and various Appropriate Regulatory Agencies. The user and Water Operations staff shall cooperate with Inspectors and assist in the performance of operational tests as requested.

8.3.2.5 Confinement of Irrigation

Any onsite irrigation system shall be operated to prevent discharge onto areas that are not approved for use. Overspray resulting from attempts to reach remote portions of the Approved Use Area shall not be practiced. This situation shall be rectified by appropriate design corrections to the system layout.

8.3.2.6 Construction Use

Recycled Water used for the purpose of soil compaction and dust control shall not be stored or applied in a manner that causes Runoff, Ponding, windblown overspray conditions, or discharge in any way onto unapproved areas. If such conditions occur, the method of application shall be altered to correct them and prevent any further Ponding, Runoff, or Windblown Spray onto unapproved areas. Control valves on the Water distribution vehicles and other controlling devices shall be properly employed to prevent the application of Recycled Water outside the Approved Use Area onto surfaces including, but not limited to, street pavements, sidewalks, and drainage courses.

8.3.2.7 Maintenance

A written preventative maintenance program and schedule designed to ensure the continued operation of all Onsite System elements within the requirements of these Rules and Regulations shall be evidenced by the user and shall be open to inspection by Mesa Water at all times.

8.3.2.8 Reuse of Recycled Water Equipment

Any equipment, such as tanks, Water trucks, temporary piping or valves and portable pumps that have been used for Recycled Water purposes shall be drained, cleaned and disinfected before removal from the Approved Use area to another job site. This disinfection and cleaning shall ensure the protection of the public health in the event of any reuse of such equipment with higher quality Water.

Methods of disinfection shall be approved by the District or the appropriate regulatory agency, and the disinfection process shall be performed in Mesa Water employee's presence. When storage tanks or distribution vehicle tanks are provided with an inlet air gap whose configuration is approved by the DDW and OCHCA, such Onsite disinfection shall not be required.

8.3.3 Submittals and Records

Facility layout Drawings shall be submitted as specified within these Rules and Regulations by the Customer and approved by Mesa Water prior to commencing any installation of Recycled Water Facilities. The Drawings shall be signed by the Design Consultant and shall include the construction of the use area, and the onsite irrigation system, as a minimum. A materials list shall also be submitted to Mesa Water and it shall include the following:

- Offsite or Onsite Distribution Facilities – The manufacturer, diameter, approximate length, and construction material of all offsite or onsite distribution Recycled Water Mains (pressurized).
- Onsite Storage Facilities – The estimated number and locations of fixed storage tanks or ponds and the approximate volume of each.
- Recycled Water Volume – The maximum and average amounts in gpm that will be drawn from Mesa Water Recycled Water distribution system, and the hours of operation.

Applicants that propose to use Recycled Water for industrial applications or for other special uses may be required to supply additional information, on a case-by-case basis.

8.3.3.1 Preliminary Investigation

The Applicant shall meet with the District at the earliest possible date to determine whether the Design Area is within Mesa Water's service area. At this time, the availability of Recycled Water and the proximity of the site to the Offsite Facilities will be reviewed. Feasibility acceptance by Mesa Water must be obtained before an Application for Recycled Water Service will be accepted.

8.3.3.2 Comprehensive Investigation (Retrofitting Only)

Upon accepting an Application for Recycled Water Service that involves retrofitting, Mesa

Water may conduct a comprehensive investigation of the existing facilities. The Applicant shall cooperate with Mesa Water in its efforts to: (i) obtain required information; (ii) review existing documents; and (iii) inspect the existing facilities.

8.3.3.3 System Design Documents

The following information briefly outlines what shall be submitted to, and approved by, Mesa Water prior to the commencing of any construction. Refer to the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities for a complete list of requirements for design document submittals:

Drawing and Specifications –

Drawing and specifications for the construction of an Onsite System with Offsite Facilities are located in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Drawings and Specifications shall be submitted to Mesa Water for review and approval with associated Deposits and Fees outlined in the Water Rate and Charge Schedule. As part of such submittal, a construction cost estimate for the subject facilities shall be provided.

Meter Criteria –

The following information shall be provided, both on the Drawings and as a separate cost submittal:

- Existing meter sizes (inches)
- Proposed Recycled Water meter size (inches)
- Gross area to be served through the Recycled Water meter (square feet or acres)
- Peak flow through the Recycled Water meter (gpm) along with supporting calculations
- Estimate of the yearly Water requirements through the Recycled Water meter (acre-feet)
- Time of day when Recycled Water would normally be taken

Dimensioning – All dimensions shall be taken from two permanent points of reference.

Call-Outs – Backflow Prevention Assemblies, all Potable Water lines, exterior drinking fountains and other public facilities in the Design Area shall be shown and called out on the Drawings. If no Backflow Prevention Assemblies, Potable Water lines, exterior drinking fountains or other public facilities are present in the Design Area, it shall be specifically stated on Drawings that none exists.

Standard Water Construction Notes for Recycled Water

The standard notes for Recycled Water listed in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities shall be listed on all Drawings.

It shall be the responsibility of the Applicant to submit the Drawings and specifications as approved by Mesa Water to any agency having jurisdiction over such projects for their review, and to obtain all required permits prior to construction. Any costs associated with such submittals shall be borne by the Applicant.

8.3.3.4 Record Drawings

Record Drawings shall be submitted by the Applicant and approved by Mesa Water prior to the installation of Water meter(s) or the commencement of Recycled Water Service.

All changes in the work constituting departures from the original design Drawings, including changes in both pressure and gravity lines shall be accurately recorded on one reproducible set of design Drawings, which shall become the Record Drawings. The changes and dimensions shall be recorded in a legible manner to the satisfaction of Mesa Water. One complete set shall be maintained onsite at all times.

Specific Call-Outs – The locations and depths of the following items shall be shown:

- Points of connection
- Points of line severing
- Routing of sprinkler pressure lines
- Gate valves
- Sprinkler control valves
- Quick coupling valves
- Routing of control wires
- Control stations
- Backflow Prevention Assemblies, including type of such assembly(ies)

8.3.4 Cross Connection Control Requirements

The following requirements apply to all user sites where Recycled Water is stored, conveyed or applied in any manner.

8.3.4.1 Protection at Potable Water Service Connection

An approved Air–Gap Separation shall be required on the user's Potable Water line at a location that is as close as practical to the Service Connection with Mesa Water's Potable Water System. An approved Reduced Pressure Principle Backflow Prevention Assembly may be provided in lieu of an Air–Gap Separation if approved by Mesa Water and the Appropriate Regulatory Agencies.

8.3.4.2 Protection Within Onsite Potable Water System

Approved Backflow Prevention Assemblies, as required by the Appropriate Regulatory Agencies, shall be installed by the user at specified locations in the user's Onsite Potable Water System.

8.3.4.3 Inspection of Onsite Facilities

Mesa Water or Appropriate Regulatory Agencies may, at their discretion, require an inspection of the user's Onsite Facilities for Cross Connection hazards. The Customer of Record shall cooperate with Mesa Water or Appropriate Regulatory Agencies in requests for information.

8.3.4.4 Mesa Water's Cross Connection and Backflow Prevention Regulations for Recycled Water

In addition to the requirements contained in Sections 8.3.4.1 through 8.3.4.3, all requirements specified in Section 6 of these Rules and Regulations shall be adhered to by the user at the user's expense.

8.4 CONSTRUCTION REQUIREMENTS

8.4.1 General Requirements

Construction of Onsite Recycled Water Systems shall be in conformance with the applicable portions of the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities except as herein modified.

8.4.2 Areas of Responsibility

All Recycled Water meters and Customer Control Valves shall be provided and installed by Mesa Water at the expense of the Applicant. The cost of installing the meters must be paid by the Applicant before any meters will be installed. The responsibility for providing a Backflow Prevention Assembly at the Potable Water Service Connection shall be determined by Mesa Water at the time an application for Recycled Water is filed. The Applicant shall be responsible for constructing and maintaining all Onsite Recycled Water Facilities downstream of the established Point of Connection, and for testing and maintaining all Backflow Prevention Assemblies.

The Contractor shall keep fully informed of all laws, ordinances and regulations that in any manner affect those engaged or employed in the work or the materials used in the work, or that in any way affect the conduct of the work, and of all such orders and decrees of bodies or tribunals having any jurisdiction or authority over the same. If any discrepancy or inconsistency is discovered in the plans, Drawings, specifications, or other documents in relation to any such law, ordinance, regulations, order, or decree, the Contractor shall forthwith report the same to the Design Consultant and Mesa Water in writing.

The Contractor shall observe and comply with and shall cause all of the Contractor's employees to observe and comply with all such existing and future laws, ordinances, resolutions, regulations, orders and decrees, and shall protect and indemnify Mesa Water, Orange County Water District, SARWQCB, DDW, OCHCA, and all their officers and Agents against any claim or liability arising from or based on the Violation of any such law, ordinance, regulation, order or decree, whether by the Contractor or Contractor's employees.

The Contractor shall also indemnify and save Mesa Water, its officers, its employees or authorized District Agents harmless from all costs, losses, expenses, damages, attorneys' Fees, and other costs of defense that the District may incur with respect to or on account of the work, and with respect to the failure, neglect or refusal of Contractor to faithfully perform the work and all of Contractor's obligations under the contract. Such costs, expenses, and damages shall include all costs incurred by Mesa Water to defend against any claims, stop notices or lawsuits based thereon in which it is made a party.

The Contractor shall observe the rules and regulations of the State Department of Industrial Relations, Division of Industrial Safety, and, in particular, rules and regulations relating to shoring of trenches and excavations. All work shall be done in accordance with all directives, provisions and requirements pertaining to the method and manner of performing the work, in accordance with CAL-OSHA latest amendment or revision.

The Contractor shall provide a job foreman present during business hours that can communicate with Mesa Water employees both orally and in writing.

8.4.3 Specific Requirements

8.4.3.1 Connections to Existing Mesa Water Facilities

The Applicant shall not make a connection to existing Mesa Water facilities or interrupt Recycled Water Service in any portion of Mesa Water's service area unless it has been approved by the District. If it becomes necessary to interrupt service to an existing system, this interruption shall be done at a time determined by Mesa Water, under its direction and inspection.

8.4.3.2 Inspection Authority

Mesa Water, those authorized by the District, and various Appropriate Regulatory Agencies shall at all times have access to all the onsite work during construction, and shall be provided with such information as it may desire regarding location of facilities, the progress, workmanship and character of materials used in the work.

Mesa Water shall have the authority to notify the Customer of an apparent failure on the part of the Contractor to carry out orders given or to perform any provisions of the approved plans or specifications. Upon its confirmation of the apparent failure, the

Customer shall be obligated to require the Contractor to suspend the work wholly or in part. The Contractor shall immediately comply with the written order of Mesa Water to suspend the work wholly or in part. Dependent on the nature of the non-compliance, it may require immediate action by the Contractor via verbal order with a written order following. The work shall be resumed when methods or defective work are corrected as ordered and approved in writing by Mesa Water. Failure to comply with requests of Mesa Water will prevent further work, may result in termination of all Potable Water and Recycled Water, and may prevent or delay the final release of the entire project.

8.4.4 Material of Construction

The following information briefly outlines the materials of construction that will be approved by, Mesa Water and other appropriate Regulating Agencies prior to the commencing of any construction. Refer to the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities for a complete list of requirements for Materials of Construction.

8.4.4.1 Valves

Quick coupling valves may be required to be removed if they are used in a manner contrary to these Rules and Regulations or are located in an area that encourages unauthorized use. The manner of removal shall be subject to approval by Mesa Water. Quick coupling valves shall conform to the following:

- Rating – Quick coupling valves for Recycled Water shall be ¾ inch or one-inch nominal size with brass construction, acme thread body and key, and a normal working pressure of 125 psi. All quick coupling valves for Recycled Water shall be of a design that prevents the quick coupler key (spike) from being used in Potable Water or Non-Potable Water quick couplers.
- Key – All quick coupling valves shall be operated with a special coupler key with an Acme thread for opening and closing the valve. This provision may be modified by Mesa Water in those cases where an existing Onsite Potable Water System is currently equipped with quick coupling valves that are operated with an Acme threaded key.
- Identification – All quick coupling valves shall be tagged to for identification. All tagging shall be to the satisfaction of Mesa Water and Appropriate Regulatory Agencies.
- Cover – The cover shall be permanently attached to the quick coupling valve. It shall be purple in color and made of rubber or vinyl with the following information stamped or molded on the cover: “Recycled Water” in English and Spanish; “Do Not Drink” in English and Spanish; or the international “Do Not Drink” symbol (a glass of Water in a circle with a slash through it), and a locking cover.

All Recycled Water valves shall be in serviceable condition and free from leaks and structural faults. All underground gate valves three inches and smaller may be furnished with either operating nuts or handwheels.

8.4.4.2 Valve Boxes

All new valve boxes (gate valves, manual control valves or electrical control valves) on the recycled Water irrigation system shall be purple (Pantone 512) and have the words "Recycled Water" in white letters on top.

8.4.4.3 Piping

All new buried onsite constant pressure Recycled Water irrigation piping shall be marked as follows: PVC Pipe must be purple-colored PVC pipe with continuous wording "Caution – Recycled Water – Do Not Drink" printed on opposite sides of the pipe. The use of continuous lettering on 3-inch minimum width of purple tape with 1 inch black or white contrasting lettering bearing the continuous wording "Caution – Recycled Water – Do Not Drink" permanently affixed at 5 foot intervals atop all horizontal piping, laterals and Mains is an acceptable alternative to purple pipe.

All new Recycled Water piping above ground or in vaults, including adapters and fittings, shall be painted purple in color (Color Code Pantone 512). Black or white stenciling shall appear on both sides of the pipe with the marking "Caution – Recycled Water" in 5/8 inch letters repeated every 3 feet.

8.4.4.4 Storage Tanks

All storage tanks used for Recycled Water, whether fixed or mounted on distribution vehicles; shall be structurally sound and free from leaks.

8.4.5 Construction Notification

The Applicant shall give Mesa Water at least two Business Days' notice before starting the Onsite Recycled Water System construction work.

8.4.6 Final Inspection and Testing

8.4.6.1 Final Inspection

Following completion of all construction work, and upon receiving Mesa Water approval of Record Drawings, the Applicant shall request final inspection of the work. This request shall include the scheduling of a Cross Connection control test and an operational test. The tests shall be scheduled in coordination with and in the presence of Mesa Water and representatives of the various Appropriate Regulatory Agencies in order to verify such testing.

8.4.6.1.1 Cross Connection Control Testing

A Cross Connection control test shall be conducted on both the Onsite Potable Water and the Onsite Recycled Water Systems. The test shall be conducted in the following manner:

- The activated and pressurized Recycled Water System shall be shut down at or near the Point of Connection. After shutting the Recycled Water System down, all outlets of the Recycled Water System shall be opened. Flow from any Recycled Water System outlet shall be deemed to indicate a Cross Connection condition. (Note: Initial flows that result from the system's depressurization can be ignored for purposes of this test.) After conducting this test of the Recycled Water System, the Potable Water System shall be tested by opening all Potable Water outlets. A no-flow result from any Potable Water outlet shall be deemed to indicate a Cross Connection condition.
- Recharge Recycled Water System, then the activated and pressurized Potable Water System, shall be shut down at the Backflow Prevention Assembly. After shutting the Potable Water System down, all outlets of the Potable Water System shall be opened. Flow from any Potable Water outlet shall be deemed to indicate a Cross Connection condition. (Note: Initial flows that result from the system's depressurization can be ignored for purposes of this test.) After conducting this test of the Potable Water System, the Recycled Water System shall be tested by opening all Recycled Water outlets. A no-flow result from any Recycled Water outlet shall be deemed to indicate a Cross Connection condition.

8.4.6.1.2 Operational Testing

Prior to final acceptance by Mesa Water, all Onsite Recycled Water Systems shall be required to successfully pass an operational test. Any required corrections shall be noted and submitted to the Applicant by Mesa Water. Regular service start-up shall not be authorized until all corrections are made to the satisfaction of the District.

8.4.7 Posting and Identification

Posting and Identification requirements for the design and construction of an Onsite System with Onsite and Offsite facilities are located in the Standard Specifications and Standard Drawings for the Construction of Mesa Water Facilities. Proposed posting and identification shall be submitted within the design and specifications to Mesa Water for review and approval with associated Deposits and Fees outlined in the Water Rate and Charge Schedule

8.4.7.1 Posting of Approved Use Areas

Recycled Water identification signs shall be made of 1/16-inch-thick, minimum, aluminum and its size shall be 18 inches wide by 12 inches high, minimum. The signage size and wording shall be approved by the City and the site Owner. At a minimum, the wording shall include "Recycled Water – Do Not Drink" and display the international symbol shown

on Figure 30610-A in Title 22 of the California Code of Regulations. Submit the final verbiage including colors to the City for review and approval prior to ordering the identification signs. The location of the sign placement shall be determined in the field by the City and the site Owner. An example of an approved sign is Christy's Part Number ID-Sign REC1218. Other wordings may be used with approval of Mesa Water and the Appropriate Regulatory Agencies.

8.4.7.2 Recycled Water Pipe Identification

8.4.7.2.1 Buried Recycled Water Pipe

The following pipe identification requirements and options shall be applied to all new Recycled Water Systems that are to be constructed, and applied to retrofitted Recycled Water Systems whenever buried pipe is replaced.

- Purple Pipe – For all buried offsite Recycled Water pipelines (PVC, ductile iron pipe or copper) and any onsite Recycled Water pipelines that cross public streets, the pipelines shall have Purple Colored warning tape, minimum of 12 inches wide, placed in the trench 12 inches above the pipe with the wording, “CAUTION: RECYCLED WATER LINE BURIED BELOW”. This requirement is to provide additional warning for any excavation activities within the public streets to reduce the potential for damaging the Recycled Water pipeline.
- Warning Tape – The plastic identification (warning) tape shall be virgin low-density polyethylene specifically formulated for prolonged underground use. The minimum thickness shall be 4 mils and the overall width of the tape shall be 12 inches for 8 inch or larger diameter pipe and 6 inches for 6 inch and smaller diameter pipe.
- Identification /Warning Tags – Identification /warning tags shall be inert plastic film or polyurethane specifically formulated for prolonged exposure. The identification /warning tag shall incorporate an integral attachment neck and reinforced attachment hole. The size of the tag shall be 3 inch by 4 inch with a minimum thickness of 10 mils. Identification /warning tags shall be attached with heavy-duty nylon fasteners. The size, type of label and location will be dictated by each individual application and subject to acceptance by the City's representative. The minimum size shall be ½-inch letters. Tags shall be as manufactured by T. Christy Enterprise (ID-Max-P2-RC009 for Recycled Water (purple) or ID-Max-B2-PW015 for Potable Water (blue) or ID-Max-Y2-NP012 for Non-Potable Water (yellow)) or approved equal. T. Christy Enterprises, Inc. is located at 655 E. Ball Road, Anaheim, CA 92805 (phone: (714)507-3300).
- Warning Labels – Warning labels shall be a minimum of 3.5 mil flexible vinyl base with a permanent acrylic adhesive backing on a 90# stayflat liner. Both the background and legend shall be printed with a UV cured vinyl ink. The entire decal shall be clear flood over-printed for superior weathering and UV protection. The size shall be 3.5 inch by 4.4 inch for controllers, 2.5 inch by 8.25 inch for pumping equipment, and 1.25 inch by 5.75 inch for Potable Water decals. The controller warning label shall be as manufactured by T. Christy Enterprise (Christy's Part No. 4100) or approved equal. The pumping equipment warning label shall be as

manufactured by T. Christy Enterprise (Christy's Part No. 4200) or approved equal. The Potable Water decals shall be as manufactured by T. Christy Enterprise (Christy's Part No. 4300) or approved equal.

8.4.7.2.2 Above Ground Recycled Water Pipe

The following identification requirements shall be applied to all Recycled Water Systems.

- Purple Pipe – All such piping, including adapters and fittings, shall be purple in color. Black or white stenciling shall appear on both sides of the pipe with the marking "CAUTION - RECYCLED WATER" in 5/8 inch letters repeated every 3 feet. Mesa Water must review and approve any proposal that calls for above ground Recycled Water pipe to be painted as a means for complying with the color requirement. Other proposed methods for identifying above ground pipe must be reviewed and approved by Mesa Water on a case-by-case basis.
- Sprinkler Labeling/Tags – For sprinkler risers located on slopes or in the vicinity of adjacent properties, the risers shall be installed with either sprinkler warning labels/warning tags or riser markers as is appropriate for each situation. The riser markers shall be Christy's Model #5100 for Recycled Water applications, and Christy's Model #5200 for Non-Potable Water applications, or approved equal.

8.4.7.3 Valve Identification

All remote control valves, gate valves, quick coupling, drip valve assemblies, flush valve assemblies, manual drain valves, and pressure relief valves shall be installed in suitable valve boxes, complete with locking and hinged cover, or other approved secure enclosure. Recycled Water valve boxes and covers must be colored purple and have Recycled Water identification imprinted. All valve box covers shall be bolted down with stainless steel bolts and washers

8.4.7.4 Storage Tank Identification

Each and every storage tank shall be identified by a painted label as containing Recycled Water. The label shall contain the words "DO NO DRINK - RECYCLED WATER" with white letters at least two inches high on a purple background. In addition, at least one sign shall be posted on the fence surrounding each storage tank. The label and sign shall be so placed that they can be readily seen by all Water Operations staff using the facilities.

8.4.7.5 Vehicle Identification

Each and every vehicle used to distribute Recycled Water shall be identified by painted labels or signs as using Recycled Water. The label shall contain the words "DO NOT DRINK - RECYCLED WATER" with white letters on a purple background. The label shall be placed on the driver's side of the vehicle on the tank at a spot close to the cab. The labels or signs shall be so placed that they can be readily seen by all Operations staff using the vehicles.

8.5 PROCEDURES FOR ADMINISTRATION

8.5.1 Obtaining Service

The following interactions between Mesa Water and the Applicant are required for the administration of a Recycled Water Service.

8.5.1.1 Application Submittal

An application form for Recycled Water Service, in the form supplied by Mesa Water, shall be completed and signed by the Applicant, who may be the Owner or authorized representative. The Application shall request information concerning the Applicant's relationship to the subject property as legal Owner, tenants, or lessee; the type of Recycled Water use being proposed; the address and telephone number; and a legal description of the property to be served; purpose for which the property is to be used; and total area to be served. The Application may also list any special conditions for service pursuant to these Rules and Regulations. Certain technical information, derived from the design and peculiar to the type of Recycled Water use, may also be requested.

The Application form shall be accompanied by a service exhibit. This exhibit shall be a drawing delineating the subject Design Area, identifying the location and size of all Service Connections, delineating areas in which Recycled Water Service is to be applied or excluded, and showing the nearest major street(s).

8.5.1.2 Mesa Water Evaluation

Upon receipt of a completed Application, the General Manager shall review such Application and make such investigation relating thereto, as deemed necessary. The General Manager may prescribe specific requirements applicable to such Application, which may include, but shall not be limited to the design of the facilities, the manner of construction, the method of operation, and the conditions of service. An evaluation shall be performed by Mesa Water that will establish that all information obtained on the form is consistent with these Rules and Regulations and the requirements of the Appropriate Regulatory Agencies.

8.5.1.3 Issuing of User Agreement

A User Agreement or Water Service Agreement issued by Mesa Water and signed by the Applicant shall constitute a legally binding service agreement. A User Agreement or Water Service Agreement shall incorporate expressly, or by reference, these Rules and Regulations and shall also include any additional requirements prescribed by Mesa Water to ensure contained operation of the Recycled Water System and to protect the public's health.

8.5.1.4 Service Activation

Following final inspection, testing and approval of the project by Mesa Water the Applicant shall request in writing Recycled Water Service activation. Following a service termination, regardless of the reason, service may be re-established by telephone request. For all service activation requests, Mesa Water shall require two Business Days' notice. In addition to two Business Days' notice, the designated User Supervisor must be onsite and available at the time.

8.5.2 Conditions of Service

Mesa Water reserves the right to revoke a User Agreement or Water Service Agreement if all or any of the service conditions contained herein is not complied with at all times.

8.5.2.1 Regulatory Conditions

Service to a user may be terminated at any time if the quality of the Recycled Water does not comply with the requirements of Appropriate Regulatory Agencies or at any time the user's operations do not conform to these Rules and Regulations.

8.5.2.2 Financial Conditions

Conditions relating to Fees, Deposits, and billings shall be the same as established for the Potable Water System, as specified in Section 3 – Water Billing and Customer Service. Rates, Fees, and Charges for Recycled Water Service shall be as established by the Board.

A Fee may be imposed upon a user to re-establish Recycled Water Service if service was terminated at the request of the user or for reason of failure on the user's part to comply with Mesa Water requirements or these Rules and Regulations for Water Service. Fees shall be in accordance with those listed in the Water Rate and Charge Schedule.

8.5.2.3 Operational Conditions

8.5.2.3.1 Liability

Mesa Water shall not be liable for any damage caused by any Onsite Facilities.

8.5.2.3.2 Service Scheduling

In order to maintain acceptable working conditions throughout the Recycled Water distribution system, Mesa Water may schedule the use of Recycled Water. Such scheduling may involve programming deliveries to different users or to various portions of a single user's Onsite System. Scheduling shall take into account the constraints of Appropriate Regulatory Agencies, the requirements of these Rules and Regulations, and the operating constraints of affected users.

8.5.2.3.3 Relations of Property to Service

A Service Connection shall not be used to supply adjoining property of a different Owner nor an area outside the Owner's defined area.

8.5.2.3.4 Metering

All Recycled Water used on any premises where a Mesa Water meter is installed shall pass through that meter. Users shall be held responsible and charged for all Water passing through a Mesa Water meter.

8.5.2.3.5 Other Conditions

Conditions relating to meter reading and testing and service terminations shall be the same as established for the Potable Water System.

8.5.3 Reporting

The following types of reporting shall be transmitted in writing.

8.5.3.1 Mesa Water to User

The following items shall be reported by Mesa Water to the user:

- The quantity of Recycled Water delivered to the user during the applicable billing period, to be submitted as part of Mesa Water's billing for Recycled Water Service and shall be based on readings taken from its meter.
- The quality of Recycled Water delivered to the user, to be submitted only at the specific written request of the user.

8.5.3.2 User to Mesa Water

The user shall report the following items within 24 hours of an occurrence to Engineering or Water Operations staff:

- Any failure of Onsite potable or Recycled Water pipelines, storage tanks or related facilities.
- Any Violation of Mesa Water's Rules and Regulations for Water Service.
- Change in Owner, User Supervisor.
- Alterations to any Onsite Facilities or topography.

8.5.4 Violations

8.5.4.1 Determination

Mesa Water reserves the right to determine whether a Violation of these Rules and Regulations has resulted from any action or occurrence that is the responsibility of the user.

8.5.4.2 Specific Violations

Specific Violations shall include those that directly caused non-compliance with any one of the specific prohibitions as listed in Section 8.2.19 of these Rules and Regulations: Runoff conditions, Ponding conditions, unapproved uses, disposal in unapproved areas, Cross Connections, unprotected drinking fountains, Hose Bibs and fire hydrants. However, by definition, non-compliance with any condition or conditions of these Rules and Regulations, whether willfully or by accident, shall constitute a Violation.

8.5.4.3 Corrective Action

If the General Manager's investigation results in the determination that a Violation has occurred, Mesa Water shall immediately notify the user. It shall be the responsibility of the user to promptly initiate action that will correct the conditions having caused the Violation. If, in the opinion of the General Manager, the Violation constitutes an immediate danger to the public health, then service may be terminated immediately by shutting off the meter and locking it. Service shall be resumed only after such Violation has been corrected to the satisfaction of the General Manager. If the Violation is determined to be of a lesser degree of danger to public health, then a timetable for completing the corrections shall be negotiated between the General Manager and the user, with Mesa Water having final approval. Corrections not being made in accordance with the timetable may also result in the termination of service.

The Appropriate Regulatory Agencies may order a service termination if they find a Violation that constitutes an immediate danger to public health. Service shall be resumed only after the Violation has been corrected to the satisfaction of both the Appropriate Regulatory Agencies and Mesa Water.

8.5.4.4 Appeal

A user may appeal Mesa Water's determination on a matter in accordance with Section 2.7-2.9 of these Rules and Regulations.

Appendix 1: Application for New Service



1965 Placentia Avenue, Costa Mesa, CA 92627 949-631-1291

MESA WATER FILE NO.

THIS APPLICATION BECOMES A PERMIT WHEN APPROVED AND VALIDATED

APPLICATION FOR NEW SERVICE

Legal Description of Property

Assessors Parcel No.

Address of Property

APPLICANT (Property Owner Only) Type or Print

(Property Owner)

(Mailing Address)

(City/State/Zip)

Phone

DL#/SS#

I attest under penalty of law to the truth and correctness of all facts, exhibits, maps and attachments presented with and made a part of this application.

I hereby authorize to act as my representative and to bind me in all matters concerning this application.

Signature - Applicant (Property Owner only)

day of , 20

Signature (Notary)

(SEAL)

FOR MESA WATER USE ONLY - Do Not Write Below This Line

PERMIT

THE TERMS AND CONDITIONS OF THIS PERMIT ARE PRINTED ON BOTH SIDES OF THIS FORM. APPLICANT HEREBY ACKNOWLEDGES THAT HE OR SHE HAS READ AND UNDERSTANDS SAID TERMS AND CONDITIONS AND AGREES TO ABIDE BY THEM.

WATER BILLING SERVICE CUSTOMER

Applicant Contractor Other (Below)

Name

Address

Zip

Phone

DL#/SS#

CONTRACTOR Type or Print (if applicable)

Name

Address

Bus. Phone

Job Site Phone

License No.

License Type

Business Tax ID#

Date Entered on Computer

Customer No.

Account Nos.

Signature of Applicant (Property Owner only)

PERMIT APPROVED FOR MESA WATER

By

Date

Permit Expires

VALIDATION



For Work Done By Mesa Water District® (Mesa)

AGREEMENT: I agree to have my installation fee credited to charges for installation costs and I understand the installation fee is on a fixed cost basis. I further understand that the installation shall at all times remain under the exclusive control of Mesa, and that the water will not be turned on until any required backflow devices have been installed, tested and certified. I further understand that the water service will be billed to the applicant whose name appears on this form, or if specified to the billing customer, until Mesa has been instructed to bill otherwise. This Agreement is subject to the current Mesa Rules and Regulations and Standard Specifications on file at Mesa's office.

For Work Done Under Permit

A construction performance bond shall be posted in accordance with the current Mesa Rules and Regulations. The bond and Permit Fee must be received by Mesa prior to Mesa's final approval of plans and/or issuance of Permit. All work done under this Permit shall in accordance with the current Mesa Rules and Regulations and Standard Specifications.

I understand that the installation shall at all times remain under the exclusive control of Mesa, and that the water will not be turned on until any required backflow devices have been installed, tested and certified. I further understand that the water service will be billed to the applicant whose name appears on this form, or if specified to the billing customer, until Mesa has been instructed to bill otherwise.

Capacity Charges

Capacity Charges will be collected by Mesa on all projects requiring new or additional water service in accordance with the current Mesa Rules and Regulations. I understand that if Mesa determines after installation that water use exceeds the expected amount for the sized capacity of a meter, a larger meter with a larger flow capacity will be installed and I will be required to pay the additional net increase in the Capacity Charges.

Appendix 2: Customer Service Meter Request Form



Customer Service Meter Test Request Form

Customer Information			
Name on Water Bill		Phone	
Account Number	----- -- -----		
Property Address		City	
Mailing Address (if different)		City	
Email Address			

Customer's Reason for Meter Test Request:

The terms and conditions as listed in the Rules and Regulations for Water Service shall apply to the Customer of Record requesting testing of a water meter.

The Customer of Record shall submit to Mesa Water a meter test deposit of \$50.00, or as listed in the current Water Rate and Charge Schedule.

A receipt for payment of the meter test deposit will be provided to the customer of record, and a copy will be kept with this request form.

I agree to the terms and conditions as listed in the Rules and Regulations for Water Service, and that the meter test deposit may be forfeited if the meter is found to be accurate within the limits as specified therein.

Customer Name

Customer Signature

Appendix 3: Payment Voucher



1965 Placentia Avenue, Costa Mesa, CA 92627 949-631-1291

PAYMENT VOUCHER

DATE: _____ JOB LOCATION: _____

MC FILE NO.: _____

APPLICANT: _____

PAID BY: _____ CHECK: _____ CASH: _____

AFFILIATION: _____ PHONE: _____

ADDRESS: _____ ZIP CODE: _____

DESCRIPTION	QUANTITY	PRICE EACH (1)	DEPOSIT AMOUNT (1)
METER INSTALLATION	SIZE: 5/8"	\$	\$ _____
	SIZE: 3/4"	\$	\$ _____
	SIZE: 1"	\$	\$ _____
	SIZE: 1 1/2"	\$	\$ _____
	SIZE: 2"	\$	\$ _____
MANIFOLD	SIZE:	\$	\$ _____
PLAN CHECK -			
FIRST SERVICE (RESIDENTIAL / COMMERCIAL)		\$	\$ _____
ADDITIONAL SERVICES		\$	\$ _____
METER CHANGES ONLY		\$	\$ _____
ADDITIONAL PLAN REVIEWS (4 TH OR MORE)		\$	\$ _____
CONSTRUCTION PERFORMANCE BOND			\$ _____
CAPACITY CHARGES			\$ _____
OTHER (PLEASE SPECIFY)			\$ _____
CONSTRUCTION INSPECTION	DEPOSIT	QUANTITY	
Backflow Devices	\$		\$ _____
Meters	\$		\$ _____
Service Connection	\$		\$ _____
Manifolds	\$		\$ _____
Pressure Test	\$		\$ _____
Firelines	\$		\$ _____
Valves	\$		\$ _____
Chlorination/Flushing & Health Sample	\$		\$ _____
Weld Connections	\$		\$ _____
Shutdown	\$		\$ _____
AFTER HOURS INSPECTION-	\$ PER HOUR		\$ _____
CONSTRUCTION INSPECTION TOTAL			\$ _____

(1) Refer to the Mesa Water District website (www.mesawater.org) under Water Rate and Charge Schedules for costs.

TOTAL DEPOSIT \$ _____

Prepared by: _____

Date: _____

Checked by: _____

Date: _____

Approved by: _____

Date: _____

Appendix 4: Application for Temporary Water Service



**APPLICATION
FOR TEMPORARY WATER SERVICE**

Mesa Water District
1965 Placentia Avenue, Costa Mesa, CA 92627
949.631.1200

Date

Customer Billing Information

<input type="checkbox"/>	Company	<input type="checkbox"/>	Individual		
Name			Phone		
Federal Tax ID					
CA Contractor's License #					
Billing/Mailing Address					
City		State		Zip	

Job Site Information

Site Contact Name		Contact Phone			
Address / Cross Streets					
Estimated Length of time at location					

Deposit

Deposit Amount	\$	Payment Method	Check / Credit / Cash
----------------	----	----------------	-----------------------

I have read and agree to the Rules for Hydrant Meters for Construction Water Service.

Contact Name (Print) _____ Contact Signature _____

Mesa Water District use only

Account Number _____ - _____

Location: Atlas Sheet _____ Hydrant # _____

**Appendix 5: Rules for Hydrant Meters
for Construction Water Service**



RULES FOR HYDRANT METERS FOR CONSTRUCTION WATER SERVICE

Mesa Water District Policy DS-009, Attachment B

Revised January 01, 2018

REQUIREMENTS:

1. Mesa Water District (Mesa Water®) requires a minimum of one business day notice to set up or pick up hydrant meters.
2. An applicant or acting agent for the applicant must confirm the beginning meter read of the hydrant meter and complete the Rules for Hydrant Meters for Construction Water Service in order to activate water service.
3. Hydrant meters are locked to the selected hydrant. Selected hydrants must be a Mesa Water hydrant; Private hydrants may not be used with Mesa Water hydrant meters.
4. Mesa Water requires a minimum of one business day notice for moving a hydrant meter to an alternate location, during normal business hours. Only Mesa Water employees are authorized to move hydrant meters.
5. The hydrant meter permit holder assumes all liability arising from the use of said Mesa Water facilities and equipment, and will pay all costs for repair or replacement regardless of circumstances.
6. Mesa Water reserves the right to determine the degree of hazard associated with the temporary connection and may elect to require backflow protection. Mesa Water will install and certify the appropriate backflow device when required.

FEES & CHARGES:

1. A deposit of **\$1,030.00** for each hydrant meter must be paid once the hydrant meter has been set and water service has started.
2. A one-time **\$149.00** hydrant meter Installation Fee to set up each hydrant meter will be charged to the customer's account.
3. The water usage charge is **\$4.27** per unit (1 unit = 748 gallons) of water used.
4. Daily rental rate for hydrant meters is **\$10.00**
5. A charge of **\$75.00** for moving the hydrant meter will be assessed when Mesa Water is not given sufficient advance notice to relocate hydrant meter. There is no charge for moving a hydrant meter with a minimum of one business day notice.
6. Backflow device set-up and certification fee is **\$45.00**.
7. Repair to or replacement of damaged hydrant meter parts is the actual cost of the part, plus labor. Labor costs are currently **\$150.00** per incident.
8. Replacement of stolen, lost meters is the actual cost of a replacement meter, which is currently **\$1,030.00**.

PAYMENT:

1. Regular Bi-monthly Bills and Closing bills are due and payable upon receipt.
2. Delinquent Bills: Accounts not paid by the due date on the bill will be sent a delinquent bill and charged a late fee. Past due accounts will be sent to a collection agency and are subject to a penalty.

By accepting water service, you are subject to Mesa Water's Rules and Regulations for Water Service, and are responsible for all charges until you notify Mesa Water to stop your water service/pick up hydrant meter. Please call 949.631.1200 to schedule pick-up when your job is completed.

I have read and agree to the Rules for Hydrant Meters for Construction Water Service.

Contact Name (Print) _____ Contact Signature _____

Appendix 6: Water Service Agreement

FILE NO. _____

**WATER SERVICE AGREEMENT WITH THE
MESA WATER DISTRICT
FOR WATER SERVICE**

Date: _____
File No.: _____
Location: _____
Atlas Sheet No.: _____

The undersigned, (hereinafter referred to as "Applicant"), hereby requests water service by the **MESA WATER DISTRICT**, (hereinafter referred to as "Mesa Water"), in accordance with all of the terms and conditions of this Water Service Agreement and Mesa Water's Rules and Regulations For Water Service", (hereinafter referred to as "Rules and Regulations"), which are incorporated herein by this reference and made a part hereof as though fully set forth.

Applicant hereby applies for that service as applicable, which can be provided by the facilities described below, to that certain real property located within Mesa Water, in the County of Orange, State of California, described as follows (metes and bounds description or as acceptable to Mesa Water):

AP-

Said property is to be used for the purpose(s) of:

Applicant hereby represents that Applicant is the owner of said real property. Applicant estimates that the total service to be required of Mesa Water upon development of said real property is _____ gallons per minute ("GPM") on the basis of the connected capacity demand ("CCD") as defined in the Rules and Regulations of Mesa Water.

Upon acceptance of this Application by Mesa Water, together with all costs, including the Capacity Charge as determined by the Mesa Water District Engineer or an authorized representative subject to appeal to the General Manager or the Board of Directors, plans and specifications, bonds, conveyance of necessary easements, and other items as may be required herein, Mesa Water agrees to provide the requested water service subject to the terms and conditions herein set forth and set forth in the Rules and Regulations of Mesa Water. Mesa Water shall deliver to the Applicant an executed copy of this Agreement.

1. Applicant shall adhere to the requirements prescribed by the Rules and Regulations, as amended from time to time, and to any additional requirements prescribed from time to time by the General Manager or Board of Directors of Mesa Water, or both, to insure compliance with such Rules and Regulations as to obtaining water.

2. Applicant hereby agrees to build or cause to be built the described water facilities, (hereinafter collectively referred to as "the Facilities"), and agrees to pay all costs of installation of same, including, but not limited to, cost of labor, materials, equipment, contractor's expense and profit,

environmental studies, design, engineering, surveying, inspection, testing, plan check, land and easement acquisition, condemnation, attorney's fees, insurance and bond premiums.

3. Applicant agrees that the Facilities shall be constructed in accordance with plans and specifications which shall comply with all applicable requirements of Mesa Water's "Standard Specifications for the Construction of Water Facilities", including, but not limited to, requirements as to information to be shown on the plans. Said document is on file at the office of Mesa Water and is by this reference incorporated herein. Such plans and specifications shall be approved by Mesa Water. Such approval of the plans and specifications by Mesa Water shall not constitute approval of the permit applied for herein. The Facilities shall be constructed by a contractor licensed by the State of California to install said Facilities.

4. Applicant guarantees the Facilities constructed under this Agreement against defects in workmanship and materials for a period of one (1) year after the date of acceptance of the Facilities by Mesa Water. It is further agreed that the Facilities shall be restored to full compliance with the requirements of the plans and specifications, including any test requirements, if during said one (1) year period the Facilities or any portion thereof are found not to be in conformance with any provisions of said plans and specifications. This guarantee is in addition to any and all other warranties, express or implied, with respect to the Facilities.

5. Applicant agrees to grant, or cause to be granted to Mesa Water, without cost to Mesa Water, all necessary easements for construction, installation, maintenance and access to the Facilities, across all privately-owned lands to be traversed by the Facilities, which easements shall be in a form and condition of title satisfactory to Mesa Water and shall be executed by all necessary parties having an interest in said lands.

6. Applicant, if applicable, agrees to provide to Mesa Water, prior to acceptance of the Facilities, a complete set of reproducible mylars of the approved plans and specifications for the Facilities.

7. Upon completion of the Facilities, Applicant, if applicable, agrees to execute and deliver to Mesa Water a report of the actual costs of the Facilities and to substantiate such report with invoices and receipts acceptable to Mesa Water. Applicant further agrees that such Facilities will become the property of Mesa Water when it is accepted by its duly authorized employee, evidencing acceptance of the Facilities. However, Applicant hereby disclaims in favor of Mesa Water all right, title and interest in and to said systems, appurtenances and easements; and Applicant hereby covenants and agrees to execute and deliver to Mesa Water any documents required to complete the transfer of the Facilities concurrently with the acceptance thereof by Mesa Water; and Applicant hereby agrees that Applicant is holding any title to said Facilities, pending acceptance thereof by Mesa Water, as trustee, acknowledging Applicant's obligation to complete said Facilities and transfer the same debt free to Mesa Water.

8. It is agreed that the above provisions shall not preclude the use of the Facilities by property owners within the developed area or outside of said development prior to such delivery of actual costs to Mesa Water, as long as the quality of said water is acceptable to Mesa Water under its Rules and Regulations and written permission has been obtained from Mesa Water by such property owners to connect to the Facilities or to existing facilities. Applicant agrees that the use of the Facilities by the Applicant, transferee or assignee of the Applicant, or others within Mesa Water, will not constitute acceptance of the Facilities by Mesa Water.

9. Applicant agrees to hold Mesa Water harmless from any expense or liability resulting from the construction of the Facilities, and further agrees that Applicant will indemnify and hold Mesa Water, its agents, employees, officers and representatives, free and harmless from and against any and all liabilities for death, injury, loss, damage or expense, (including reasonable attorney's fees), to person or property which may arise or is claimed to have arisen as a result of any work or action performed by Applicant or on behalf of Applicant with respect to the construction and in the installation or repair of the Facilities.

10. Applicant shall submit, concurrently with this Application, if applicable, Payment and Performance Bonds, in connection with the Facilities to be constructed, and for an amount to be determined by Mesa Water.

11. Applicant hereby agrees to pay all administration and engineering costs, (including inspection and plan check costs), calculated as a percentage of the total cost as estimated by Mesa Water, as well as Capacity Charges, meter costs, interim water service line costs, (if applicable), and any other costs incurred by Mesa Water. The amount of such costs shall be based on the applicable schedules of the Rules and Regulations in effect on the date when Applicant has submitted to Mesa Water its completed Application, payment of all deposits, plans and specifications, bonds, conveyance of necessary easements and other items which may be required herein prior to issuance of the permit and the plans of the Applicant have been approved by Mesa Water. Such deposits shall be set forth on Exhibit "A" hereto by Mesa Water, which Exhibit is by this reference incorporated herein, and is subject to revision pursuant to any changes in the applicable schedules prior to the date and application and all accompanying materials and payment are completed, submitted to and approved by Mesa Water.

Applicant hereby agrees that the meter costs set forth in Exhibit "A" includes the provisions by Mesa Water of a water meter and customer control valve. Applicant agrees that the customer control valve is to be obtained from Mesa Water and installed by the Applicant's contractor as the work progresses, and that the water meter is to be installed by Mesa Water prior to the provision of permanent water service by Mesa Water.

Applicant acknowledges and agrees that the payment of such costs is being required prior to final inspection or issuance of certificates of occupancy for the development proposed by Applicant, and that such requirement for prior payment is in accordance with all applicable legal requirements pursuant to Section 53077 et seq. of the Government Code.

12. Applicant agrees to accept such conditions of pressure and service as are provided for by District's water system at the location of all proposed connections thereto and to hold Mesa Water harmless from and against any and all damages, liability and expense arising out of high or low pressure conditions with respect thereto or from interruptions of service.

13. Applicant agrees, if said Mesa Water employs an attorney to enforce this Agreement, to pay said Mesa Water for all attorney's fees to be incurred.

14. Applicant agrees that the General Manager of Mesa Water or his authorized representative may enter upon the hereinabove described property during reasonable hours for the purpose of ascertaining whether the provisions of this Agreement are being performed. Applicant shall not be responsible in any way for the failure of its successors or assigns to comply with any of the provisions of this Agreement.

15. Applicant agrees that service shall be commenced only after the Facilities have been completed and transferred to Mesa Water and all required testing and inspection has been accomplished by Mesa Water.

Applicant is aware that the contracts may not have been let for all necessary water facilities of Mesa Water in order that Applicant can actually receive water service. Applicant further agrees that Mesa Water shall not be obligated to the Applicant or the successors of the Applicant for water service until such time as the actual completion of said necessary Mesa Water facilities.

16. Special conditions for service, if any:

IN WITNESS WHEREOF, the parties have duly caused their authorized signatures to be affixed hereto.

APPLICANT

PROPERTY OWNER

Date: _____

Date: _____

Print Name

Print Name

MESA WATER DISTRICT

By: _____
Mesa Water District Engineer

Date: _____

NOTICE – The Mesa Water District imposes a Capacity Charge pursuant to provisions of Government Code §66000 and following the Rules and Regulations of Mesa Water District adopted pursuant to Water Code §31024. These fees are used to finance necessary water facilities. The Capacity Charges and the basis for their collection are further described in the documents providing for their imposition and collection.

NOTICE IS FURTHER GIVEN, pursuant to Government Code §66020(d) that you have a 90-day period from the date of approval of the relevant project, or payment of the Capacity Charges, whichever first occurs, to provide a protest to Mesa Water District of the basis or the amount for such Capacity Charges.

I have received and read the above notice for Capacity Charges.

Signed _____

as an agent for _____

Date _____

Applicant Acknowledgment of Responsibility for Meters

I acknowledge that I have read and understand the following concerning the meter(s) to be installed on this project.

- 1) Meter(s) installation, operation and billing will be done in compliance with Mesa Water's Rules and Regulations for Water Service and Standard Specifications.
- 2) All meters smaller than 3" will only be installed by Mesa Water. Meter(s) 3" or larger will be installed only in the presence of authorized Mesa Water personnel regardless of the presence of any other agency(ies)' representatives.
- 3) The meter(s) must be clearly marked and protected from damage at all times. The applicant will be responsible for all damaged meters.
- 4) The meter(s) must remain accessible for reading at all times. If it is not, applicant will pay for costs incurred in rereading the meter.
- 5) Once the meter(s) is installed the applicant will be responsible for the meter. If it is damaged in any manner it will be repaired or replaced only by Mesa Water and the applicant will be required to pay Mesa Water for repairs and/or replacement.
- 6) Charges for the Basic Charge and any Usage Charges will commence as soon as the meter(s) is installed by Mesa Water or received by the applicant from Mesa Water.
- 7) If applicant wishes the meter(s) shut off and locked by Mesa Water they will not be responsible for the Basic Charge. Please call Customer Service, 949-631-1200, to arrange for termination of service. When the meter is turned on again any Usage registered on the meter will be billed to the applicant. If it is not possible to shut off and lock the meter(s) (which is the case with meters 3" or larger) applicant will be billed for both the Basic Charge and any Usage recorded by the meter.
- 8) Any costs to Mesa Water for failure to comply with these requirements will be payable by the applicant.

Signature of Applicant

Date

Name of Applicant (please print)

Witnessed by: _____
(Mesa Water Engineering staff)

MC Number: _____

Location: _____



*Dedicated to
Satisfying our Community's
Water Needs*

MEMORANDUM

TO: Board of Directors
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: October 13, 2021
SUBJECT: Water Infrastructure Funding Act of 2022

RECOMMENDATION

Adopt Resolution No. 1549 Supporting the Water Infrastructure Funding Act of 2022.

STRATEGIC PLAN

- Goal #1: Provide a safe, abundant, and reliable water supply.
- Goal #2: Practice perpetual infrastructure renewal and improvement.
- Goal #3: Be financially responsible and transparent.
- Goal #6: Provide outstanding customer service.
- Goal #7: Actively participate in regional and statewide water issues.

PRIOR BOARD ACTION/DISCUSSION

None.

BACKGROUND

The challenges of a growing population in conjunction with climate change and prolonged droughts have exposed the serious flaws within the state of California's water infrastructure. California residents have frequently voted for billion-dollar water bonds to create new reservoirs and water supplies to help drought proof the state; however, these water projects either move very slowly through the regulatory process or not at all. Additionally, possible climate change impacts may further deteriorate the state's water supply reliability.

The California Policy Center is exploring the development of a statewide ballot initiative for the November 2022 election to fund new water supply projects. The ballot initiative would call for two percent of state general fund revenues to be allocated towards projects that create additional water supply until the state amasses an additional five million acre-feet of available water. The intent of the initiative is to secure a non-water bond funding source and to compel the development and construction of new water supply projects.

DISCUSSION

Mesa Water District's (Mesa Water®) Board of Directors' (Board) [Strategic Plan](#) includes the goal to: "Provide a safe, abundant, and reliable water supply". Furthermore, Mesa Water's [Policy Positions](#) support: "Developing cost-effective and environmentally sensitive sources of water, including recycling, groundwater clean-up, conservation, and desalination."

The Water Infrastructure Funding Act of 2022 is intended to qualify for the November 2022 state ballot and would accomplish the following objectives:



- Fund conservation programs that will result in up to one million acre feet of water saved.
- Remove and replace lead pipes at urban schools.
- Allocate two percent of the state's general fund revenues for water supply construction projects such as aquifer storage, wastewater recycling, conveyance, surface storage, desalination, and water treatment to increase the annual sustainable supply of water to California's cities and farms by five million acre-feet. The measure authorizes up to 50 percent of this revenue stream to be used to make payment on construction bonds, which could immediately raise approximately \$40 billion.
- Alleviate the legal and bureaucratic obstacles to getting water projects approved and funded and to streamline the permitting process. The proponents have written this measure to put resources toward constructing infrastructure to create new water supply for California, and the initiatives' language achieves such while leaving protections in place for the environment.

The initiative defines as eligible those types of projects that will lead to a diverse water supply portfolio and that address the drought conditions that the West is currently facing. Each project may not directly increase the supply of water, but will support the philosophy of delivering clean, safe, abundant and affordable drinking water to all of the state's diverse populations.

Eligible projects are defined as:

1. Development or expansion of groundwater aquifer storage, remediation, and recovery projects;
2. Recycling, purification, and treatment of stormwater and wastewater to water reuse standards, including, but not limited to, current drinking water standards at the time the project is approved;
3. Expansion, repair, or replacement of existing surface reservoirs, and construction of new surface reservoirs;
4. Desalination plants;
5. Water conveyance development, maintenance, or expansion, for the delivery of clean, safe drinking water for homes and businesses, and water for agricultural uses, consistent with area-of-origin water rights;
6. Other projects designed to increase the clean, safe and affordable supply of water to all Californians with emphasis on California's disadvantaged communities, and other projects designed to increase conservation; and
7. Research and development of new technologies designed to increase the clean, safe and affordable supply of water to all Californians, subject to an annual limit of no more than two percent (2%) of available funds.

Support of this initiative increases California water supply by five million acre-feet, improves ageing infrastructure, and constructs new means to capture and deliver water to all parts of the state. Mesa Water staff recommends that the Board pledge its support to the Water Infrastructure Funding Act of 2022 by adopting Resolution No. 1549.



FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Resolution No. 1549

Attachment B: Water Infrastructure Funding Act of 2022

Attachment C: Support for the Water Infrastructure Funding Act of 2022

RESOLUTION NO. 1549

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS SUPPORTING THE WATER INFRASTRUCTURE FUNDING ACT OF 2022

WHEREAS, Mesa Water District (Mesa Water®) is a county water district organized and operating pursuant to the provisions of the laws of the State of California (State or California); and

WHEREAS, the challenges of a growing population in conjunction with climate change and prolonged droughts have exposed the serious flaws within the state of California's water infrastructure; and

WHEREAS, Mesa Water District, pledges its support to the "Water Infrastructure Funding Act of 2022," a citizens' constitutional amendment, filed for title and summary on August 26, 2021; and

WHEREAS, this Act, when approved by voters, will accomplish the following objectives:

- 1) Provide ample funds for water infrastructure by allocating two percent of the state's general fund to support projects that increase California's annual supply of water to cities, farms and unserved regions.
- 2) Unlock immediate access to tens of billions of dollars that will be invested in water projects by permitting up to half of the two percent allocation that will be used to pay principal and interest on construction bonds.
- 3) Give priority to underfunded projects approved by voters in Prop. 1 (2014) that are also already approved by the California Water Commission.
- 4) Prioritize the maintenance, repair and upgrading of projects to deliver abundant and affordable drinking water to underserved communities.
- 5) Funding does not expire until the supply capacity of new projects provides five million acre-feet of new water for California consumers, with surplus water used to protect California's ecosystems.
- 6) Eligible projects include funding for conservation programs that will result in up to one million acre-feet of water saved.
- 7) Allocate funds based on an all-of-the-above strategy, allowing Californians to repair and upgrade aqueducts, dams, water treatment plants, build off-stream reservoirs, expand existing reservoirs, invest in wastewater reuse and desalination plants, runoff capture, and aquifer recharge and recovery.
- 8) Streamline the bureaucratic process so projects can be designed and built in a reasonable period of time.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The funding allocated within this proposal will ensure the state achieves water resilience and adequately provides clean, safe, and affordable

drinking water to all Californians;

Section 2. The Board of Directors of Mesa Water District does hereby resolve to support this initiative to increase California’s water supply by five million acre-feet, improve our aging water infrastructure, and to construct new means to capture and deliver water to all parts of our state.

ADOPTED, SIGNED, and APPROVED this 13th day of October 2021 by a roll call vote.

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

Marice H. DePasquale
President, Board of Directors

Denise Garcia
District Secretary

DRAFT

Water Infrastructure Funding Act of 2022

SECTION 1. TITLE

This measure shall be known and may be cited as the “Water Infrastructure Funding Act of 2022.”

SECTION 2. STATEMENT OF FINDINGS AND DECLARATION OF PURPOSE AND INTENT

The People of the State of California find and declare all of the following:

(A) Safe, sufficient and affordable water is a human right and fundamental to our quality of life and key to the economic development of our community. Previous Constitutional Amendments have prioritized spending for public education, public safety and transportation.

(B) It is long-past time for Californians to prioritize spending to increase California’s storage and supply of clean, safe drinking water for homes and businesses, water for agricultural use, and treatment, purification, reclamation of stormwater and wastewater, while maintaining protection for the environment. Short-term and long-term drought resiliency requires an increase in the supply of water, through surface and subsurface storage, waste water treatment, and desalination, including ocean and inland brackish water.

(C) Water projects take years to permit, and, once issued, those permits can be subject to lengthy litigation, delaying the realization of new water supplies.

(D) Therefore, the people of the State of California hereby enact the “Water Infrastructure Funding Act of 2022” (the “Act”) to:

(1) Require the transfer of two percent (2%) of the State’s General Fund Revenue each and every year into a trust account until the State certifies that water projects funded, in whole or in part, have created a minimum increase of five million acre-feet (5,000,000 AF) of additional annual water supply that can be reliably delivered to Californians every year thereafter;

(2) Provide “pay-as-you-go” funding for certain water projects, including those ready for immediate construction, while also authorizing the issuance of general obligation bonds which may be repaid using up to half of the revenue transferred into the trust account each year for larger, longer-term water projects, all for the purpose of creating a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply;

(3) Require that such projects include new or increased storage capacity in reservoirs and aquifers, desalination, recycling and treatment of waste and stormwater, repair and upgrade to water systems for the delivery of clean, safe drinking water for homes and businesses, water for agricultural uses, and other projects designed to increase the safe and affordable supply of water to all Californians;

(4) Except as necessary to repay any outstanding bonds issued pursuant to this Act, this annual minimum funding requirement shall become inoperative upon the State’s certification that a

minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity has been created and is being delivered to California's urban and agricultural consumers; and

(5) Provide for streamlined administrative processing and judicial review of water projects funded, in whole or in part, by this Act or otherwise certified by the California Water Commission as a drought resiliency project that would help achieve a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity.

SECTION 3. MINIMUM FUNDING GUARANTEE FOR WATER INFRASTRUCTURE PROJECTS

Section 2.5 is added to Article X of the Constitution to read:

SEC 2.5(a) The Treasurer shall annually transfer an amount equal to two percent (2%) of all state revenues which may be appropriated pursuant to Article XIII B, from the General Fund to the Water Supply Infrastructure Trust Account, which is hereby created in the State Treasury. The first annual transfer shall occur in the first fiscal year following the effective date of this section.

(b) Moneys in the trust account are hereby continuously appropriated, notwithstanding Section 13340 of the Government Code, to the California Water Commission for its actual cost of implementing this act, and for allocation for projects that will help achieve the creation of a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity, including, and limited to, the following project categories:

(1) Development or expansion of groundwater aquifer storage, remediation, and recovery projects;

(2) Recycling, purification, and treatment of stormwater and wastewater to water reuse standards, including, but not limited to, current drinking water standards at the time the project is approved;

(3) Expansion, repair, or replacement of existing surface reservoirs, and construction of new surface reservoirs;

(4) Desalination plants;

(5) Water conveyance development, maintenance, or expansion, for the delivery of clean, safe drinking water for homes and businesses, and water for agricultural uses, consistent with area-of-origin water rights;

(6) Other projects designed to increase the clean, safe and affordable supply of water to all Californians with emphasis on California's disadvantaged communities, and other projects designed to increase conservation; and

(7) Research and development of new technologies designed to increase the clean, safe and affordable supply of water to all Californians, subject to an annual limit of no more than two percent (2%) of available funds.

(c) The Commission shall allocate and provide funding or, where applicable, additional funding in an amount necessary to complete a project that will begin delivery of water to California's urban and agricultural consumers from the Trust Account, subject to the following priorities:

- (1) The project is approved by the Commission as submitted pursuant to Section 79750(b) and (c) of the Water Code, on or before July 1, 2021;
 - (2) The applicant is a public agency, special district, joint powers authority, or a public-private partnership for the entitlement, design, construction, operation, and maintenance of the project, and the project will be owned, in whole or in part, by the applicant;
 - (3) The applicant is ready and able to commence the project immediately upon issuance of all necessary construction permits and will complete the project and begin delivery of water to California's urban and agricultural consumers within five years from the allocation;
 - (4) The applicant is ready and able to commence the project immediately upon issuance of all necessary construction permits and will complete the project and begin delivery of water to California's urban and agricultural consumers within a reasonable period of time; and
 - (5) All other projects that the Commission reasonably determines are consistent with the objectives of subdivision (b).
- (d) Both of the following requirements apply as a condition of allocating funding to any project from the Trust Account:
- (1) The applicant must certify, to the Commission's satisfaction, that one of the following requirements is satisfied:
 - (A) The project is a public work for which prevailing wages must be paid for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
 - (B) The project is not a public work, but all contractors and subcontractors employing construction workers on the project will be required to pay those workers at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.
 - (2) The applicant must certify, to the Commission's satisfaction, that all contractors and subcontractors employing construction workers on the project will be required to use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
- (e) The Commission shall not accept a certification pursuant to subdivision (d) unless the applicant demonstrates, to the Commission's satisfaction, that construction workers or their representatives will have adequate means to monitor and enforce contractors' and subcontractors' compliance with the requirements.
- (f) Except as necessary to repay any outstanding bonds issued pursuant to this Act, this section shall become inoperative upon the State's certification that a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity has been created after the effective date

of this section by the projects specified in subdivision (b), and projects otherwise certified by the Commission as drought resiliency projects, and is being delivered to California's urban and agricultural consumers. For purposes of this section, "additional annual water supply capacity" shall be measured as follows:

(1) For water storage projects, including the necessary infrastructure to convey the additional water supply created, funded by this Act, or certified by the Commission as a drought resiliency project, the amount of additional annual water supply capacity shall be calculated based on the average annual yield the projects produce instead of their storage capacities.

(2) For water recycling, treatment, purification to reuse standards (including, but not limited to, drinking water standards), desalination, and other projects, including the necessary infrastructure to convey the additional water supply created, funded by this Act, or certified by the Commission as a drought resiliency project, the amount of new annual water supply capacity shall be calculated based on average annual output capacity.

(3) For projects partially funded under this section, the amount of new annual water supply capacity shall be calculated based on their average annual yield without regard to the percent of funding provided under this section compared to total project funding.

(4) For projects designed to increase water conservation, up to one million acre-feet (1,000,000 AF) of water conserved annually may count towards the five million acre-feet (5,000,000 AF) of additional annual water supply capacity as required in subdivision (b).

(5) If the State, any public agency, or the federal government, eliminates any water producing infrastructure, or by regulation reduces the supply of water from existing infrastructure, that existed prior to the effective date of this Act and provided water for urban and agricultural consumers, the Commission shall increase the minimum requirement of creating five million acre-feet (5,000,000 AF) of additional annual water supply capacity by the same amount of water supply reduced by the elimination of such infrastructure or reduction of supply from such infrastructure.

(g) The projects funded or partially funded by this section, including projects identified in subdivision (c)(1), shall be deemed to be for the reasonable and beneficial use of the state's water resources and such uses are in the interest of the people, and for their public welfare as provided in Section 2 of this article.

(h) The Commission may enact regulations pursuant to the Administrative Procedures Act to implement this section.

(i) Notwithstanding any other provision of law, the Commission is prohibited from:

(1) Utilizing or developing any beneficial use rating when allocating funding from the Trust Account to projects pursuant to this section;

(2) Delegating, assigning, partitioning, or otherwise transferring any responsibilities, duties, or obligations as assigned by this section to any other new or existing state department or agency; and

(3) Authorizing, permitting, or encouraging any other state department or agency from actively interfering with or otherwise delaying projects that qualify for funding pursuant to this section.

(j) Within the Trust Fund, the Commission shall establish an account for the legal defense of the Act and of projects allocated funding pursuant to the Act, including the Water Supply Infrastructure Bond Act of 2022. The Commission shall allocate money in the Trust Fund to the account, as necessary, to provide money to any public agency requesting assistance to reimburse the necessary and actual legal defense costs associated with a project, and shall reimburse the Department of Justice, if the Department undertakes the legal representation of the State or the Commission.

(k) This Act is intended to supplement, and not supplant, existing funding for water infrastructure projects. Thus, any funding for such a project by this Act shall not preempt, nullify, or in any way impede, any existing funding for these projects, to the extent work has begun or will be performed on the projects on or after the effective date of this section.

(l) On or before June 30 of each fiscal year, the Chair of the California Water Commission shall certify, under penalty of perjury, the amount, by acre-feet, of additional annual water supply capacity that has been created after the effective date of this section by the projects specified in subdivision (b) and projects otherwise certified by the Commission as drought resiliency projects and is being delivered to California's urban and agricultural consumers. When the Chair determines that a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity has been created after the effective date of this section by the projects specified in subdivision (b) and projects otherwise certified by the Commission as drought resiliency projects and is being delivered to California's urban and agricultural consumers, such certification shall be reviewed by the State Auditor. If the State Auditor confirms the Chair's certification, the Chair shall notify the Governor, the Treasurer, and the Legislature.

(m) After the State certifies that a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity has been created after the effective date of this section by the projects specified in subdivision (b) and projects otherwise certified by the Commission as drought resiliency projects and is being delivered to California's urban and agricultural consumers pursuant to subdivision (l), any funds remaining in the Trust Fund shall be used to pay down any remaining bond debt authorized by this Act.

(n) Nothing in this section diminishes, impairs, or otherwise affects in any manner whatsoever any area of origin, watershed of origin, county of origin, or any other water rights protections, including, but not limited to, rights to water appropriated prior to December 19, 1914, provided under the law.

SECTION 4. WATER SUPPLY INFRASTRUCTURE BOND ACT OF 2022

Division 26.8 (commencing with Section 79800) is added to the Water Code to read:

DIVISION 26.8. WATER SUPPLY INFRASTRUCTURE BOND ACT OF 2022

Chapter 1. Title/Definitions

Sec. 79800(a) This division shall be known, and may be cited, as the Water Supply Infrastructure Bond Act of 2022.

(b) As used in this division, the following definitions apply:

(1) “Committee” means the Water Supply Infrastructure Finance Committee created pursuant to Section 79806.

(2) “Fund” means the Water Supply Infrastructure Fund created pursuant Section 79801.

(3) “Public agency” means a board, commission, county, city and county, city, regional agency, district, federally recognized Indian tribe, other public entity, or public-private partnership.

(4) “State General Obligation Bond Law” means the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as it may be amended from time to time.

(5) “Water Supply Infrastructure Trust Account” means the Water Supply Infrastructure Trust Account created pursuant to Section 2.5 of Article X of the Constitution.

Chapter 2. General Provisions

Sec. 79801. The proceeds of bonds, excluding those issued in accordance with Section 79813, issued and sold pursuant to this Bond Act, shall be deposited in the Water Supply Infrastructure Fund, which is hereby created in the State Treasury. All moneys in the fund, notwithstanding Section 13340 of the Government Code, are hereby continuously appropriated without respect to fiscal years for the purposes of this Bond Act.

Sec. 79802. An eligible applicant that is allocated funds for a water supply infrastructure project pursuant to this Bond Act, shall not use more than five percent (5%) of the funds allocated for the project to pay the administrative costs of the project.

Sec. 79803(a) The bonds issued pursuant to Section 79804 shall be available for the construction and acquisition of capital asset water supply infrastructure projects that will help achieve the creation of a minimum of five million acre-feet (5,000,000 AF) of additional water supply, as provided in Section 2.5 of Article X of the Constitution.

(b) Water supply infrastructure projects eligible for funding pursuant to this Bond Act shall be approved by the California Water Commission based on the priorities stated in subdivision (c) of Section 2.5 of Article X of the Constitution and allocated to eligible projects that will help achieve the creation of a minimum of five million acre-feet (5,000,000 AF) of additional water supply per year, including:

(1) Development or expansion of groundwater aquifer storage, remediation, and recovery projects;

(2) Recycling, purification, and treatment of stormwater and wastewater to water reuse standards, including, but not limited to, current drinking water standards at the time the project is approved;

(3) Expansion, repair, or replacement of existing surface reservoirs, and construction of new surface reservoirs;

(4) Desalination plants;

(5) Water conveyance development, maintenance, or expansion, for the delivery of clean, safe drinking water for homes and businesses, and water for agricultural uses consistent with area-of-origin water rights;

(6) Other projects designed to increase the clean, safe and affordable supply of water to all Californians with emphasis on California's disadvantaged communities, and other projects designed to increase conservation.

(c) The requirements of subdivisions (d) and (e) of Section 2.5 of Article X of the Constitution shall apply to all projects allocated funding pursuant to this Bond Act.

Sec. 79803.5 This division does not diminish, impair, or otherwise affect in any manner whatsoever any area of origin, watershed of origin, county of origin, or any other water rights protections, including, but not limited to, rights to water appropriated prior to December 19, 1914, provided under the law. Chapter 3. Fiscal Provisions

Sec. 79804(a) Bonds, equal to an amount wherein principal and interest payments do not exceed fifty percent (50%) of the amount annually transferred from the General Fund pursuant to Section 2.5 of Article X of the Constitution, not including the amount of any refunding bonds issued in accordance with Section 79813, shall be issued and sold for the purposes expressed in Sections 79802 and 79803, inclusive, and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The committee shall annually estimate the allowable amount of bonds that may be issued, and the bonds shall be retired within fifty (50) years of the time of contracting. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall issue and sell the bonds authorized in subdivision (a) in the amount determined by the committee pursuant to Section 79807. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

Sec. 79805(a) The bonds authorized by this Bond Act shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law, and all of the provisions of that law apply to the bonds, and this Bond Act, and are hereby incorporated as though set forth in full in this Bond Act.

(b) For purposes of this Bond Act, the references to "committee" in the State General Obligation Bond Law shall mean the Water Supply Infrastructure Finance Committee created in Section 79806, and the references to "board" in the State General Obligation Bond Law shall mean the California Water Commission.

Sec. 79806(a) Solely for the purpose of authorizing the issuance and sale pursuant to the State General Obligation Bond Law of the bonds authorized by this Bond Act, the Water Supply Infrastructure Finance Committee is hereby created.

(b) The committee consists of the Controller, the Treasurer, the Director of Finance, and the Chair of the California Water Commission. Notwithstanding any other law, any member may designate a representative to act in the member's place for all purposes, as though the member were personally present.

(c) The Treasurer shall serve as chairperson of the committee. A majority of the committee may act for the committee.

Sec. 79807. The committee shall determine by resolution the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

Sec. 79808. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

Sec. 79809(a) Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the Water Supply Infrastructure Trust Account, for the purposes of this Bond Act, and without regard to fiscal years, an amount that equals the total of both of the following:

(1) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this Bond Act, as the principal and interest become due and payable.

(2) The sum necessary to carry out Section 79811.

(b) If there is insufficient funding in the Water Supply Infrastructure Trust Account to pay the amounts described in subdivision (a), any excess amount is, notwithstanding Section 13340 of the Government Code, hereby continuously appropriated from the General Fund in the State Treasury to pay the amounts described in subdivision (a).

Sec. 79810. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, in accordance with Section 16312 of the Government Code, for the purpose of carrying out this Bond Act, less any amount withdrawn pursuant to Section 79811 and not yet returned to the Water Supply Infrastructure Trust Account. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this Bond Act, excluding any refunding bonds authorized pursuant to Section 79813, less any amount loaned pursuant to this section and not yet repaid and any amount withdrawn from the Water Supply Infrastructure Trust Account pursuant to Section 79811 and not yet returned to the Water Supply Infrastructure Trust Account. The board

shall execute any documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated by the board in accordance with this Bond Act.

Sec. 79811. For the purposes of carrying out this Bond Act, the Director of Finance may authorize the withdrawal from the Water Supply Infrastructure Trust Account of an amount not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this Bond Act, excluding any refunding bonds authorized pursuant to Section 79813, less any amount loaned pursuant to Section 79810 and not yet repaid, and any amount withdrawn from the Water Supply Infrastructure Trust Account pursuant to this section and not yet returned to the Water Supply Infrastructure Trust Account. Any amounts withdrawn shall be deposited in the fund. Any moneys made available under this section shall be returned to the Water Supply Infrastructure Trust Account from proceeds received from the sale of bonds for the purpose of carrying out this Bond Act.

Sec. 79812. All moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this Bond Act, shall be reserved in the fund and shall be available for transfer to the Water Supply Infrastructure Trust Account as a credit to expenditures for bond interest, except those amounts derived from premium may be reserved and used to pay the cost of bond issuance before any transfer to the Water Supply Infrastructure Trust Account.

Sec. 79813. The bonds issued and sold pursuant to this Bond Act, may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state of the measure adding this division to the Water Code includes the approval of the issuance of any bonds issued to refund any bonds originally issued under this Bond Act, or any previously issued refunding bonds. Any bond refunded with the proceeds of refunding bonds as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

Sec. 79814. Notwithstanding any other provision of this Bond Act, or of the State General Obligation Bond Law, if the Treasurer sells bonds pursuant to this Bond Act, that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the investment of bond proceeds and for the investment of earnings on those proceeds. The Treasurer may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds or earnings required or desirable under federal law to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

Sec. 79815. The proceeds from the sale of bonds authorized by this Bond Act, are not “proceeds of taxes” as that term is used in Article XIII B of the Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

SECTION 5. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE AND STREAMLINED REVIEW

Article 7 (commencing with Section 21159.50) of Chapter 4.5 of Division 13 of the Public Resources Code is added to read:

Sec. 21159.50(a) Except as provided in Section 21159.51, the provisions of the California Environmental Quality Act (“CEQA”) shall apply to water projects allocated funding in whole or in part by Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022 or certified as a drought resiliency project pursuant to Section 21159.52.

(b) Notwithstanding subdivision (a), the Water Commission’s determination to (1) allocate funding pursuant to Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022 or (2) certify a project as a drought resiliency project pursuant to Section 21159.52 shall not constitute a “project” pursuant to Section 21065 of the Public Resources Code and shall be exempt from CEQA.

Sec. 21159.51(a) Projects allocated funding in whole or in part by Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022 or certified as a drought resiliency project pursuant to Section 21159.52 may elect to be subject to streamlined review of an agency’s compliance with the California Environmental Quality Act (“CEQA”) as follows:

(1) For projects electing to be governed by the provisions of this section, within 10 days of the project’s allocation of funding or certification as described in subdivision (a), the lead agency shall issue a public notice providing the following:

“THE APPLICANT HAS ELECTED TO PROCEED UNDER PUBLIC RESOURCES CODE SECTION 21159.51, WHICH PROVIDES, AMONG OTHER THINGS, THAT ANY JUDICIAL ACTION CHALLENGING AN AGENCY’S COMPLIANCE WITH CEQA OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE ENVIRONMENTAL DETERMINATION IS SUBJECT TO THE PROCEDURES SET FORTH IN PUBLIC RESOURCES CODE SECTION 21159.51. A COPY OF PUBLIC RESOURCES CODE SECTION 21159.51 IS INCLUDED BELOW.”

(2) The public notice shall be distributed by the lead agency as required for public notices issued pursuant to paragraph (3) of subdivision (b) of Section 21092.

(b) Notwithstanding any other law, the procedures set forth in this section shall apply to any action or proceeding brought to attack, review, set aside, void, or annul the certification or approval of any environmental determination or granting of project approvals for a project electing to be governed by the provisions of this section.

(c) Rules 3.2220 to 3.2237, inclusive, of the California Rules of Court, as may be amended by the Judicial Council, shall apply to any action or proceeding brought to attack, review, set aside, void, or annul the certification or approval of any environmental determination or granting of project approvals for a project electing to be governed by the provisions of this section, to require the action or proceeding, including any potential appeals therefrom, to be resolved, to the extent feasible, within two hundred seventy (270) days of the filing of the certified record of proceedings with the court. For purposes of this Article, “environmental determination” means an environmental impact report, mitigated negative declaration, negative declaration, categorical

exclusion, a determination that the project is not subject to CEQA, or a determination that no additional environmental review is required.

(d) Notwithstanding any other law, in connection with any environmental review following allocation of funding or certification for a project electing to be governed by the provisions of this section, the preparation and certification of the administrative record shall be performed in the following manner at the applicant's expense:

(1) The lead agency or responsible state agency (for purposes of this section, the "Agency") shall prepare the record of proceedings pursuant to this division concurrently with the administrative process.

(2) All documents and other materials placed in the record of proceedings after the project's allocation of funding under Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022 or certification under Section 21159.52 shall be posted on, and be downloadable from, an Internet Web site maintained by the Agency commencing with the date of the release of the project's draft environmental impact report or other environmental determination.

(3) The Agency shall make available to the public in a readily accessible electronic format the project's draft environmental impact report or other environmental determination and all other documents submitted to, or relied on by, the Agency in the preparation of the project's draft environmental impact report or other environmental determination.

(4) A document prepared by the Agency or submitted by the applicant after the date of the release of the project's draft environmental impact report or other environmental determination that is a part of the record of the proceedings shall be made available to the public in a readily accessible electronic format within five (5) business days after the document is released or received by the Agency.

(5) The Agency shall encourage written comments on the project to be submitted in a readily accessible electronic format, and shall make any comment available to the public in a readily accessible electronic format within five (5) business days of receipt.

(6) Within seven (7) business days after the receipt of any comment that is not in an electronic format, the Agency shall convert that comment into a readily accessible electronic format and make it available to the public in that format.

(7) Notwithstanding paragraphs (2) to (6), inclusive, documents submitted to or relied on by the Agency that were not prepared specifically for the project and are copyright protected are not required to be made readily accessible in an electronic format. For those copyright-protected documents, the Agency shall make an index of these documents available in an electronic format no later than the date of the release of the project's draft environmental impact report or other environmental determination, or within five business days if the document is received or relied on by the Agency after the release of the project's draft environmental impact report or environmental determination. The index shall specify the libraries or Agency offices in which hardcopies of the copyrighted materials are available for public review.

(8) The Agency shall certify the final record of proceedings within five (5) days of its approval of the project.

(9) Any dispute arising from the record of proceedings shall be resolved by the Superior Court. Unless the Superior Court directs otherwise, a party disputing the content of the record shall file a motion to augment the record at the time it files its initial brief.

(10) The contents of the record of proceedings shall be as set forth in subdivision (e) of Section 21167.6.

(e) (1) In granting relief in an action or proceeding subject to this section, the court shall not stay or enjoin the construction or operation of any project described in subdivision (a) unless the court finds either (i) that the continued construction or operation of the project presents an imminent threat to public health and safety, or (ii) that the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project.

(2) If the court finds that either (i) or (ii) of subsection (1) is satisfied, the court shall only enjoin those specific activities associated with the project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.

(f) With respect to projects described in subdivision (a), for a period of five (5) years after the certification or adoption of the project's most recent environmental determination, subdivisions (b) and (c) of Section 21166 of the Public Resources Code shall not apply and "substantial changes" as used in subdivision (a) of Section 21166 of the Public Resources Code shall only mean changes to the project that result in more than a five percent (5%) increase in the project's total floor area and/or production capacity, beyond the scope of the project analyzed in the project's environmental determination.

(g) This section applies prospectively and retroactively to any approvals by a lead agency or a responsible agency for a project electing to proceed pursuant to this section. This section also applies prospectively and retroactively to any such project with any causes of action and claims that are pending as of the effective date of this section and for which no final non-appealable judgment has been entered prior to the effective date of this section.

Sec. 21159.52(a) A person proposing to construct a water supply project may apply to the Water Commission for certification that the water supply project is a drought resiliency project eligible for streamlining provided by this Article. The person shall supply evidence and materials that the Water Commission deems necessary to make a decision on the application. Any evidence or materials submitted for certification review shall be made available to the public at least fifteen (15) days before the Water Commission certifies a project pursuant to this Article.

(b) Within sixty (60) days of receipt of the evidence and materials described in subdivision (a), the Water Commission shall certify a project as a drought resiliency project if the evidence and materials provided demonstrate that:

(1) The project falls within one or more of the following project categories:

(i) Development or expansion of groundwater aquifer storage, remediation, and recovery projects;

(ii) Recycling, purification, and treatment of stormwater and wastewater to water reuse standards, including but not limited to current drinking water standards at the time the project is approved;

(iii) Expansion, repair, or replacement of existing surface reservoirs, and construction of new surface reservoirs;

(iv) Desalination plants;

(v) Water conveyance development, maintenance, or expansion, for the delivery of clean, safe drinking water for homes and businesses, and water for agricultural uses consistent with area-of-origin water rights;

(vi) Other projects designed to increase the clean, safe and affordable supply of water to all Californians with emphasis on California's disadvantaged communities, and other projects designed to increase conservation; or

(vii) Research and development of new technologies designed to increase the clean, safe and affordable supply of water to all Californians;

(2) The project will help achieve the creation of a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity; and

(3) The project will satisfy the requirements of subdivisions (d) and (e) of Section 2.5 of Article X of the Constitution.

(c) A project is not required to be eligible for or receive funding under Article X, Section 2.5 of the Constitution or the Water Supply Infrastructure Bond Act of 2022 in order to be certified as a drought resiliency project pursuant to this Section.

(d) The Water Commission may issue guidelines regarding application and certification of projects under this section. Any guidelines issued under this section are not subject to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(e) This Section shall become inoperative upon the State's certification pursuant to Article X, Section 2.5(e) that a minimum of five million acre-feet (5,000,000 AF) of additional annual water supply capacity has been created and is being delivered to California's urban and agricultural consumers.

SECTION 6. CALIFORNIA COASTAL COMMISSION REVIEW

Section 30412.5 of the Public Resources Code is added to read:

Sec. 30412.5(a) Notwithstanding any other provision of law, with respect to any project allocated funding in whole or in part by Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022 or certified as a drought resiliency project pursuant to Section 21159.52 of the Public Resources Code, the Secretary of the California Natural Resources Agency shall have the authority to review, approve, deny, and/or issue any Coastal Commission action or inaction for such project, including without limitation, any coastal development permits or denials arising out of an appeal of an approval or a denial by a local government pursuant to a local coastal program or part thereof certified under Chapter 6 of Division 20 of the Public Resources Code, pursuant to the procedures set forth in this section. For purposes of this section, any project meeting the requirements of this subdivision (a) shall be referred to as an "eligible water project." For purposes of this section, an appeal of an approval or a denial by a local government of an eligible

water project pursuant to a local coastal program or part thereof certified under Chapter 6 of Division 20 of the Public Resources Code, including all local implementing ordinances and regulations related thereto, shall be referred to as a “local coastal program appeal.”

(b) The Secretary of the California Natural Resources Agency shall have the authority to review the Coastal Commission action or inaction with respect to any eligible water project subject to subdivision (a) as set forth herein:

(1) Notwithstanding Article 5 of Chapter 4.5 of Division 1 of Title 7 of the Government Code, the Coastal Commission shall render a final decision on any coastal development permit application, and/or local coastal program appeal(s) for an eligible water project subject to subdivision (a) within ninety (90) days after submission of the application and/or local coastal program appeal or the Coastal Commission determines the application and/or local coastal program appeal is complete, whichever may occur first. If the Coastal Commission fails to act within such ninety-day (90 day) time period, the coastal development permit application and/or local coastal program appeal(s) shall be transferred to the Secretary of the California Natural Resources Agency, who shall render a final decision on such application and/or local coastal program appeal(s).

(2) Within thirty (30) days following any decision by the Coastal Commission on an eligible water project subject to subdivision (a), a project applicant may appeal the Coastal Commission’s decision to the Secretary of the California Natural Resources Agency.

(3) For any Coastal Commission decision related to any eligible water project subject to subdivision (a) issued subsequent to September 1, 2021, but before the effective date of this section, the project applicant may appeal any such decision to the Secretary of the California Natural Resources Agency within thirty (30) days of the effective date of this section.

The Secretary may grant or deny any appeal filed pursuant to this subdivision, and shall render a final decision on any such appeal within ninety (90) days of the filing of such appeal. Should the Secretary approve any coastal development permit(s) for the eligible water project, or grant any appeal filed hereunder, the Secretary may direct the Commission to issue the coastal development permit(s) or take any other action, on those terms and conditions that the Secretary may determine, in the Secretary’s sole discretion, are appropriate. In issuing such approval or direction regarding any such coastal development permit, the Secretary shall rely upon the project’s previous environmental determination(s) and no further environmental review shall be required under Division 13 (commencing with Section 21000) of the Public Resources Code. The Secretary shall adopt findings that reflect the action of the Secretary based upon prior environmental review. In reviewing the coastal development permit application and/or local coastal program appeal(s), or any other decision, the Secretary shall consider the State’s interest in diverse and resilient water supplies and mitigating the effects of drought on such supplies, and may conclude that such interests require modification of any decision of the Coastal Commission, or any condition imposed by the Coastal Commission on the eligible water project.

(c) Notwithstanding the Secretary of the California Natural Resources Agency’s certification of the regulatory program of the Coastal Commission dealing with the consideration and granting of coastal development permits pursuant to Section 21080.5 of the Public Resources Code, in

assessing the conformity of an eligible water project with Chapter 3 (commencing with Section 30200) of the Public Resources Code and, if applicable, the local government's certified local coastal program for those portions of the project on appeal to the Coastal Commission, the Coastal Commission shall rely exclusively upon any environmental impact report or other environmental review document previously certified or adopted by the lead agency (and any responsible state agency, if applicable) pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code, and the Coastal Commission shall not require any new or revised environmental review pursuant to the California Environmental Quality Act prior to acting on such.

(d) Notwithstanding any other provision of law, including but not limited to Chapter 4, Article 3, and Chapter 5, Article 1, of Division 20 of the Public Resources Code, the Secretary of the California Natural Resources Agency is designated as a state agency charged with implementation of Section 307 of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. § 1456), and any regulations promulgated thereunder, with respect to decisions made by the Secretary pursuant to this section. In exercising such authority, the Secretary shall interpret and apply the applicable policies set forth in the certified California Coastal Management Program, including, but not limited to, the applicable policies set forth in Chapter 3 of Division 20 of the Public Resources Code, and shall determine the consistency of such eligible water project with such policies. This section shall be submitted by the Governor to the United States Secretary of Commerce for certification as part of the California Coastal Management Program consistent with the requirements of 16 U.S.C. § 1455, subdivision (e) and 15 C.F.R. Part 923, subpart H.

(e) This section applies prospectively and retroactively to any approvals or denials of permits for an eligible water project under Division 20 of the Public Resources Code or any local coastal program or part thereof approved by a local government lying, in whole or in part, within the coastal zone and certified under Chapter 6 of Division 20 of the Public Resources Code.

(f) The Coastal Commission may provide comment to the Water Commission during the Water Commission's funding allocation process pursuant to Section 2.5 of Article X of the Constitution or the Water Supply Infrastructure Bond Act of 2022.

SECTION 7. MANDATORY AUDITS

Article 5 (commencing with Section 8549.50) of Chapter 6.5 of Division 1 of Title 2 of the Government Code is added to read:

Sec. 8549.50(a) The California State Auditor shall annually conduct a programmatic review and an audit of expenditures from the Water Supply Infrastructure Fund and the Water Supply Infrastructure Trust Account.

(b) Notwithstanding Section 10231.5 of the Government Code, the California State Auditor shall report its findings under subdivision (a) annually on or before March 1 to the Governor, and to the Legislature in compliance with Section 9795 of the Government Code, and shall make the findings publicly available.

(c) If an audit of an entity that receives funding under this article is conducted pursuant to state law and reveals any impropriety, the California State Auditor or the Controller may conduct a full

audit of any or all of the activities of that entity. If the audit reveals erroneous or inappropriate spending of funding received under Section 2.5 of Article X of the California Constitution or the Water Supply Infrastructure Bond Act of 2022 by a public agency, the public agency shall, if the California Water Commission determines the erroneous or inappropriate spending was intentional, repay the moneys to the California Water Commission for deposit into the Water Supply Infrastructure Trust Account or the Water Supply Infrastructure Fund, as applicable.

SECTION 8. GENERAL PROVISIONS

(A) The provisions of this Act are severable. If any provision of this Act, or any part thereof, or its application, is for any reason held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect any other provision or application that can be given effect without the invalid provision or application. The People of the State of California hereby declare that they would have adopted this Act and each and every portion, section, subdivisions, paragraph, clause, sentence, phrase, word, and application not declared invalid or unconstitutional irrespective of whether any portion of this Act or application thereof are subsequently declared invalid or unconstitutional.

(B) This Act is intended to be comprehensive. It is the intent of the people that in the event this Act and acts relating to the same subject appear on the same statewide election ballot, the provisions of the other act or acts (each, a “Conflicting Act”) shall be deemed to be in conflict with this Act. In the event that this Act and one or more Conflicting Acts are adopted by the voters in the same election, and this Act receives a greater number of affirmative votes, the provisions of this Act shall prevail in their entirety, and all provisions of the Conflicting Acts shall be null and void.

(C) (1) Except as provided in paragraph (2), the Attorney General shall defend against any action challenging, in whole or in part, the validity of this Act, and shall have an unconditional right to intervene in any action to defend the validity of this Act.

(2) If the Attorney General declines to defend the validity of this Act in any action, the Attorney General shall nonetheless file an appeal from, or seek review of, any judgment of any court that determines that the Act is invalid, in whole or in part, if necessary or appropriate to preserve the State’s standing to defend the law in conformity with the Attorney General’s constitutional duty to see that the laws of the state are adequately enforced.

(3) The official proponent(s) of this Act have an unconditional right to participate, either as interveners or real parties in interest, in any action affecting the validity or interpretation of this Act. Where the Governor and Attorney General have declined to defend the validity of the Act, the official proponents are also authorized to act on the State’s behalf in asserting the State’s interest in the validity of this Act in any such action and to appeal from any judgment invalidating this Act.

(4) Nothing in this section precludes other public officials from asserting the State’s interest in the validity of this act.

(5) This Act must be broadly construed, interpreted, and implemented in order to achieve the purposes in Section 2.



CALIFORNIA'S LEGISLATORS HAVE ENDORSED THIS INITIATIVE

By September 9th, the last day of the legislative session, our initiative had already been endorsed by 27 State Senators and Members of the State Assembly. [Click here](#) to view the document with images of their signatures. Here is a list of their names, and the text of the letter of endorsement they signed:

“We, the undersigned members of the California State Legislature, pledge our support to the “Water Infrastructure Funding Act of 2022,” a citizens’ constitutional amendment, filed for title and summary on August 26th.

This act, when approved by voters, will accomplish the following objectives:

- 1 – Provide ample funds for water infrastructure by allocating two percent of the state’s general fund to support projects that increase California’s annual supply of water to cities, farms and unserved regions.
- 2 – Unlock immediate access to tens of billions of dollars that will be invested in water projects by permitting up to half of the two percent allocation which/that will be used to pay principal and interest on construction bonds.
- 3 – Give priority to underfunded projects approved by voters in Prop. 1 (2014) that are also already approved by the California Water Commission.
- 4 – Prioritize the maintenance, repair and upgrading of projects to deliver abundant and affordable drinking water to underserved communities.
- 5 – Funding does not expire until the supply capacity of new projects provides five million acre feet of new water for California consumers, with surplus water used to protect California’s ecosystems.
- 6 – Eligible projects include funding for conservation programs that will result in up to one million acre feet of water saved.
- 7 – Allocate funds based on an all-of-the-above strategy, allowing Californians to repair and upgrade aqueducts, dams, water treatment plants, build off-stream reservoirs, expand existing reservoirs, invest in wastewater reuse and desalination plants, runoff capture, and aquifer recharge and recovery.
- 8 – Streamline the bureaucratic process so projects can be designed and built in a reasonable period of time.

We support this initiative to improve our aging water infrastructure and to construct new means to capture and deliver water to all parts of our state. The challenges of a growing population in conjunction with climate change and prolonged droughts have exposed the serious flaws within our water infrastructure. The funding allocated within this proposal will ensure the state achieves water resilience and adequately provides clean, safe, and affordable drinking water to all Californians.”

27 State Legislators Have Already Signed This Endorsement

Names in the order they signed:

Devon Mathis, AD 26, R, Visalia

Heath Flora, AD 12, R, Ripon

Rudy Salas, AD 32, D, Bakersfield

James Ramos, AD 40, D, Highland

Timothy S. Grayson, AD 14, D, Concord

Carlos Villapudua, AD 13, D, Stockton

Adam Gray, AD 21, D, Merced

Ken Cooley, AD 08, D, Rancho Cordova

Phillip Chen, AD 55, R, Yorba Linda

Kevin Kiley, AD 06, R, Rocklin

Thurston E. Smith, AD 33, R, Hesperia

Tom Lackey, AD 36, R, Palmdale

Randy Voepel, AD 71, R, Santee

Suzette Valladares, AD 38, R, Santa Clarita

Jordan Cunningham, AD 35, R, Paso Robles

Steven Choi, AD 68, R, Irvine

Jim Patterson, AD 23, R, Fresno

Frank Bigelow, AD 05, R, O’Neals

Andreas Borgeas, SD 08, R, Fresno

Melissa Hurtado, SD 14, D, Sanger

Chad Mayes, AD 42, I, Yucca Valley

Vince Fong, AD 34, R, Bakersfield

Marie Waldron, AD 75, R, Escondido

Laura Davies, AD 73, R, Laguna Niguel

Brian Dahle, SD 01, R, Bieber

Kelly Seyarto, AD 67, R, Murrieta

Janet Nguyen, AD 72, R, Garden Grove

REPORTS:

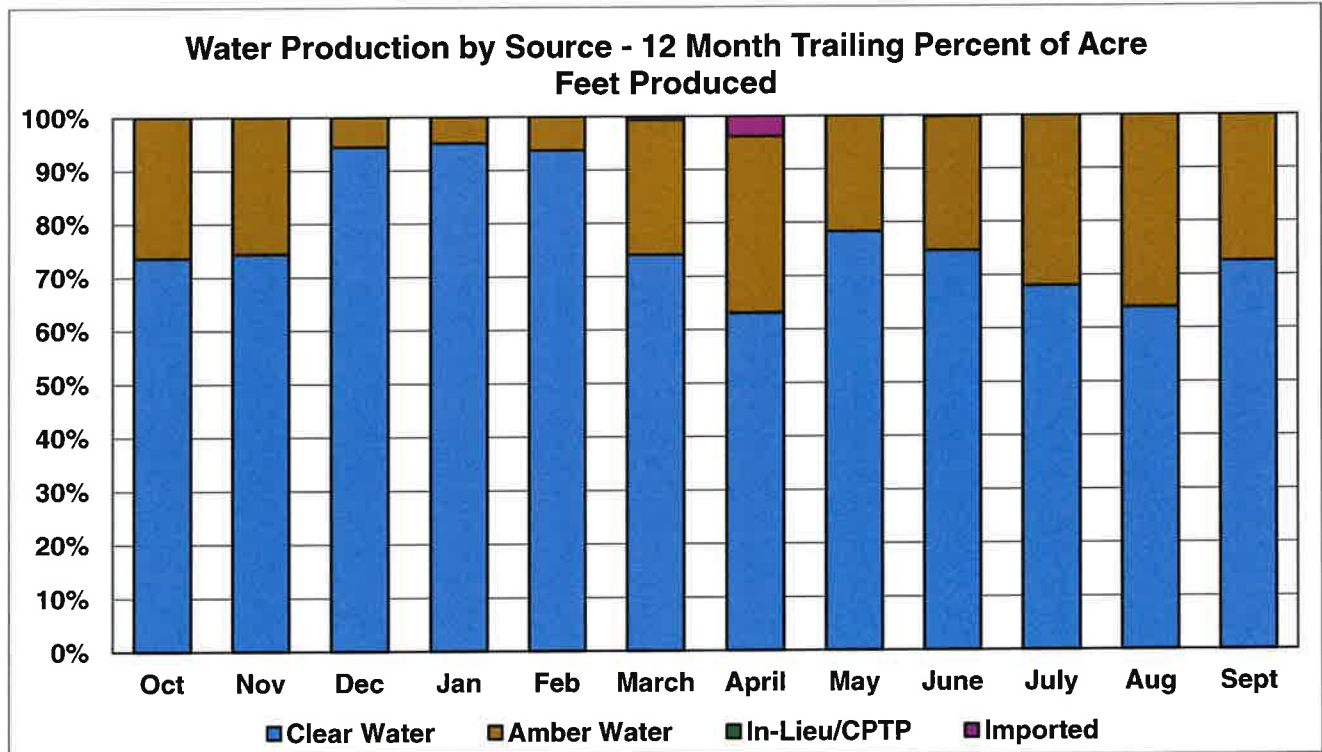
10. REPORT OF THE GENERAL MANAGER:
 - September Key Indicators Report
 - Other (no enclosure)

**Monthly Key Indicators Report
For The Month of September 2021**

**Goal #1: Provide a safe, abundant, and reliable water supply
FY 2022 Potable Production (Acre Feet)**

Water Supply Source	FY 2022 YTD Actual (AF)	FY 2022 YTD Budget (AF)	FY 2022 Annual Budget (AF)
Clear Water	3,234	3,670	12,523
Amber Water (MWRP)	1,517	1,097	3,741
Imported	0	0	0
Basin Management Water	0	0	0
Total Production	4,752	4,767	16,264

YTD actual water production (AF) through September 30, 2021



**Monthly Key Indicators Report
For The Month of September 2021**

Goal #1: Provide a safe, abundant, and reliable water supply

FY20 System Water Quality – This data reflects samples taken in August
Distribution System:

	Average	Range	MCL
Chlorine Residual (mg/L) <i>Compliance</i>	1.83	0.61 – 2.89 Current RAA = 1.69	4 RAA
Coliform Positive % <i>Compliance</i>	0	0	5
Temperature (° F)	79	72 – 85	None

Reservoir I & II:

	Average	Range	MCL
Chlorine Residual (mg/L)	0.78	0.18 – 1.47	None
Monochloramine (mg/L)	0.79	0.11 – 1.44	None
Ammonia (mg/L)	0.20	0.06 - 0.35	None
Temperature (° F)	78	75 – 83	None

Wells (Treated):

	Average	Range	MCL
Chlorine Residual (mg/L)	2.37	1.93 – 2.91	None
Monochloramine (mg/L)	2.41	1.89 – 2.83	None
Ammonia (mg/L)	0.58	0.46 - 0.75	None
Temperature (° F)	77	74 – 82	None

MWRF:

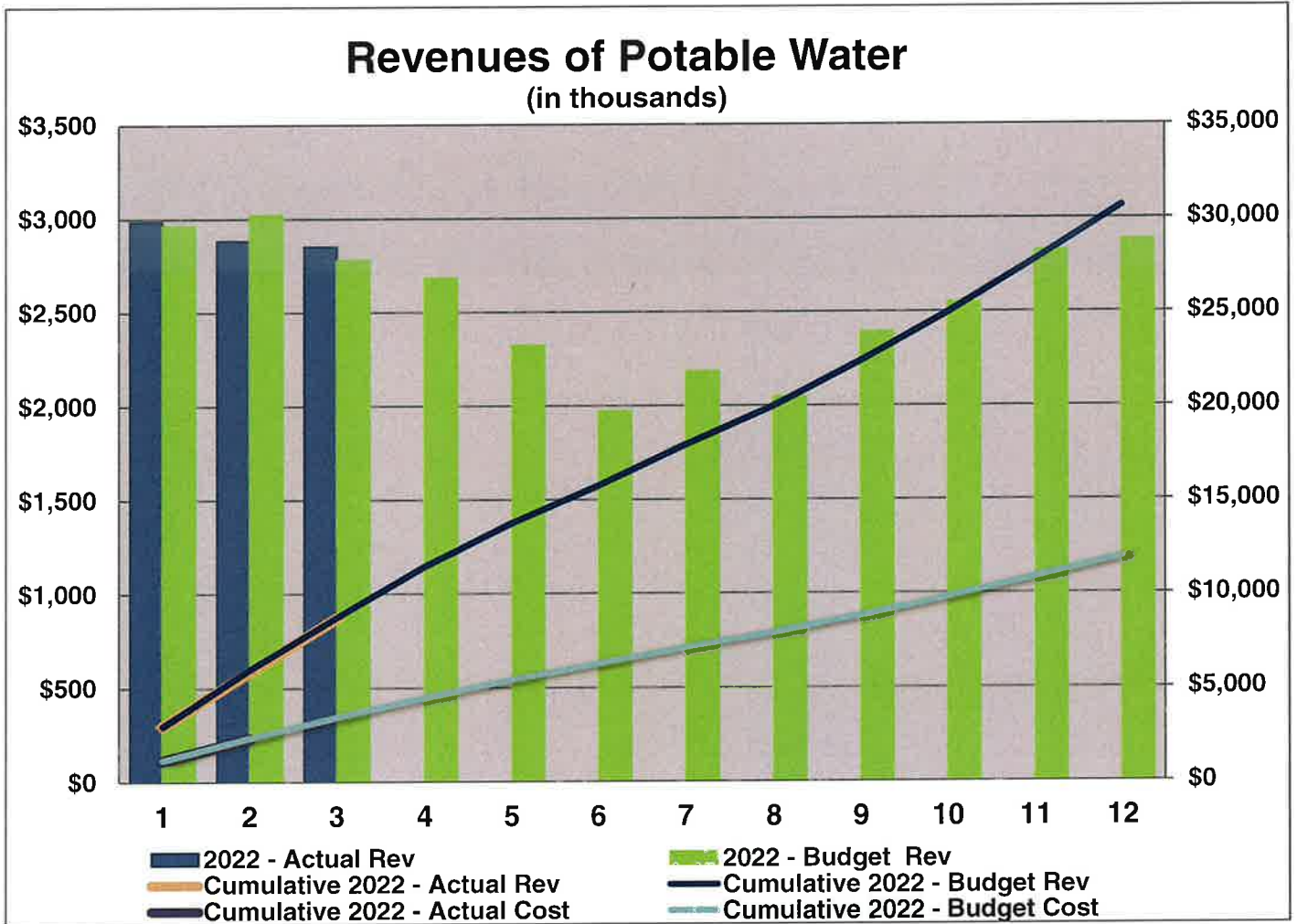
	Average	Range	MCL
Chlorine Residual (mg/L)	2.57	2.12 – 3.12	None
Monochloramine (mg/L)	2.55	2.20 – 3.16	None
Ammonia (mg/L)	0.55	0.47 – 0.63	None
Temperature (° F)	83	82 – 85	None
Color (CU) <i>Compliance</i>	ND	ND - 4	15
Odor (TON) <i>Compliance</i>	ND	ND	3

Water Quality Calls/Investigations:

Total Calls	1
Total Investigations (from calls)	0

**Monthly Key Indicators Report
For The Month of September 2021**

Goal #2: Practice perpetual infrastructure renewal and improvement



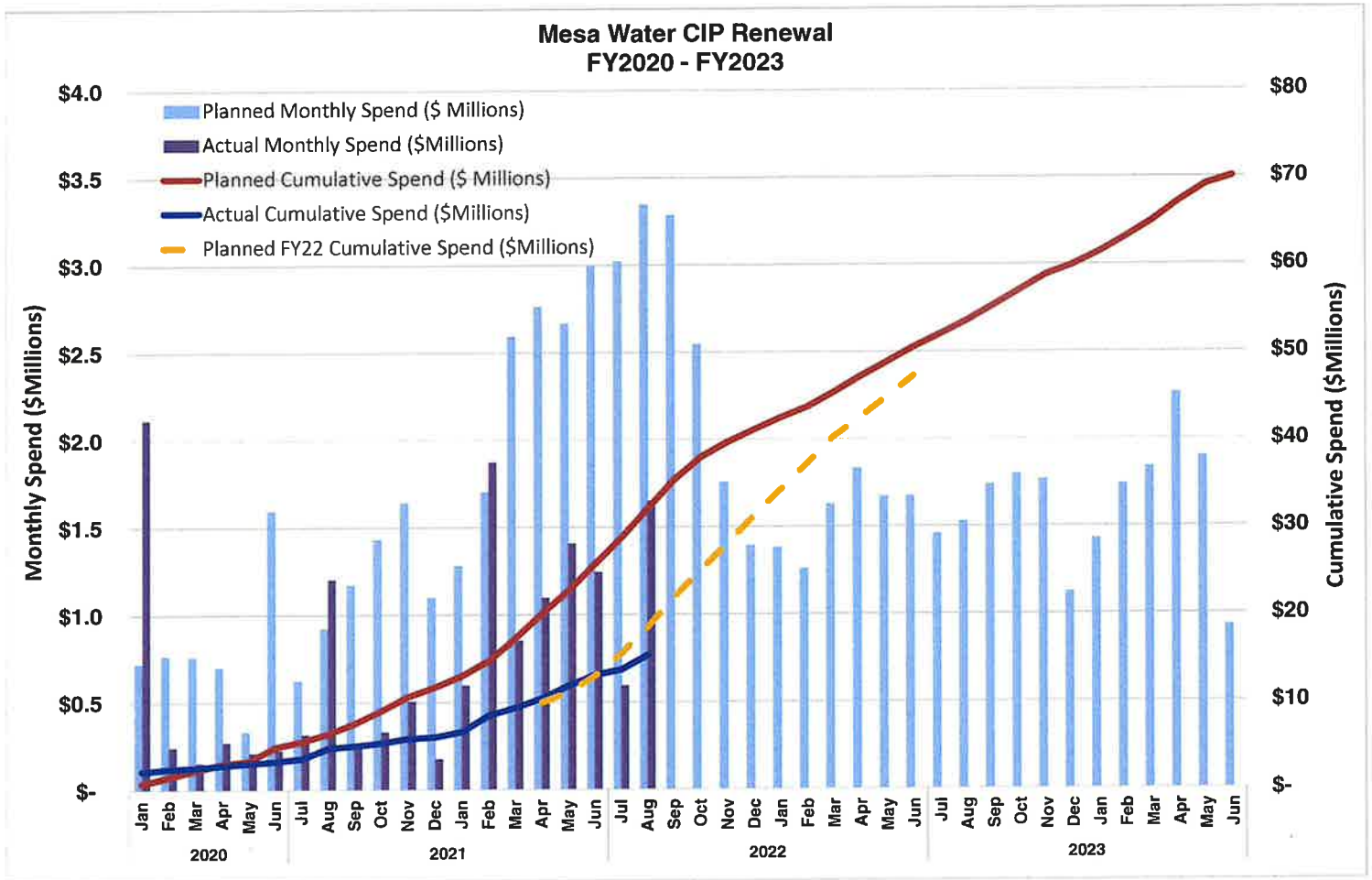
	Actual	Budget	Favorable (Unfavorable)	
			Difference	%
Total YTD Revenue \$	8,719,902	8,763,997	(44,095)	(0.50%)

	Actual	Budget	UnFavorable (Favorable)	
			Difference	%
Total YTD Cost \$ *	2,299,921	2,350,182	(50,261)	(2.14%)

* YTD Cost is trailing YTD Revenue by one month due to the timing of when costs are available.

**Monthly Key Indicators Report
For The Month of September 2021**

Goal #3: Be financially responsible and transparent



**Monthly Key Indicators Report
For The Month of September 2021**

Goal #4: Increase public awareness about Mesa Water and about water

Web Site Information

Web Site Information	August 2021	September 2021
Visits to the web site	10796	10527
Unique visitors (First time to the site)	8746	8603
Average per day	348	351
Average visit length	49 seconds	58 seconds
Page visited most	Press Releases	Press Releases
Second most visited page	Online Bill Pay	Online Pay Bill
Third most visited page	Bill Pay	Bill Pay
Fourth most visited page	Human Resources	Rates and Fees
Fifth most visited page	Rates and Fees	Human Resources
Most downloaded file	Salary Ranges by Job Classification & Level	Salary Ranges by Job Classification & Level
Second most downloaded file	Standard Specifications and Standard Drawings for the Construction of Water Facilities	Standard Specifications and Standard Drawings for the Construction of Water Facilities
Most active day of the week	Monday	Wednesday
Least active day of the week	Saturday	Sunday

Total visits since July 1, 2002	<u>1,582,970</u>
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Water Vending Machine Information

Vending Machine Location	Vend Measurement	September 2021 Vends	Totals Vends
Mesa Water Office	1 gal	7,276	536,698

Monthly Key Indicators Report
For the Month of September 2021
Goal #5: Attract and retain skilled employees

DEPARTMENT:	FY 2022			COMMENTS:
	BUDGET	FILLED	VACANT	
OFFICE OF THE GENERAL MANAGER:				
General Manager	1.00	1.00	0.00	
Business Administrator	1.00	1.00	0.00	
Subtotal	2.00	2.00	0.00	
ADMINISTRATIVE SERVICES:				
Administrative Services	5.00	5.00	0.00	
Subtotal	5.00	5.00	0.00	
CUSTOMER SERVICES:				
Conservation	1.00	0.00	1.00	Water Use Efficiency Analyst - <i>vacant; on hold.</i>
Customer Service	4.00	4.00	0.00	
Subtotal	5.00	4.00	1.00	
ENGINEERING:				
Engineering	5.00	5.00	0.00	
Subtotal	5.00	5.00	0.00	
WATER POLICY:				
Legislative & Governmental Affairs	1.50	1.50	0.00	
Subtotal	1.50	1.50	0.00	
FINANCIAL SERVICES:				
Financial Reporting/ Purchasing	4.00	4.00	0.00	
Accounting	1.00	1.00	0.00	
Subtotal	5.00	5.00	0.00	
HUMAN RESOURCES:				
Human Resources	3.00	3.00	0.00	
Subtotal	3.00	3.00	0.00	
PUBLIC AFFAIRS:				
Outreach, Education & Communications	1.50	1.50	0.00	
Subtotal	1.50	1.50	0.00	
WATER OPERATIONS:				
Supervision/Support	7.00	7.00	0.00	
Distribution	9.00	9.00	0.00	
Field Services	5.00	5.00	0.00	
Production	3.00	3.00	0.00	
Water Quality	2.00	2.00	0.00	
Subtotal	26.00	26.00	0.00	
* TOTAL BUDGETED POSITIONS:				
	54.00	53.00	1.00	

**Monthly Key Indicators Report
For The Month of September 2021**

Goal #6: Provide outstanding customer service

Customer Calls

Call Type	FY22 YTD	Sept 2021	YTD Weekly Average
General Billing Question	503	250	39
Service Requests	444	111	34
High Bill	411	127	32
Payments	673	168	52
Late Fee	166	32	13
Account Maintenance	179	36	14
On-Line Bill Pay	411	106	32
Water Pressure	11	4	1
No Water	100	38	8
Conservation	90	43	7
Water Waste	66	39	5
Other (District info. other utility info. etc.)	592	156	46
Rate Increase	1	0	0
Fluoridation	0	0	0
TOTAL CUSTOMER CALLS	3647	1110	281
AVERAGE ANSWER TIME (Seconds)	46	51	46

Online Bill Pay Customers

Current Customers Enrolled	FY 2022 YTD	Sept 2021	YTD Weekly Average
16679	718	238	55

REPORTS:

11. DIRECTORS' REPORTS AND COMMENTS

**DIRECTORS' REPORTS (AB 1234) PER CA GOVERNMENT
CODE SECTION 53232.3 (d)**

In accordance with CA Government Code 53232.3 (d), the following report identifies the meetings for which Mesa Water Directors received expense reimbursement.

Jim Atkinson **Meetings Attended**

Reimbursement Date:	Description, Date
9/21/21	Urban Water Institute Annual Conference 9/8 – 9/9

Fred R. Bockmiller, P.E. **Meetings Attended**

Reimbursement Date:	Description, Date
9/21/21	Meeting with the General Manager, 8/23

Marice H. DePasquale **Meetings Attended**

Reimbursement Date:	Description, Date
N/A	

Shawn Dewane **Meetings Attended**

Reimbursement Date:	Description, Date
9/21/21	Mesa Water Reliability Facility Tour, 8/17

James R. Fisler **Meetings Attended**

Reimbursement Date:	Description, Date
9/21/21	Surfside Colony Storm Water District Meeting, 8/16
9/21/21	Capistrano Bay Community Services District Meeting, 8/31

There are no support materials for this item.