

**Borrego Water District Board of Directors
Regular Meeting
January 10, 2023 @ 9:00 a.m.
806 Palm Canyon Drive
Borrego Springs, CA 92004**

COVID-19 UPDATE: The Borrego Water District Board of Directors meeting as scheduled in an electronic format. BWD will be providing public access to the Meeting thru electronic means only to minimize the spread of the COVID-19 virus, based upon direction from the California Department of Public Health, the California Governor's Office and the County Public Health Office. Anyone who wants to listen to or participate in the meeting is encouraged to observe the GO TO MEETING at

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I. OPENING PROCEDURES -

- A. Call to Order
- B. Pledge of Allegiance
- C. Directors' Roll Call: President Dice, Vice President Baker, Directors Duncan & Johnson
- D. Approval of Agenda
- E. Comments from the Public & Requests for Future Agenda Items (may be limited to 3 min)
- F. Comments from Directors
- G. Correspondence Received from the Public- None

II. ITEMS FOR BOARD CONSIDERATION

- A. Interviews and Possible Selection for Filling Vacant Board of Directors Opening – G Poole
- B. Leak Adjustment Policy Revisions – D Del Bono
- C. Borrego Springs Subbasin Watermaster Board – VERBAL D Duncan/K Dice/T Driscoll
 1. Update on Board Activities
 2. Update on Technical Advisory Committee Activities

III. BOARD COMMITTEE REPORTS, IF NEEDED

STANDING:

- A. Operations and Infrastructure: Duncan/
- B. Budget and Audit: Dice/
- C. ACWA/JPIA Insurance: Dice/Johnson

AGENDA: January 10, 2023

All Documents for public review on file with the District's secretary located at 806 Palm Canyon Drive, Borrego Springs CA 92004. Any public record provided to a majority of the Board of Directors less than 72 hours prior to the meeting, regarding any item on the open session portion of this agenda, is available for public inspection during normal business hours at the Office of the Board Secretary, located at 806 Palm Canyon Drive, Borrego Springs CA 92004.

The Borrego Springs Water District complies with the Americans with Disabilities Act. Persons with special needs should call Geoff Poole – Board Secretary at (760) 767 – 5806 at least 48 hours in advance of the start of this meeting, in order to enable the District to make reasonable arrangements to ensure accessibility.

If you challenge any action of the Board of Directors in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Board of Directors (c/o the Board Secretary) at, or prior to, the public hearing.

AD HOC:

- A. Prop 68 Implementation: Baker/Johnson
- B. Public Outreach: Dice/Johnson
- C. Grants: Dice/Johnson
- D. Cyber Security/Risk Management: Baker/
- E. Developer's Policy: Baker/Duncan
- F. Finance: Baker/
- G. WWTP: Baker/**Dice (NEW MEMBER)**
- H. NEW: Borrego Springs Basin Water Quality: Baker/Johnson

IV STAFF REPORTS - VERBAL

- A. Administrative Manager – Diana Del Bono
 - 1. The Springs RV Park Expansion Completion
- B. Legal Counsel – S Anderson
 - 1. Public Meeting Rule Changes for Feb 2023
- C. General Manager – Geoff Poole
 - 1. Congressional Direct Appropriation – Padilla/Issa

V. CLOSED SESSION:

- A. Conference with Legal Counsel - Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (Two (2) potential cases)
- B. Conference with Legal Counsel – Existing Litigation (Borrego Water District v. All Persons (Groundwater), Orange County Superior Court Case No. 37-2020-00005776)
- C. Conference with Real Property Negotiators (Gov. Code §Section 54956.8) Property Easement APN: 140-303-0900 & 140-303-1100 Agency Negotiator: Geoff Poole, BWD General Manager Negotiating Parties: BWD and US Gypsum Corp as potential buyer Price and Terms of Payment

VI. CLOSING PROCEDURE: The next Board Meeting is scheduled for 9:00 AM January 24, 2023, to be available in person and online. See Board Agenda at BorregoWD.org for details, Agenda information available at least 72 hours before the meeting.

AGENDA: January 10, 2023

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BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
JANUARY 10, 2022
AGENDA ITEM II.A

January 5, 2023

TO: Board of Directors

FROM: Geoffrey Poole, General Manager

SUBJECT: Interviews and Possible Selection for Filling Vacant Board of Directors Opening – G Poole

RECOMMENDED ACTION:

Interview interested candidates and consider selection

ITEM EXPLANATION:

4 Borrego Springs Registered Voters with domiciles in town have expressed interest in the open Board seat. The four candidates are Bernard Campbell, Shiliang Mao (Jay), Gina Moran and John Petersen. Attached is biographical information provided by each Candidate.

Process: Following is the suggested process for the interview:

1. Only the Candidate being interviewed will be present during the interview. Others will be notified when its their turn.
2. Each Director ask 2 questions in a rotating order alphabetically (Baker,Dice,Duncan,Johnson)
3. List of Possible Questions:

Why do you want this position?

What is your knowledge about the District in general and in terms of the services it provides?

Are you prepared to disclose private business holdings, interests and relationships as part of the reporting requirements of the California Political Reform Act (administered by the Fair Political Practices Commission (FPPC))?

Describe your understanding of the function of the District Board as a whole?

How active have you been in neighborhood or community organizations?

Our Board Meets at 9:00 am on the second and fourth Tuesdays of the month. Are you able to make these meetings on a regular basis?

Please tell us why we should select you to fill the Vacancy.

How long have you lived in Borrego Springs

What do you think of the San Diego County Water Authority's proposal to run their Regional Conveyance System through Borrego Valley?

Some people say water reductions are not needed because the state will bail us out, do you think this is possible?

What do you see as the biggest challenges for BWD in the next year or two?

Assuming we dramatically reduce water usage over the next 10-20 years as mandated in our Groundwater Management Plan (GMP), what do you think Borrego might look like?

The list possible questions will be provided to each candidate.

Each Director may ask one additional question pertaining specifically to each Candidates Background from the info provided.

4. Following the interview the Board will discuss, deliberate and consider making the selection or defer to a future meeting, if needed.

NEXT STEPS

Swear in Candidate, if selected or defer action to subsequent meeting

FISCAL IMPACT

N/A

ATTACHMENTS

1. Bios on each candidate



bernard campbell

Founder, Campbell Group LLC
Los Angeles Metropolitan Area
525 followers · 500+ connections

 Campbell Group LLC

 Harvard University

[Join to view profile](#)

About

Independent thinker with a collaborative personality, offering significant experience with C-level management on marketing/strategy issues. Rich mix of industry experience, from working as creative director for an ultra-luxury electric automotive company ; to assisting in the sale of a storied GM brand to Chinese investors; to accomplishments as an officer of a leading B2B media company.

Experience



Founder

Campbell Group LLC

Jan 1998 - Present · 25 years 1 month

Orange County, California Area

Served as Creative Director of Karma Automotive for 3 1/2 years.

Served as senior marketing executive for Hummer Corporation, with significant support to CEO in creation of a sale-ready entity and a multi-billion dollar product plan.

Created premium contemporary fashion show, with participation from brands such as Hudson Denim, Paige Denim, Isetan of Japan, Ron Herman and Fred Segal.

Assisted industrial clients on a range of marketing strategy issues, including GE...



Creative Director

Karma Automotive LLC

Apr 2015 - Aug 2018 · 3 years 5 months

Orange County, California Area

Manage creative process from concept to completion.

Co-conceptualize all content (video, web, print).

Write all copy.

Plan and place all media.

Co-manage agency partners.

Led development of web site nominated for a Webby.

Grew social media following from 6K to 250k.

Created video content that ran on all major networks, and that has received over 3M views on digital channels.



Co-Founder

Fi3

Apr 2013 - Nov 2014 · 1 year 8 months

Los Angeles CA

Comprised of Fi3 fashion trade show and conference series

Raised capital and created premium contemporary fashion trade show, with participation from 50 brands and over 100 buyers

Notable participants include Hudson Jeans, Paige Denim, Isetan of Japan, Elu of Beverly Hills, Ron Herman, and Fred Segal

Launch fashion conference series at Ace Hotel, DTLA. Speakers have included CEO of Hudson Jeans, Director of Intel Corporation, Tenured Professor at Harvard Business...

Show more ▾

December 22, 2022

Borrego Water District
806 Palm Canyon Drive
Borrego Springs, CA 92004

Dear Sir or Madam:

I would like to be considered for the board member of the Borrego Water District. I have lived in Borrego Springs for the last nine years, and would like to serve to make it a better place for our future generations.

I have the following to offer to the Board:

- Professional services experiences:
 1. Utility/Energy companies: I have provided consulting services to major utilities/energy trading companies (PG&E, TXU, AEP, Constellation, etc.) on their auditing, price modeling, risk management activities. I am an expert on rate-setting, understanding the trade-off between financial impacts and the environmental concerns. I was trained as a financial economist, from USC.
 2. Stakeholders: as a Director and Sr. Manager, of a major CPA firm(the Big Four), I worked with different stakeholders: audit committees, risk committees, Risk Management departments, compliance departments, etc., to reach consensus and agreements.
 3. Leadership: I have worked with talented teams with different backgrounds and enjoyed diverse opinions. I can speak English as well as Chinese and Spanish.
- Dedication to the community: I have lived in Borrego Springs for over ten years, watched my kids go to the elementary school and middle school here, briefly, before taking them to San Diego for better schools there. I actively participated my children's education by volunteering my time and efforts, which made a difference in building a better education environment. I would like to use same enthusiasm to help the Water Board to provide great services and better environment for the community.

Please call at (858) 683-3052, or shiliang.mao@gmail.com for any question.

Sincerely yours,

Jay S. Mao

Borrego Water District Board of Directors
Geoffrey Poole, General Manager
806 Palm Canyon Drive
Borrego Springs, CA 92004

Dear Borrego Water District Board of Directors and General Manager Poole:

I am submitting this letter to be considered for the vacant Director position on the Borrego Water District Board. After 36 years working for the State of California in environmental policy and compliance, land and resource conservation, and serving as a regional executive for California State Parks, I have retired and can devote my time and energy to the Board.

I have been a resident of Borrego Springs since 2015.

I am active with volunteer groups in the community.

I was the California State Parks representative to the Borrego Valley Groundwater Sustainability Agency Advisory Committee from 2017 until its conclusion in the summer of 2019. I have been the State Parks representative on the San Diego River Conservancy Governing Board from 2018 through 2022. I was a City of Lodi Planning Commissioner from 2003 through 2007.

While working at the California Department of Transportation, I was responsible for setting the Department's environmental policy in compliance with the California Environmental Quality Act, the National Environmental Policy Act, the Clean Water Act, the Porter-Cologne Water Quality Control Act, California Coastal Act, and the California and federal endangered species acts. During my career with the State, I have been actively involved in the development and implementation of billion dollar linear construction projects as well as facility projects. I have worked with legal counsel and the Attorney General's office on active litigation, developing environmental policy, and peer review of complex environmental documents for public circulation.

I feel my varied experience that merges environmental policy, laws and regulations with facilities construction, operations, maintenance, fiscal management, community involvement, real property management, planning, and grants offers a unique skill set to assist the Board.

I have attached my resume for your consideration.

Sincerely,

Gina Moran

Gina Moran
PO Box 552, Borrego Springs, CA 92004

GINA MORAN

PO BOX 552, BORREGO SPRINGS, CA 92004 209.327.1803

SKILLS

Over 36 years of varied experience that merges environmental policy, laws and regulations with facilities construction, operations, maintenance, fiscal management, community involvement, real property management, planning, personnel, and grants.

WORK EXPERIENCE

DISTRICT SUPERINTENDENT, CALIFORNIA STATE PARKS — FEB 2018–PRESENT

I had delegated authority vested by the Director of the Department of Parks and Recreation as the Regional Executive responsible for all Parks and Reserves at various times in San Diego County. Responsible for supervising overall District operations including but not limited to; natural and cultural resource protection and management, public safety and law enforcement, visitor services, education programs, real property management, facilities maintenance, concessions management and administrative services. Essential functions included District operations, policy and regulations, public safety, partnerships and community involvement, fiscal management, real property management, planning, and personnel and fleet management. Departmental representative on the San Diego River Conservancy Governing Board and the Borrego Valley Groundwater Sustainability Agency Advisory Committee.

SR ENVIRONMENTAL SCIENTIST, CA STATE PARKS — OCT 2015 - JAN 2018

As member of the District Executive Team, develops, implements, oversees, monitors, evaluates and reports on programs, operations, activities and projects that support or may impact stewardship of natural resources in the District. Work areas include: exotic species management; habitat restoration/enhancement; native species management; Paleontology; inventory/monitor; and mitigate disturbance. Oversee the prescribed fire program and the Paleontology museum collection. Selects, hires, and provides leadership, supervision, and a safe environment for the Natural Resource staff/volunteers. Leads the development and review of natural resource workplans, budget, and financial reporting. Leads development and pursuit of alternate funding to support natural resource programs through grants and partnership activities. Prepares project scopes and bid specifications.

SUPERVISING ENVIRONMENTAL PLANNER, CALIFORNIA DEPARTMENT OF TRANSPORTATION — JULY 2005 - SEPT 2015

As member of the Statewide Environmental Executive Team, responsible for guiding decisions implementing environmental policy and regulations at the project level from concept through construction. Supervise, plan, direct, coordinate, and review the work of a team of Senior Environmental Planners and consultants, to develop, implement, update, and maintain the Caltrans Standard Environmental Reference, a compilation of all handbooks, guidance, manuals and policy documents to comply with CEQA, NEPA, and related environmental laws in response to changes to laws and emerging issues for over 11,000 statewide environmental project development staff including environmental planners, professional engineers, and landscape architects. Analyze state and federal legislation. Manage the Office budget and supervise staff. Collaborate internally with Statewide District Managers and other functional areas. Environmental lead for coordination with the Governor's Office of Planning and Research, the U.S. Environmental Protection Agency and the Caltrans' Sustainability Team. Manage statewide program exam plan. Oversee contracts.

PLANNING COMMISSIONER, CITY OF LODI — JUL 2003 - JUL 2007

Nominated by the Mayor and appointed by the Lodi City Council to review changes to the City's General Plan and zoning regulations. Review commercial and residential development projects to ensure compliance with the City's General Plan, Zoning Code CEQA, and Alcohol and Beverage Control requirements. Ensure the development in Lodi is of the highest quality and to provide recommendations to Council on such matters dealing with community development.

**SENIOR ENVIRONMENTAL PLANNER, CALIFORNIA DEPARTMENT OF TRANSPORTATION —
JAN 2000 - JUN 2005**

Administer, monitor, and document multiple interagency agreements/MOUs between Caltrans and state/federal resource/regulatory agencies. Coordinate and facilitate communication between District natural/cultural staff and resource/regulatory agency staff to meet project delivery goals. Oversee comprehensive project level environmental studies, evaluations, and assessments for projects off the state highway system. Develop the natural portion of the Environmental Academy and present several modules including planning, workplan development, biology, plans, contract plans, construction, and maintenance. Develop innovations and process improvements for resource/regulatory agency permitting. As Coastal Commission Liaison act as in-house consultant/statewide focal point for CA Coastal Commission permitting. Coordinate communication among District staff, Coastal Commission staff, Coastal Commissioners, and the CA State Transportation Agency.

**ENVIRONMENTAL PLANNER/ASSOCIATE ENVIRONMENTAL PLANNER, CALIFORNIA
DEPARTMENT OF TRANSPORTATION — OCT 1990 - DEC 2000**

Plan, direct, and organize biological studies in support of environmental documents including survey team coordination, background research, natural resource surveys, focused endangered species surveys, impact analyses, mitigation development/implementation/monitoring, report preparation, and workplan development/resourcing to meet project delivery. Provide information in support of permits/approvals from U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and the California Coastal Commission for various environmental laws/agreements including NEPA, CEQA, the federal/state endangered species acts, the Clean Water Act, California Fish and Game Code, and the NEPA/404 MOU. Work as an interdisciplinary team member on transportation projects. Coordinate with local, state and federal agencies. Participate in public meetings/hearings for transportation projects. Hire and supervise contract biologists. Develop and review consultant/university contracts. Testify as an expert witness in court. Provide technical/peer review of natural resource documents.

EDUCATION

BA BIOLOGICAL SCIENCES UNIVERSITY OF CALIFORNIA, BERKELEY, MAY 1986

VOLUNTEER EXPERIENCE

SECRETARY, THE AMERICAN LEGION AUXILIARY POST 853

MEMBER, BORREGO SPRINGS SOROPTIMIST INTERNATIONAL

December 16, 2022

Geoff Poole, General Manager
Borrego Water District
806 Palm Canyon Drive
Borrego Springs Ca. 92004

Subject: Letter of Interest for the Open Seat on the Borrego Water District Board of Directors

Dear Mr. Poole:

I would like to be considered for the open seat on the Borrego Water District Board. I would be honored to be considered for this position.

As you are aware I am a full-time resident of Borrego Springs and have been working professionally in the Borrego Springs groundwater basin since 1981. As a registered professional geologist and a certified hydrogeologist, I believe that I have a unique skill set that would be of benefit to the BWD Board of Directors.

I have included a brief summary of my resume for your consideration. I look forward to working with you and the BWD in the future.

Sincerely



John Peterson
California Professional Geologist #3713
Certified Hydrogeologist #90
858-220-0877, petersonenv@hotmail.com
P.O. Box 512
Borrego Springs Ca. 92004

Brief Resume for John Peterson
Professional Registered Geologist #3713
Certified Hydrogeologist #90

Education:

High School Graduate from North Kitsap High School, Poulsbo Washington. 1968

Associate Degree in Science Olympic Junior College, 1970

Bachelor's Degree in science in Geology San Diego State University, 1976 with Honors

Master's degree in science (Hydrogeology) San Diego State University, 1978 (Thesis "Hydrogeology of the San Onofre Watershed, Camp Pendleton California)

Accreditations:

State of California Professional Registered Geologist #3713

State of California Certified Hydrogeologist #90

Professional Experience:

Staff hydrogeologist with the firm Hydro-Search Reno Nevada 1978 to 1981

San Diego County Hydrogeologist 1981 to 2003

CEQA Regulatory Manager with the Planning Department 1999 to 2003. Managed a staff of 24 environmental professionals.

Independent Consultant providing services in the field of hydrogeology 2003 to 2011

Currently Retired

Community Activities:

Board Member of the Anza Borrego Foundation 2003 through 2022

Current member of the Borrego Springs Sponsor Group 2020

Current chairperson of the Water and Land Use/Planning Subcommittee of the Borrego Springs Sponsor Group

Current member of the Environmental Working Group of the Borrego Springs Watermaster Board.

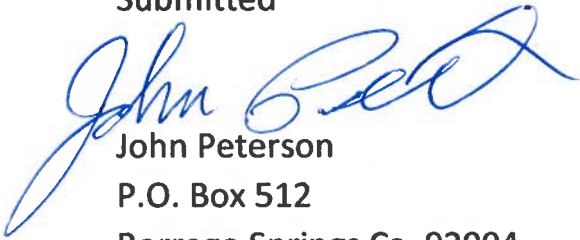
Notable Items:

US Navy Veteran with an Honorable Discharge. Served as a Rescue Swimmer on a Destroyer off the coast of Vietnam

Established the Borrego Springs groundwater monitoring network in 1983. The network collected water level data from non-production wells in the Basin. Worked for 20 years on establishing the fact that we had a groundwater overdraft in the basin. During that time, I worked with the BWD on various issues effecting the basin.

I have been a full-time resident in Borrego Springs since 2010. Currently reside in the Roadrunner Club.

Submitted



John Peterson

P.O. Box 512

Borrego Springs Ca. 92004

858-220-0877

petersonenv@hotmail.com

BORREGO WATER DISTRICT
BOARD OF DIRECTORS MEETING
January 10, 2023
AGENDA ITEM II.B

January 10, 2023

TO: Board of Directors
FROM: Geoffrey Poole and Diana Del Bono
SUBJECT: Water Leak Adjustment Policy

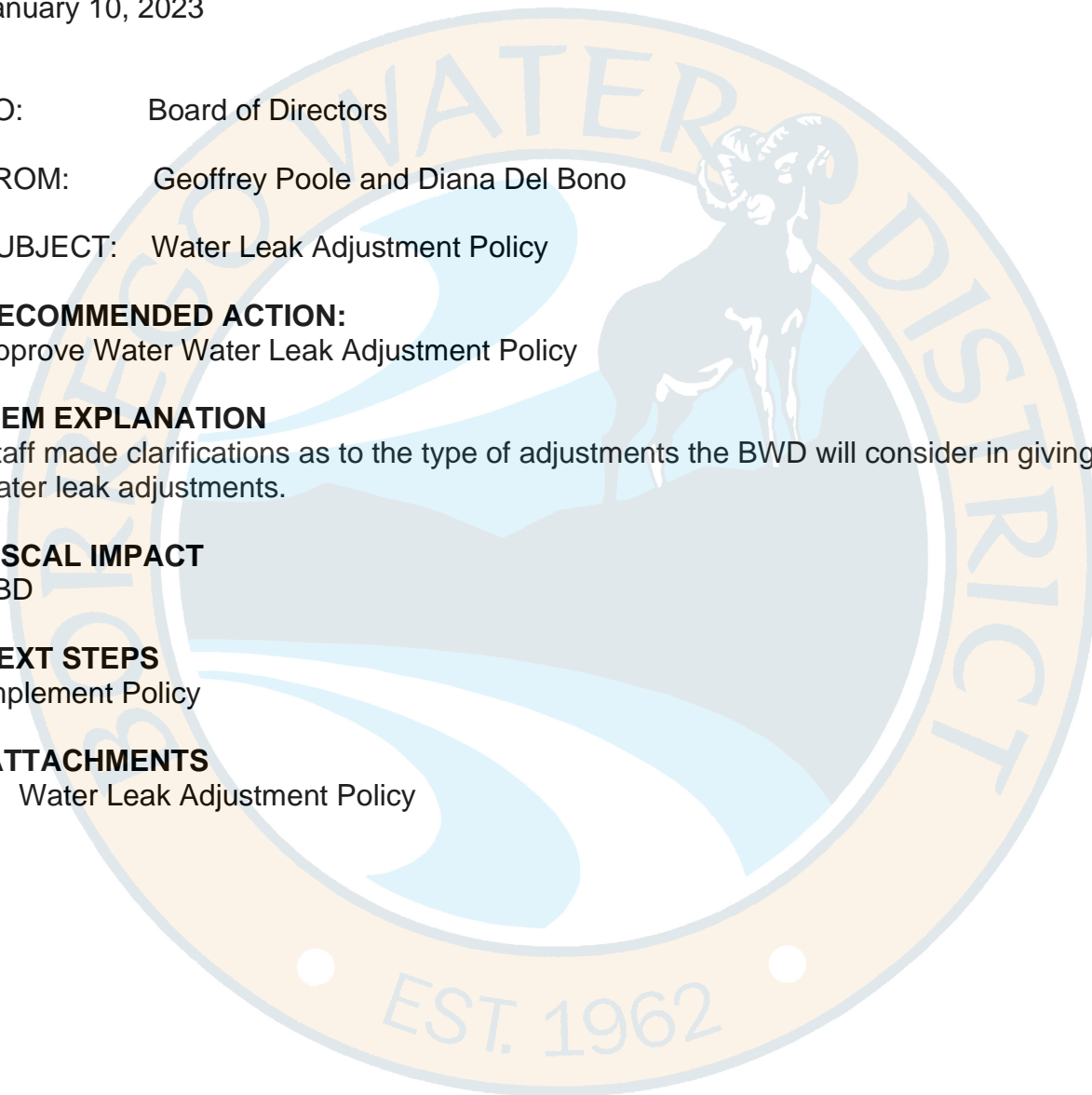
RECOMMENDED ACTION:
Approve Water Water Leak Adjustment Policy

ITEM EXPLANATION
Staff made clarifications as to the type of adjustments the BWD will consider in giving water leak adjustments.

FISCAL IMPACT
TBD

NEXT STEPS
Implement Policy

ATTACHMENTS
1. Water Leak Adjustment Policy



-BORREGO WATER DISTRICT

POLICY STATEMENT

SUBJECT: WATER LEAK ADJUSTMENT FOR BWD CUSTOMERS
NO: 2017-10-01
ADOPTED: October 25, 2017 **AMENDED: November 24, 2020**

PURPOSE

To establish criteria in order to determine how to calculate and apply water bill adjustments for exceptionally high, unintentional water consumption, as necessary, compared to consumption history.

POLICY

Once every five (5) years, the General Manager and/or his/her designee is authorized at their discretion to make adjustments to variable/commodity water charges for a billing period in which an apparent water loss occurred resulting from a leak, equipment malfunction or unintentional use in their private plumbing and irrigation systems in accordance with the following criteria:

- a. The customer must not have received an adjustment at the same property under this policy in the past 60 months.
- b. The customer must notify the District of the situation on their property within 20 days from the bill date that reflects the leakage.
- c. A District Leak Adjustment Request form must be properly completed by the customer and submitted to BWD with required documentation within 25 days of the statement date of the bill in question.
 - a. Required documentation consists of photographs and any invoices associated with the repair
- d. Only one billing period will be considered for an adjustment. However, in certain circumstances, the General Manager may at his/her discretion, grant a two month adjustment or exception.
- e. Adjustments are calculated as follows: It is incumbent upon the District to recover the power portion of direct expenses (Power Rate @ \$.94/unit-currently rate), incurred based upon actual meter flows and shall be charged on the volume of water that is in excess of the past 12-month average as shown below:

Scenario:

Customer consumption = 100 units

Average Consumption Past 12 months = 50 units

Original Bill: 7 Units @ Tier One + ~~93~~15 Units @ Tier Two + 78 @ Tier Three =
~~\$413.34523.37~~

New Bill: 7 Units @ Tier One + 1543 Units @ Tier Two + 28 @ Tier Three 50 Units @
Power Rate = \$298.3750.84

Reduction = ~~57~~64% from Original Bill

- f. No adjustments shall exceed \$2,500.
- g. No adjustments will be given if BWD determines excessive water flow was caused by the customer's negligence or non-responsiveness to warning signals such as higher water bills, leak notifications, visible water, or other factors that should have made the customer reasonably aware of existence of broken pipe and/or plumbing fixture.
- h. No adjustments will be given if a third party is responsible for water loss at the customer's property. ie: landscaper / groundskeeper / pool service provider.
- i. Eligible items to be considered for an adjustment include: Water heater leak, main line break, faulty irrigation timer or valves, act of nature.
- ~~i. No adjustments will be given due to the resetting of irrigation timers at the customer's property, whether intentional or not.~~
- j. Non-eligible adjustment requests include but are not limited to:
 - a. Unattended or forgotten faucets, ~~and~~ nozzles and hoses.
 - ~~b. Faulty irrigation valves, timers, and systems~~
 - ~~e-b.~~ _____ Dripping faucets and other home maintenance items
 - ~~d-c.~~ _____ Leaking toilets
- k. An adjustment will be made only after repairs are made and it is reasonable to predict that the loss will not occur again.
- l. BWD is not responsible for any leak due to lack of notification and no adjustment will be given for this reason. It is the customer's responsibility to determine leaks and/or excessive water use.
- m. Payment plans will be considered upon request for customers who do not qualify for a leak adjustment.
- n. The General Manager is not obligated in his/her sole discretion to grant any adjustment

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-BORREGO WATER DISTRICT

POLICY STATEMENT

SUBJECT: WATER LEAK ADJUSTMENT FOR BWD CUSTOMERS

NO: 2017-10-01

ADOPTED: October 25, 2017

AMENDED: January 10, 2023

PURPOSE

To establish criteria in order to determine how to calculate and apply water bill adjustments for exceptionally high, unintentional water consumption, as necessary, compared to consumption history.

POLICY

Once every five (5) years, the General Manager and/or his/her designee is authorized at their discretion to make adjustments to variable/commodity water charges for a billing period in which an apparent water loss occurred resulting from a leak, equipment malfunction or unintentional use in their private plumbing and irrigation systems in accordance with the following criteria:

- a. The customer must not have received an adjustment at the same property under this policy in the past 60 months.
- b. The customer must notify the District of the situation on their property within 20 days from the bill date that reflects the leakage.
- c. A District Leak Adjustment Request form must be properly completed by the customer and submitted to BWD with required documentation within 25 days of the statement date of the bill in question.
 - a. Required documentation consists of photographs and any invoices associated with the repair
- d. Only one billing period will be considered for an adjustment. However, in certain circumstances, the General Manager may at his/her discretion, grant a two month adjustment or exception.
- e. Adjustments are calculated as follows: It is incumbent upon the District to recover the power portion of direct expenses (Power Rate @ \$current rate), incurred based upon actual meter flows and shall be charged on the volume of water that is in excess of the past 12-month average as shown below:

Scenario:

Customer consumption = 100 units

Average Consumption Past 12 months = 50 units

Original Bill: 7 Units @ Tier One + 15 Units @ Tier Two + 78 @ Tier Three = \$523.37

New Bill: 7 Units @ Tier One + 15 Units @ Tier Two + 28 @ Tier Three 50 Units @
Power Rate = \$298.37

Reduction = 57% from Original Bill

- f. No adjustments shall exceed \$2,500.
- g. No adjustments will be given if BWD determines excessive water flow was caused by the customer's negligence or non-responsiveness to warning signals such as higher water bills, leak notifications, visible water, or other factors that should have made the customer reasonably aware of existence of broken pipe and/or plumbing fixture.
- h. No adjustments will be given if a third party is responsible for water loss at the customer's property. ie: landscaper / groundskeeper / pool service provider.
- i. Eligible items to be considered for an adjustment include: Water heater leak, main line break, faulty irrigation timer or valves, act of nature.
- j. Non-eligible adjustment requests include but are not limited to:
 - a. Unattended or forgotten faucets, nozzles and hoses.
 - b. Dripping faucets and other home maintenance items
 - c. Leaking toilets
- k. An adjustment will be made only after repairs are made and it is reasonable to predict that the loss will not occur again.
- l. BWD is not responsible for any leak due to lack of notification and no adjustment will be given for this reason. It is the customer's responsibility to determine leaks and/or excessive water use.
- m. Payment plans will be considered upon request for customers who do not qualify for a leak adjustment.
- n. The General Manager is not obligated in his/her sole discretion to grant any adjustment