

Title 1

GENERAL REGULATIONS

Chapters:

- 1.08 Public Use of District Facilities**
- 1.10 Public Use of Los Vaqueros Recreation Facilities**
- 1.12 Inspection of District Records**
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Chapter 1.08

PUBLIC USE OF DISTRICT FACILITIES*

Sections:

- 1.08.010 Purpose of Provisions.**
- 1.08.020 Policy and Conditions for Use.**
- 1.08.030 Approval Required When.**
- 1.08.040 Use Regulations.**
- 1.08.041 Facility Use Fee.**
- 1.08.050 District Facilities.**

*Prior history: Reg 52

1.08.010 Purpose of Provisions.

The regulation codified in this chapter governs the use by any person or group of persons of buildings and properties of the District. Use of the right-of-way of the Contra Costa canal system and facilities appurtenant thereto is covered by Chapter 6.24. (Res. 03-43 (part); Res. 90-74 (a))

1.08.020 Policy and Conditions for Use.

It shall be the policy of the District to permit reasonable and beneficial use of the buildings and properties of the District, including uses which provide a community service and/or public education, subject to these conditions: first, that such use shall not impair or interfere with the normal operations of the District, its employees, consultants and contractors; second, that political activities in District buildings or on District properties are prohibited; and third, that such use shall not cause, or create a risk of, nuisance, injury to persons, or damage to property. (Res. 04-08 Exh A (part); Res. 03-43 (part); Res. 90-74 (b))

1.08.030 Approval Required When.

Use of the buildings and properties of the District for purposes other than normal business transactions with the District shall be subject to the consent and permission of the District's Board of Directors and shall be on such reasonable terms and conditions as the Board of Directors shall prescribe. (Res. 03-43 (part); Res. 90-74 (c))

1.08.040 Use Regulations.

A. The Board of Directors Meeting Room, the adjacent Board Conference Room, and the Los Vaqueros Conference Room in the District Center, may be used for meetings at the time specified and in accordance with the terms of a reservation approved by the District.

B. The use by any person or group of persons of rooms on District property shall be subordinate to the requirements of the District and shall not negatively interfere with the normal operations.

C. Any person or group of persons desiring to use a meeting room on District property shall submit a meeting room request to the District and execute an agreement respecting such use on forms provided by the District. The user shall hold the District harmless from any damage or liability resulting from use of a meeting room.

D. Reservations for use of a meeting room on District property will be made at the discretion of the General Manager or his authorized representative. No reservation will be approved more than thirty days prior to the meeting.

E. If requests for use of a meeting room on District property conflict, requests will be approved in the following priority:

1. Meetings and hearings of the legislative body, or of a committee, board or commission, of a governmental agency.
2. Meetings on water matters.
3. Meetings of residents of the District.
4. Meetings with the largest anticipated attendance.

F. Specific rules are as follows:

1. Use of the Board Meeting Room and the adjacent Board Conference Room thereto shall not be permitted on any Wednesday on which a meeting of the Board of Directors or a Board committee is scheduled.
2. Use of a building on District property shall not be likely to result in damage to the building, its furnishings, or to District property, or to increase the maintenance or janitorial expenses of the District.
3. No alcoholic beverage shall be dispensed or consumed on District property. No food or beverage shall be permitted in the Board meeting room.
4. Automobiles shall only be parked within areas designated by the District.
5. The furniture in the Board Meeting Room shall not be moved or rearranged.
6. Use of District equipment is not allowed. User groups must provide their own audio-visual or computer equipment.
7. No meeting shall be held in the employees' room in the Operations Building unless an employee of the District is present throughout the meeting and is a member of the group holding the meeting.

1.08.041 Facility Use Fee.

A. The Facility Use Fees for use of District meeting rooms shall be as follows:

1. Board Meeting Room (capacity 110) = \$50 per hour (2 hour minimum).
2. Board Conference Room (capacity 20) = \$20 per hour (2 hour minimum).
3. Los Vaqueros Conference Room (capacity 15) = \$15 per hour (2 hour minimum).

B. The total amount of the fees due for the District Facilities must be paid to the District at least seven days prior to the requested meeting dates. If the fees or deposits are not paid within seven business days, then in that event the permit theretofore issued shall be null and void. (Res. 22-020; Res. 03-43 (part); Res. 90-74 (d))

1.08.050 District Facilities.

The General Manager or designee may execute easements in accordance with Section 6.14.020, and may execute licenses, leases and permits for the use of District facilities in accordance with Section 6.12.050, and such other licenses, leases and permits as the Board of Directors may, from time to time, authorize officers of the District to issue. (Res. 00-19 Exh. D)

Chapter 1.10

PUBLIC USE OF LOS VAQUEROS RECREATION FACILITIES

Sections:

- 1.10.010 Scope, Purpose and Intent – Fees and Charges.**
- 1.10.020 Parking Passes – Fees and Charges.**
- 1.10.030 Watershed Use and Access Passes – Fees and Charges.**
- 1.10.040 Fishing Access Passes – Fees and Charges.**
- 1.10.050 Special Event Permit – Fees and Charges.**
- 1.10.060 Boat Rental – Fees and Charges.**
- 1.10.070 Merchandise or Other Services – Fees and Charges.**
- 1.10.080 Los Vaqueros Interpretive Center Meeting Room.**

1.10.010 Scope, Purpose and Intent – Fees and Charges.

A. The regulations codified in this chapter set forth the fees and charges to be paid in exchange for the use of the recreational facilities in and around the Los Vaqueros Reservoir, and in the surrounding watershed. Violation of these provisions may also constitute a violation of the District’s Ordinance No. 01-01, under which violators may be cited.

B. The purpose of these fees and charges is to pay a reasonable portion of the District’s costs for the operation and use of the reservoir for recreational purposes, and the construction, operation and maintenance of recreational structures, facilities and equipment, including necessary sanitary facilities, and for policing and providing fire prevention and suppression services on the watershed lands, and other costs incidental to the recreational use of the reservoir. Subject to that limitation, establishment and modification of recreation fees and charges shall be based primarily upon an annual comparability analysis of the range of recreation fees and charges charged by other public and private entities for comparable services and facilities. The concessionaire will be contractually required to make an annual recreation fee survey and provide their justification and recommendation for fee changes, discounts, incentive and pilot programs. CCWD staff will complete the comparability analysis, evaluate costs, and recommend changes to the District’s Board of Directors.

C. The following charges shall become effective on February 1, 2003, and shall remain in effect until amended. Except as otherwise stated, each fee or charge set forth in this chapter is independent of each other fee or charge, and payment of one such fee or charge does not excuse payment of another applicable fee or charge. Although certain fees and charges may be collected at the time of entry into the Watershed, they are collected for the privilege of using recreational facilities within the watershed, not for the privilege of entering the watershed. There is no fee or charge for entering the watershed. (Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.020 Parking Passes – Fees and Charges.

A. Beginning on October 7, 1999, the charges to be paid for parking within the watershed shall vary in accordance to the passenger capacity of the motor vehicle and the status of the owner of the motor vehicle as set forth below:

1. A calendar year parking pass is available only for a car, motorcycle, or small van (less than ten passengers). The charge for a calendar year parking pass is as follows:

| | |
|-------------------------------|---------|
| Ratepayers who are | |
| senior citizens (62 or older) | \$70.00 |
| all other ratepayers | 75.00 |
| Non-ratepayers who are | |

| | |
|-------------------------------|-------|
| senior citizens (62 or older) | 80.00 |
| all others | 85.00 |

2. For purposes of this provision, “ratepayer” means a natural person who pays water rates directly to the District, or to one of the following wholesale municipal customers: the city of Antioch, the city of Pittsburg, the city of Martinez, the Diablo Water District, or the Golden State Water Company.

3. The driver of each motorized vehicle that does not present an unexpired calendar year parking pass for that vehicle, and the driver of each motorized vehicle other than a car, motorcycle or small van (less than ten passengers), shall pay the following charge for a daily parking pass except as noted below:

Daily van/bus with a capacity for:

| | |
|-----------------------|---------|
| 21 or more passengers | \$20.00 |
| 10-20 passengers | 12.00 |

Daily parking (car/motorcycle/small van):

| | |
|--|------|
| all District ratepayers | 4.00 |
| senior citizens (62 or older) who are not District ratepayers | 5.00 |
| all others | 6.00 |

B. No charge shall be collected for parking any vehicle owned and occupied by an individual who, at the time that parking charges are collected, presents suitable documentation, as determined by the individual collecting parking charges, that he or she is a District employee or retiree. No charge shall be collected for parking any vehicle owned and occupied by an individual who, at the time that parking charges are collected, presents the Distinguished Veterans Pass as issued by California State Parks. Upon leaving the watershed at a time when the applicable entry gate is staffed, each person who has paid for a daily parking pass for a car, motorcycle, or small van within the previous thirty minutes will receive a “Visitor’s Refund” of the amount thus paid.

C. The foregoing recreation fees and charges are within the current range of comparable fees charged by other public and private entities for similar uses and facilities. (Res. 18-002 Exh. A (part); Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.030 Watershed Use and Access Passes – Fees and Charges.

A. Beginning on October 7, 1999, the charges to be paid for use of trails within the Los Vaqueros watershed shall be \$1.00 per pass to be collected upon entry (at trailhead) into the watershed. The pass categories are as follows: trail leaders – allows up to thirty persons with special written request and training; adults – (eighteen years and older) allows the immediate family plus three guests; and juniors – (twelve to seventeen years) does not allow guests and the junior pass holder must be accompanied by one other pass holder.

B. The foregoing recreation fees and charges are within the current range of comparable fees charged by other public and private entities for similar uses and facilities. (Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.040 Fishing Access Passes – Fees and Charges.

A. Beginning on February 1, 2018, the charges to be paid for a daily fishing access pass for the Los Vaqueros reservoir shall be \$6.00 per person to be collected at ticket dispensers, entry gate when manned, the Watershed Office, the Interpretive Center, or the Los Vaqueros marina.

B. Except as set forth in the following sentences, each person who is fishing at the Los Vaqueros reservoir shall have in his or her possession a valid fishing access pass issued that same day. Up to four children (fifteen and under), accompanied by a person sixteen years of age or over who possesses a valid daily fishing access pass, may fish under that fishing access pass subject to the daily possession limit of the pass holder. Each accompanied child over the four allowed, must purchase and have in his or her possession a valid individual fishing access pass issued that same day. Those not accompanied by a person possessing a valid daily fishing

access pass must obtain such daily fishing access pass in order to lawfully fish in Los Vaqueros reservoir. Fishing in any stream, pond or water body within the watershed other than the Los Vaqueros reservoir is unlawful at all times whether or not the person fishing is in possession of a daily fishing access pass.

C. In addition to the foregoing charges, each participant in a “Fishing Derby” shall pay an additional fishing derby entry fee to defray the costs of hosting the Fishing Derby. Fishing Derby fees shall be determined by the Fishing Derby Operator and approved by the Watershed Manager and, as applicable, are to be based on the duration of the derby, fish stocking, and prizes to be offered at the event.

D. The foregoing recreation fees and charges are within the current range of comparable fees charged by other public and private entities for similar uses and facilities.

E. The proceeds from all charges described in this section (other than the fishing derby entry fee) shall be deposited in an interest-bearing and audited account entitled, “Los Vaqueros Reservoir Fishing Access Fund,” and shall be used exclusively for re-stocking fish and improving fish habitat in Los Vaqueros Reservoir. The primary purpose of the fund is for restocking. Upon approval of the General Manager, funds in excess of six months average stocking costs (determined over previous two years) may be used to improve fish habitat. (Res. 18-002 Exh. A (part); Res. 16-03 Exh. A; Res. 15-03 Exh. A (part); Res. 13-03 Exh. A; Res. 12-04 Exh. A (part); Res. 04-04 Exh. A; Res. 99-43 Exh. A (part))

1.10.050 Special Event Permit – Fees and Charges.

A. Beginning on October 7, 1999, the following charges shall be paid for a special event permit:

1. At the time of filing an application, a processing charge of \$200.00.
2. At the time of issuance of the permit:
 - a. Forty dollars per hour per District staff person determined to be necessary or appropriate at the event; and
 - b. One hundred twenty-five dollars per day for each group picnic site reserved.

B. Upon entry into the Watershed, \$2.00 per participant and \$125.00 per day for each group picnic site used but not previously paid for.

C. The charges payable at the time of issuance of the permit shall be refunded on receipt by the District of thirty days prior notice of cancellation.

D. The foregoing recreation fees and charges are within the current range of comparable fees charged by other public and private entities for similar uses and facilities. (Res. 16-03 Exh. A (part); Res. 08-04 Exh. A (part); Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.060 Boat Rental – Fees and Charges.

A. Beginning on February 1, 2016, the following deposits shall be made, and charges shall be paid as noted below, for rental and use of electric-motor-powered boats on the Los Vaqueros Reservoir:

1. Deluxe Electric Motor-Powered Boat (deposit and rental charge):

| | |
|-------------------------------------|---------|
| Advance deposit | \$65.00 |
| (cash or major credit card with ID) | |
| Per hour | 25.00 |
| One-half day (3-5 hours) | 50.00 |
| Full day (over 5 hours) | 70.00 |
2. Deluxe Electric Motor-Powered Patio Boat (deposit and rental charge):

| | |
|-------------------------------------|----------|
| Advance deposit | \$150.00 |
| (cash or major credit card with ID) | |
| Per hour | 50.00 |
| One-half day (3-5 hours) | 115.00 |
| Full day (over 5 hours) | 165.00 |

B. As part of a program entitled the “Fishing Program Incentive,” each person who has caught tagged fish in the Los Vaqueros reservoir and returned the tags to the concessionaire, shall be entitled to a fishing program incentive pass that may be redeemed on a weekday (other than a holiday) for a half-day rental of a small electric- powered boat, after making the required deposit, and subject to availability of such boats.

C. Rental rates for the Deluxe Electric Motor-Powered Boat and for the Deluxe Electric Motor-Powered Patio Boat shall be thirty percent off the rental rates shown in A-1 and A-2, with the exception of Friday, Saturday, Sunday, Monday and legal holidays, where full rates will be effective.

D. The foregoing recreation fees and charges are within the current range of comparable fees charged by other public and private entities for similar uses and facilities. (Res. 17-02 Exh. A (part); Res. 16-03 Exh. A (part); Res. 15-03 Exh. A (part); Res. 08-04 Exh. A (part); Res. 06-03 Exh. A (part); Res. 04-04 Exh. A (part); Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.070 Merchandise or Other Services – Fees and Charges.

Charges for merchandise or other services to the public in connection with the public uses of the Los Vaqueros watershed and its facilities shall be as determined by the District’s Watershed and Lands manager from time to time, to the extent feasible within the current range of comparable fees charged by other public and private entities for similar uses and facilities. (Res. 03-04 Exh. A (part); Res. 99-43 Exh. A (part))

1.10.080 Los Vaqueros Interpretive Center Meeting Room.

A cleaning deposit of \$100.00 is required which will be returned if the meeting room is left in a clean condition in accord with the use permit requirements. (Res. 03-04 Exh. A (part))

Chapter 1.12

INSPECTION OF DISTRICT RECORDS

Sections:

- 1.12.010 Authority and Purpose.**
- 1.12.020 Definitions.**
- 1.12.030 Public Records Open to Inspection.**
- 1.12.040 Copies of Public Records – Fees.**
- 1.12.050 Records Withheld from Public Inspection.**
- 1.12.060 Withholding Records – Exceptions.**

1.12.010 Authority and Purpose.

The regulation codified in this chapter is adopted pursuant to, and is subject to the provisions of, the California Public Records Act (Government Code Section 6250 et seq.). This chapter sets forth the procedures to be followed for the inspection of public records of the District and for safeguarding the confidentiality of the records of the customers and personnel of the District. (Reg. 53(a))

1.12.020 Definitions.

For the purposes of this chapter, the following words shall have the meanings ascribed to them.

"Customer records" means the District's records relating to a particular customer of the District, including, without limitation, records of a customer's name and address, the location, type and size of the customer's service connections, the quantities of water delivered to the customer, the charges to, and the payments by, the customer.

"Personnel records" means the personnel, medical and similar files relating to the officers and employees of the District, the disclosure of which would constitute an unwarranted invasion of personal privacy. Employment contracts are not personnel records.

"Public records of the District" means any writing, document, picture or recording relating to the conduct of the public's business that is prepared, owned, used, or retained by the District regardless of physical form or characteristics and which is a public record under the provisions of the California Public Records Act. (Reg. 53(b))

1.12.030 Public Records Open to Inspection.

Except as otherwise expressly provided in this chapter, any public record of the District shall be available for inspection by any person at all times during the regular hours of the office of the District where the record is maintained. (Reg. 53(c))

1.12.040 Copies of Public Records – Fees.

Subject to the availability of the District's reproducing facilities, the District shall, on request, provide copies of any identifiable public record of the District. The fees for providing copies of public records or information produced therefrom shall be established from time to time by the General Manager and shall not exceed the actual cost of providing the copy. (Reg. 53(d))

1.12.050 Records Withheld from Public Inspection.

Except as provided in Section 1.12.060, the following records will be withheld from inspection and copies thereof shall not be provided:

- A. Customer records.

- B. Personnel records.
- C. Records pertaining to pending litigation to which the District is a party to claims against the District made pursuant to Division 3.6 of Title 1 of the Government Code (Section 810 et seq.) until such litigation of claim has been finally adjudicated or settled.
- D. Data related to plant production, water use, and similar information obtained in confidence from any person.
- E. Preliminary drafts, notes, or intra-District memoranda which are not retained by the District in the ordinary course of its business.
- F. Test questions and similar data used in employment examinations.
- G. Appraisals, engineering estimates and evaluations made for or by the District relative to the acquisition of property, or to supply and construction contracts, until the property is acquired, or the contract executed, subject to the provision of laws relating to eminent domain.
- H. Records the disclosure of which is exempted or prohibited by federal or state law, including, without limitation, matters privileged under provisions of the Evidence Code. (Reg. 53(e))

1.12.060 Withholding Records – Exceptions.

Any public record of the District that may be withheld from inspection under the provisions of Section 1.12.030 shall nevertheless be disclosed and copies thereof furnished on any of the following conditions.

- A. The Board of Directors, after notice and public hearing, finds and determines that the public interest to be served by disclosing the record outweighs the public interest in withholding it. Notice of the public hearing shall be posted at least ten days prior to the hearing at the District's administration center and at two or more conspicuous places within the District and shall be published once at least ten days prior to the hearing in a newspaper published in the District.
 - B. In the case of customer records, the customer consents.
 - C. In the case of personnel records, the officer or employee to whom the records relate consents.
 - D. A valid warrant or subpoena for the record is served upon the District or the custodian of the record.
- (Reg. 53(f))

Chapter 1.24**SMOKING IN DISTRICT FACILITIES****Sections:**

- 1.24.010 Purpose.**
- 1.24.020 Prohibited.**
- 1.24.030 Signage.**

1.24.010 Purpose.

The purpose of the regulation codified in this chapter is to comply with Ordinance No. 8.35.030, of the city of Concord, regulating smoking in public places. This chapter shall also apply to the use of all other tobacco products. (Reg. 56(a))

1.24.020 Prohibited.

Smoking, vaping, and electronic cigarettes are prohibited in all buildings, including within 25 feet of any exit, entrance, or operable window of a building, vehicles, and other enclosed areas occupied by District employees, owned or leased by the District, or otherwise operated by the District. (Res. 22-026 Exh. A (part); Reg. 56(b))

1.24.030 Signage.

“No smoking” signs shall be conspicuously posted in placed affected by this chapter. (Reg. 56(c))

Chapter 1.28

COMMENDATIONS

Sections:

- 1.28.010 Guidelines.**
- 1.28.020 Authority.**
- 1.28.030 Resolution.**
- 1.28.040 Commendation.**

1.28.010 Guidelines.

This chapter establishes consistent guidelines for the recognition of individuals by the District. (Res. 93-25 Exh. A (part))

1.28.020 Authority.

The Board of Directors may bestow recognition on an individual or group by resolution or commendation. (Res. 93-25 Exh. A (part))

1.28.030 Resolution.

A formal statement of appreciation approved by the Board of Directors.

A. A Board member proposing a resolution at a Board meeting informing the Board for the reasons for recognition. If approved, the resolution is prepared and presented for Board adoption.

B. Upon Board approval, the originating Board member is responsible for presenting the resolution to the recipient.

C. A resolution includes a series of “whereas” clauses that specify the reasons for recognition followed by a formal statement of appreciation. Resolutions are printed in a distinctive format and are signed by the President of the Board of Directors.

D. Resolution Criteria:

1. Involvement in an activity directly relating to the mission of the District.
2. Recipient is a public official in an elective position or senior appointive office, and in a position to establish or carry out policies or programs that impact the District.
3. Recipient has a long-standing, significant relationship (beyond the level of routine activities) with the District.
4. The relationship with the District does not economically benefit the individual beyond normal compensation.
5. The relationship impacts the District overall.
6. There is a timely reason for the recognition, such as retirement.

It is not appropriate to provide recognition to a person whose primary contact relates to lobbying, political party, religious institutions, or other organizations or activities whose primary purpose is not directly relevant to the mission of the District. (Res. 93-25 Exh. A (part))

1.28.040 Commendation.

A generalized statement of recognition by a member of the Board of Directors.

- A. The Board member is responsible for presenting the commendation to the recipient.
- B. A commendation does not require the approval of the Board of Directors.

C. A commendation includes statements of recognition by a member of the Board. Commendations are signed by the individual director.

D. Commendation Criteria:

1. Involvement in an activity which may relate to the mission of the District.
2. Recipient is recognized for a notable activity in the community. (Res. 16-03 Exh. A (part); Res. 93-25 Exh. A (part))
