

**CHAPTER 1
Section 4**

**RULES AND REGULATIONS
ALLOCATION OF AVAILABLE SEWER CAPACITY**

CHAPTER HISTORY

Based on Resolution No. 96-6-1 as amended by Resolution Nos. 96-6-2 and 96-12-4 Adopting Rules and Regulations for the Allocation of Available Sewer Capacity and Establishing Rules and Regulations for the Allocation of Available Sewer Capacity Within Assessment District No. 2, and in Compliance with the State Water Code

The current Rules and Regulations governing allocation of available sewer capacity for the Rancho California Water District are enclosed.

*Rules and Regulations Governing Allocation of Available Sewer Capacity
Part III, Chapter 1, Section 4*

Table of Contents

Introduction	2
Section 1.1 Policy	2
Section 1.2 Purpose	2
Section 1.3 Acceptance of Applications	2
Section 1.4 Suspension of Applications; Waiting List	3
1.4.1 No Sewer Connection Fees	3
1.4.2 Sewer Capacity Waiting List	3
1.4.3 Service To Waiting List	3
Section 1.5 Scope	4
Section 1.6 Allocation of Available Sewer Capacity Within Assessment District No. 2	4
1.6.1 Findings	4
1.6.2 Capacity Rights of Owners of Original Assessment Parcels	4
1.6.3 Availability of Sewer Capacity	5
1.6.4 Application for Additional Sewer Capacity	5
1.6.5 Allocation of Capacity upon Division of Parcel	5
1.6.6 Allocation of Capacity upon Final Subdivision of Land	6

INTRODUCTION

Pursuant to Water Code Section 35500, the Rancho California Water District (District) is authorized to acquire, construct, operate and furnish facilities and services for the collection, treatment, and disposal of sewage, waste, and storm water. The District exercises sewage and wastewater collection, treatment and disposal authority within the Santa Rosa Division of the District, and has established a sewage treatment plant to provide such service. The sewage treatment plant and associated disposal system is subject to capacity limitations according to discharge permits issued by regulatory agencies having jurisdiction.

The District is further authorized under Water Code Sections 35506, 35508, 35423, and 35453 to adopt rules and regulations for the collection, treatment, and disposal of sewage and wastewater and, pursuant to this authority, the Board of Directors has established rules and regulations for the allocation of available sewer capacity.

SECTION 1.1 POLICY

It shall be the policy of the Rancho California Water District to put forth all reasonable efforts to assure that sewage treatment and disposal capacity is available when needed within the Santa Rosa Division, and to allocate the available capacity to users and prospective users when actually needed by them.

Sewer capacity shall be furnished to customers only in accordance with the rules and regulations set forth in this Chapter and Resolution No. 96-6-1, as amended by Resolution Nos. 96-6-2 and 96-12-4, or as otherwise authorized by the Board of Directors.

SECTION 1.2 PURPOSE

It is the purpose of these rules and regulations for the allocation of sewer capacity to establish rules, regulations, and procedures that will result in the fair allocation of available sewage treatment capacity to prospective users so that the orderly development of the land within the District can continue and existing District facilities are operated as efficiently as possible.

SECTION 1.3 ACCEPTANCE OF APPLICATIONS

Application for service shall be made by completing the appropriate portions, as determined by the District, of the District's standard Application for Service. The application shall show the land for which sewer service is desired and the land use and the number of dwelling units or the type and square footage of non-residential development proposed for the land. Sewer service applications shall be accepted by the District if the owner of the land to be served submits a completed application form and tenders payment of the District's sewer connection fee based upon the number of units for which the owner desires to acquire capacity.

A sewer service application shall be appurtenant to the land specified therein and may not be transferred to any other land. A sewer service application may be transferred to another owner of the land as part of a sale of the land but shall remain subject to all of the terms of these rules and regulations from the original date when the application was accepted.

SECTION 1.4 SUSPENSION OF APPLICATIONS; WAITING LIST

Should the Board of Directors determine that flows associated with existing service connections and the total of projected flows from all previously accepted and unexpired sewer service applications exceeds the then permitted treatment and disposal capacity of District facilities, the Board may suspend acceptance of additional sewer service applications subject to the following conditions:

1.4.1 No Sewer Connection Fees

Whenever the Board of Directors orders acceptance of sewer service applications to be suspended, the District shall not accept sewer connection fees with respect to any land not then subject to an existing paid application reserving capacity.

1.4.2 Sewer Capacity Waiting List

Applicants for sewer service may submit sewer service applications, which shall be "received" but not "accepted" by the District. Upon receipt of a completed sewer service application, the District shall assign the application to a position at the bottom of a sewer capacity waiting list, which shall be maintained by the District whenever acceptance of applications is suspended. Priority on the list shall be determined according to the date when the application is received.

1.4.3 Service to Waiting List

Whenever the District determines that capacity is available for allocation due to the development and regulatory approval of additional treatment and disposal capacity, the District shall accept additional sewer service applications from the sewer capacity waiting list, according to the priority thereof, but only upon the payment of the District's then current sewer connection fee according to the number of units released to the application. If the number of units released on an application, pursuant to this provision, is less than the total number of units applied for, the owner of the land subject to the application may:

- (1) pay sewer connection fees for the number of units released and remain at the top of the sewer capacity waiting list for the balance of the units; or
- (2) pass on the units then available and remain at the top of the sewer capacity waiting list until such time as capacity for all units applied for becomes available. In the event that an applicant fails to pay the required sewer connection fees within thirty (30) days after the District makes capacity available, the application will be treated as expired and the capacity will be offered to the next applicant on the sewer capacity waiting

list according to priority. Any application on the waiting list, which is allocated capacity shall be deemed "accepted" by the District on the date when sewer connection fees are paid.

SECTION 1.5 SCOPE

These rules and regulations for the allocation of available sewer capacity shall apply to all applicants for sewer service within the Santa Rosa Division of the District, to the extent that they do not impair the sewer capacity rights of the owners of parcels within Assessment District No. 2, and to applications for sewer service for areas outside the boundaries of the District where the District has contracts with other public agencies to accept, treat, and dispose of sewage and wastewater. Applicants for sewer service within the boundaries of the District and within the areas subject to contract shall be treated equally.

The District shall not accept sewer connection fees from contract agencies, except in compliance with these rules and regulations.

SECTION 1.6 ALLOCATION OF AVAILABLE SEWER CAPACITY WITHIN ASSESSMENT DISTRICT NO. 2

The Board of Directors shall preserve the Assessment District No. 2 capacity rights of all land within Assessment District No. 2 against which Assessment District No. 2 assessments have been levied and paid. To the extent that Assessment District No. 2 property requires additional capacity, it shall be treated equally with other property within the Santa Rosa Division.

1.6.1 Findings

The Board of Directors finds that property within Assessment District No. 2 for which assessments for the acquisition, construction, operation, and maintenance of the Joaquin Ranch Water Reclamation Facility have been paid have a right to capacity without paying a connection fee for treatment to the extent of capacity assigned to the original assessment parcels by virtue of their inclusion in Assessment District No. 2. To the extent that the demand for sewage treatment capacity of any parcel within Assessment District No. 2 exceeds the vested capacity assigned to that parcel by virtue of its inclusion in the assessment district, it will be necessary for the property owner to reserve additional capacity and pay the District's sewer connection fee, in accordance with Sections 1.3 and 1.4 of this Chapter and Resolution No. 96-6-1.

1.6.2 Capacity Rights of Owners of Original Assessment Parcels

Real property within Assessment District No. 2 shall have a right to an amount of sewer capacity expressed in the number of dwelling units or equivalent dwelling units which may be connected to the District's sewer system according to the Assessment District No. 2 Engineer's Report, the "Rancho California Water District, Assessment District No. 2, Report Pursuant to Section 10204 of the Municipal Improvement Act of 1915," dated November 27, 1981. Assessment District No. 2 capacity has been acquired and is continued in effect by payment of the Assessment District No. 2

assessments. Assessment District No. 2 capacity is exempt from the application and sewer connection fee requirements of Sections 1.3 and 1.4.

The amount of Assessment District No. 2 capacity assigned to an original assessment parcel within Assessment District No. 2, expressed as a number of equivalent dwelling units, is conclusively established by the original Assessment Roll included in the Assessment District No. 2 Engineer's Report (the original Assessment Roll is a public record, open to inspection during regular office hours of the District, pursuant to the procedures for access to public records outlined in Part I, Chapter 6, of this Administrative Code).

1.6.3 Availability of Sewer Capacity

Notwithstanding the provisions of this Chapter, for purposes of determining the amount of the District sewer capacity that is available for new customers within the Santa Rosa Division, an amount of existing sewage treatment and disposal capacity equal to the Assessment District No. 2 capacity will be allocated and assigned to each parcel of land within Assessment District No. 2.

1.6.4 Application for Additional Sewer Capacity

If development plans for any parcel within Assessment District No. 2 require sewer capacity in excess of the Assessment District No. 2 capacity assigned to that parcel, the owner of the parcel shall make application for sewer service, in accordance with Section 1.3, in order to obtain an allocation of sewer capacity over and above the Assessment District No. 2 capacity. The District's sewer connection fee shall be based upon the number of excess units. The sewer service application for excess units shall be subject to all terms and requirements of the District's rules and regulations for the allocation of available sewer capacity.

1.6.5 Allocation of Capacity Upon Division of Parcel

In the event that an original assessment parcel within Assessment District No. 2 is divided into two or more parcels, whether by way of parcel map, subdivision map, or otherwise, and one or more of the resulting parcels is sold prior to connection to the sewer system, the buyer and seller may agree to the proper allocation of Assessment District No. 2 capacity between or among the various resulting parcels. In that event, the District agrees to be bound by the agreed allocation of Assessment District No. 2 capacity upon receipt of written notice of the allocation signed by both the buyer and seller of the resulting parcel(s). If the District has not received a written notice of allocation, the Assessment District No. 2 capacity assigned to the original assessment parcel shall be allocated among the resulting parcels in direct proportion to the acreage of the original assessment parcel, without regard to zoning, terrain, or any other factor.

The resulting parcels following a division and allocation of Assessment District No. 2 capacity shall be entitled to connect to the District sewer system, according to Sections 1.6.2 and 1.6.3 hereof. Any resulting parcel, which applies for capacity in excess of the allocation, shall be subject to Section 1.6.4 hereof.

1.6.6 Allocation of Capacity Upon Final Subdivision of Land

Should the final subdivision of land within Assessment District No. 2 result in fewer connections than anticipated by the original Assessment District No. 2 planning area allocation, the District shall retain unused capacity and contribute any funds saved to the Sewer Division Debt Service Fund for the benefit of all sewer customers.

RESOLUTION NO. 96-12-4

RESOLUTION OF THE BOARD OF DIRECTORS OF THE RANCHO CALIFORNIA WATER DISTRICT, RIVERSIDE COUNTY, CALIFORNIA ADOPTING RULES AND REGULATIONS FOR THE ALLOCATION OF AVAILABLE SEWER CAPACITY, AND ESTABLISHING RULES AND REGULATIONS FOR THE ALLOCATION OF AVAILABLE SEWER CAPACITY WITHIN ASSESSMENT DISTRICT NO. 2 AND AMENDING RESOLUTION NO. 96-6-2

WHEREAS, on June 13, 1996, the Board of Directors adopted Resolution No. 96-6-2 for the purpose of establishing rules and regulations within the Santa Rosa Division for the reservation of sewage capacity within Assessment District No. 2 ("AD No. 2" herein); and

WHEREAS, projections based upon current plans for development within AD No. 2 indicate that the ultimate demand for sewage treatment capacity after total build-out will vary substantially from the original projections of densities formulated in the assessment roll of AD No. 2.

NOW, THEREFORE, be it hereby resolved, determined and ordered by the Board of Directors of the Rancho California Water District as follows:

Section 1. Findings. In addition to the findings set forth in Resolution No. 96-6-2, the Board of Directors further finds:

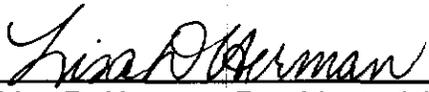
- A. Certain assessment planning areas within Ad No. 2 will not reach the total quantity of EDUs originally projected.
- B. The District is not responsible for the decisions or process involved in determining the final densities of the AD No. 2 assessment planning areas.
- C. All proceeds of the pre-sold treatment capacity within Ad No. 2 have been used for construction and/or assessment district administrative costs.
- D. Partly because of lower densities over a significant period of time, the Joaquin Ranch Plant operated at an annual deficit. The cost of making up the deficit has been borne by all property owners within AD No. 2 by higher monthly service charges and standby charges.

- E. The property owners within AD No. 2 have been vested in capacity rights to the newer Santa Rosa Water Reclamation Facility without any additional connection charges. This has resulted in lower standby charges and monthly service charges to property owners within AD No. 2.

Section 2. The following paragraph is hereby added to Section 6 of Resolution No. 96-6-2:

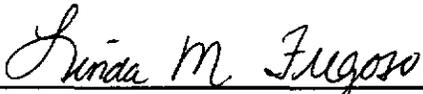
(c) Should the final subdivision of land within AD No. 2 result in fewer connections than anticipated by the original AD No. 2 planning area allocation, Rancho California Water District will retain unused capacity and contribute any funds saved to the Sewer Division Debt Services Fund for the benefit of all sewer customers.

ADOPTED, SIGNED AND APPROVED this 12th day of December 1996.



Lisa D. Herman, President of the
Board of Directors of the
Rancho California Water District

ATTEST:

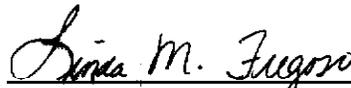


Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

STATE OF CALIFORNIA)
)ss.
COUNTY OF RIVERSIDE)

I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the foregoing Resolution No. 96-12-4 was duly adopted by the Board of Directors of said District at a regular meeting thereof held on the 12th day of December, 1996, and that it was so adopted by the following vote:

AYES:	DIRECTORS:	Daily, Herman, Ko, McMillan, Minkler, Woods
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	Kulberg



Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)

AMENDED BY Reso 96-12-4
DATE December 12, 1996

RESOLUTION NO. 96-6-2

A RESOLUTION OF THE BOARD OF DIRECTORS OF RANCHO CALIFORNIA WATER DISTRICT RESCINDING ORDINANCE NO. 89-11-1, AMENDING RESOLUTION NO. 96-6-1, ADOPTING RULES AND REGULATIONS FOR THE ALLOCATION OF AVAILABLE SEWER CAPACITY, AND ESTABLISHING RULES AND REGULATIONS FOR THE ALLOCATION OF AVAILABLE SEWER CAPACITY WITHIN ASSESSMENT DISTRICT NO. 2

WHEREAS, on November 17, 1989, the Board of Directors adopted Ordinance No. 89-11-1 for the purpose of establishing rules and regulations within the Santa Rosa Division for the reservation of sewage capacity within Assessment District No. 2 ("AD No. 2" herein); and

WHEREAS, one of the two sewage treatment plants in the Santa Rosa Division, known as the Joaquin Ranch Water Reclamation Facility (Joaquin Ranch Plant) was financed through the formation of AD No. 2 and the sale of bonds issued pursuant to the Improvement Bond Act of 1915, which bonds became a lien upon the lands within AD No. 2; and

WHEREAS, since the formation of AD No. 2 in 1982, each parcel in AD No. 2 had been assessed to pay the cost of construction, operation and maintenance of the Joaquin Ranch Plant. The AD No. 2 assessments are based upon the number of dwelling units or equivalent dwelling units (EDUs) estimated for ultimate construction on each parcel pursuant to the owner's plans for development, all as shown in the approved "Rancho California Water District, Assessment District No. 2, Report Pursuant to Section 10204 of the Municipal Improvement Act of 1913," dated November 27, 1981 ("AD No. 2 Engineer's Report"); and

WHEREAS, the owners of the land within AD No. 2 agreed to the formation of the assessment district and paid the assessments levied on said lands in the expectation that their capacity in the Joaquin Ranch Plant was guaranteed; and

WHEREAS, the adoption of Resolution No. 96-6-1 is not intended to impair the rights of the owners of parcels within AD No. 2 to the 0.6 MGD capacity in the Joaquin Ranch Plant; and

WHEREAS, projections based upon current plans for development in AD No. 2 indicate that the ultimate demand for sewage treatment capacity after total build-out of the area may be approximately 1.0 MGD and may exceed the current capacity of Joaquin Ranch Plant; and

WHEREAS, it has been determined that the most efficient and least cost alternative for accommodating the excess demand for sewage treatment capacity in AD No. 2 is to divert the excess flow to the second treatment plant in the Santa Rosa Division known as the Santa Rosa Water Reclamation Facility ("SRWRF" herein); and

WHEREAS, although Original Assessment Parcels in AD No. 2 have guaranteed capacity to the extent of the capacity available through the Joaquin Ranch Plant, it will be necessary for owners of property in AD No. 2 to make application for and pay for additional capacity in the SRWRF and to that extent they will be subject to Resolution No. 96-6-1.

NOW, THEREFORE, be it hereby resolved, determined and ordered by the Board of Directors of the Rancho California Water District as follows:

Section 1. Findings. In addition to the findings set forth in Resolution No. 96-6-1, the Board of Directors further finds:

- A. Property within AD No. 2 for which assessments for acquisition, construction, operation, and maintenance of the Joaquin Ranch Plant have been paid have a right to capacity within the Joaquin Ranch Plant without paying a connection fee for treatment to the extent of capacity assigned to the original assessment parcels by virtue of their inclusion in AD No. 2.
- B. Development plans for the AD No. 2 area in process at this time show that the demand for sewage treatment capacity from AD No. 2 may substantially exceed the capacity of the Joaquin Ranch Plant.
- C. To the extent that the demand for sewage treatment capacity of any parcel within AD No. 2 exceeds the vested capacity assigned to that parcel by virtue of its inclusion in AD No. 2, it will be necessary for the property owner to reserve additional capacity and pay the District's sewer connection fee in accordance with the provisions of Resolution No. 96-6-1.
- D. An equitable means must be established to allocate Joaquin Ranch Plant capacity in the event that an original assessment parcel within AD No. 2 is subdivided into more parcels than projected in the original assessment parcels.
- E. An amendment to Resolution No. 96-6-1 is required to clarify existing District policy with respect to capacity rights of owners of original assessment parcels in AD No. 2 and to establish rules and procedures to allocate capacity rights upon subdivision of original assessment parcels within AD No. 2.

Section 2. Rescission of Ordinance No. 89-11-1 and Amendment of Resolution No. 96-6-1. This resolution rescinds Ordinance No. 89-11-1 and amends Resolution No. 96-6-1. Except as amended hereby, Resolution No. 96-6-1 shall remain in full force and effect. This Resolution shall take precedence over any inconsistent provision in Resolution No. 96-6-1; provided; however, this Resolution and Resolution No. 96-6-1 shall be interpreted to be consistent with each other where possible.

Section 3. AD No. 2 Capacity. "AD No. 2 Capacity" is defined for the purpose of this Resolution as the right of real property within AD No. 2 to an amount of sewer capacity expressed in the number of dwelling units or EDUs which may be connected to the District's sewer system according to the AD No. 2 Engineer's Report. AD No. 2 Capacity has been acquired and is continued in effect by payment of the AD No. 2 assessments. AD No. 2 Capacity is exempt from the application and sewer connection fee requirements of Resolution No. 96-6-1.

The amount of AD No. 2 Capacity assigned to an original assessment parcel within AD No. 2, expressed as a number of equivalent dwelling units, is conclusively established by the original Assessment Roll included in AD No. 2 Engineer's Report. A copy of the original Assessment Roll is marked Exhibit "A" attached hereto, and incorporated herein by this reference.

Section 4. Availability of Sewer Capacity. Notwithstanding the provisions of Resolution No. 96-6-1, for purposes of determining the amount of the District sewer capacity which is available for new customers within the Santa Rosa Division, an amount of existing sewage treatment and disposal capacity equal to the AD No. 2 Capacity will be allocated and assigned to each parcel of land within AD No. 2.

Section 5. Application for Additional Sewer Capacity. If development plans for any parcel within AD No. 2 require sewer capacity in excess of the AD No. 2 Capacity assigned to that parcel, the owner of the parcel shall make application for sewer service in accordance with Resolution No. 96-6-1 in order to obtain an allocation of sewer capacity over and above the AD No. 2 Capacity ("Excess Units" herein). The District's sewer connection fee shall be based upon the number of Excess Units. The Sewer Service Application for Excess Units shall be subject to all terms and requirements of Resolution No. 96-6-1 .

Section 6. Allocation of AD No. 2 Capacity Upon Division of Parcel.

- (A) In the event that (1) an original assessment parcel within AD No. 2, as shown in the Exhibit "A", is divided into two or more parcels, whether by way of parcel map, subdivision map, or otherwise, and (2) one or more of the resulting parcels is sold prior to connection to the sewer system, the buyer and seller may agree to the proper allocation of AD No. 2 capacity between or among the various resulting parcels. In that event, the District agrees to

be bound by the agreed allocation of AD No. 2 capacity upon receipt of written notice of the allocation signed by both the buyer and seller of the resulting parcel(s). If the District has not received a written notice of allocation, the AD No. 2 capacity assigned to the original assessment parcel according to the Exhibit "A" shall be allocated among the resulting parcels in direct proportion to the acreage of the original assessment parcel, without regard to zoning, terrain or any other factor.

- (B) The resulting parcels following a division and allocation of AD No. 2 capacity according to subdivision (A) above, shall be entitled to connect to the District sewer system according to Sections 3 and 4 hereof. Any resulting parcel which applies for capacity in excess of the allocation under subdivision (A) above, shall be subject to Section 5 hereof.

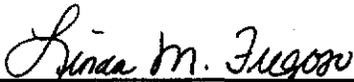
Section 7. Intent of Resolution. This Resolution shall apply to all land within AD No. 2 against which AD No. 2 assessments have been levied and paid. It is the intent of the Board that AD No. 2 capacity rights shall be preserved and, to the extent that AD No. 2 property requires additional capacity, it is to be treated equally with other property within the Santa Rosa Division under Resolution No. 96-6-1 .

ADOPTED, SIGNED AND APPROVED this 13th day of June, 1996.



Lisa D. Herman, President of the
Board of Directors of the
Rancho California Water District

ATTEST:

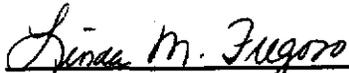


Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

STATE OF CALIFORNIA)
)ss.
COUNTY OF RIVERSIDE)

I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the foregoing Resolution No. 96-6-2 was duly adopted by the Board of Directors of said District at a regular meeting thereof held on the 13th day of June, 1996, and that it was so adopted by the following vote:

AYES:	DIRECTORS:	Daily, Herman, Ko, Kulberg, McMillan, Minkler, Woods
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None



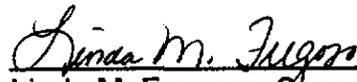
Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)

STATE OF CALIFORNIA)
)ss.
COUNTY OF RIVERSIDE)

I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 96-6-2 of said Board, and that the same has not been amended or repealed.

DATED: June 13, 1996



Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)

**ASSESSMENT ROLL
 RANCHO CALIFORNIA WATER DISTRICT
 ASSESSMENT DISTRICT NO. 2
 JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
1	904-020-039	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	13.02	Villas	103 DU	\$ 197,626
2	904-020-036	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	28.06	VLDSF	37 DU	106,526
3	904-020-035	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	34.64	VLDSF	58 DU	166,770
4	904-020-037	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	39.13	Patio Homes Villas, Seminar Center	103 DU 90 DU 100 PP	263,746 172,646 63,916
5	904-020-032	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	15.44	Villas	104 DU	199,830
6	904-020-030	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	45.10	VLDSF Estates	36 DU 5 DU	103,588 19,102

**EXHIBIT A
 RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
RANCHO CALIFORNIA WATER DISTRICT
ASSESSMENT DISTRICT NO. 2
JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
7	904-020-031	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	51.15	VLDSF	81 DU	\$ 232,890
8	904-020-029	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	37.90	VLDSF	49 DU	141,056
9	904-020-033	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	197.49	Club House	500 PP	586,264
10	904-020-038	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	188.90	Open Space	0	0
11	904-020-011	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	89.09	VLDSF	188 DU	540,714
12	904-020-012	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	7.15	Swim & Tennis Club	100 PP	63,916

**EXHIBIT A
RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
RANCHO CALIFORNIA WATER DISTRICT
ASSESSMENT DISTRICT NO. 2
JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
13	904-030-033	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	202.09	VLDSF	270 DU	\$ 830,378
14	904-020-044	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	8.23	WRP	0	0
15	904-020-014	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	62.57	Villas	157 DU	301,214
16	904-020-016	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	38.29	VLDSF	83 DU	238,766
17	904-020-017	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	45.00	Villas	150 DU	425,710
18	904-020-018	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	9.43	Commercial Garden Office	20,000 SF 40,000 SF	189,360 157,800

**EXHIBIT A
RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
RANCHO CALIFORNIA WATER DISTRICT
ASSESSMENT DISTRICT NO. 2
JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
19	904-020-045	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	11.85	Estates	4 DU	\$ 22,442
20	904-020-043	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	61.42	Open Space	0	0
21	904-020-042	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	21.29	Villas	80 DU	227,232
22	904-020-022	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	8.55	Commercial Garden Office	20,000 SF 40,000 SF	127,832 106,526
23	904-020-023	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	0.77	Open Space	0	0
24	904-020-026	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	10.31	Reservoir Site	0	0

**EXHIBIT A
RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
 RANCHO CALIFORNIA WATER DISTRICT
 ASSESSMENT DISTRICT NO. 2
 JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
25	904-020-027	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	18.35	Open Space	0	\$ 0
26	904-020-040	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	1.41	VLDSF	2 DU	8,416
27	904-020-047	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	0.13	Open Space	0	0
28	904-020-046	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	0.64	Open Space	0	0
29	904-020-048	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	0.01	Open Space	0	0
30	904-030-018	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	72.33	LDSF	96 DU	363,290

**EXHIBIT A
 RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
RANCHO CALIFORNIA WATER DISTRICT
ASSESSMENT DISTRICT NO. 2
JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
31	904-030-017	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	179.40	Open Space	0	\$ 0
32	904-030-019	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	21.68	IWSF	0	0
33	904-030-020	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	270.42	Estates	20 DU	113,616
34	904-030-021	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	92.91	LDSF	260 DU	983,270
35	904-030-022	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	6.85	Open Space	0	0
36	904-030-023	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	7.50	Villas Tennis Club	32 DU 100 PP	90,472 94,680

**EXHIBIT A
RESOLUTION NO. 96-6-2**

**ASSESSMENT ROLL
 RANCHO CALIFORNIA WATER DISTRICT
 ASSESSMENT DISTRICT NO. 2
 JOAQUIN RANCHO WASTEWATER RECLAMATION FACILITIES**

ASSESS. NO.	ASSESSOR'S NUMBER	LEGAL DESCRIPTION	OWNER'S NAME AND ADDRESS	ACREAGE	UNIT TYPE (1)	PP/DU/SF (2)	ASSESSMENT
37	904-030-024	See Appen A	Joaquin Ranch Co. 515 S. Flower, Rm. 1835 Los Angeles, CA 90071	26.34	Open Space	0	\$ 0
38	904-020-002	See Appen. A	Bear Creek Limited 28636 Front Street Temecula, CA 92390	4.09	Villas	21 DU	40,406
TOTALS				1928.93		800 PP 2029 DU 120000 SF	\$ 7,180,000

NOTES

- (1) VLDSF = Very Low Density Single Family
- WRP = Wastewater Reclamation Plant
- LDSF = Low Density Single Family
- IWSF = Inclement Weather Storage Facility
- (2) PP = Population
- DU = Domestic Units
- SF = Square Feet

**EXHIBIT A
 RESOLUTION NO. 96-6-2**

RESOLUTION NO. 96-6-1

AMENDED BY Reso No. 96-6-2
DATE June 13, 1996

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RANCHO CALIFORNIA WATER DISTRICT, RESCINDING
ORDINANCE NO. 89-3-1 AND ADOPTING RULES AND
REGULATIONS FOR THE ALLOCATION OF AVAILABLE
SEWER CAPACITY**

WHEREAS, the Rancho California Water District was formed and operates pursuant to Division 13 (commencing with Section 34000) of the California Water Code and is authorized by that law to acquire, construct, operate and furnish facilities and services for the collection, treatment and disposal of sewage, waste and storm water (Water Code Section 35500); and

WHEREAS, the District exercises sewage and wastewater collection, treatment and disposal authority within the Santa Rosa Division and has established two sewage treatment plants to provide such service. The sewage treatment plants and the associated disposal systems are subject to capacity limitation according to discharge permits issued by regulatory agencies having jurisdiction; and

WHEREAS, it has been and continues to be the District's policy that all reasonable efforts will be devoted by the District to assure that sewage treatment and disposal capacity will be available when needed within the Santa Rosa Division, and to allocate the available capacity to users and prospective users when actually needed by them; and

WHEREAS, Water Code Sections 35506, 35508, 35423 and 35453 authorize the District to adopt rules and regulations for the collection, treatment and disposal of sewage and wastewater; and

WHEREAS, on March 10, 1989, the Board of Directors adopted Ordinance No. 89-3-1 for the purpose of establishing rules and regulations within the Santa Rosa Division for the reservation of sewage capacity; and

WHEREAS, the Board of Directors has determined that circumstances involving sewage capacity within the Santa Rosa Division have changed.

NOW, THEREFORE, be it hereby resolved, determined and ordered by the Board of Directors of the Rancho California Water District as follows:

Section 1. Findings. This Resolution is adopted in contemplation of the following findings:

- A. Residential and commercial development of land within the Santa Rosa Division is expected to continue for the foreseeable future.

- B. Sewage treatment and disposal capacity exists sufficient for the needs of current users and those applicants for sewer service who have paid sewer connection fees.
- C. It is possible that regulatory requirements for sewage treatment and disposal facilities will result in the need for additional capital facilities and the need to increase the District's Sewer Connection Fees from time to time.
- D. The District must establish rules, regulations and procedures which will result in the fair allocation of available sewage treatment capacity to prospective users so that the orderly development of the land within the District can continue, and so that existing District facilities are operated as efficiently as possible.

Section 2. Rescission of Ordinance No. 89-3-1. This Resolution hereby rescinds Ordinance No. 89-3-1 in its entirety.

Section 3. Acceptance of Applications. Sewer Service Applications will be accepted by the District if:

- A. The District has received a completed Sewer Service Application form showing:
 - (i) The land for which sewer service is desired.
 - (ii) The land use and the number of dwelling units or the type and square footage of non-residential development proposed for the land.
- B. The owner tenders payment of the District's Sewer Connection Fee based upon the number of Units for which the owner desires to acquire capacity.

A Sewer Service Application shall be appurtenant to the land specified therein and may not be transferred to any other land. A Sewer Service Application may be transferred to another owner of the land as part of a sale of the land but shall remain subject to all of the terms of this Resolution from the original date when the Application was accepted.

Section 4. Suspension of Applications: Waiting List:

- A. **Suspension of Acceptance:** Should the Board of Directors ever determine that (1) the flows associated with existing service connections and (2) the total of projected flows from all previously accepted and unexpired Sewer Service Applications exceeds the then permitted treatment and disposal capacity of District facilities, the Board may suspend acceptance of additional Sewer Service Applications subject to the following conditions:

- (i) **No Sewer Connection Fees:** Whenever the Board of Directors orders acceptance of Sewer Service Applications to be suspended, the District shall not accept Sewer Connection Fees with respect to any land not then subject to an existing paid application reserving capacity.

- (ii) **Sewer Capacity Waiting List:** Applicants for sewer service may submit Sewer Service Applications which shall be "received" but not "accepted" by the District. Upon receipt of a completed Sewer Service Application, the District shall assign the Application to a position at the bottom of a Sewer Capacity Waiting List which shall be maintained by the District whenever acceptance of Applications is suspended. Priority on the list shall be determined according to the date when the Application is received.

- (iii) **Service to Waiting List:** Whenever the District determines that capacity is available for allocation due to the development and regulatory approval of additional treatment and disposal capacity, the District shall accept additional Sewer Service Applications from the Sewer Capacity Waiting List, according to the priority thereof, but only upon the payment of the District's then current Sewer Connection Fees according to the number of Units released to the Application. If the number of Units released on an Application, pursuant to this provision, is less than the total number of Units applied for, the owner of the land subject to the application may:
 - (a) pay sewer connection fees for the number of Units released and remain at the top of the Sewer Capacity Waiting List for the balance of the units; or
 - (b) pass on the Units then available and remain at the top of the Sewer Capacity Waiting List until such time as capacity for all Units applied for becomes available. In the event that an applicant fails to pay the required Sewer Connection Fees within thirty days after the District makes capacity available, the Application will be treated as expired and the capacity will be offered to the next applicant on the Sewer Capacity Waiting List according to priority. Any Application on the waiting list which is allocated capacity shall be deemed "accepted" by the District on the date when Sewer Connection Fee is paid.

Section 5. Scope of Resolution:

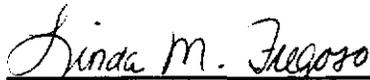
This Resolution shall apply to all applicants for sewer service within the Santa Rosa Division of the District. The Board of Directors intends that this Resolution shall also apply to applications for sewer service for areas outside the boundaries of the District where the District has contracts with other public agencies to accept, treat and dispose of sewage and wastewater. The Board further intends that applicants for sewer service within the boundaries of the District and within the areas subject to contract shall be treated equally under this Resolution. The District shall not accept Sewer Connection Fees from contract agencies except in compliance with this Resolution.

ADOPTED, SIGNED AND APPROVED this 13th day of June, 1996.



Lisa D. Herman, President of the
Board of Directors of the
Rancho California Water District

ATTEST:



Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

STATE OF CALIFORNIA

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)ss.

COUNTY OF RIVERSIDE

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I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the foregoing Resolution No. 96-6-1 was duly adopted by the Board of Directors of said District at a regular meeting thereof held on the 13th day of June, 1996, and that it was so adopted by the following vote:

AYES:	DIRECTORS:	Daily, Herman, Ko, Kulberg, McMillan, Minkler, Woods
NOES:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None

Linda M. Fregoso

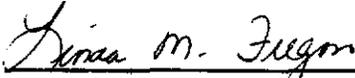
Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)

STATE OF CALIFORNIA)
)ss.
COUNTY OF RIVERSIDE)

I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 96-6-1 of said Board, and that the same has not been amended or repealed.

DATED: June 13, 1996



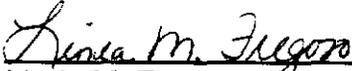
Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)

STATE OF CALIFORNIA)
)ss.
COUNTY OF RIVERSIDE)

I, LINDA M. FREGOSO, Secretary of the Board of Directors of the Rancho California Water District, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 96-6-1 of said Board, and that the same has not been amended or repealed.

DATED: June 13, 1996



Linda M. Fregoso, Secretary of the
Board of Directors of the
Rancho California Water District

(SEAL)