

RIO LINDA COUNTY WATER DISTRICT

RESOLUTION I-77

LOCAL GUIDELINES IMPLEMENTING THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT

As amended
January 1, 1977

ARTICLE I - GENERAL

Section 1. Purposes. This resolution implements the purposes and provisions of the California Environmental Quality Act (hereinafter referred to as "CEQA") and the Guidelines for Implementation of CEQA (hereinafter referred to as "State Guidelines") which have been adopted by the California Resources Agency. The enhancement and long-term protection of the environment and the encouragement of public participation in achieving these goals are objectives of this measure.

Section 2. State Policy. The Legislature has declared that it is the policy of the state to:

- (1) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
- (2) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
- (3) Prevent the elimination of fish or wildlife species due to man's activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
- (4) Insure that the long-term protection of the environment shall be the guiding criterion in public decisions.
- (5) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
- (6) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
- (7) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs, and to consider alternatives to proposed actions affecting the environment.

Section 4. Objectives. From time to time and under circumstances as outlined by this Resolution, an environmental document must be prepared as a prerequisite to approval of a project. The function of such a document is to provide information regarding the environmental effects of proposed projects. The environmental effects set forth in such document are to be evaluated before a project is approved. The Board retains existing authority to balance environmental objectives with economic, social, and other relevant objectives of the proposed project.

ARTICLE II - APPLICABILITY

Section 5. Scope of Applicability. This Resolution applies to all activities which are projects as defined herein.

Section 6. Ministerial Projects.

A. Ministerial projects are exempt from the requirements of CEQA and these Guidelines and consequently no environmental documents are required therefor. Generally speaking, a ministerial project is one requiring approval by the District as a matter of law or the use of fixed standards or objective measurements without personal judgment. Examples of such projects include, but are not limited to, individual utility service connections and disconnections, agreements to install in-tract utility facilities to subdivisions, development of which has been approved by other appropriate governmental agencies, and utility service connections and disconnections to potential customers within such subdivision.

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

ARTICLE III - DEFINITIONS

Whenever the following terms are used in this Resolution, they shall have the following meaning unless otherwise expressly defined:

Section 7. Approval means a decision by the District which commits it to a definite course of action with regard to a particular project. As respects any project to be undertaken directly by the District, approval shall be deemed to occur on the date the Board adopts a resolution making the determination to proceed with a project, which in no event shall be later than the date of adoption of plans and specifications. As respects private projects defined in Section 29 A(2) and (3), *infra*, approval shall be deemed to occur upon the earliest commitment to issue or the issuance by the District of a discretionary contract, grant, subsidy, loan, or other form of financial assistance, lease, permit, license, certificate, or other entitlement for use of the project. The mere acquisition of land by the District, on the other hand, shall not in and of itself be deemed to constitute approval of a project. For purposes of this Resolution, all environmental assessments must be completed as of the time of project approval.

Section 8. Board means the Board of Directors of Rio Linda County Water District.

Section 9. Categorical Exemption means an exemption from the requirement of preparing a Negative Declaration or an EIR even though the proposed project is discretionary in nature, as more particularly described in Article VII, *infra*.

Section 10. Cumulative Impacts refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects.

Section 11. Discretionary Project means a project approval of which requires the exercise of independent judgment, deliberation or decision making on the part of the District.

Section 12. District means the Rio Linda County Water District.

Section 13. Emergency means a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

Section 14. Environment means the physical conditions which exist in the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, objects of historic or aesthetic significance.

Section 15. Environmental Documents means Draft and Final EIR's, Initial Studies, Negative Declarations, Notices of Completion, and Notices of Determination.

Section 16. Environmental Impact Report (EIR) means a detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 and 21100.1 of the California Environmental Quality Act, and may mean either a draft or a final EIR.
(a) Draft EIR means an EIR containing the information specified in Section 40 of these Guidelines.
Agency, consults with Responsible Agencies in the preparation of a draft EIR, the draft EIR shall also contain the information specified in Section 40 C.
(b) Final EIR means an EIR containing the information contained in the draft EIR, comments either verbatim or in summary received in the review process, a list of persons commenting, and the response of the Lead Agency to the comments received. The final EIR is discussed in detail in Section 40 M.

Section 17. EIS - Environmental Impact Statement means an EIR prepared pursuant to the National Environmental Policy Act (NEPA).

Section 18. State Guidelines means the Guidelines for implementation of CEQA adopted by the California Resources Agency as they now exist or hereafter may be amended.

Section 19. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Section 20. Initial Study means a preliminary analysis prepared pursuant to Section 38, infra, to determine whether an EIR or a Negative Declaration must be prepared.

Section 21. Jurisdiction by Law

- A. Jurisdiction by law means the authority of any public agency:
- (1) to grant a permit or other entitlement for use,
 - (2) to provide funding for the project in question, or
 - (3) to exercise authority over resources which may be affected by the project.
- B. A city or county will have jurisdiction by law with respect to a project when the city or county is the site of the project, the area in which the major environmental effects will occur, and/or the area in which reside those citizens most directly concerned by any such environmental effects.
- C. Where an agency having jurisdiction by law must exercise discretionary authority over a project in order for the project to

proceed, it is also a Responsible Agency (see Section 30), or the Lead Agency (see Section 22).

Section 22. Lead Agency means the public agency which has the principal responsibility for preparing environmental documents and for carrying out or approving a project which may have a significant effect on the environment where more than one public agency is involved in the same underlying activity.

Section 23. Master Environmental Assessment is a document prepared in accordance with Section 48, infra, of these Guidelines.

Section 24. Negative Declaration means a written statement prepared by the Lead Agency briefly describing the reasons that a proposed project, although not categorically exempt, will not have a significant effect on the environment and therefore does not require the preparation of an EIR.

Section 25. Notice of Completion means a brief notice filed with the Secretary for Resources as soon as a District has completed a draft EIR and is prepared to send out copies for review. (See Exhibit "D")

Section 26. Notice of Determination means a brief notice to be filed by the District after it approves or determines to carry out a project which is subject to the requirements of CEQA. (See Exhibit "C")

Section 27. Notice of Exemption means a brief notice which may be filed by the District when it has approved or determined to carry out a project, and it has determined that it is ministerial, categorically exempt or an emergency project. Such a notice may also be filed by an applicant where such a determination has been made by the District, which must approve the project. The contents of this notice are explained in Section 36A and B, infra. (See Exhibit "E")

Section 28. Person includes any person, firm, association, organization, partnership, business, trust, corporation, company, district, county, city and county, city, town, the State, and of the agencies' political subdivisions of such entities.

Section 29. Project

A. Project means the whole of an action which has a potential for resulting in a physical change in the environment, directly or ultimately, that is any of the following:
(1) an activity directly undertaken by the District; (2) an activity undertaken by a person which is supported in whole or in part through contracts, grants, subsidies, loans, or other forms of assistance from the District; (3) an activity involving the issuance by the District to a person of a lease, permit, license, certificate, or other entitlement for use.

B. Project does not include:

(1) anything specifically exempted by state law; (2) proposals for legislation to be enacted by the State Legislature; (3) continuing administrative or maintenance activities such as purchases for supplies, personnel-related actions, emergency repairs to public service facilities, general policy and procedure making, (except as they are applies to specific instances covered above), feasibility or planning studies; (4) the submittal of proposals to a vote of the people of the state or of a particular community (including the District).

C. The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

Section 30. Responsible Agency means a public agency which proposes to carry out a project, but is not the lead agency for the project. It includes all public agencies other than the lead agency which have approval power over the project.

Section 31. Significant Effect on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Section 32. District's Staff means the District's Manager, and/or his designee, and Engineer of the District.

ARTICLE IV - EMERGENCY PROJECTS

Section 33. The following emergency projects do not require the preparation of a Negatative Declaration or an EIR and thus, are outside the scope of this Resolution:

- (a) Projects undertaken, carried out, or approved by the District to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1, Title 2 of the Government Code.
- (b) Emergency repairs to any of the District's facilities necessary to maintain service.
- (c) Specific actions necessary to prevent or mitigate an emergency.

ARTICLE V - FEASIBILITY AND PLANNING STUDIES

Section 34. Feasibility and Planning Studies of potential projects undertaken by the District are specifically excepted from the requirements of CEQA and thus are outside the scope of this Resolution, although such studies may contain considerations of environmental factors incident to the potential project.

ARTICLE VI - EVALUATING PROJECTS

Section 35. Initial Review for CEQA Exemptions

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

B. Preliminary Review. At the outset a proposed activity shall be examined by the District's staff for the purpose of determining whether it is (1) not a project as defined in Section 29 supra, (2) ministerial, (3) an emergency project as described in Article IV, supra, (4) a feasibility and planning study as described in Article V, supra,

(5) a categorical exemption as described in Article VII, infra, or (6) involves another agency which constitutes the lead agency primarily responsible for the carrying out of the project as described in Section 37, infra.

C. Staff Finding of No Exemption. If in the judgment of the District's staff the proposed activity does not fall within one of the foregoing categories, it shall proceed with the project evaluation process as outlined in Section 38, infra. Any person proposing to undertake a project as defined in Section 29 A (2) or (3), supra (i.e. a private project) may present his objection to the staff's determination to the Board at its next regular or special meeting.

D. Staff Finding of Exemption. If in the judgment of the District's staff, a proposed activity does fall within one of the categories enumerated in Subparagraph B, it shall so determine and may record its findings on a form entitled "Preliminary Environmental Assessment" (a copy of which is attached hereto as Exhibit "A"). If exempted no further environmental assessment shall be necessary and the proposed activity may be carried out in the manner routinely exercised by the District. Failure of the District's staff to prepare a Preliminary Environmental Assessment on a project that is exempt shall not affect the District's right to carry out the proposed activity.

E. Retention of Preliminary Environmental Assessment; Availability for Inspection. The Preliminary Environmental Assessment shall be retained at the District's office as part of its usual record-keeping process, and it shall be made available for public inspection during all regular District office hours. Except as otherwise may be determined by the Board, the date of completion and signing of the Preliminary Environmental Assessment by the Manager shall be deemed to constitute the date of approval of the activity.

Section 36. Notice of Exemption

A. When District staff determines that a project is exempt from the requirements of CEQA because it is an emergency project, a ministerial project or categorically exempt, and the District approves or determines to carry out the project, it may file a notice of exemption. Such a notice shall include (1) a brief description of the project, (2) a finding that the project is exempt, including a citation to the State and Local Guidelines section under which it is found to be exempt, and (3) a brief statement of reasons to support the finding. (A form of such notice is attached hereto as Exhibit "E").

B. Whenever the District approves an applicant's project, it or the applicant may file a notice of exemption. The notice of exemption filed by an applicant shall contain the information required in Paragraph A above, together with a certified document issued by the District stating that it has found the project to be exempt. This may be a certified copy of an existing document or record of the District.

C. The notice of exemption shall be filed with the County Clerk of the county or counties in which the project will be located. Copies of all such notices shall be available for public inspection.

Section 37. Lead Agency

A. Staff Determination of Lead Agency; Recommendation to Board

Upon a determination that a proposed activity is discretionary in nature and is not otherwise exempt, consideration shall be given by staff to whether another public agency is primarily responsible for carrying it out or approving it. Staff shall consider, among others, the following principles in determining the Lead Agency:

(1) Where a project is to be carried out or approved by more than one public agency, only one public agency shall be responsible for preparation of environmental documents, and it will be the Lead Agency. Such environmental documents will be prepared by the Lead Agency in consultation with all Responsible Agencies. The Lead Agency's environmental documents shall be the environmental documentation for Responsible Agencies. Except as provided in Section 47 of these Guidelines, such Declaration prior to acting upon or approving the projects, and they shall certify that their decision-making bodies have reviewed and considered the information contained in them.

(2) If the project is to be carried out by a public agency, the Lead Agency shall be the public agency which proposes to carry out the project.

(3) If the project is to be carried out by a nongovernmental person, the Lead Agency shall be the public agency with the greatest responsibility for supervising or approving the project as a whole.

(a) The Lead Agency will generally be the agency with general governmental powers rather than an agency with a single or limited purpose which is involved by reason of the need to provide a public service or public utility to the project; in such cases, the single or limited purpose agency will, upon request, provide data concerning all aspects of its activities required to furnish service to the project to the agency drafting the EIR, and no separate EIR will be required in regard to such activities.

(b) Where a city has rezoned an area, the city will be the appropriate Lead Agency for any subsequent annexation of the area and should prepare the required environmental document at the time of the rezoning. The city shall consult with the local agency formation commission, and the EIR shall include the comments of the local agency formation commission.

(4) Where more than one public agency equally meet the criteria set forth in Subparagraph (3) above, the agency which is to act first on the project in question shall be the Lead Agency (following the principle that the environmental impact should be assessed as early as possible in governmental planning).

(5) Where the provisions of Subparagraphs (2), (3), and (4) leave two or more public agencies with a substantial claim to be the Lead Agency, the public agencies may by agreement designate which agency will be the Lead Agency. An agreement may also provide for cooperative efforts by contract, joint exercise of powers, or similar devices.

B. Staff Finding that District is Agency with Primary Responsibility.

If, in the judgment of the District's staff, the project does not involve another public agency which is the Lead Agency, it shall proceed with the project evaluation process as outlined in Section 38, infra.

Any person proposing to undertake a project as defined in Section 29 A(2) or (3), supra, (i.e. a private project) may present his objections to the staff's determination to the Board at its next regular or special meeting.

C. Staff Finding that Another Public Agency is Lead Agency

If, in the judgment of the District's staff, the project does involve another public agency which is the Lead Agency, it shall so find and shall designate the Lead Agency on the aforementioned Preliminary Environmental Assessment. Unless otherwise required by the Board, no further environmental assessment shall be necessary.

Whenever a determination is made that another public agency constitutes the Lead Agency for undertaking or approving a project, the District shall provide data, upon written request of the Lead Agency concerning all aspects of the District's activities required to furnish service to the project. The District as a Responsible Agency shall certify its review and consideration of the Negative Declaration or EIR prior to acting on or approving a project.

The Office of Planning and Research will resolve disputes among public agencies as to which is the Lead Agency.

D. Where the District as a Responsible Agency is called on to grant an approval for a project subject to CEQA for which another public agency was the appropriate Lead Agency, the Responsible Agency shall either (1) refuse to act on the project or (2) begin to act as the Lead Agency when the following conditions occur:

(1) the Lead Agency did not prepare any environmental documents for the project, and (2) the statute of limitations has expired for a challenge to the action of the appropriate Lead Agency.

E. Limitations on Local Responsible Agencies

In applying the duty to mitigate or avoid significant effects on the environment whenever it is feasible to do so, the scope of concern of the District which is functioning as a Lead Agency shall differ from that of the District which is functioning as a Responsible Agency. The District functioning as a Lead Agency shall consider the significant effects, both individual and cumulative, of all activities involved in the project. The District functioning as a Responsible Agency shall have responsibility for considering only the significant effects of those activities which it is required by law to carry out or approve that are involved in a project for which a Lead Agency has prepared an EIR.

Section 38. Initial Study Procedures

A. Undertaking of Initial Study; By Whom, Submission of Data; Costs

Upon a determination that a project is discretionary and is not otherwise exempt, and that the District is the Lead Agency, it shall conduct an Initial Study to determine if the proposed project may have a significant effect on the environment, unless the District can determine that a project will clearly have a significant effect. If a project is subject to the requirements of CEQA and not exempted by these Guidelines the

Lead Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment unless the Lead Agency can determine that the project will clearly have a significant effect. If any aspects of the project, either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared. All phases of project planning, implementation, and operation must be considered in the Initial Study of the project. To meet the requirements of this section, the Lead Agency may use an Initial Study prepared pursuant to the National Environmental Policy Act.

The purposes of an Initial Study are to:

- (1) identify environmental impacts;
- (2) enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is written;
- (3) focus an EIR, if one is required, on potentially significant environmental effects;
- (4) facilitate environmental assessment early in the design of a project;
- (5) provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- (6) eliminate unnecessary EIR's.

An Initial Study shall contain the following:

- (1) a description of the project;
- (2) an identification of the environmental setting;
- (3) an identification of environmental effects by use of a checklist, matrix, or other method;
- (4) a discussion of ways to mitigate the significant effects identified, if any;
- (5) an examination of whether the project is compatible with existing zoning and plans; and
- (6) the name of the person or persons who prepared or participated in the Initial Study.

The Initial Study shall be used to provide a written determination of whether a Negative Declaration or an EIR shall be prepared for a project.

Where a project is revised in response to an Initial Study so that potential adverse effects are mitigated to a point where no significant environmental effects would occur, a Negative Declaration shall be prepared instead of an EIR. If the project would still result in one or more significant effects on the environment after mitigation measures are added to the project, an EIR shall be prepared.

As to projects defined in Article III, Section 29 A(1) Supra, of this Resolution, the Initial Study shall be undertaken by the District's staff or by private experts pursuant to contract with the District.

As to projects defined in Article III, Section 29 A(2) and 29 A (3), supra, the person or entity proposing to carry out the project shall submit all data and information as may be required by the District to prepare the Initial Study. Such data and information shall consider all factors enumerated in Paragraph B, infra.

All costs incurred by the District in reviewing the data and information submitted by said person or entity, or in conducting its own investigation based upon such data and information for the purpose of determining whether the proposed project might have a significant effect on the environment shall be borne by the person or entity proposing to carry out the project. The District may also require such person or entity to specify to the best of his knowledge which other public agencies will have jurisdiction by law over the project.

B. Evaluating Environmental Significance

In determining whether a project may have a significant effect on the environment, the District shall consider both primary and secondary consequences. A project will normally have a significant effect on the environment if it will:

- (1) conflict with adopted environmental plans and goals of the community where it is located;
- (2) have a substantial, demonstrable negative aesthetic effect;
- (3) substantially affect a rare or endangered species of animal or plant or the habitat of the species;
- (4) interfere substantially with the movement of any resident or migratory fish or wildlife species;
- (5) breach published national, state, or local standards relating to solid waste or litter control;
- (6) substantially degrade water quality;
- (7) contaminate a public water supply;
- (8) substantially degrade or deplete ground water resources;
- (9) interfere substantially with ground water recharge;
- (10) disrupt or alter an archaeological site over 200 years old, an historic site or a paleontological site except as part of a scientific study of the site;
- (11) induce substantial growth or concentration of population;
- (12) cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system;
- (13) displace a large number of people;
- (14) encourage activities which result in the use of large amounts of fuel, water, or energy;
- (15) use fuel, water, or energy in a wasteful manner;
- (16) increase substantially the ambient noise levels for adjoining areas;
- (17) cause substantial flooding, erosion or siltation;
- (18) expose people or structures to major geologic hazards;
- (19) extend a sewer trunk line with capacity to serve new development;
- (20) substantially diminish habitat for fish, wildlife or plants;
- (21) disrupt or divide the physical arrangement of an established community;
- (22) create a public health hazard or a potential public health hazard;
- (23) conflict with established recreational, educational, religious or scientific uses of the area;
- (24) violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations.

C. Mandatory Findings of Significance

A project shall be found to have a significant effect on the environment if:

(1) the project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history;

(2) the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals;

(3) the project has possible environmental effects which are individually limited but cumulatively considerable. As used in the subsection, "cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects;

(4) the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

D. Staff Recommendation; Board Action

Staff shall submit its recommendation as to whether a proposed project may or may not have a significant effect on the environment to the Board which recommendation shall be submitted on a form entitled "Environmental Impact Assessment" (a copy of which is attached hereto as Exhibit "B"). If the Board finds at a regular or special meeting that the proposed project will not have a significant effect on the environment, it shall order the preparation and filing of a Negative Declaration in accordance with the provisions of Section 39, infra. If, on the other hand, the Board determines that it can be fairly argued on the basis of substantial evidence that the project may have a significant effect on the environment or that there is serious public controversy concerning the environmental effect of a project, it shall order the preparation and filing of an EIR in accordance with the provisions of Section 40, infra.

E. Public Participation. Members of the public may appear before the Board and present their views prior to the Board's determination under this section.

Section 39. Negative Declaration

Following the initial study as described in Section 38, supra, a Negative Declaration shall be prepared for all discretionary projects not otherwise exempt upon a finding by the Board that the project will not have a significant effect on the environment. Before completion of a Negative Declaration, the District shall consult with all responsible agencies (i.e. other public agencies involved in carrying out or approving the project). The required contents of a Negative Declaration and the procedures to be followed in connection with the preparation thereof are as follows:

A. Notice of Preparation of a Negative Declaration shall be provided by the District manager to the public at least ten (10) days prior to final adoption by the District of the Negative Declaration. At least ten (10) days prior to the adoption of a Negative Declaration notice shall be given to all organizations and individuals who have previously requested such notice and shall also be given by at least one of the following procedures:

- (1) publication, no fewer times than required by Section 6061 of the Government Code, by the District in a newspaper of general circulation in the area affected by the proposed project;
- (2) posting of notice by the District on and off site in the area where the project is to be located;
- (3) direct mailing to owners of property contiguous to the project.

The alternatives for providing notice specified above shall not preclude the District from providing additional notice by other means if the District so desires, nor shall the requirements of this section preclude the District from providing the public notice required herein at the same time and in the same manner as public notice otherwise required by law for such project.

B. Contents. A Negative Declaration shall contain the following information:

- (1) a brief description of the project; including a commonly used name for the project if any;
- (2) the location of the project and the name of the project proponent;
- (3) a finding that the project will not have a significant effect on the environment;
- (4) an attached copy of the Initial Study documenting reasons to support the finding;
- (5) mitigation measures, if any, included in the project to avoid potentially significant effects.

C. Public Review. Upon completion of a Negative Declaration, the Manager or other designated person shall cause a copy of the Negative Declaration and the Initial Study to be filed and posted at the District's office and made available for public inspection.

D. Board Approval or Disapproval of Project. Following the filing and posting of the Negative Declaration at the District's office, but in no event sooner than fifteen (15) days following the date of such filing and posting, the Board may consider the project at a regular or special meeting for purposes of approval or disapproval. Members of the public may appear before the Board and present their views prior to the Board's determination to approve or disapprove the project.

E. Notice of Determination. Following approval or disapproval of the project, the District shall cause to be prepared a Notice of Determination on a form attached hereto as Exhibit "C" which shall contain the following:

- (1) the decision of the District to approve or disapprove the project;
- (2) the determination of the District as to whether the project will have a significant effect on the environment; and
- (3) a statement of whether an EIR has been prepared pursuant to CEQA.

Said notice, with a copy of the Negative Declaration attached, then shall be filed with the county clerk of the county or counties in which the project is located. If the project requires discretionary approval from a state agency, the Notice of Determination also shall be filed with the Secretary for Resources.

F. Posting Notice of Determination. Simultaneously with the filing of the Notice of Determination, the District shall cause to be posted at the District's office a copy of the Notice of Determination.

G. Costs. As to projects covered by Article III, Section 29 A (2) and (3) supra, the person or entity proposing to carry out the project requiring approval by the District shall bear all costs incurred by the District in preparing and filing the Negative Declaration.

Section 40. Environmental Impact Reports

Following the Initial Study as described in Section 38, supra, an EIR shall be prepared for all discretionary projects not otherwise exempt upon a finding by the Board that the project may have a significant effect on the environment or that there is serious public controversy concerning the environmental effect of a project. The required contents of an EIR and the procedures to be followed in connection with the preparation thereof are as follows:

A. General Requirements of EIR'S

(1) Environmental Impact Reports shall contain the information outlined in this article. Each element must be covered, and when these elements are not separated into distinct sections, the document shall state where in the document each element is discussed.

(2) Each report shall contain a brief summary of the proposed action and its consequences in language sufficiently simple that the issues can be understood by the average member of the lay public. The EIR shall also contain a table of contents or an index.

(3) The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be available for public examination and shall be submitted to all clearing-houses which assist in public review.

(4) The EIR should be prepared using a systematic, interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be designated or required to undertake this evaluation. Preparation of EIR's is dependent upon information from many sources, including the engineering project report and many scientific documents relating to environmental features. The EIR shall reference all documents used in its preparation including where possible, a citation to the page and section number of any technical reports which were used as the basis for any statements in the EIR.

(5) The EIR should discuss environmental effects in proportion to their severity and probability of occurrence. Effects dismissed in an Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the Lead Agency subsequently receives information inconsistent with the finding in the Initial Study. A copy of the Initial study shall be attached to the EIR to provide the basis for limiting the impacts discussed.

(6) An EIR shall contain a statement briefly indicating the reasons for determining that various effects of a project that could possibly be considered significant were not found to be significant and consequently were not discussed in detail in the EIR.

(7) Drafting an EIR necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.

(8) If, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact

B. Description of Project. The description of the project shall contain the following information but should not supply extensive detail beyond that needed for evaluation and review of the environmental impact.

(1) the precise location and boundaries of the proposed project shall be shown on a detailed map, preferably topographic. The location of the project shall also appear on a regional map.

(2) a statement of the objectives sought by the proposed project.

(3) a general description of the project's technical, economic, and environmental characteristics, considering the principal engineering proposals.

C. Organizations and Persons Consulted. The identity of all federal, state or local agencies, other organizations and private individuals consulted in preparing the EIR, and the identity of the persons, firm or agency preparing the EIR, by contract or other authorization must be given.

D. Description of Environmental Setting. An EIR must include a description of the environment in the vicinity of the project, as it exists before commencement of the project, from both a local and regional perspective including but not limited to water quality aspects of the proposed project which have been previously certified by the appropriate state or interstate organizations as being in substantial compliance with applicable water quality standards. Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to the region. Specific reference to related projects, both public and private, both existent and planned, in the region should also be included, for purposes cumulative impact of such projects.

E. Environmental Impact. All phases of a project must be considered when evaluation its impact on the environment: planning, acquisition, development and operation. The following subjects shall be discussed, preferably in separate sections or paragraphs. If they are not discussed separately, the EIR shall include a table showing where each of the subjects is discussed.

- (1) The Significant Environmental Effects of the Proposed Project
Describe the direct and indirect significant effects of the project on the environment, giving due consideration to both the short-term and long-term effects. It should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development) and other aspects of the resource base such as water, scenic quality and public services. Cumulative effects shall also be discussed when found to be significant.
- (2) Any Significant Environmental Effects which Cannot be Avoided If The Proposal Is Implemented. Describe any significant impacts, including those which can be reduced to an insignificant level but not eliminated. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described. Describe significant impacts on any aesthetically valuable surroundings, or on human health.
- (3) Mitigation Measure Proposed to Minimize the Significant Effects Describe significant, avoidable, adverse impacts, including inefficient and unnecessary consumption of energy and measures to minimize these impacts. The discussion of mitigation measures shall distinguish between the measures which are proposed by project proponents to be included in the project and other measures that are not included but could reasonably be expected to reduce adverse impacts. This discussion shall include an identification of the acceptable levels to which such impacts will be reduced, and the basis upon which such levels were identified. Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. Energy conservation measures, as well as other mitigation measures, shall be discussed when relevant. Examples of energy conservation measures are provided in Exhibit "F".
- (4) Alternatives to the Proposed Action. Describe all reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project, and why they were rejected in favor of the ultimate choice. The specific alternative of "no project" must also always be evaluated, along with the impact. The discussion of alternatives shall include alternatives capable of substantially reducing or eliminating any significant environmental effects, even if these alternatives substantially impede the attainment of the project objectives and are more costly.
- (5) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity Describe the cumulative and long-term effects of the proposed project which adversely affect the state of the environment. Special attention should be given to impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety. In addition, the reasons why the proposed project is believed by the sponsor to be justified now, rather than reserving an option for further alternatives, should be explained. (But see Paragraph (9), infra)
- (6) Any Significant Irreversible Environmental Changes Which Would Be Involved in the Proposed Action Should It Be Implemented Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely.

Primary impacts and, particularly, secondary impacts (such as a highway improvements which provides access to a non-accessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. (But see Paragraph (9), infra)

(7) The Growth-Inducing Impact of the Proposed Action

Discuss the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for construction in service areas). Increases in the population may further tax existing community service facilities so consideration must be given to this impact. Also discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

(8) Effects Found Not To Be Significant. An EIR shall contain a statement briefly indicating the reasons that various possibly significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Such a statement may be contained in an attached copy of an Initial Study.

(9) Incorporation By Reference

(a) An EIR may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the text of the EIR.

(b) Where part of another document is incorporated by reference, such other document shall be made available to the public for inspection at a public place or public building. The EIR shall state where the incorporated documents will be available for inspection. At a minimum, the incorporated document shall be made available to the public in an office of the Lead Agency in the county where the project would be carried out or in one or more public buildings such as county offices or public libraries if the Lead Agency does not have an office in the county.

(c) Where an EIR uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. The relationship between the incorporated part of the referenced document and the EIR shall be described.

F. Preparation of Draft EIR; By Whom

(1) The draft EIR shall be undertaken by the District's staff or by private experts pursuant to contract with the District.

(2) As to projects defined in Article III, Section 29 A(2) and A(3), supra, the person or entity proposing to carry out the project shall submit data and information in the form of a draft EIR, containing the information required by Paragraphs A, B, C, D & E above, for review and consideration by the District's staff. The District's staff shall analyze the data and information submitted pursuant to this subsection to verify its accuracy and objectivity prior to presenting the draft EIR to the Board.

The Manager may require additional information and data from the person or entity proposing to carry out the project as he may deem necessary for completion of the draft EIR.

G. Preparation of Draft EIR; By Whom

(1) the draft EIR shall be undertaken by the District's staff or by private experts pursuant to contract with the District.

(3) Before completing a draft EIR consisting of the information specified in Paragraphs A, B, C, D, and E, the District shall consult with all Responsible Agencies. In addition, if it has not already done so, the District should also consult directly with any person or organization it believes will be concerned with the environmental effects of the project.

(4) For projects where federal involvement might require preparation of a federal EIS, the Lead Agency under CEQA should consult with the appropriate federal agency on the need for an EIS. If both an EIR and EIS are needed, the documents should be prepared jointly where federal regulations or procedures allow, or the EIR should be prepared pursuant to Section 15063(b) of the State Guidelines. Preparation of a separate EIR and EIS for the same project should be avoided, if possible.

H. Completion of Draft EIR; Notice of Completion

Upon completion, the draft EIR shall be presented to the Board for review at a regular or special meeting. If the Board finds the draft EIR to be in order, it shall authorize the Manager to file a Notice of Completion with the Secretary for the Resources Agency on a form attached hereto as Exhibit "D". Said Notice shall contain the following:

- (1) a brief description of the proposed project;
- (2) the location of the proposed project;
- (3) information indicating where copies of the draft EIR are available for review; and
- (4) the period during which comments will be received.

Filing shall be deemed complete when the Notice of Completion has been deposited in the United States mail addressed to the Secretary for Resources, or when delivered in person to the Office of the Secretary.

I. Posting of Notice of Completion. Simultaneously with the filing of a Notice of Completion, the District shall cause a copy of said Notice to be posted at the District's office and two other public places within the District as follows:

Rio Linda Post Office ; Rio Linda Branch Library

J. Review of Draft EIR by Other Public Agencies and Persons With Special Expertise

(1) General

(a) After filing and posting a Notice of Completion, the District shall submit copies of the draft EIR for review and shall consult with and attempt to obtain comments from all public agencies having jurisdiction by law over the proposed project. The identity of those public agencies having jurisdiction by law over the project shall be determined on a case-by-case basis or as otherwise determined by the Board.

Draft EIR's and Negative Declarations shall be submitted to the State Clearinghouse where a state agency is a Responsible Agency.

(b) The District may send copies of the draft EIR to public agencies or persons with special expertise whose comments relative to the draft EIR would be desirable.

(c) Each public agency and/or person to whom a draft EIR is sent shall be advised in writing that they may submit written comments to the District within the time established for review under Paragraph 2, infra.

(2) Time for Review. At the time the Board authorizes the filing of the Notice of Completion it shall establish a time period so as to permit adequate review of and comment on the draft EIR by such public agencies or persons. The period of time, to be established at the discretion of the Board, shall be based upon the size and scope of the proposed project; however, in no event shall the review period be less than thirty (30) days and no more than ninety (90) days, except in unusual circumstances, after the date of mailing or on delivery in person. If a state agency is a Responsible Agency, the review period shall be no less than forty-five (45) days unless a shorter period is approved by the State Clearinghouse.

(3) Failure to Comment. In the event a public agency or person whose comments on a draft EIR are solicited pursuant to Subparagraph 1, supra, fails to comment within the time period established pursuant to Subparagraph 2, supra, it shall be presumed, absent a written request for a specific extension of time for review and comment, together with the reasons therefor, that such agency or person has no comment to make. Any extension of time granted by the District shall be reasonable under the circumstances, but ordinarily shall not cover a period greater than the time period initially established for review and comment pursuant to Subparagraph 2, supra.

(4) Continued Planning Activities. Continued planning activities concerning the proposed project, short of formal approval thereof, may continue during the period set aside for review and comment on the draft EIR.

K. Availability of the Draft EIR for Review

(1) After completing a draft EIR, the District shall consult with and obtain comments from public agencies having jurisdiction by law with respect to the project and should consult with persons having special expertise with respect to any environmental impact involved. The District shall provide the general public with an opportunity to comment on the EIR.

(2) The District shall provide public notice of the completion of a draft EIR at the same time as it sends a Notice of Completion to the Resources Agency. Notice shall be mailed to all organizations and individuals who have previously requested such notice and shall also be given by at least one of the following procedures:

(a) publication at least one time by the District in a newspaper of general circulation in the area affected by the proposed project;

(b) posting of notice by the District on and off the site in the area where the project is to be located;

(c) direct mailing to owners of property contiguous to the project.

(3) The alternatives for providing notice specified in Subparagraph (2), supra, shall not preclude the District from providing additional notice by other means if the District so desires, nor shall the requirements of this section preclude the District from providing the public notice required by this section at the same time and in the same manner as public notice otherwise required by law for such project.

(4) The District shall use the State Clearinghouse to distribute EIR's and other environmental documents to state agencies for review and should use areawide clearinghouses to distribute the documents to regional and local agencies.

(5) To make copies of EIR's available to the public, the District should furnish copies of draft EIR's to appropriate public library systems, i.e., to Sacramento County Library.

(6) Any person requesting a copy of the draft EIR from the District shall be charged the actual cost of reproducing it.

(7) The District should compile listings of other agencies, particularly local agencies, which have jurisdiction by law and/or special expertise with respect to various projects and project locations. Such listings should be a guide in determining which agencies should be consulted with regard to a particular project.

L. Public Hearings

(1) General. From time to time, depending upon the nature and location of a proposed project, the Board in its discretion, may find it desirable to conduct a public hearing on the environmental impact thereof. In such event the public hearing shall be conducted subsequent to the filing and posting of the Notice of Completion, but in no event sooner than fourteen (14) days thereafter. The draft EIR shall be used as the basis for discussion during any public hearing that may be held.

(2) Notice. Notice of the time and place of the public hearing shall be published once in a newspaper of general circulation which is printed, published and circulated within the District. If there is no such newspaper, it may be published in a newspaper of general circulation within the District and it shall be posted at three public places within the District, one of which shall be at the principal offices of the District. Publication or posting shall be done at least fourteen (14) days prior to the date set for public hearing. Said Notice also shall indicate where the draft EIR is available for review.

(3) Public Hearing During Regular Meeting. A public hearing may be scheduled to be conducted during the course of a regular meeting of the Board.

(4) Procedures for Conducting Public Hearings. The procedures for the manner of conducting the public hearings shall be prescribed by the Board at the time the hearing convenes. Members of the public who attend shall be afforded the opportunity to participate in the hearing process.

M. Final EIR

(1) Preparation. Following the receipt of comments on the draft EIR by other public agencies and persons with special expertise as required by Subparagraph J and if a public hearing has been held pursuant to Subparagraph L, following such hearing, comments that have been received shall be evaluated and then a final EIR shall be prepared.

(2) Contents. The final EIR shall consist of the draft EIR or a revision thereof; a section containing a statement of the comments received through the review and consultation process set forth in Subparagraphs J and L, either verbatim or in summary; a list of persons, organizations and public agencies commenting on the draft EIR; and a section containing a response to the significant environmental points that are raised in the review and consultation process. The response of the District to comments received may take the form of a revision of the draft EIR or may be an attachment to the draft EIR. The response shall describe the disposition of significant environmental issues raised (e.g. revisions to the proposed project to mitigate anticipated impacts or objections). In particular the major issues raised when the District's position is at variance with recommendations and objections raised in the comments must be addressed in detail giving reasons why specific comments and suggestions were not accepted, and factors of over-riding importance warranting an over-ride of the suggestions.

N. Adoption of Final EIR By Board; Board Approval or Disapproval of Project

(1) Following preparation of the final EIR, it shall be presented to the Board at a regular or special meeting. If the Board finds the final EIR to be in order it shall certify (a) that the final EIR has been completed in compliance with CEQA and the State Guidelines, and (b) that the Board has reviewed and considered the information contained in the EIR prior to approval of the project. If the Board so certifies, it may proceed immediately to consider the proposed project for purposes of approval or disapproval. Members of the public may appear before the Board and present their views to the Board's determination to approve or disapprove the project.

(2) The District shall not approve or carry out a project for which an EIR has been completed which identifies one or more significant effects of the project unless the District makes one or more of the following findings:

(a) changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof as identified in the final EIR;

(b) such changes or alterations are within the responsibility and jurisdiction of another public agency and not the District. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(c) specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

(3) The finding in Subparagraph (2)(b), supra, shall not be made if the District has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives.

O. Notice of Determination. Following approval or disapproval of the project, the District shall cause to be prepared a Notice of Determination on a form attached hereto as Exhibit "C" which shall contain the following:

(1) an identification of the project by its common name where possible;

- (2) the decision of the District to approve or carry out the project;
 - (3) the determination of the District whether the project in its approved form will have a significant effect on the environment; and
 - (4) a brief statement of the mitigation measures which were adopted by the District to reduce the impacts of the approved project; and
 - (5) a statement that an EIR was prepared pursuant to the provisions of CEQA and was certified pursuant to Section 15085(g) of the Secretary for Resources' Guidelines.
- Said Notice shall then be filed with the county clerk of the county or counties in which the project is located. If the project requires discretionary approval from a state agency, the notice shall also be filed with the Secretary for Resources.

P. Costs. As to projects covered by Section 29 A(2) and (3), supra, the person or entity proposing to carry out the project requiring approval by the District shall bear all cost incurred by the District in preparing and filing the EIR, as well as all publication costs incident thereto.

Q. Timely Compliance. The maximum time limit for completion of EIR's and Negative Declarations for district activities described in Section 29A(2) and (3) shall be one year, such time to be measured from the date on which an application requesting approval of such activities is received by the District.

Reasonable extensions of the aforesaid one year time period may be made by the manager in the event that unforeseen circumstances justify additional time and the project applicant consents thereto.

ARTICLE VII - CATEGORICAL EXEMPTIONS

Section 41

The following classes of projects, in accordance with and pursuant to Article 8 of the State Guidelines, have been determined not to have a significant effect on the environment, and therefore are declared to be categorically exempt from the requirement of preparing any environmental document. The categorical exemptions listed herein are not intended to be, and are not to be construed to be, a limitation on the categorical exemptions set forth in Article 8 of the State Guidelines, but are subject to the provisions of Section 15100.2 of State Guidelines.

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

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

B. Class II: Replacement or Reconstruction. Class II

consists of replacement or reconstruction of any District facilities, structures or other property where the new facility or structure will be located on the same site as the replaced or reconstructed facility or structure, including but not limited to:

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

C. Class III: New Construction of Small Structures

Class III consists of construction of new facilities or structures and installation of new equipment or facilities, including, but not limited to:

- (1) single family residences not in conjunction with the building of two or more such units;
- (2) motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures;
- (3) stores, offices, and restaurants if designed for an occupant load of 20 persons or less, if not in conjunction with the building of two or more such structures.

D. Class IV: Minor Alterations to Land

Class IV consists of minor alterations in the condition of land, water, and/or vegetation, including but not limited to:

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

E. Class V. Information Collection

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

F. Class VI: Inspection

Class VI consists of inspection activities, including but not limited to inquiries into the performance of an operation and examinations of the quality, health or safety of a project.

G. Class VII: Accessory Structures

Class VII consists of the construction or placement of minor structures accessory to or appurtenant to existing commercial, industrial or institutional facilities, including small parking lots.

H. Class VIII: Surplus Government Property Sales

Class VIII consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report prepared pursuant to Government Code Sections 65041 et seq. However, if the surplus property to be sold is located in those areas identified in the Governor's Environmental Goals and Policy Report, its sale is exempt if:

- (1) the property does not have significant values for wildlife habitat or other environmental purposes, and
- (2) any of the following conditions exist:
 - (a) the property is of such size or shape that it is incapable of independent development or use, or
 - (b) the property to be sold would qualify for an exemption under any other class of categorical exemption in Article VII of these Guidelines, or
 - (c) the use of the property and adjacent property has not changed since the time of purchase by the District.

I. Class IX: Annexations of Existing Facilities and Lots for Exempt Facilities. Class IX consists of only the following annexations:

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

J. Class X: Changes in Organization of the District

Class X consists of changes in the organization or reorganization of the District where the changes do not change the geographical area in which previously existing powers are exercised. Examples include but are not limited to:

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

ARTICLE VIII - RETENTION OF COMMENTS AND
AVAILABILITY OF COMMENTS FOR REVIEW

Section 42. All written comments received on a draft EIR through the formal consultation process provided for in Section 40 H, supra, as well as all written comments that may be received

independently of said process, shall be retained at the District's office for a period of at least one year following approval or disapproval of the project to which they relate. In addition, said comments shall be made available for public inspection at all reasonable times.

ARTICLE IX - SUBSEQUENT EIR'S

Section 43. Where an EIR has been prepared, no additional EIR need be prepared unless:

A. Substantial changes are proposed in the project which will require major revisions of the EIR, due to the involvement of new environmental impacts not considered in the original EIR.

B. There are substantial changes with respect to the circumstances under which the project is to be undertaken, such as a change in the proposed location of the project, which will require major revisions in the EIR due to the involvement of new environmental impacts not covered in the original EIR.

ARTICLE X USE OF A SINGLE EIR FOR MORE THAN ONE PROJECT

Section 44

A. Two Projects Undertaken at the Same Time. A single EIR may be utilized to describe more than one project when the projects are essentially the same in terms of environmental impacts. Any environmental impacts peculiar to any one of the projects must be separately set forth and explained.

B. Later Projects. An EIR on an earlier project may be utilized to apply to a later project if the environmental impacts of the projects are essentially the same. If there are environmental impacts applicable to the later project which were not associated with the earlier project, the earlier EIR must be amended to separately set forth and explain said impacts.

ARTICLE XI - USE OF A GENERAL PLAN EIR WITH SUBSEQUENT PROJECTS

Section 45. The EIR on a general plan may be used as the foundation document for EIR's subsequently prepared for specific projects within the geographic area covered by the general plan. The subsequent EIR's may reference and summarize material in the EIR on the general plan for the description of the general environmental setting and as much of the description of the environmental impacts as applies to the specific project. Detailed information in the EIR on the specific project may be limited to a description of the project, the specific environmental setting and those impacts which are not adequately described for the specific project in the EIR on the general plan. When a subsequent EIR refers to an EIR on the general plan for part of its description of the environment and the environmental impacts, copies of the EIR on the general plan shall be made available to the public in a number of locations in the community and to any clearinghouses which will assist in public review of the EIR. The purpose of this section is not to restrict analysis of environmental issues but is to avoid the necessity for repeating detail from a General Plan EIR.

ARTICLE XII
MULTIPLE AND PHASED PROJECTS

Section 46. Where individual projects are, or a phased project is, to^{be} undertaken and where the total undertaking comprises a project with significant environmental effect, the District if it is a Lead Agency must prepare a single EIR for the ultimate project. Where an individual project is a necessary precedent for action on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project. Where one project is one of several similar projects of the District, but is not deemed a part of a larger undertaking or a larger project, the District may prepare one EIR for all projects, or one for each project, but shall in either case comment upon the cumulative effect.

ARTICLE XIII - STAGED EIR

Section 47.

A. Where a large capital project will require a number of discretionary approvals from governmental agencies and one of the approvals will occur more than two (2) years before construction will begin, a staged EIR may be prepared covering the entire project in a general form. The staged EIR should evaluate the proposal in light of current and contemplated plans and produce an informed estimate of the environmental consequences of the entire project. The aspect of the project before the District for approval shall be discussed with a greater degree of specificity.

B. When a staged EIR has been prepared, a supplement to the EIR shall be prepared when a later approval is required for the project, and the information available at the time of the later approval would permit consideration of additional environmental impacts, mitigation measures, or reasonable alternatives to the project.

C. Where a statute such as the Warren-Alquist Energy Resources Conservation and Development Act provides that a specific agency shall be the Lead Agency for a project and requires the Lead Agency to prepare an EIR, a Responsible Agency which must grant an approval for the project before the Lead Agency has completed the EIR may prepare and consider a staged EIR.

ARTICLE XV - PARTIAL INVALIDITY

Section 48. In the event any part or provision of this Resolution shall be determined to be invalid, the remaining portions of this Resolution which can be separated from the invalid unenforceable provisions, shall nevertheless continue in full force and effect.

CERTIFICATION:

I, Mason A. Adams, certify that the Board of Directors of the Rio Linda County Water District adopted the above Resolution on January 12, 1977.

Mason A. Adams

CERTIFICATE OF COMPLETION OF PROCEEDINGS
FOR THE ANNEXATION TO THE

RIO LINDA COUNTY WATER DISTRICT

OF THAT TERRITORY DESIGNATED "LAFC-531"
RIO LINDA COUNTY WATER DISTRICT RESOLUTION NO. 5-76

RIO LINDA COUNTY WATER DISTRICT RESOLUTION NO. 2-77.

WHEREAS, the Board of Directors of RIO LINDA COUNTY WATER DISTRICT heretofore initiated a proceeding for the annexation by said District of a certain territory designated as "Rio Linda County Water District Resolution No. 5-76" pursuant to the District Reorganization Act, commencing with Section 56000 of the Government Code; and

WHEREAS, the Sacramento Local Agency Formation Commission by Resolution No. LAFC-531, approved the proposed annexation subject to the following specified terms and conditions:

- (a) Authority for the RIO LINDA COUNTY WATER DISTRICT to annex the territory without notice, hearing or election;
- (b) Authority for the RIO LINDA COUNTY WATER DISTRICT to impose an inclusion fee of \$200.00 as a condition of the annexation;

NOW THEREFORE, the Board of Directors of RIO LINDA COUNTY WATER DISTRICT hereby resolves, determines and orders as follows:

(1) The territory designated "Rio Linda County Water District Resolution No. 5-76", and particularly herein be, and the same is hereby annexed to the RIO LINDA COUNTY WATER DISTRICT without notice, hearing or election;

(2) By virtue of the authority granted to RIO LINDA COUNTY WATER DISTRICT, there is imposed on the owners of said property an inclusion fee of \$200.00 as a condition to said annexation, and the assumption of the basic tax rate.

The exterior boundaries of the territory annexed are described as follows:

(1) NAOMI G. WILLIAMS

Lot 6 and the North ½ of Lot 5 of Superior Subdivision, according to the official plat thereof, filed in the Office of the Recorder of Sacramento County, California, on August 20, 1946, in Book 24 of Maps, Map No. 5.

(2) RICHARD E. WOODYARD

The Westerly 165 feet of the Easterly 330 feet of Lot 101 as shown on the "Plat of Rio Linda Subdivision No. 3", recorded in Book 14 of Maps, Map No. 52, records of said county; the subdivision of said lot being made on the basis that the lot area includes ½ of the adjoining roads.

(3) FORREST W. DAYHOFF

Lot 3, as shown on the "Plat of Clearview", recorded July 28, 1949 in Book 29 of Maps, Map No. 18, records of said county.

(4) WILLIAM T. MAUSER

Parcels 3 & 4 of Parcel Map "A" portion of Lots 14,15,25,30,31,40,41,43 thru 47 and 59 thru 61 of Rio Linda Subdivision No. 4", recorded August 9, 1974, in Book 19 of Parcel Maps, Map No. 11.

(5) ARNOLD R. BAILEY

All that portion of the Southwest $\frac{1}{4}$ of Section 20, Township 10 North, Range 5 East, M.D.B.&M., described as follows:

BEGINNING at the point of intersection of the West line of said Section 20, being the centerline of Elwyn Avenue, a 40 foot county road, with the North line of Rancho Del Paso, as shown on the official plat thereof, filed in the office of the County Recorder of Sacramento County, on March 4, 1911 in Book A of Surveys, Map No. 94; thence from said point of beginning, along the North line of said Rancho Del Paso, East 210 feet; thence North, parallel with said West line, 110 feet to the Southeast Corner of the land granted to Capital City Title Company, a corporation, by deed recorded January 23, 1958 in book 3439 of official records, page 473 thence West along the South line of said Capital City Title Company land, 210 feet to the West line of said Section 20 and the centerline of said Elwyn Avenue; thence along said West line and said centerline, South $01^{\circ}00'$ East 110 feet to the point of beginning.

(6) HAROLD L. GLADDEN

All that portion of Lot 12B, as shown on the "Map of New Prague", filed in the office of the County Recorder of Sacramento County, May 6th, 1913, in Book 14 of Maps, Map No. 13, described as follows:

BEGINNING at a point on the West line of said Lot 12-B and on the center line of 60 foot public road as shown on said plat; from which the Northwest corner of said Lot 12-B bears North $01^{\circ}46'30''$ West along the West line of said Lot 12-B and the center line of said 60 foot public road, a distance of 443.13 feet; thence from said point of beginning parallel to the South line of said Lot 12-B, North $89^{\circ}02'30''$ East 178.87 feet; thence parallel to the West line of said Lot 12-B, South $01^{\circ}46'30''$ East 147.62 feet; thence parallel to the South line of said Lot 12-B, South $89^{\circ}02'30''$ West 178.87 feet to the West line of said Lot 12-B and the centerline of a 60 foot public road; thence along the West line of said Lot 12-B and the center line of said 60 foot public road, North $01^{\circ}46'30''$ West 147.62 feet to the point of beginning.

(7) RICHARD R. JOHNSON

The North one-half of the South one-half of the East one-half of Lot 9 as shown on the "Plat of Rio Linda Subdivision No. 2", recorded in the office of the County Recorder of Sacramento County, September 27, 1913, in Book 14 of Maps, Map No. 47; the subdivision of said Lot 9 being made on the basis that the lot area includes one-half of the adjoining roads on the East of said Lot 9.

(8) ELVIN LAWRENCE

All that portion of Lot 22, as shown on the official "Plat of New Prague", recorded in the office of the County Recorder of Sacramento County, California on May 6, 1913, in Book 14 of Maps, Map No. 13, described as follows:
COMMENCING at a point on the East line of said Lot 22 and on the centerline of a public road 50 feet in width, as shown on said map, from which the Northeast corner of said Lot 22, bears North $01^{\circ}46\frac{1}{2}'$ West 481.53 feet distant; thence along the East line of said Lot 22 and on the centerline of said 50 foot public road, South $01^{\circ}46\frac{1}{2}'$ East 373.37 feet; thence South $89^{\circ}02\frac{1}{2}'$ West 164.74 feet; thence North $21^{\circ}51'20''$ West 399.63 feet thence North $89^{\circ}02\frac{1}{2}'$ East 301.97 feet to the point of commencement.

(9) ERNEST E. SMITH

Lots 85 and 86, as shown on the "Plat of Rio Linda Subdivision No. 2", recorded in Book 14 of Maps, Map No. 47, records of said County.

(10) RAYMOND H. BURGE

All that portion of Lot 14, as shown on the "Plat of Rio Linda Subdivision No. 2", recorded in the office of the County Recorder of Sacramento County, September 27, 1913, in Book 14 of Maps, Map No. 47, described as follows: BEGINNING at a point on the East line of said Lot 14, located North 1°43'30" West 132.00 feet from the Southeast corner of said Lot 14; thence, from said point of beginning, parallel with the South line of said Lot 14, South 89°01'30" West 330.00 feet to the Southeast corner of the parcel of land conveyed to Raymond L. Myers, by Deed recorded April 27, 1950, in Book 1819 of Official Records, at page 488; thence, North 1°43'30" West along the East line of the said Myers parcel and said line a distance of 152.00 feet to the Southwest corner of that certain parcel of land described in Deed dated October 24, 1951, recorded September 23, 1952, in Book 2286 of Official Records, at page 45, executed by John P. Martin, a single man, to Bryan W. Marler and Imogene T. Marler, his wife, as joint tenants; thence, along the South line of said Marler parcel North 89°01'30" East 330.00 feet to the East line of said Lot 14; thence, along said East line, South 1°43'30" East 152.00 feet to the point of beginning.

(11) CHRIS LUX, JR.

All that portion of Lot 12-B, of New Prague, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 6, 1913, in Book 14 of Maps, Map No. 13, described as follows: BEGINNING at the Northwest corner of said Lot 12-B said Northwest corner being located on the centerline of a 60 foot public road, as shown on said plat; thence, from said point of beginning North 80°02½' East along the North line of said Lot 12-B a distance of 7.458 feet to the Northeast corner of said Lot 12-B said Northeast corner being located on the center line of Marysville Road, as shown on said Plat; thence along the Easterly line of said Lot 12-B and the centerline of said Marysville road, South 36°09' East 414.15 feet; thence parallel to the South line of said Lot 12-B, South 89°02'30" West 241.13 feet to the West line of said Lot 12-B and the centerline of a 60 foot public road as shown on said plat; thence, along the West line of said Lot 12-B and the centerline of said 60 foot public road, North 01°46'30" West 338.40 feet to the point of beginning.

(12) RAYMOND F. KECK

All that portion of the South one-half of Lot 29, as shown on the "Plat of New Prague", recorded May 6, 1913, in Book 14 of Maps, Map No. 13, records of said County, described as follows: BEGINNING at a point in the East line of said Lot 29, located North 01°46'30" West 230.0 feet from the Southeast corner of said Lot 29, said Southeast corner being the intersection of the centerline of a 60 foot public road on the South of said lot, now known as "E" Street and the centerline of a 60 foot public road on the East of said lot, now known as West 2nd Street, all as shown on said plat; thence from said point of beginning North 01°46'30" West 100.0 feet along said East line to the Northeast corner of the South one-half of said Lot 29, thence, South 89°02'30" West 259.95 feet along the North line of said South one-half; thence South 01°46'30" East 28.0 feet; thence North 89°02'30" East 37.95 feet; thence South 01°46'30" East 72.0 feet and thence North 89°02'30" East 222.0 feet to the point of beginning.

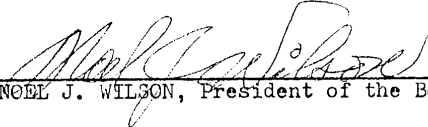
(13) DAVID J. THAS

Lot 11 as shown on the official "Map of Strauch's Acres", filed in the office of the County Recorder of Sacramento County, September 5, 1946, in Book 24 of Maps, Map No. 16. EXCEPTING THEREFROM the South 84.4 feet by deed to Charles A. Ford and Lucy Marion Ford, recorded February 7, 1964, B4883, P750.

RESOLUTION OF THE RIO LINDA COUNTY WATER DISTRICT NO. 2-77

Passed and adopted by the Board of Directors of the RIO LINDA COUNTY WATER DISTRICT this 12th day of January, 1977 by the following vote:

AYES: WILSON, EIA, WEBER, and Chapman
NOES: NONE
ABSENT: PALMER


NOEL J. WILSON, President of the Board

ATTEST:


MASON A. ADAMS, Secretary

CERTIFICATE OF SECRETARY

I, MASON A. ADAMS, Secretary of the Board of Directors of the Rio Linda County Water District do hereby certify that the foregoing is a true and correct copy of Resolution number 2-77 passed and adopted at the regular meeting of the Board on January 12, 1977.


MASON A. ADAMS, Secretary

(SEAL)

RESOLUTION OF THE BOARD OF DIRECTORS
OF
RIO LINDA COUNTY WATER DISTRICT ESTABLISHING
A CONFLICT OF INTEREST CODE
RESOLUTION NO 3-77

WHEREAS, the Political Reform Act [Government Code Section 81000 et seq.] as approved by the voters (hereafter referred to as "The Act"), contains provisions relating to conflict of interest which potentially affect all officers, employees, and consultants of RIO LINDA COUNTY WATER DISTRICT (hereinafter referred to as "District"); and

WHEREAS, the potential penalties for violation of the said provisions of the Act are substantial and may include potential criminal and civil liability, as well as equitable relief, which could result in the District being restrained or prevented from acting in cases where the said provisions of the Act may have been violated; and

WHEREAS, the said provisions of the Act also contain a requirement that all public agencies, including the District, shall adopt and promulgate a conflict of interest code;

NOW THEREFORE, BE IT RESOLVED that the District hereby adopt the Conflict of Interest Code attached hereto and incorporated herein by this reference; and

BE IT FURTHER RESOLVED that this Code is intended to provide reasonable assurance that all foreseeable conflict of interest situations will be disclosed or prevented, to

provide to each affected person a clear and specific statement of his duties under the Code, and to adequately differentiate between designated employees with different powers and responsibilities.

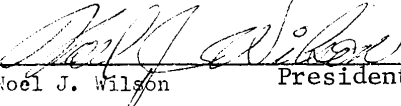
PASSED AND ADOPTED this 26th day of January, 1977.

AYES: Directors Wilson, Eia, Weber, Palmer, Chapman.

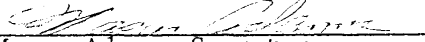
NOES: Directors None

ABSENT: Directors None

RIO LINDA COUNTY WATER DISTRICT

By 
Noel J. Wilson President

ATTEST:


Mason Adams, Secretary

CONFLICT OF INTEREST CODE
RIO LINDA COUNTY WATER DISTRICT

Section A. PURPOSE:

It is the purpose of this Code to provide for the disclosure of assets and income of designated employees which may be materially affected by their official actions, and, in appropriate circumstances, to provide that designated employees should be disqualified from acting in order that conflicts of interest may be avoided. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code Section 81000 et seq.).

Section B. DISCLOSURE STATEMENTS:

1. Each designated employee shall file statements, at the time and in the manner prescribed in this Code, disclosing interests in real property within the jurisdiction, investments in business entities, income, or sources of income as well as those interests in real property, investments and income and sources of income of members of his or her immediate family which might foreseeably be affected materially by the operations of the district in a manner different from the public generally or a significant segment thereof. The Board of Directors has determined that it is foreseeable that the types of investments, interests in real property, income and sources of income listed in the second column of Appendix "A" may be affected materially by decisions made or participated in by the designated employee

by virtue of his or her position and are reportable if held by the designated employee.

2. Those items listed in Subparagraph 9(b) of Appendix "B" of this Code are not reportable because they are not income.
3. Time of Filing Statements:
 - a. Candidates for election to District offices shall file a statement of reportable investments and interest in real property as provided for herein within 5 days after the final date for filing nomination petitions. This subsection shall not apply to candidates who have filed a statement with the District within the previous 12 months under subsections (b) or (e) of this section.
 - b. All other designated employees shall file statements within 30 days after the effective date of this Code.
 - c. All new designated employees shall file statements which include reportable investments and interests in real property but not income, not less than 10 days before assuming office, or, if subject to confirmation, 10 days before being confirmed, unless an earlier assumption of office is required by emergency circumstances.
 - d. Annual statements covering the previous calendar year disclosing reportable investments, interests in real property, income and sources of income shall be filed by all designated employees on or before January 31 of each year.

- e. A designated employee who leaves his or her position shall within 30 days after leaving the position file a statement disclosing his or her reportable investments, interests in real property, and income during the period since the previous statement filed pursuant to this Code, except that investments and interests in real property which have been disclosed on a statement of economic interests filed pursuant to this Code within the previous 60 days may be incorporated by reference.
- 4. Place of Filing Statements: The original shall be filed with the Secretary of the District, who shall in the case of directors and managers of districts make and retain a copy and forward the original to the Clerk of the Board of Supervisors.
- 5. Disclosure statement forms will be supplied by the District.

Section C. MANNER OF REPORTING:

- 1. Contents of Investment and Real Property Reports:
When an investment or interest in real property is required to be disclosed under this Code, the statement shall contain:
 - a. A statement of the nature of the investment or interest;
 - b. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - c. The address or other precise location of the real property;

- d. A statement whether the fair market value of the investment or interest in real property exceeds \$10,000 and whether it exceeds \$100,000;
 - e. In the case of an investment which constitutes 50% or more of the ownership interest in a business entity, disclosure of the investments and interest in real property of the business entity.
 - f. For purposes of this section interest in real property does not include the principal residence of the filer.
2. Contents of Income Reports: When income is required to be reported under this Code, the statement shall contain:
- a. The name and address of each source of income for the previous calendar year aggregating \$250 or more in value per year, or \$25 or more in value if the income was a gift, and a general description of the business activity, if any, of the source;
 - b. A statement whether the aggregate value of the income from each source was greater than \$1,000 and whether it was greater than \$10,000;
 - c. A description of the consideration, if any, for which the income was received;
 - d. In the case of a gift, the amount and the date on which the gift was received.
3. Reports of Business Entity Income: When income of a business entity, including income of a sole proprietorship is required to be reported under this Code, the statement shall contain:
- a. The name and address and general description of the business activity of the business entity;

- b. In the case of a business entity which provides legal or brokerage services, the name of every person from whom the business entity received payments if the filer's pro rata share of fees from such person was equal to or greater than \$1,000 during a calendar year;
- c. In the case of a business entity not covered by subparagraph "b" of this Section, the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000 during a calendar year;
- d. Income of a business entity shall not be reported unless the filer or his spouse owns, directly, indirectly, or beneficially, a 10% interest or greater. Disclosure of the names of persons who are clients or customers of a business entity is only required if the person is a reportable interest of the designated employee as set forth in Appendix "A".

Section D. DISQUALIFICATION:

- 1. A designated employee is disqualified from making or participating in the making of any governmental decision when he or she has a financial interest in the decision. Financial interest is defined in Paragraph 5 of Appendix "B" of this Code.
- 2. An investment, interest in real property, income, or source of income of a designated employee shall not be a basis for disqualification under Section D (1) where such interest will foreseeably be affected only by the decision to fix an ad valorem property tax rate for the district.

3. If a designated employee is disqualified under Section D (1), the following steps shall be taken:
 - a. Immediately refrain from making or participating in the making of the decision;
 - b. For members of the Board of Directors, the fact that a disqualifying interest exists shall be announced and made a part of the district's official record, and in the case of other designated employees shall be reported in writing to his or her superior.
4. After disqualification as provided herein, a designated employee may make an appearance, submit information, or express views on the same basis as any other citizen on matters related solely to his or her personal interest, provided that it is done in public and provided that the person clearly indicates he or she is acting in a private capacity.
5. Rule of Necessity: Section D (1) of this Code does not prevent a designated employee from making or participating in the making of a governmental decision to the extent that his or her participation is legally required for the action or decision to be made. The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for the purposes of this section.

Section E. OPINIONS OF THE COMMISSION AND COUNSEL:

1. Opinion Requests: Any designated employee who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from the attorney of the district.

2. Evidence of Good Faith: If an opinion is rendered by the attorney of the district stating in full the facts and the law upon which the opinion is based, compliance by the designated employee with such opinion may be evidence of good faith in any civil or criminal proceeding brought pursuant to the Political Reform Act of 1974 or this Code. The designated employee's good faith compliance with the opinion of the district's attorney shall also act as a complete defense to any disciplinary action that the district may bring under Section 91003.5 of said act or this Code.

Section F. STATUTE OF LIMITATIONS:

No action based on a disqualification provision of this Code shall be brought pursuant to Government Code Section 91003(b) to restrain the execution of or to set aside official action of the district unless commenced within 90 days following the official action.

Section G. DEFINITIONS:

Except as otherwise indicated, the definitions contained in the Political Reform Act of 1974 (Government Code Section 81000) and regulations adopted pursuant thereto are incorporated into this Conflict of Interest Code.

APPENDIX A

DESIGNATED POSITIONS AND
CATEGORIES OF DISCLOSURES

General Provision

1. A designated employee is not required to disclose that he or she is a director, officer, partner, trustee, employee or holds any position of management in a business entity. However, a designated employee who holds such a position is still subject to the disqualification provisions of Section D of this Code with respect to such position.
2. Investments in any business entity or sources of income listed in Column II of this appendix are disclosable if:
 - a. Within the previous two years the business entity in which the investment is held is of the type which has contracted or in the future with reasonable foreseeability might contract with the district; or
 - b. Within the previous two years the business entity in which the investment is held is of the type which has contracted, or in the future with reasonable foreseeability might furnish supplies or services as subcontractors in any contract with the district; or
 - c. Within the previous calendar year, the sources of income are of the type which have contracted, or in the future with reasonable foreseeability might contract with the district; or
 - d. Within the previous calendar year the sources of income are of the type which have contracted, or in the future with reasonable foreseeability might furnish supplies or services as subcontractors in

any contract with the district.

3. Investments in any business or sources of income which are private water companies, or entities or persons engaged in farming or real estate development, and interests in real property are disclosable if held, regardless of any contractual relationship with the district at any time.

4. Appendix "A" sets forth those positions which entail the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest, but does not include any unsalaried member of any board or commission which serves a solely advisory function.

5. Where any interest in Column II is found not to be an interest with which the district has had or is likely to have any dealings, that interest need not appear, i.e. "farming" need not appear in the conflict of interest code of a water district dealing solely in the delivery of municipal and industrial water supplies.

APPENDIX A

PUBLIC OFFICIAL'S
DESIGNATION

TYPE OF BUSINESS ENTITY, IN-
VESTMENT, SOURCE OF INCOME
OR REAL PROPERTY DISCLOSABLE

General Manager
Secretary to General Manager

1. Motor vehicles and specialty vehicles and parts therefor
2. Construction and building materials
3. Office equipment and supplies
4. Petroleum products
5. Pipes, valves, fittings, pumps, meters, etc.
6. Safety equipment and facilities
7. Chlorine, alum, lime, copper sulphate, etc.
8. Engineering services
9. Computer hardware and software
10. Water quality testing
11. Real property
12. Printing or reproduction services
13. Employment agencies
14. Temporary help agencies
15. Educational and medical services and material
16. Insurance companies
17. Well drilling equipment and supplies
18. Farming

Engineering Consultant

1. Real property
2. Pipe, valves, fittings, pumps, tanks, meters, etc.
3. Construction and building materials
4. Soil tests, compaction and other agreements on grading requirements
5. Farming

Financial Consultants
Bond Counsel

1. Real property
2. Banks and savings and loans
3. Retirement of bond proceedings
4. Real estate development firms

EIR Consultants

1. Real property
2. Construction and building materials
3. Pipe, valves, fittings, pumps, tanks, meters, etc.
4. EPA agreements and research
5. Farming
6. Real estate development firms

APPENDIX A

(continued)

Maintenance Foreman	<ol style="list-style-type: none">1. Motor vehicles and specialty vehicles and parts therefor2. Construction and building materials3. Petroleum Products4. Pipes, valves, fittings, pumps, meters, etc.5. Safety equipment and facilities6. Computer hardware and software
Directors or Candidates for Director	<ol style="list-style-type: none">1. All of the above2. Public utilities
Auditor	<ol style="list-style-type: none">3. Audit agreements and contracts
District Secretary	
Attorneys	

APPENDIX B

DEFINITIONS:

1. "Official": Any natural person who is a member of the Board of Directors, or is an officer, employee or consultant of the District.
 - a. "Official" shall include, but not be limited to, salaried or unsalaried members of boards or commissions with decision-making authority. A board or commission possesses decision-making authority whenever:
 - (1) It may make a final governmental decision, or
 - (2) It may compel a governmental decision by any agency or it may prevent a governmental decision either by reason of an exclusive power to initiate the decision or by reason of a veto which may not be overridden; or
 - (3) It makes substantive recommendations which are, and over an extended period of time have been, regularly approved without significant amendment or modification by a designated employee or the District.
 - b. "Consultant" shall include any natural person who provides, under contract, information, advice, recommendation or counsel to the District,
But "consultant" shall not include a person who:
 - (1) Conducts research and arrives at conclusions with respect to his rendition of information, advice, recommendation or counsel independent of the control and direction of the District

or of any official, other than normal contract monitoring; and

- (2) Possesses no authority with respect to any District decision beyond the rendition of information, advice, recommendation or counsel.

2. "Designated Employee": Any official of the District or candidate for elective District office whose position is designated in APPENDIX "A" of this Code. APPENDIX "A" sets forth those positions which entail the making of participation in the making of decisions which may foreseeably have a material financial effect on any financial interest, but does not include any unsalaried member of any board or commission which serves a solely advisory function.
3. "Making Governmental Decisions": An official "makes governmental decisions," except as provided in Definition 4b (1) herein, when he, acting within the authority of his office:
 - a. Votes on a matter;
 - b. Appoints a person;
 - c. Obligates or commits the District to any course of action;
 - d. Enters into any contractual agreement on behalf of the District;
 - e. Determines not to act, within the meaning of subparagraphs a,b,c,d, unless such determination is made because of his financial interest. When the determination not to act occurs because of his financial interest, the official's determination

must be accompanied by disclosure of the financial interest in the manner prescribed in Section D (3) of this Code.

4. "Participating in the Making of Governmental Decisions":
 - a. A designated employee "participates in the making of a governmental decision," except as provided in subsection (b) of this definition, when he or she, acting within the authority of his or her position:
 - (1) Negotiates without significant substantive review, with a governmental entity or private person regarding the decision; or
 - (2) Advises or makes recommendations to the decision-maker, either directly or without significant intervening substantive review, by:
 - (i) Conducting research or investigations which require(s) the exercise of judgment on the part of the designated employee and the purpose of which is to influence the decision, or
 - (ii) Preparing or preventing any report, analysis, or opinion, orally or in writing, which requires the exercise of judgment on the part of a designated employee and the purpose of which is to influence the decision.
 - b. Making or "participating in the making of a governmental decision" shall not include:
 - (1) Actions of designated employees which are solely

ministerial, secretarial, manual or clerical;

(2) Appearances by a designated employee as a member of the general public before an agency in the course of its prescribed governmental function to represent himself or herself on matters related solely to his or her personal interests; or

(3) Actions by designated employees or their representatives relating to their compensation or the terms or conditions of their employment or contract.

5. "Financial Interest": An official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, including all property owners within the District or all those served by the District, or on any significant segment of the property owners within the District or those served by the District or of the public generally, or on the official as a member of a profession, industry or occupation all members of which will be affected to the same extent, on:

- a. Any business entity in which the official has a direct or indirect investment worth more than \$1,000;
- b. Any real property in which the official has a direct or indirect interest worth more than \$1,000;
- c. Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating \$250.00 or more in value received by or promised to the official within twelve months

- prior to the time when the decision is made; or
- d. Any business entity in which the official is a director, officer, partner, trustee, employee, or holds any position of management.
 - e. "Indirect Investment or Interest": Any investment or interest owned by the spouse or dependent child of the official, held or owned by an agent on behalf of the official, held or owned by any business entity controlled by the official or by a trust in which the official has a substantial interest. A business entity is controlled by the official if the official, his agents, spouse and dependent children hold more than 50% of the ownership interest in the entity. An official has a substantial interest in a trust when the official, his spouse and dependent children have a present or future interest worth more than \$1,000.
6. "Investment": Any financial interest in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest, if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business within the jurisdiction or has done business within the jurisdiction at any time or does business or plans to do business within the jurisdiction at any time during the two years prior to the time any statement or other action is required

under this Code. No asset shall be deemed an investment unless its fair market value exceeds \$1,000. "Investment" does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency. Investments of an individual include a pro rata share of investments of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a 10% interest or greater.

7. "Interest in Real Property" includes any leasehold, beneficial or ownership interest or option to acquire such an interest in real property within the jurisdiction if the fair market value of the interest is greater than \$1,000. Interests in real property of an individual include a pro rata share of interests in real property of any business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially a 10% interest or greater.
8. "Jurisdiction" means the geographical area within the district's boundaries, except that real property shall be deemed to be within the "jurisdiction" of the district if it is located within or not more than two miles outside the boundaries of the district, or within two miles of any land owned or used by the district.
9. "Income":
 - a. "Income" means, except as provided in subsection (b), income of any nature from any source located within the jurisdiction of the district, including, but

not limited to, any salary, wage, advance, payment, dividend, interest, rent, capital gain, return of capital, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness, discount in the price of anything of value unless the discount is available to members of the public without regard to official status, rebate, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in income of a spouse. Income of an individual also includes a pro rata share of any income of any business entity or trust in which the individual or spouse owns, directly, indirectly, or beneficially, a 10% interest or greater. "Income", other than a gift, does not include income received from any source outside the jurisdiction and not doing business within the jurisdiction, not planning to do business within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under this title.

b. "Income" does not include:

- (1) Income from a source which is a former employer if: All income from the employer was received by or accrued to the designated employee prior to the time he or she became a designated employee; the income was received in the normal

course of the previous employment; and there was no expectation by the designated employee at the time he or she assumed the designated position of renewed employment with a former employer;

- (2) Campaign contributions required to be reported under Chapter 4 of the Political Reform Act of 1974;
- (3) Salary and reimbursement for expenses or per diem received from a state or local government agency and reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization;
- (4) Gifts of informational material, such as books, pamphlets, reports, calendars or periodicals;
- (5) Gifts which are not used and which, within thirty days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes;
- (6) Gifts from an individual's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle or first cousin or the spouse of any such person; provided that a gift from any such person shall be considered income if the donor is acting as an agent or intermediary for any person not covered by this paragraph;

- (7) Any devise or inheritance;
- (8) Interest, dividends or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, interest credited on employee's contribution to public retirement plans, payments received under any insurance policy, or any bond or other debt instrument issued by any government or government agency;
- (9) Dividends, interest or any other return on a security which is registered with the Securities & Exchange Commission of the United States Government.

10. "Material Financial Effect":

- a. The financial effect of a governmental decision on a financial interest of an official is material if, at the time, the official makes, or participates in making the decision, in light of all the circumstances and facts known at the time of the decision, the official knows or has reason to know that the existence of the financial interest might interfere with his performance of his duties in an impartial manner free from bias. Provided, that the making or participation in the making of a governmental decision by a contract consultant or by a person retained to provide information, advice, recommendation or counsel has no material financial effect on a business entity or source of income in which such consultant or person retained is an officer,

employee, sole proprietor or partner, if the only financial effects of the decision are the modification, perpetuation or renewal of the contractual or retainer agreement and/or the opportunity to bid competitively upon a project or contract.

In determining the existence of a material effect upon a financial interest, consideration should be given, but not be limited to, an analysis of the following factors:

- (1) In the case of a business entity in which the official has a direct or indirect investment worth more than one thousand dollars (\$1,000), or in the case of an official who is a director, officer, partner, trustee, employee, or holds any position of management in a business entity:
 - (a) Whether the effect of the decision will be to increase or decrease the annualized gross revenue of the business entity by one percent or more or the annual net income of the business entity by .5 percent or more;
 - (b) Whether the effect of the decision will be to increase or decrease the asset or liabilities of the business entity by \$50,000 or more, or by .5 percent of its current assets or liabilities, whichever is less.
- (2) In the case of real property within the jurisdiction, in which the official has a direct or indirect

interest worth more than one thousand dollars
(\$1,000);

- (a) Whether the effect of the decision will be to increase the income-producing potential of the real property by \$100 or five percent per month, whichever is less;
- (b) Whether the effect of the decision will be to increase the fair market value of the real property by \$1,000 or more or by .5 percent, whichever is greater.

(3) In the case of a source of income of an official:

- (a) The decision will affect the source of income in the manner described in paragraph (1) above;
- (b) Whether the governmental decision will directly affect the amount of income to be received by the official;
- (c) Whether there is a nexus between the governmental decision and the purpose for which the official receives income.

b. The specific dollar or percentage amounts set forth above do not constitute either absolute maximum or minimum levels, but are merely intended to provide guidance and should be considered along with other relevant factors in determining whether a financial interest may interfere with the official's exercise of his duties in rendering a decision.

11. "Business Entity": Any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association.

MINUTES OF THE THREE HUNDRED SEVENTIETH M: 370
REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
RIO LINDA COUNTY WATER DISTRICT

-oOo-

The directors of the RIO LINDA COUNTY WATER DISTRICT met in the district office at 730 L Street, Rio Linda, California, on July 13, 1977 at 8:00 pm.

MEMBERS PRESENT: NOEL J. WILSON, WILLIAM C. EIA, JOHN P. WEBER, and M. D. CHAPMAN.

MEMBERS ABSENT: GAY PALMER

OTHERS PRESENT: JEANNE HANSEL and MASON ADAMS

The minutes of the regular meeting held June 8, 1977 were read and approved.

Mr. Weber moved that the Treasurer of the County of Sacramento be authorized and directed to pay out money of the District in the total sum of \$13,808.71 drawn on the Water Maintenance and Operations Fund and as represented by Request for Warrants numbered W4866 through W4893, all of which disbursements are as set forth on Fund Schedules dated July 13, 1977 each of which has been signed by a majority of the Board of Directors. This motion was seconded by Mr. Chapman and carried unanimously.

Mr. Chapman inquired about the possibility of water in the Elverta area. There are no plans for at least a year.

On motion by Mr. Eia and second by Mr. Weber the following resolution was unanimously passed:

RESOLUTION NO. 4-77

WHEREAS, it is the considered opinion of the RIO LINDA COUNTY WATER DISTRICT BOARD OF DIRECTORS that the District will, by reason of substantially increased costs of services and supplies, be required to increase the property tax rate by an amount which will provide funds in the amount of \$30,000.00.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of the County of Sacramento, State of California, be, and it is hereby requested to set the property tax rate by an amount which will provide for a sum of THIRTY THOUSAND DOLLARS (\$30,000.00).

The installation of the main along 20th Street north of Elkhorn Boulevard has been completed. The labor for this line cost \$3,150.00. We have installed two house connections for which we received \$3,000.00 and we have guarantees for three more at \$1,500.00 each.

Unfortunately, there was a serious accident while working on this extension. David Smith, a CYP employee, caught his thumb in a pulley. At the present time he has lost only half of the first joint, however, he is still in the hospital because they are having trouble with the

skin graft. At this time it is not determined whose is responsible but the Comprehensive Youth Program pays his wage and benefits. Superior Pipe Company has a \$500,000.00 liability policy for any of our employees who might be injured while working on their crew, so this district should not get involved.

There is no news regarding the paper work on Well No. 9. Mr. Adams is attempting to secure another copy of the property description as SAFCO has not returned any of our paper work. He will contact another title company as soon as he can.

The district radios have not been working properly and the manager has been advised by Frontier Radio to start looking for replacements as they are obsolete. Mr. Adams has found a base unit and one mobile unit for \$750.00. He will purchase these at the present time and replace the other mobile units as it becomes necessary.

We have begun one of the capital projects for the coming year. The main between 2nd and W 2nd Streets on E Street will be finished in about two weeks. We have one customer whose fee was enough to pay for the labor on this project. We anticipate that the balance will be paid for by new patrons before the end of summer.

The government will pick up all fringe benefits on the CETA employees after July 1, 1977.

The manager presented copies of a letter addressed to him from Earl Parker, owner of the "Rio Linda World", which criticized the board for calling a special meeting to review and pass the budget. It also stated that he must be informed of all special meetings in the future. After much discussion the board felt that Mr. Adams, at his own discretion, contact Mr. Parker and ask him to correct the information he had printed in his paper and explain the circumstances of the special meeting.

Mrs. Hansel presented to the board the requirements of the County Elections Unit for the upcoming election on November 8, 1977.

Mr. Weber and Mr. Wilson are the directors whose terms are ending.

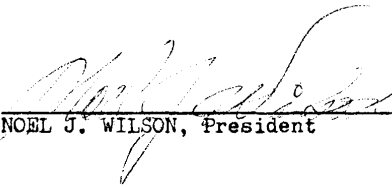
Mr. Eia moved that the candidate be permitted to use a maximum of 200 words in a statement of qualifications, and that he will not be permitted to prepare other materials to be sent in addition to the sample ballot and statement of qualifications. This motion also stated that the candidate be responsible for the charge to print the statement. This motion was seconded by Mr. Chapman and passed unanimously.

On motion by Mr. Weber and second by Mr. Eia, it was unanimously passed that any candidate asking to submit a qualifications statement be required to put up a deposit covering the cost of printing.

Mr. Eia explained the action of the Association of County Water Districts with regards to the proposed public relations brochure. It was the decision of the Association to hold publication in abeyance.

The board discussed the question and were in agreement that it would be a duplication of the work being done by the "Gutter-Flooder" program.

Mr. Eia moved the meeting be adjourned. Mr. Chapman seconded the motion and the meeting was adjourned.



NOEL J. WILSON, President

ATTEST:



MASON A. ADAMS, Secretary

RESOLUTION NO. 5-77

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RIO LINDA COUNTY WATER DISTRICT
MAKING APPLICATION FOR THE ANNEXATION
OF TERRITORY TO SAID DISTRICT

WHEREAS, the Board of Directors of the RIO LINDA COUNTY WATER DISTRICT desires to initiate a proceeding for the annexation to said District of the territory hereinafter described pursuant to the District Reorganization Act, commencing with Section 56000 of the Government Code:

NOW THEREFORE, the Board of Directors of the RIO LINDA COUNTY WATER DISTRICT DOES HEREBY RESOLVE AND ORDER as follows:

Section 1 (a) Application and a proposal is hereby made to the Sacramento Local Agency Formation Commission for the annexation of certain uninhabited territory to the RIO LINDA COUNTY WATER DISTRICT. The exterior boundaries of such territory are described as follows:

(1) CHARLES J. UNGER

The North 132 feet of Lot 24, as shown on the "Flat of Rio Linda Sub-division No. 3", recorded in the office of the County Recorder of Sacramento County, on December 22, 1913, in Book 14 of Maps, Map No. 52. The subdivision of said lot being made on the basis that the lot area includes one-half of the adjoining roads.

(2) LARRY M. JENSEN

The North 99 feet of the South 176 feet of Lot 6, New Prague except the East 300 feet of the North 49 feet. Containing 1.16 acres. Parcel No. 214-091-11.

(3) EDWALT FRANKLIN LYCINGER

Lot 14 clearview including a 20 foot right of way being North of and adjoining Lot 1 Map of Clearview, recorded in the office of the County Recorder of Sacramento County July 28, 1949 in Book 29 of Maps, Map No. 18.

(4) R. E. HAYER

Parcel 1 and Parcel 6 as shown on that certain Parcel Map filed in the office of the Sacramento County Recorder, State of California on August 9, 1974 in Book 19 of Parcel Map at Page 11.

(5) LARRY DON NELSON

Lot 38, as shown on the "Flat of New Prague", recorded in Book 14 of Maps, Map No. 13, records of said County.

EXCEPT the South 122 feet of the East 330 feet of said Lot.

(6) GEORGE W. WRIGHT

The west 132 feet of the East 330 feet of Lot 37, as shown on the "Map of New Prague", recorded in the office of the County Recorder of Sacramento County, on May 6, 1913 in Book 14 of Maps, Map No. 13. The area of said Lot being computed on the basis that the lot area includes one-half of the adjoining roads.

(7) RALPH W. MORRIS

All that portion of Lot 38 as shown on the "Map of Rio Linda Subdivision No. 1, recorded in the office of the County Recorder of Sacramento County, May 6, 1913, in Book 14 of Maps, Map No. 18, described as follows:

RIO LINDA COUNTY WATER DISTRICT RESOLUTION NO. 5-77 (cont)

Commencing at the Southwest corner of said Lot 38, said Southwest corner being located at the intersection of the centerline of a 60 foot public road known as Chicago Ave., with the centerline of a 40 foot public road known as Illinois Ave., thence, along the centerline of said 60 foot public road and along the West line of said Lot 38, North $1^{\circ}46\frac{1}{2}'$ West 135 feet; thence, parallel to the South line of said Lot 38, North $89^{\circ}02\frac{1}{2}'$ East 224 feet; thence, parallel to the West line of said Lot 38, South $1^{\circ}46\frac{1}{2}'$ East 135 feet to a point on the South line of said Lot 38 and on the center line of said 40 foot public road; thence, along the South line of said Lot 38 and along the centerline of said 40 foot public road, South $89^{\circ}02\frac{1}{2}'$ West 224 feet to the point of commencement.

(8) THOMAS N. McLOUGHLIN

Lot 46 of Rio Linda Subdivision No. 1, R.M. Book 14, Page 18. Assessor's No. 207-170-56. 7208-25/0034. 660x660 ft.

(9) JIM M. SHELL

Lot 32, as shown on the "Map of Rio Linda Subdivision No. 1", recorded in Book 14 of Maps, Map No. 18, records of said County. Said measurements being made from the center line of adjacent roads, as shown on said map.

(10) MC ARTHUR CLIFTON

ALL THAT PORTION of the Southwest $\frac{1}{4}$ of Section 20, Township 10 North, Range 5 East, M.D.B. & M., described as follows:
BEGINNING at a point from which the point of intersection West line of said Section 20, being the center line of Elwyn Avenue, a 40 foot County Road, with the North line of Rancho Del Paso, as shown on the official plat thereof, filed in the office of the County Recorder of Sacramento County March 4, 1911 in Book A of Surveys, Map No. 94, bears West 793.26 feet, measured along the North line of said Rancho Del Paso; thence from said point of beginning North $01^{\circ} 02' 30''$ West 220.78 feet; thence parallel with the North line of said Rancho Del Paso, West 353.00 feet; thence South $01^{\circ} 02' 30''$ East 220.78 feet to a point on the North line of said Rancho Del Paso, thence along the North line of said Rancho Del Paso, East 353.00 feet to the point of beginning.

(11) IDA TORSMALUM

The South Half of the South Half of Lot 24 of "Rio Linda Subdivision No. 2."

(b) It is desired that the proposed annexation provide for and be made subject to the following terms and conditions:

1. Authorization for the annexing District to annex the territory without notice and hearing and without election.
2. Authorization for the annexing District to impose an inclusion fee of \$200.00.

(c) The reason for this proposal is to secure the services of the District.

(d) The following are the affected counties and districts: Sacramento County and Rio Linda County Water District.

Section 2. BE IT FURTHER RESOLVED that this District hereby waives the requirement of a 10-day notice of the filing of this petition and consents to the adoption by said Sacramento Local Agency Formation Commission of a resolution making determination on this proposal without notice or hearing.

Section 3. The Secretary of the RIO LINDA COUNTY WATER DISTRICT is hereby authorized and directed to file a certified copy of this resolution with the Executive Officer of the Sacramento Local Agency Formation Commission.

CERTIFICATE OF COMPLETION OF PROCEEDINGS
FOR THE ANNEXATION TO THE
RIO LINDA COUNTY WATER DISTRICT
OF THAT TERRITORY DESIGNATED "LAFC-577"
PIRTLE, HANN, ET. AL.,
ANNEXATION TO RIO LINDA COUNTY WATER DISTRICT (38-77)

RIO LINDA COUNTY WATER DISTRICT RESOLUTION NO. 6-77.

WHEREAS, the Board of Directors of RIO LINDA COUNTY WATER DISTRICT heretofore initiated a proceeding for the annexation by said District of a certain territory designated as "Pirtle, Hann, Et. Al., Annexation to Rio Linda County Water District (38-77)" pursuant to the District Reorganization Act, commencing with Section 56000 of the Government Code; and

WHEREAS, the Sacramento Local Agency Formation Commission by Resolution No. LAFC-577, approved the proposed annexation subject to the following specified terms and conditions:

(a) Authority for the RIO LINDA COUNTY WATER DISTRICT to annex the territory without notice, hearing or election;

(b) Authority for the RIO LINDA COUNTY WATER DISTRICT to impose an inclusion fee of \$1,200.00 (total) as a condition of the annexation;

NOW THEREFORE, the Board of Directors of RIO LINDA COUNTY WATER DISTRICT hereby resolves, determines and orders as follows:

(1) The territory designated LAFC-577 "Pirtle, Hann, Et. Al., Annexation To Rio Linda County Water District (38-77)", and particularly herein be, and the same is hereby annexed to the RIO LINDA COUNTY WATER DISTRICT without notice, hearing or election:

(2) By virtue of the authority granted to RIO LINDA COUNTY WATER DISTRICT, there is imposed on the owners of said property an inclusion fee of \$1,200.00 (total) as a condition to said annexation, and the assumption of the basic tax rate.

The exterior boundaries of the territory annexed are described as follows:

(1) LULA PIRTLE

All that portion of Lot 17, as shown on the "Plat of Rio Linda Subdivision No. 2", filed in the office of the Recorder of Sacramento County California, on September 27, 1913, in Book 14 of Maps, Map No. 47, described as follows:

BEGINNING at a point on the West line of said Lot 17, said West line being also the center line of a 60 foot public road now known as Rio Linda Boulevard as shown on said plat, located North 01° 53' 30" West 583.70 feet from the Southwest corner of said Lot 17; Thence from said point of beginning along said West line, North 01° 53' 30" West 125.00 feet; thence, North 76° 42' 53" East 222.36 feet to a point on the Easterly line of said Lot 17 and the Westerly line of the Northern Electric Co., right of way line, South 25° 57' 10" East 135.00 feet, thence South 78° 36' 48" West 276.81 feet to the point of beginning.

(2) ROBERT J. HANN AND HELEN HANN

Lot No. 2, as shown on the "Plat of Delano Manor" recorded in the office of the County Recorder of Sacramento County on March 4, 1960 in Book 59 of Maps, Map No. 14.

INCLUDING all that portion of Delano Street contiguous thereto and lying southerly of the center line thereof; also includin all the portion of Marindell Street contiguous thereto and lying westerly of the center line thereof.

(3) EDWARD SALYERS AND LILLIAN G. SALYERS

The South 1/2 of Lot 9 of Superior Subdivision, according to the official map thereof, filed in the office of the Recorder of Sacramento County, California, on August 20, 1946, in Book 24 of Maps, Map No. 5.

TOGETHER with that portion of Dry Creek Road contiguous thereto and lying westerly of the center line thereof.

(4) CLARENCE JOSEPH ZINE AND ANNA LEE

The North one-half of the South one-half of Lot 9 as shown on the official "Map of Rio Linda Subdivision No. 1", recorded in the office of the County Recorder of Sacramento County May 6, 1913, in Book 14 of Maps, Map No. 18.

(5) SARAH IRENE LOW

The West 270 feet of the South 330 feet of Lot 25 Rio Linda Subdivision No. 3, according to the official map or plat thereof now on file in the office of the County Recorder of said County of Sacramento.

(6) ROBERT A. JOHNS AND DONNA M. JOHNS

Parcel No. 1: The East 90 feet of the West 335 feet of the North one-quarter of Lot 19 of Rio Linda Subdivision No. 2, according to the official plat thereof, filed in the Office of the Recorder of Sacramento County, California, on September 27, 1913, in Book 14 of Maps, Map No. 47.

The subdivision of said Lot 19, being made on the basis that the lot area includes one-half of the adjoining road.

Parcel No. 2: That part of Lot 19 of Rio Linda Subdivision No. 2, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on September 27, 1913, in Book 14 of Maps, Map No. 27, described as follows:

BEGINNING at a point on the north line of said Lot 19 from which the Northwest corner thereof bears Westerly along the North line of said Lot 19 335.00 feet; thence from said point of beginning Southerly 165 feet; thence Easterly 80 feet; thence North 165 feet; thence Westerly on "S" Street 80 feet, to the point of beginning.

Passed and adopted by the Board of Directors of the RIO LINDA COUNTY WATER DISTRICT this 9th day of November, 1977, by the following vote:

AYES:

NOES:

ABSENT:

NOEL J. WILSON, President
Board of Directors of the
RIO LINDA COUNTY WATER DISTRICT

ATTEST:

MASON A. ADAMS, Secretary