Helendale Community Services District

BOARD OF DIRECTORS AGENDA
July 21, 2016 at 6:30 PM
26540 Vista Road, Suite C, Helendale, CA 92342

Call to Order - Pledge of Allegiance

1. **Approval of Agenda**
2. **Public Participation** - *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes, three (3) seconds per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.*
3. **Consent Items**
   a. Approval of Minutes: June 16, 2016 Regular Board Meeting
   b. Bills Paid and Presented for Approval
4. **Reports**
   a. Directors' Reports
   b. President's Report
   c. General Manager

Public Hearing

5. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-10; A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Water and Sewer Standby Charges for Fiscal Year 2016-2017
6. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-09: A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Refuse Disposal Land Use Fees for 2016-17.
7. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-11; A Resolution of the Board of Directors of the Helendale Community Services District Confirming, or Modifying and then Confirming, the Report of Delinquent Water, Sewer and Trash Collection User Charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll

Discussion Items

8. Discussion and Possible Action Regarding Award of Lighting Contract for Helendale Community Park
9. Discussion and Possible Action Regarding Adoption of a Memorandum of Understanding between the Helendale Community Services District and the Silver Lakes Association Related to the Funding of Necessary Engineering and Financial Analysis for the Tertiary Upgrade of the Helendale Wastewater Treatment Facility
10. Discussion and Possible Action Regarding Changing the Day and Time of the Regular Board Meetings and Review of Ordinance 2015-01: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities

Other Business

11. Requested items for next or future agendas (Directors and Staff only)

Providing:

- *Water*
- *Wastewater*
- *Park & Recreation*
- *Solid Waste Management*
- *Street lighting*
- *Graffiti Abatement*

For the Helendale Community

OFFICE HOURS:
Monday-Friday
8:00 – 5:30 p.m.

PHONE:
760-951-0006

FAX:
760-951-0046

ADDRESS:
26540 Vista Road
Suite B
Helendale, CA
92342

MAILING ADDRESS:
PO BOX 359
Helendale, CA
92342

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www.helendalecsd.org

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DRAFT

Closed Session

12. Conference with Legal Counsel – Anticipated Litigation
    Initiation of Litigation
    Pursuant to Government Code Section 54956.9(c)
    One Potential Case

13. Conference with Legal Counsel – Anticipated Litigation
    Significant Exposure to Litigation
    Pursuant to Government Code Section 54956.9(d)(2)
    One Potential Case

Open Session

14. Reportable Action from Closed Session

15. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above agendized public meeting should be directed to the District's General Manager's office at (760) 951-0006 at least 24 hours prior to said meeting. The regular session of the Board meeting will be recorded. Recordings of the Board meetings are kept for the Clerk of the Board's convenience. These recordings are not the official minutes of the Board meetings.

HELENDALE COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING MINUTES
June 16, 2016
26540 Vista Road, Suite C. Helendale, CA 92342

CALL TO ORDER AND PLEDGE OF ALLEGIANCE – The regular meeting was called to order at 6:35 by Vice President Clark after which the Pledge of Allegiance was recited.

Present:	Vice President Ron Clark; Director Craig Schneider; Director Tim Smith
Absent:	President H. James Keoshkerian; Secretary Sandy Haas
Staff:	Kimberly Cox, General Manager; Cheryl Vermette, Program Coordinator; Michael Simpson, Water Operations Manager; Mike Morris, Mechanic
Consultants:	Steve Kennedy, Legal Counsel; Paul Harmon, Consultant; Richard Nino, Burrtec
Audience:	There were five (5) audience members present at the meeting

1. **Approval of Agenda**
   Action: Director Smith made the motion to approve the Agenda as presented. Director Schneider seconded the motion. The motion was unanimously approved by the Board members present.

2. **Public Participation**
   Susan Brodeur presented the check from Supervisor Lovingood's office for $30,000 towards park lighting. Wally Linn from Congressman Cook's office followed up on Director Smith's concerns regarding the train stopping on the tracks on Vista Rd.

3. **Consent Items**
   a. Approval of Minutes: June 2, 2016 Regular Board Meeting
   b. Bills Paid and Presented for Approval
   Action: Director Schneider made the motion to approve the Consent Items as presented. Director Smith seconded the motion. The motion was unanimously approved by the Board members present.

4. **Reports**
   a. Directors Report – None
   b. Presidents Report – Absent
   c. General Manager Report
      Operations Manager Simpson and Program Coordinator gave a demonstration of the new Beacon software that is part of the pilot program the District is conducting with Badger meters. General Manager Cox showed photos of the new gates at the park. GM Cox also presented the wastewater report and the admin report which included new accounts, consumption comparison by year, and monthly billing data.

Public Hearing

5. Public Hearing to Receive Comment and Possible Adoption of Resolution 2016-06; A Resolution of the Board of Directors of the Helendale Community Services District Determining That There Was No Majority Protest to Proposed Increases to Refuse Collection Service Charges and Adopting a Rate Schedule for Such Charges and Superseding Existing Applicable Rates.
   Discussion: Vice President Clark opened the public hearing at 7:03. There were no public comments. The public hearing closed at 7:03.
   Action: Director Schneider made the motion to approve proposed rate increase for solid waste services; determine that there is no majority protest and adopt the proposed rate schedule for such charges and superseding existing applicable rates. Director Smith seconded the motion. The motion was approved 3-Yes; 0-No; 2-Absent by the following roll call vote: CS-Yes; RC-Yes; TS-Yes.

6. Public Hearing to Receive Comment and Possible Adoption of Resolution 2016-08; A Resolution of the Board of Directors of the Helendale Community Services District Approving and Adopting the 2016-17 Annual Budget and Authorizing Appropriations Therefrom.
   Action: Director Smith made the motion to adopt Resolution 2016-08; a Resolution of the Board of Directors of the Helendale Community Services District approving and adopting the 2016-2017 annual budget and authorizing appropriations therefrom. Director Smith seconded the motion. The motion was approved 3-Yes; 0-No; 2-Absent by the following roll call vote: CS-Yes; RC-Yes; TS-Yes.

7. Discussion and Possible Adoption of Resolution 2016-07, a Resolution of the Board of Directors of the Helendale Community Services District Establishing the Appropriations Limit for Fiscal Year 2016-2017 pursuant to Article XIIIB of the California State Constitution.
   Action: Director Schneider made the motion to adopt resolution 2016-07; a Resolution of the Board of Directors of the Helendale Community Services District establishing the appropriations limit for fiscal year 2016-17, pursuant to article XIIIB of the California State Constitution. Director Smith seconded the motion. The motion was approved 3-Yes; 0-No; 2-Absent by the following roll call vote: CS-Yes; RC-Yes; TS-Yes.

8. Discussion and possible action regarding continuation of the Green Waste Drop-Off Program for FY 2016-17.
   Action: Director Schneider made the motion to continue the Green Waste Drop-Off program until the end of the FY 2016-17. Director Smith seconded the motion. The motion was unanimously approved by all the Board members present.

Other Business

9. Requested items for next or future agendas (Directors and Staff only)
   Director Smith asked about adopting a new sunshine ordinance in response to Board absences. Legal Counsel said the issue of Board absence and vacancies is a statutory issue. Legal counsel will prepare a memorandum in response to Board vacancy that the Board can discuss.

10. Adjournment
    Action: Vice President Ron Clark adjourned the meeting at 7:24 pm.

Submitted by:

Ron Clark, Vice-President

Approved By:

Craig Schneider, Director

The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.

Helendale Community Services District

Date:	July 21, 2016
TO:	Board of Directors
FROM:	Kimberly Cox, General Manager
BY:	Paul E. Harmon, Administrative Consultant
SUBJECT:	Agenda item # 3 b.
	Consent Item: Bills Paid and Presented for Approval

STAFF RECOMMENDATION:
Report Only. Receive and File

STAFF REPORT:
Staff issued 130 checks for the period June 10 through July 15, 2016 totaling $305,943.92. Checks issued include payments to Burrtec Waste Industries, Inc. for April and May Disposal Billing for $21,284.46 and for April and May residential service billing for $70,750.40; to Ellis Fence Company for 3 gates at Helendale Park for $8,475.00; to SCE for wells 1, 3 & 4 electric for $7,082.89 and for $12,104.59 and for WWTP blower room and lift stations for $5,024.92 and $4,902.50; to Happy Times Party Rentals for Inflatable recreation structures, blowers, games and fork lift for $11,650.00; to Stanley Hoffman Associates for park development impact fee study for $3,850.00; az Mat Trans Inc for removal and disposal of Lakeview tank for $17,500.00; to Tyler Technologies nc for annual software license and support for $17,882.20; and to Brunick, McElhaney and Kennedy for legal services for $5,806.25.

Total cash available:	7/15/16	6/10/16
Cash	$ 3,846,790.15	$ 3,967,206.38
Checks Issued	$ 305,943.92	$ 167,215.33

Investment Report
The Investment Report shows the status of invested District funds. The current interest rate is 0.75% for CalTRUST Short-Term and is 1.01% for Medium-Term Investments, 0.576% for LAIF, and 0.15% for the CBB Sweep Account for July 2016. Interest earned in June 2016 on the CalTRUST investments and the CBB Sweep Account is $1,468.86. Cumulative interest from our initial date of investment in February 2008 through June 2016 for CalTRUST, CBB and LAIF is $177,372.10. Interest Income for the fiscal year 2014-2015 is $12,235.52 and $15,924.28 for F/Y 2015-16.

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
17992	All Valley Reprographics & Plan Room	36 "x 24" B/W Print - HCP - 5 Sets	Parks	$	94.50
17993	Azuza Land Reclamation	Pipe Removal from Lakeview Tank Site	Water	$	75.00
17994	Brunick, McElhaney & Kennedy	Legal Services	Admin	$	7,387.40
17995	Burrtec Waste Industries, Inc.	Residential Disposal Billing - Apr 2016	Solid Waste	$	10,561.82
17995	Burrtec Waste Industries, Inc.	Residential Services - Apr 2016	Solid Waste	$	35,516.72
17995	Burrtec Waste Industries, Inc.	Residential Disposal Billing - May 2016	Solid Waste	$	10,772.64
17995	Burrtec Waste Industries, Inc.	Residential Services - May 2016	Solid Waste	$	35,233.68
17996	Capital One Commercial	Equinox Wash	Admin	$	6.99
17997	Petty Cash	Fuel - New WW Truck	WWTP	$	30.01
17997	Petty Cash	Live Scan T/S 2nd Hand Bus License Renewal	Parks	$	48.19
17997	Petty Cash	Coffee Club Snacks	Parks	$	13.99
17997	Petty Cash	Earth Day - Victory Outreach Volunteer Lunch	Parks	$	18.78
17997	Petty Cash	T/S Stanchions & New Lock for Drop-off Bin	Thrift Store	$	36.50
17997	Petty Cash	Admin Training Meal Reimbursement	Admin	$	45.34
17997	Petty Cash	Postage to Return Radios for Warranty Work	Admin	$	13.98
17997	Petty Cash	Broker's Breakfast Meeting	Admin	$	10.00
17997	Petty Cash	Board Meeting - Mother's Day Flower - S. Haas	Admin	$	25.90
17997	Petty Cash	Sympathy Cards	Admin	$	16.35
17998	Clemmer Services, Inc.	A/C Maint 15302 Smithson Unit E	Parks	$	192.00
17998	Clemmer Services, Inc.	A/C Maint - 15302 Smithson Unit A	Parks	$	174.00
17999	Daily Press	Public Notice Ad - Burrtec Increase	Admin	$	411.12
17999	Daily Press	Public Notice Ad - Budget Proposal	Admin	$	341.36
18000	Dept. of Forestry & Fire Protection	Fenner Canyon Crew - 4-1-16	WWTP	$	228.48
18001	Electronic Environments Corp.	Generator Service - WWTP	WWTP	$	576.05
18001	Electronic Environments Corp.	Generator Service - Smithson Pump Station	WWTP	$	587.06
18001	Electronic Environments Corp.	Generator Service - Well # 3	Water	$	582.68
18001	Electronic Environments Corp.	Generator Service Well # 6	Water	$	582.68
18002	Ellis Fence Company	Installed 2 4-Rail Ranch Double Drive Gates 24'	Parks	$	3,650.00
18002	Ellis Fence Company	Replaced 14- x 6' Double Swing Gate Due to Damages	Water	$	1,425.00
18002	Ellis Fence Company	2- 14" Flood Gates / 1 20' Flood gate w/Posts	Parks	$	3,400.00
18003	Flyers Energy	Vehicle Fuel	Water	$	650.90
18003	Flyers Energy	Vehicle Fuel	WWTP	$	650.89
18004	Geo-Monitor, Inc.	Lab Analysis	Water	$	206.50
18005	Great Pacific Equipment, Inc	Snorkel Lift Unit # 2014	Water	$	488.34
18005	Great Pacific Equipment, Inc	Venturo Unit # 309	Parks	$	488.33
18005	Great Pacific Equipment, Inc	Genie Unit # 4003	Parks	$	488.33
18006	Hartford Life	Employee Group life Insurance (4 months)	Admin	$	1,790.96
18007	VOID	VOID	VOID	$	-
18008	Home Depot Credit Services	Water Vehicle Maint	Water	$	8.12
18008	Home Depot Credit Services	Water Supplies & small tools	Water	$	669.23
18008	Home Depot Credit Services	WW Vehicle Maint	WWTP	$	8.12
18008	Home Depot Credit Services	WW Small Tools	WWTP	$	3,422.01
18008	Home Depot Credit Services	Dog Park Clp	Parks	$	133.37
18008	Home Depot Credit Services	Park Small Tools	Parks	$	16.17
18009	Inland Water Works Supply Co.	Removal of Lakeview Tank Site Pipe	Water	$	285.66

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
18010	One Way Backflow	3 - Water Backflows	Water	$	105.00
18010	One Way Backflow	4 - Wastewater Backflows	WWTP	$	140.00
18010	One Way Backflow	1- Mobile Home Backflow	Parks	$	35.00
18010	One Way Backflow	2 - Community Center Backflows	Parks	$	70.00
18011	Patty Hartong	Fitness Classes Jun 2016	Parks	$	537.00
18012	Rogers, Anderson, Malody & Scott	Accounting Support-pre audit	Admin	$	1,470.00
18013	Sierra Analytical	Lab Analysis	WWTP	$	318.00
18014	Southern California Edison	Sod Farm	WWTP	$	854.17
18015	Southern California Edison	Well # 1, 3 & 4 Electric	Water	$	7,082.89
18015	Southern California Edison	Lift Stations and WWTP Blower Room	WWTP	$	5,024.92
18016	Southern California Edison	Street Lighting	St Lighting	$	1,386.79
18017	Southern California Edison	Well # 8, 7, 6, 9 & 2 electric	Water	$	1,142.06
18018	Southern California Edison	4 Plex	Parks	$	204.34
18019	Uline	4- 6 Bushel Poly Box Trucks & 6- 16 Bushel Covers	Thrift Store	$	1,411.45
18020	Plumber's Depot Inc.	Drain Eye Video System	WWTP	$	7,506.54
18021	Stantec Consulting Services Inc	Park Consulting Services	Parks	$	2,893.00
18022	VOID	VOID	VOID	$	-
18023	Hartford Life	District Group Life Insurance - Jul 2016	Admin	$	447.74
18024	Happy Times Party Rentals	7 Element/Slide Combo Obstacle Course	Parks	$	2,500.00
18024	Happy Times Party Rentals	16' Waterslide	Parks	$	2,000.00
18024	Happy Times Party Rentals	Trackless Train w/Trailer	Parks	$	5,000.00
18024	Happy Times Party Rentals	Joust	Parks	$	500.00
18024	Happy Times Party Rentals	Nacho Dispenser	Parks	$	50.00
18024	Happy Times Party Rentals	Blowers for Inflatables - 6@ $100 each	Parks	$	600.00
18024	Happy Times Party Rentals	Popcorn Machine	Parks	$	300.00
18024	Happy Times Party Rentals	Radar Speed Pitch	Parks	$	100.00
18024	Happy Times Party Rentals	Soccer Speed Kick	Parks	$	100.00
18024	Happy Times Party Rentals	Fork Lift	Solid Waste	$	500.00
18025	Jianyi Wang	Customer Deposit Refund	Water	$	160.49
18026	Jeff Jun	Customer Deposit Refund	Water	$	361.69
18027	Li Di	Customer Deposit Refund	Water	$	245.22
18028	Kevin Leite	Customer Deposit Refund	Water	$	114.61
18029	CA Service Link	Customer Deposit Refund	Water	$	157.06
18030	Bartle Wells Associates	Water Fees	Water	$	1,594.25
18030	Bartle Wells Associates	Waste Water Fees	WWTP	$	1,594.25
18031	Capital One Commercial	Coffee Club	Parks	$	13.89
18032	County of San Bernardino, Solid Waste Mgmt. Div.	Dump Passes - May 2016	Solid Waste	$	691.53
18033	FAST SIGNS	Vinyl Letters for Clean-up Day Banner	Parks	$	46.98
18034	Frontier Communications	Smithson Lift Station	WWTP	$	51.62
18035	Infosend	Utility Billing Postage	Admin	$	1,172.90
18035	Infosend	Utility Billing Processing	Admin	$	911.93
18036	Larry Walker Associates	Environmental Consultation	WWTP	$	193.75
18037	Mobile Occupational Services, Inc.	Pre-Employment Testing - A. Salz	Admin	$	35.00
18038	Napa Auto Parts	Water Vehicle maintenance	Water	$	1,787.24
18038	Napa Auto Parts	Water Supplies	Water	$	37.38

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
18038	Napa Auto Parts	Mechanic Shop/Tools	Water	$	775.90
18038	Napa Auto Parts	WW Vehicle Maint	WWTP	$	1,114.47
18038	Napa Auto Parts	WW Supplies	WWTP	$	160.55
18038	Napa Auto Parts	Park Vehicle Maint	Parks	$	199.58
18039	Official Payments Corp	Payment Processing	Admin	$	58.40
18040	Pacific Tek, Inc.	TRUCK # 213 PARTS	Admin	$	679.75
18041	Patty Hartong	Exercise Classes - Part 2 Jun 2016	Parks	$	90.00
18042	Quantum Office Products	office supplies-printer receipt rolls	Admin	$	93.41
18043	Shred-it USA LLC	Shred Services - Jun 2016	Admin	$	59.32
18044	Southern California Edison	Suite B & C	Parks	$	1,275.10
18044	Southern California Edison	Suite D	Parks	$	119.08
18044	Southern California Edison	Thrift Store Suite A	Thrift Store	$	957.66
18045	Stanley R. Hoffman Associates, Inc	Park Development Impact Fees	Parks	$	3,850.00
18046	Staples Office Supplies	Water Office Supplies	Water	$	12.51
18046	Staples Office Supplies	Admin Office Supplies	Admin	$	305.00
18047	Tim Smith	Director's Fees June 2016	Admin	$	600.00
18048	USA Blue Book	Lifting Sling - Asbestos Pipe Removal	Water	$	65.07
18048	USA Blue Book	Hydrant Adapter-Water Supplies	Water	$	318.71
18049	Verizon Wireless	Data Plan Split	Water	$	23.16
18049	Verizon Wireless	3-Water Tablet Lines	Water	$	44.64
18049	Verizon Wireless	WW Data Plan Split	WWTP	$	23.14
18049	Verizon Wireless	1- WW Tablet Phone Line	WWTP	$	14.88
18049	Verizon Wireless	1 Park Tablet Phone Line - I Pads Air II	Solid Waste	$	14.88
18049	Verizon Wireless	SW Data Plan	Solid Waste	$	23.14
18049	Verizon Wireless	3 -Water I Pads Air II	Water	$	1,300.14
18049	Verizon Wireless	1 - I Pads Air II	Admin	$	433.38
18049	Verizon Wireless	1 SW I Pad Air II	WWTP	$	433.38
18050	Apple Valley Communications	Alarm System Service	Water	$	35.00
18050	Apple Valley Communications	Alarm System Service	WWTP	$	35.00
18050	Apple Valley Communications	Alarm System Service	Parks	$	60.00
18051	AVCOM Services Inc.	District Answering Services - Jun 2016	Admin	$	92.00
18052	BDC Special Waste Services	North Water Tank Asbestos Removal	Water	$	1,036.00
18053	Boot Barn Inc.	Boots - C. Zuber (WW)	WWTP	$	161.99
18054	Capital One Commercial	Office Cleaning Supplies	Admin	$	161.87
18055	County of San Bernardino	Recording Fees - Jun 2016	Admin	$	84.00
18056	County of San Bernardino - Dept of Public Works	Annual Excavation Permit	Water	$	126.00
18057	Dept. of Forestry & Fire Protection	WW	WWTP	$	228.48
18057	Dept. of Forestry & Fire Protection	Memorial Grove	Parks	$	228.48
18057	Dept. of Forestry & Fire Protection	Fire Sites	Parks	$	1,827.84
18057	Dept. of Forestry & Fire Protection	Well Sites	Water	$	456.96
18057	Dept. of Forestry & Fire Protection	WW	WWTP	$	228.48
18057	Dept. of Forestry & Fire Protection	Park	Parks	$	1,142.40
18058	FILARSKY & WATT LLP	Legal Services	Admin	$	70.00
18059	Flyers Energy	Vehicle Fuel	Water	$	428.23
18059	Flyers Energy	Vehicle Fuel	WWTP	$	428.23

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
18060	Forshock	SCADA System	Water	$	374.20
18060	Forshock	SCADA System	WWTP	$	374.20
18061	Frontier Communications	Admin Phone - 760-951-0006	Admin	$	74.08
18062	G.A. Osborne Pipe & Supply Inc.	Dog Park Irrigation & Supplies	Parks	$	363.84
18063	Gierlich & Mitchell, Inc.	Replacement Blower Block	WWTP	$	8,554.64
18064	Harbor Freight Tools	7- Blue Tarps - Thrift Store	Parks	$	92.81
18065	Infosend	Utility Billing & Postage	Admin	$	1,104.54
18065	Infosend	Utility Billing Processing	Admin	$	898.42
18066	Inland Water Works Supply Co.	Small Tools & Air Vac Parts	Water	$	1,017.63
18067	O'Reilly Auto Parts	Mechanic Shop	Water	$	15.96
18067	O'Reilly Auto Parts	Return	Water	$	(4.31)
18067	O'Reilly Auto Parts	Admin Vehicle Maint	Admin	$	40.46
18068	Parkhouse Tire, Inc.	Repair Flat Unit # 309	WWTP	$	27.68
18068	Parkhouse Tire, Inc.	Chlorine Truck Unit # 210 - Tires	Water	$	503.56
18068	Parkhouse Tire, Inc.	Water Truck Unit # 216 - Tires	Water	$	271.10
18069	Powers Electric Product Co.	2/C Cable Marked in Feet & 2C Electrode	Water	$	275.23
18070	Priority Neopost	Kyosera Printer Contract	Admin	$	59.40
18071	Sierra Analytical	Lab Analysis	WWTP	$	668.00
18072	Silver Lakes Hardware	Water R & M/Veh Mtce/Operating Supplies	Water	$	143.39
18072	Silver Lakes Hardware	WW R & M	WWTP	$	33.21
18072	Silver Lakes Hardware	Park R & M	Parks	$	21.76
18073	Southern California Edison	Water Shop	Water	$	120.93
18074	Southern California Edison	Shop Wellhead	Water	$	347.49
18074	Southern California Edison	Mobile Home Wellhead	Parks	$	49.83
18075	Southern California Edison	4-Plex	Parks	$	280.37
18076	Southwest Gas Company	Community Center	Parks	$	30.20
18076	Southwest Gas Company	WWTP	WWTP	$	35.24
18076	Southwest Gas Company	4-Plex	Parks	$	55.54
18076	Southwest Gas Company	Water Shop	Water	$	11.00
18077	Stotz Equipment	Park Mower Maint	Parks	$	79.27
18078	United Site Services	Trailer Kit - Weekly Service	WWTP	$	162.25
18079	USA Blue Book	Water Supplies	Water	$	25.73
18079	USA Blue Book	Water Tools	Water	$	81.70
18079	USA Blue Book	Below Grade Sampling Station	Water	$	1,433.97
18079	USA Blue Book	Resettable Combination Locks (3)	Water	$	86.51
18079	USA Blue Book	Resettable Combination Locks	Water	$	42.81
18079	USA Blue Book	Resettable Combination	Water	$	515.44
18080	USA of So. California	Dig Alert Tickets (19)	Water	$	28.50
18081	Verizon Wireless	District Cellular Telephones	Admin	$	1,022.00
18082	Apple Valley Communications	Alarm System Service	Water	$	35.00
18082	Apple Valley Communications	Alarm System Service	WWTP	$	35.00
18082	Apple Valley Communications	Alarm System Service	Parks	$	60.00
18083	Silver Lakes Association	HOA Dues FY 2016/17	Admin	$	2,136.00
18084	Michael Davis	Final Check Including leave balances.	Parks	$	1,184.65
18085	Charles Sheehan	Customer Deposit Refund	Water	$	174.01

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
18086	Tara Seyfert	Customer Deposit Refund	Water	$	185.29
18087	Bo Fethe	Customer Deposit Refund	Water	$	121.45
18088	Mark Scott	Customer Deposit Refund	Water	$	174.88
18089	Haz Mat Trans Inc.	Removal /Disposal of Lakeview Tank	Water	$	17,500.00
18090	California Choice Benefit Administrators	Employee Group Medical Insurance	Admin	$	9,530.73
18091	Cazcom, Inc.	Site Rent	Admin	$	175.00
18092	Choice Builder	Employee Group Supplemental Medical Insurance	Admin	$	1,017.73
18093	County of San Bernardino - Dept of Public Works	Additional Annual Excavation Permit Fees	Water	$	104.00
18094	Daily Press	Annual Subscription - 52 weeks	Admin	$	270.40
18095	Frontier Communications	Thrift Store Ported CC Line -	Parks	$	105.20
18095	Frontier Communications	Water Ops - 760-951-1121	Water	$	53.56
18096	Hank Dyer Electric	Well 41A - System Control	Water	$	830.00
18096	Hank Dyer Electric	WWTP Lift Station	WWTP	$	389.18
18097	Infosend	Programming Fee	Admin	$	175.00
18098	Priority Neopost	Kyocera - Contract Base Rate 7-1-16 - 7-31-16	Admin	$	59.40
18099	Southern California Edison	Well # 1, 3 & 4 Electric	Water	$	12,104.59
18099	Southern California Edison	Lift Stations and WWTP Blower Room	WWTP	$	4,902.50
18100	Southern California Edison	Street Lighting	St Lighting	$	1,338.10
18101	Southern California Edison	Well # 8, 7, 6, 9 & 2 electric	Water	$	348.47
18102	Southern California Edison	Sod Farm	WWTP	$	1,000.01
18103	Top Notch Networking, LLC	Monthly Support - Jul 2016	Water	$	761.80
18104	Tyler Technologies, Inc.	Annual System Software Update & Maintenance	Admin	$	17,882.20
18104	Tyler Technologies, Inc.	Online Utility Billing	Admin	$	112.00
18104	Tyler Technologies, Inc.	Web Hosting	Admin	$	25.00
18105	Adam Hall's Plant Nursery	Dog Park Landscape Plant	Parks	$	4,434.00
18106	Bank of America	Water Vehicle Maint	Water	$	16.00
18106	Bank of America	Water Supplies	Water	$	129.20
18106	Bank of America	Boots - J. Escobar	Water	$	156.89
18106	Bank of America	Water Small Tools	Water	$	317.97
18106	Bank of America	Fleet Maint	Water	$	157.81
18106	Bank of America	WW Supplies	WWTP	$	13.47
18106	Bank of America	WW Boots - A. Aviles, B. Kuhlmann & K. Vance	WWTP	$	555.87
18106	Bank of America	Three Rivers Conservancy Maint	Parks	$	167.81
18106	Bank of America	Coffee Club Snacks	Parks	$	6.79
18106	Bank of America	Adobe Monthly Fee - C, Vermette	Admin	$	14.99
18106	Bank of America	Lunch Meetings	Admin	$	131.63
18106	Bank of America	Board Meeting Snacks	Admin	$	31.04
18106	Bank of America	Admin Gift Cards/Harmon Memorial Flowers	Admin	$	66.19
18107	Brunick, McElhaney & Kennedy	Legal Services	Admin	$	5,806.25
18108	ComSerCo Communications	Radio Repair	Water	$	35.64
18108	ComSerCo Communications	Radio Repair - M. Davis	Parks	$	17.82
18108	ComSerCo Communications	Radio Repair - M. Davis	Solid Waste	$	17.82
18108	ComSerCo Communications	Replacement Radio Antenna - M. Davis	Parks	$	9.40
18108	ComSerCo Communications	Replacement Radio Antenna - M. Davis	Solid Waste	$	9.39
18109	Employee Relations	Pre-Employment Background Check - A. Saiz	Admin	$	102.15

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept		Amount
18110	Graham Equipment	Construction Rock	Water	$	405.00
18111	Helendale School District	Open Gym Staffing	Parks	$	177.96
18112	Home Depot Credit Services	Water Supplies	Water	$	1,170.90
18112	Home Depot Credit Services	WW Supplies	WWTP	$	226.15
18112	Home Depot Credit Services	Dog Park	Parks	$	23.31
18112	Home Depot Credit Services	4-Plex Cooler R & M	Parks	$	369.06
18112	Home Depot Credit Services	Park Supplies	Parks	$	30.14
18113	Infosend	Postage, Utility Bill Processing	Admin	$	1,993.75
18114	Larry Walker Associates	Environmental Consultation	Water	$	1,350.00
18115	Lowe's	WW Supplies	WWTP	$	38.07
18115	Lowe's	Mike's Office Improvement	Parks	$	417.35
18115	Lowe's	Dog park	Parks	$	153.29
18115	Lowe's	Park Supplies	Parks	$	9.69
18116	Sandy Haas	Director Fees & Reimbursement	Admin	$	523.43
18117	SB County Office of the Assessor	PIMS - Apr , May, & Jun 2016	Admin	$	53.25
18118	Special District Risk Management Authority	Unit # 217 Chevy 2500HD Crew Cab Service Truck	Admin	$	103.23
18118	Special District Risk Management Authority	Unit # 312 Chevy 3500HD Crew Cab Service Truck	Admin	$	94.48
18119	Stanley R. Hoffman Associates, Inc	Park Development Impact Fees	Parks	$	400.00
18120	Tyler Technologies, Inc.	Insite Transaction Fees - Utility Billing	Admin	$	1,093.75
18120	Tyler Technologies, Inc.	Utility Billing Notification	Admin	$	33.20
18121	Wal-Mart	Operating Supplies	Parks	$	280.00
	130 Total Checks Issued			**$**	**305,943.92**

Director Fees & Reimbursements

18047	Tim Smith	Director's Fees June 2016	Admin	$	600.00
18116	Sandy Haas	Director Fees & Reimbursement	Admin	$	523.43
	Total Director Fees & Reimbursements			**$**	**1,123.43**

HELENDALE COMMUNITY SERVICES DISTRICT

Bills Paid and Presented for Approval
for July 21, 2016

Check #	Payee	Item Description	Dept	Amount

CASH BALANCES

Cash Balances as of July 15, 2016	Interest Rate	Date	Balance
Cash in Bank - Desert Community Bank		7/15/2016	$ 71,998.88
Cash in Bank - Citizens Business Bank		7/15/2016	$ 195,889.98
Citizens Business Bank Sweep Account	0.15%	7/15/2016	$ 1,902,529.19
CalTRUST JPA Short Term Pool	0.71%	7/15/2016	$ 624,556.98
CalTRUST JPA Medium Term Pool	1.00%	7/15/2016	$ 1,045,256.51
LAIF - Water Project Funds - Interest Only	0.446%	7/15/2016	$ 6,558.61
Total Cash Available			**$ 3,846,790.15**

Capital Gain/(Loss) - CalTRUST	$ -
Interest Earned for - CalTRUST-Short Term	$ 372.17
Interest Earned for - CalTRUST-Long Term	$ 860.04
Interest Earned for - CBB	$ 236.65
Interest Earned - LAIF (Posted Quarterly)	$ -
Total Interest For June	**$ 1,468.86**

INVESTMENT REPORT
As of July 15 2016

Investment Date	Financial Institution	Type of Investment		Purchase Price	Total Interest
2/14/08	CalTRUST Joint Powers Authority	Short-Term Investment Pool		$ 3,000,000.00	
		Cumulative Interest Income from 2/14/08 to	7/15/2016	$ 170,813.49	
		Transfer to Medium-Term Pool		$ 1,000,000.00	
		Withdrawals		$ (3,510,000.00)	
		Deposits		$ 1,009,000.00	
		Balance as of	7/15/2016	$ 1,669,813.49	
1/6/2009	LAIF - State of California	Short-Term Investment Pool		$ 650,000.00	
		Withdrawals - Water Rights/Well Construction		$ (650,000.00)	
		Deposits		$ -	
		Cumulative Interest Income		$ 6,558.61	
		Balance as of	7/15/2016	$ 6,558.61	
					$ 177,372.10

Helendale Community Services District

Date:	July 21, 2016
TO:	Board of Directors
FROM:	Kimberly Cox, General Manager
BY:	Paul E. Harmon, Consultant
SUBJECT:	Agenda item #5; Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-10; A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Water and Sewer Standby Charges for Fiscal Year 2016-17

STAFF RECOMMENDATION:
Staff recommends approval of Resolution 2016-10. Additionally, staff requests authorization to make any final adjustments based upon payments or other discovery prior to submittal to the County.

STAFF REPORT:
The action requested of the Board is to receive any additional public comments during the hearing and provide authorization to Staff to forward the standby charges to the County to be collected with the property taxes.

This is a procedural item that comes before the Board on an annual basis.

As a public agency and consistent with LAFCO 2996, the District is allowed to utilize the County property tax process for collection of various forms of debt as the County has historically done. This would include the annual collection of sewer and water standby fees. A standby fee could best be described as a fee for the availability of service. The fee is appropriate due to the fact that capacity in the system is reserved for that parcel and cannot be allocated to another user. Most of these parcels have water and sewer services stubbed out at the property line and the service is available for connection, upon development, to the parcel.

The Standby Fee is a minimum of $30.00 for up to a one acre parcel and increased by $30.00 for every additional acre. The total amount of standby fees the District has received to date for fiscal year 2015-16 $42,539.38 including penalties and interest. Staff will continue to refine this list prior to submittal to the County by August 10, 2015.

FISCAL IMPACT: Potential revenue of $44,530.00.

Possible Motion: Adopt Resolution 2016-11

RESOLUTION NO. 2016-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT AUTHORIZING THE ESTABLISHMENT AND CONTINUATION OF COLLECTION OF WATER AND SEWER STANDBY CHARGES FOR 2016-2017

WHEREAS, the Helendale Community Services District ("the District") is a Community Services District organized and operating pursuant to Government Code 61000 et seq.

WHEREAS, the District is authorized by Government Code Section 61124(a) to impose standby charges for water services pursuant to the Uniform Standby Charge Procedures Act, Government Code Section 54984 et seq. ("the Act").

WHEREAS, under the Act, the District is authorized to fix before August 10 of any given year a water standby charge on land within its jurisdiction to which water service is made available for any purpose by the District, whether the water services are actually used or not.

WHEREAS, under the Act, the District's Board of Directors ("the Board") may establish schedules varying the charge according to land uses, benefit derived or to be derived from the use, availability of facilities to provide water service, the degree of availability or quantity of the use of the water to the affected lands, and may restrict the assessment to one or more improvement districts or zones of benefit established within the jurisdiction of the District, and may impose the charge on an area, frontage, or parcel basis, or a combination thereof.

WHEREAS, pursuant to Resolution No. 2951 of the Local Agency Formation Commission of the County of San Bernardino ("LAFCO"), the District is the successor agency to County Service Area 70, Improvement Zones B and C ("CSA 70 B&C").

WHEREAS, Condition No. 10 of LAFCO Resolution No. 2951 expressly states that "[a]ll previously authorized charges, fees, assessments, and/or taxes of [CSA 70 B&C] currently in effect shall be continued and assumed by the [District] as the successor agency in the same manner as provided in the original authorization pursuant to the provisions of Government Code Section 56886(t);"

WHEREAS, Government Code Section 56886(t) provides that LAFCO Resolution No. 2951 contains the exclusive terms and conditions for the change of organization from CSA 70 B&C to the District is it relates to the "extension or continuation of any previously authorized charge, fee, assessment, or tax by [the District as the] successor local agency in the affected territory."

WHEREAS, prior to the adoption of LAFCO Resolution No. 2951, the territory within the CSA 70 B&C was subject to water and sewer standby and availability charges that had been fixed, levied, and imposed upon such lands.

WHEREAS, the Board wishes to continue, extend, and assume all previously authorized water and sewer standby and availability charges that had been fixed, levied, and imposed upon lands within CSA 70 B&C.

WHEREAS, on July 21, 2016, at 6:30 p.m., at the District offices located at 26540 Vista Road, Suite C, Helendale, California, the Board held a public protest hearing to hear and consider any and all objections or protests regarding the imposition of the charge, which hearing was duly conducted in the manner set forth in the Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District as follows:

1. The public interest and necessity requires the Board to adopt this Resolution hereby fixing, levying, imposing, and collecting water standby and availability charges on all properties within the District's jurisdictional boundaries where water is available in accordance with, and in the amounts set forth in, Exhibit "A" attached hereto and incorporated herein by this reference, pursuant to applicable law, including but not limited to the pertinent provisions of the Act, Condition No. 10 of LAFCO Resolution No. 2951, and/or Government Code Section 56886(t).

2. The public interest and necessity requires the Board to adopt this Resolution hereby fixing, levying, imposing, and collecting sewer standby and availability charges on all properties within the District's jurisdictional boundaries where water is available in accordance with, and in the amounts set forth in, Exhibit "B" attached hereto and incorporated herein by this reference, pursuant to applicable law, including but not limited to the pertinent provisions of the Act, Condition No. 10 of LAFCO Resolution No. 2951, and/or Government Code Section 56886(t).

3. The written protests received by the Board which were not withdrawn at the time of its determination represented less than fifteen percent (15%) of the parcels subject to the charges set forth herein.

4. The standby charges hereby levied by the Board are based upon the report of a qualified engineer, which is on file with the District. The content of said report are hereby adopted in full by the Board and are incorporated herein in full by this reference, including, but not limited to, any and all statements and determinations specifically relating to each of the following:

   a. A description of the charge and the method by which it is proposed to be imposed;
   b. A compilation of the amount of the charge proposed for each parcel subject to the charge;
   c. A statement of the methodology and rationale followed in determining the degree of benefit conferred by the service for which the proposed charge is made;
   d. The District's legal ability to fix and adjust a standby charge, the amount of the

proposed charge, and the properties affected thereby;

e. A description of the lands upon which the charge is proposed to be imposed; and

f. The amount of the proposed charge for each of the lands so described.

5. The Board hereby authorizes the District's General Manager to take any and all actions necessary to carry out the intent of the Board as set forth herein, and to cause the charges fixed and established herein to be collected at the same time, and in the same manner, as the levying of special assessments on the 2016-17 San Bernardino County Tax Roll, and/or to be otherwise collected in accordance with all legally-permissible methods available under applicable law.

6. If any charge hereby adopted becomes delinquent, the amount of the delinquency, together with any interest and penalties thereon, shall constitute a lien on the affected property to the fullest extent legally allowable under applicable law.

ADOPTED AND APPROVED this 21st day of July, 2016, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

By: _____
H. James Keoshkerian, President

ATTEST:

_____
Sandy Haas, Secretary

Helendale Community Services District

Date:	July 21, 2016
TO:	Board of Directors
FROM:	Kimberly Cox, General Manager
BY:	Paul Harmon, Consultant
SUBJECT:	Agenda item #6; Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-09; A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Refuse Disposal Land Use Fees for 2016-17

Staff Recommendation

Staff recommends approval of Resolution 2016-09.

Staff Report

LAFCO Resolution 2951 determined that the Helendale Community services District was the successor agency for County Service Area 70, Improvement Zones B and C. In addition, it expressly states that all previously authorized charges, fees and assessments, and/or taxes of CSA 70 B and C currently in effect shall be continued as assumed by the District as the successor agency.

Prior to the adoption of the LAFCO resolution, the territory within CSA 70 B and C was subject to a refuse disposal land use fee that had been fixed, levied, and imposed upon such lands by the County of San Bernardino pursuant to the California Integrated Waste Management Act of 1989 in order to discourage illegal dumping and to offset the cost of disposal of waste from the Helendale community. LAFCO Resolution 2927 and Resolution 2951 authorize the District to collect, transfer, and dispose of solid waste and provide solid waste handling service, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 of the California Public Resources Code. Demolition waste, tires, hard to handle and special handling items are excluded from the disposal fee.

In November 2010, the District and San Bernardino County entered into a Solid Waste Fee Transfer Agreement under which the District will continue and assume the Refuse Disposal Land Use Fee. This agreement makes Helendale CSD the successor agency.

The District is authorized to fix the land use fee using San Bernardino County Land Use Codes. Exhibit A of Resolution 2016-09 documents the codes previously used by San Bernardino Solid Waste Management. The Land Use Codes, Tax Rate Areas (TRAs) and Assessor Parcel Numbers (APNs) were provided by the Assessor and Solid Waste Management. The estimated total amount to be assessed is $230,048.32 from 2,676 parcels, which include the additional 64 improved

parcels from the annexation area of South Silver Lakes that were not collected last fiscal year due to the January 2014 filing requirement for San Bernardino County to the State of California Department of Finance. There are no improved parcels in the Wild Wash Road annexation area; hence no fee is collected for those parcels.

Additionally, Condominiums were not included in the data received from San Bernardino County Solid Waste Management Division. A possible record error prevented any condominiums from being assessed for the ESFR. Staff has been in contact with SB County Solid Waste Management Division and with the various condominiums regarding either placing the assessment on their tax bill or charging them monthly on the District utility bill for the ESFR. It has not been determined at this time what method will be used and which condominiums will be charged, but the process will be completed by the August 10, 2016 submission deadline to the County Assessor Tax Collector. There are 238 condominiums, PUD's and condominiums used as apartments listed by APN on the list of parcels to be assessed. Two hundred parcels will generate an additional $17,028.00 is assessments.

Resolution 2016-09 authorizes the General Manager to take any and all actions necessary to carry out the intent of the Board and to cause the levy of the special assessment for fiscal year 2015-16. If a charge becomes delinquent, the amount of the delinquency and interest and penalties shall constitute a lien on the property.

At the public hearing, the Board will hear and consider any and all objections or protests to the imposition of the land use fee.

Fiscal Impact:
Estimated collection of special assessment revenue of $229,878.00 (excluding condominiums at this time).

Possible Motion: Adopt Resolution 2016-09

RESOLUTION NO. 2016-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT AUTHORIZING THE ESTABLISHMENT AND CONTINUATION OF COLLECTION OF REFUSE DISPOSAL LAND USE FEES FOR FISCAL YEAR 2016-2017

WHEREAS, the Helendale Community Services District ("the District") is a Community Services District organized and operating pursuant to Government Code 61000 et seq.

WHEREAS, on or about December 4, 2006, the Local Agency Formation Commission of the County of San Bernardino ("LAFCO") adopted Resolution No. 2951 ("Resolution No. 2951") which determined that the District is the successor agency to County Service Area 70, Improvement Zones B and C ("CSA 70 B&C").

WHEREAS, Condition No. 10 of LAFCO Resolution No. 2951 expressly states that "[a]ll previously authorized charges, fees, assessments, and/or taxes of [CSA 70 B&C] currently in effect shall be continued and assumed by the [District] as the successor agency in the same manner as provided in the original authorization pursuant to the provisions of Government Code Section 56886(t)."

WHEREAS, Government Code Section 56886(t) provides that LAFCO Resolution No. 2951 contains the exclusive terms and conditions for the change of organization from CSA 70 B&C to the District as it relates to the "extension or continuation of any previously authorized charge, fee, assessment, or tax by [the District as the] successor local agency in the affected territory."

WHEREAS, prior to the adoption of LAFCO Resolution No. 2951, the territory within CSA 70 B&C was subject to a refuse disposal land use fee that had been fixed, levied, and imposed upon such lands by the County of San Bernardino ("the County") pursuant to the California Integrated Waste Management Act of 1989 (Division 30 of the California Public Resources Code) ("the Act") in order to discourage illegal dumping and to offset the cost of disposal of waste from the Helendale community (the "Refuse Disposal Land Use Fee").

WHEREAS, on or about June 21, 2006, LAFCO adopted Resolution No. 2927 ("Resolution No. 2927") making determinations on and approving the incorporation of the District, which was subsequently approved by the electorate at the November 7, 2006, general election and confirmed by LAFCO pursuant to its adoption of Resolution No. 2951.

WHEREAS, Resolution No. 2927 and Resolution No. 2951 authorize the District to collect,

WHEREAS, Resolution No. 2927 and Resolution No. 2951 authorize the District to collect, transfer, and dispose of solid waste and provide solid waste handling service, including, but not limited to, source reduction, recycling, composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

WHEREAS, on or about July 21, 2010, LAFCO adopted Resolution No. 3099 ("Resolution No. 3099") affirming the District's authorization to (1) collect, transfer and dispose of solid waste and provide solid waste handling service, and (2) continue and assume the Refuse Disposal Land Use Fee in the same manner as provided in the original County authorization, pursuant to Condition No. 10 of Resolution No 2927 and Resolution No. 2951.

WHEREAS, on or about November 16, 2010, the District and the County entered into a Solid Waste Fee Transfer Agreement ("Fee Transfer Agreement") to provide for the terms and conditions under which the District will continue and assume the Refuse Disposal Land Use Fee.

WHEREAS, pursuant to the legal authority set forth above, the District is authorized to fix before August 10 of any given year a Refuse Disposal Land Use Fee on residential parcels within its jurisdiction entitling the owners of such parcels to utilize refuse disposal sites without the payment of any pay-at-the gate fee for ordinary refuse generated on such residential property.

WHEREAS, pursuant to the legal authority set forth above, the District's Board of Directors ("the Board") may establish the Refuse Disposal Land Use Fee according to San Bernardino County Assessor's Land Use Codes, and the benefit derived or to be derived from the use of solid waste facilities or services for ordinary refuse (excluding demolition waste, tires, and hard to handle and special handling items) generated on the parcel of property for which the Refuse Disposal Land Use Fee is paid.

WHEREAS, the Board wishes to continue, extend, and assume all previously authorized Refuse Disposal Land Use Fees that had been fixed, levied, and imposed upon lands within the jurisdictional boundary of the District.

WHEREAS, pursuant to the Fee Transfer Agreement, the County adopted a fee ordinance effective July 1, 2011, which excluded the areas within the jurisdictional boundaries of the District from assessment by the County of the Refuse Disposal Land Use Fee.

WHEREAS, beginning on or about **July 2, 2014**, the District published a Notice of Public Hearing concerning the Board's intent to adopt the Refuse Disposal Land Use Fees for 2014-2015 in a newspaper of general circulation within the District once a week for two successive weeks pursuant to the Act and Government Code Section 6066.

WHEREAS, on July 21, 2016, at 6:30 p.m., at the District offices located at 26540 Vista Road, Suite C, Helendale, California, the Board held a public protest hearing to hear and considered any and all objections or protests regarding the imposition of the Refuse Disposal Land Use Fee, which hearing was duly conducted in the manner set forth by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District as follows:

1. The public interest and necessity requires the Board to adopt this Resolution hereby fixing, levying, imposing, and collecting a Refuse Disposal Land Use Fee on all properties within the District's jurisdictional boundaries in accordance with, and in the amounts set forth in, Exhibit "A" attached hereto and incorporated herein by this reference, pursuant to applicable law, including but not limited to the pertinent provisions of the Act, Government Code Section 56886(t), LAFCO Resolution Nos. 2927, 2951, and 3099, and the Fee Transfer Agreement.

2. The Refuse Disposal Land Use Fees hereby levied by the Board are a continuation of the Refuse Disposal Land Use Fees previously charged by the County that have been transferred to the District in accordance with the Fee Transfer Agreement and LAFCO Resolution Nos. 2927, 2951, and 3099 granting the District the active power and authority for refuse collection as the successor agency.

3. The Refuse Disposal Land Use Fees hereby adopted meet the definition of the exception of a tax as defined in Proposition 26 passed November 3, 2010, and amending Article XIIIC of the California Constitution. The exceptions met by this fee are: (a) a charge imposed for the specific benefit conferred or privilege granted directly to the payer that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege; (b) a charge imposed for a specific government service or product provided directly to the payer that is not provided to those not charged and which does not exceed the reasonable costs to the local government of providing the service or product; and/or (c) a charge imposed for the entrance to our use of local government property, or the purchase, rental, or lease of local government property. The District has examined the impact of Proposition 26 on fees for solid waste disposal services and has concluded the three exceptions discussed above are applicable and do not violate Proposition 26.

4. The Board hereby authorizes the District's General Manager to take any and all actions necessary to carry out the intent of the Board as set forth herein, and to cause the Refuse Disposal Land Use Fees fixed and established herein to be collected at the same time, and in the same manner, as the levying of special assessments on the 2016-17 San Bernardino County Tax Roll, and/or to be otherwise collected in accordance with all legally-permissible methods available under applicable law.

5. If any Refuse Disposal Land Use Fee hereby adopted becomes delinquent, the amount of the delinquency, together with any interest and penalties thereon, shall constitute a lien on the affected property to the fullest extent legally allowable under applicable law.

ADOPTED AND APPROVED this 21st day of July, 2016, by the following vote:

AYES: _____
NOES: _____

ABSENT: _____
ABSTAIN: _____

By: _____
H. James Keoshkerian, President

ATTEST: _____
Sandy Haas, Secretary

Exhibit A

USE CODE	DESCRIPTION	FEES
0510	Single Family Residence (suitable for permanent use)	$ 85.14
0511	Recreation Cabin (unsuitable for permanent use)	$ 42.57
0520	Mobile home on fee land, not in a subdivision	$ 85.14
0525	Mobile home on fee land, in a subdivision	$ 85.14
0526	Mobile home on a permanent foundation	$ 85.14
0533	Time share	$ 85.14
0534	Attached single-family residence (common wall)	$ 85.14
0535	Zero lot line single-family residence	$ 85.14
0599	Miscellaneous residential structure	$ 85.14
0600	Two single-family residences	$ 170.28
0601	Three single-family residences	$ 255.42
0602	Four single-family residences	$ 340.56
0603	Duplex	$ 170.28
0604	Triplex	$ 255.42
0605	Quad	$ 340.56
0610	Multi single-family residence (5 to 14 units)	$ 425.70
9999	No services provided	$ 0.00

Helendale Community Services District

DATE:	July 21, 2016
TO:	Board of Directors
FROM:	Kimberly Cox, General Manager
BY:	Paul Harmon, Consultant
SUBJECT:	Item # 7; Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2016-11; a Resolution of the Board of Directors of the Helendale Community Services District Confirming, or Modifying and then Confirming, the Report of Delinquent Water, Sewer and Trash Collection User Charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll

Staff Recommendation

Staff recommends approval of Resolution 2016-11.

Staff Report

Government agencies have the ability to place delinquent accounts on to the County tax rolls via a resolution of the Board of Directors and providing a list of parcel numbers to the County Assessor Tax Collector. To date there are nineteen parcels with outstanding balances. The estimated total amount that is delinquent is $12,594.69. The District has placed a lien on the various parcels related to the delinquent account, but has not received payment. In the past, payment is usually collected when the house has sold.

Placing the overdue amount onto the County tax bill improves the chances of collection. Last fiscal year the District submitted $20,408.19 in liens for collection and has received $15,847.92 from the delinquent accounts collected through the property tax mechanism.

The attached Resolution 2016-11 describes the authority of the District to place delinquent accounts for services onto the County tax bill. Copies of the resolution and the accompanying reports and lists of parcels are to be forwarded to the County Assessor/Tax Collector and to the Auditor Controller by no later than August 10, 2015.

At the public hearing, the Board will hear and consider any and all objections or protests to the placement of the delinquent charges for service for water, sewer and trash collection on the San Bernardino County tax bill. The accounts have until the close this public hearing to pay the District in full before the delinquent amounts are placed on the tax roll.

Possible Motion: **Adopt Resolution 2016-11**

RESOLUTION NO. 2016-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT CONFIRMING, OR MODIFYING AND THEN CONFIRMING, THE REPORT OF DELINQUENT WATER, SEWER AND TRASH COLLECTION USER CHARGES FOR THE PURPOSE OF COLLECTING SAID CHARGES ON THE SAN BERNARDINO COUNTY TAX ROLL

WHEREAS, the Helendale Community Services District ("District") is a community services district organized and operating pursuant to California Government Code 61000 et seq.; and,

WHEREAS, Section 61115(b) of the Government Code authorizes the District's Board of Directors ("Board") to provide that any charges and penalties may be collected on the tax roll in the same manner as property taxes; and,

WHEREAS, Section 61115(b) of the Government Code provides that the District's General Manager must prepare and file with the Board a report that describes each affected parcel of real property and the amount of charges and delinquencies for each affected parcel for the year; and

WHEREAS, Section 61115(b) of the Government Code further provides that the District's General Manager must publish notice of the time and place for a public hearing by the Board to hear and consider adoption and/or revision of the charges and penalties contained in the report of the District's General Manager; and,

WHEREAS, the Board of Directors of the Helendale Community Services District Finds and Determines:

1. That the report of the District's General Manager on delinquent and unpaid charges for water, sewer and trash collection services within the District that remain unpaid and delinquent for thirty (30) days or more on July 1, 2016, which is attached hereto and incorporated herein by this reference, is hereby adopted and approved by the Board and confirmed for each parcel of property with the District as set forth in said report.
2. That a public hearing on said report was held on this date and that any protests or objections regarding the appropriateness of the charges or their collection on the tax roll were heard and considered by the Board.

NOW THEREFORE, that the Board, acting in its capacity as the governing body of the District, hereby resolves and orders:

1. That the General Manager is hereby directed to forward a certified copy of this resolution and accompanying reports to each of the following public bodies and officers:
    a. The Auditor/Controller of the County of San Bernardino;
    b. The Treasurer-Tax Collector of the County of San Bernardino;

2. That the unpaid delinquent charges for each corresponding parcel of property within the District identified in the attached report of the District's General Manager, as confirmed by the Board, are fixed in the amount set forth in said report and shall be collected on the tax roll in the same manner and at the same time as general County ad valorem property taxes are collected for fiscal year 2016-17.

Resolution 2016-11 is hereby approved and adopted by the Board of Directors of the Helendale Community Services District at a regular meeting held on July 21, 2016, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

_____
H. James Keoshkerian, President

_____
Sandy Haas, Secretary

Helendale Community Services District

Date: July 21, 2016
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Item #8;
Discussion and Possible Action Regarding the Award of a Lighting Contract for Helendale Community Park

---

Staff Recommendation

Staff recommends approval of the contract with ZAPP Electric or provide Staff with alternate direction.

Staff Report

Funding: In January, Supervisor Lovingood awarded the District a $30,000 matching grant for ballfield lighting. The Helendale School District Foundation donated $5100 with a promise for $15,000 over the next three years; San Manuel Band of Mission Indians donated $7,000. The District agreed to provide the balance of the match of $17,900 of which $15,000 will be reimbursed by HSD/Foundation over the next three years.

Time is of the essence in that the matching grant from Supervisor Lovingood must be redeemed by October 2016. The District received the contract from the County offering the grant and upon inquiry was informed that funds must be expended and receipts provided to County in order to redeem the funds.

Musco Proposal: The District received a quote for lighting fixtures from Musco, a renowned sports field lighting supplier. While Musco is touted as the best in sports lighting the reputation comes with a hefty price tag. The company provided two different quotes for the lighting; $68,256 or $80,784 (attached). The higher quote included the addition of a new pole and associated lighting. The cost for the electrical backbone and mounting the Musco lights had to be secured from an electrical contractor.

Process: Because Staff did not anticipate the installation costs to be greater than $100,000, Staff engaged in the direct solicitation of bids from known electrical contractors. This is consistent with the District's adopted Purchasing Policy, Section 6E(4) for expenditures between $25,000 up to $100,000 which states that the "District may advertise...or bids may be solicited directly from known vendors...". The licensed contractors from whom bids were solicited directly were: Dyer Electric; JR Electric; Raines Electric, Curran Electric and ZAPP Electric.

Of the licensed electrical contractors contacted: One was not interested in a site visit; two did a site visit but weren't interested in bidding the project; the fourth company said they would bid the project two different ways – 1) installation only of the Musco lights and 2) quoting a different lighting fixture with installation. We are still awaiting these quotes, however at the site visit the contractor did state it would be over $120,000 for the electrical backbone plus the lighting. The

fifth contractor visited the site twice and Staff visited another location that currently has lighting similar to what is proposed for the park. The product proposed are 1000 watt LED stadium lighting fixtures which carried a 5-year warranty. LED lights will cost less to operate than metal halide. Staff had spoken with Musco about quoting LED lights but they discouraged this option because of the cost of the fixtures.

While Staff is disappointed in the lack of interest in bidding the Park Lighting Project, there is concern about the timely need to redeem the matching grant from the County. If the Board would prefer that Staff publish solicitations and bring this item back to the Board at a subsequent meeting Staff would be happy to proceed accordingly. This would result in a two-week delay on award to the prevailing contractor. There is a several week lead-time for light fixtures regardless of which type.

Approach: The District has never been reluctant to seek unconventional solutions. Consideration of LED lighting is another example of deviation from the norm. Most sports fields employ Musco lighting which, as evidenced by the quotes, comes at a premium cost. Staff feels confident that the LED lights will provide significantly better lighting than the football players had last year using light towers and will increase the usability of the south field for other events. Staff observed the lighting in a large outdoor application and was impressed with the coverage.

Recommendation:
Based upon Staff's communication with the five contractors, the non-responsiveness and the urgency related to the grant redemption, it is requested that the Board approve a prevailing wage contract with ZAPP Electric for an amount not to exceed $68,900/$9200(optional). Included in the quote is sports field lighting for the South Field, parking area safety lighting and lighting for about half of the North Field. The proposed scope of work will also provide constant power to the Snack Shack which will eliminate the need to run a generator during football and soccer games.

The District will purchase the necessary wire for the project at a cost of approximately $13,000.

Fiscal Impact: $68,900 to $78,100 (depending upon the optional North Field lighting)

Funding:	$30,000 from Supervisor Lovingood
	$ 5,100 from Helendale School Foundation
	$15,000 from Helendale School over three years (fronted by HCSD)
	$ 2,900 from HCSD to meet grant match
	$ 7,000 from San Manual Band of Mission Indians
	$60,000

Park Net Revenues estimated to be $176,780 would fund the cost of the wire and the balance of project costs.

PROPOSAL

FROM: ZAPP ELECTRIC

1131 Luna Dr

Barstow, CA 92311

(760) 559-8346 Lic # 887518

Proposal No. 184

PROPOSAL SUBMITTED TO:

NAME	Helendale Community Services	PHONE	760-951-0006	DATE	7/16/16
STREET	26540 Vista Rd Suite B	JOB NAME	Ball Fields		
CITY	Helendale	STREET	Wild Rd		
STATE	CA	CITY	Helendale	STATE	CA

I propose to furnish all materials and perform all labor necessary to complete the following:

Install (12) 1000w LED stadium lights on existing poles, (1) 1000w pointed at entry
Run electrical for all new lighting, (4) 500w non-stadium LED lights for parking area
Install (2) Lighting contactor cabinets, pour slab for distribution, install 200a panel 480/277v
Install 100a panel 480/277v, install customer supplied xfmr and 120/240v panel
Pull customer supplied distribution wire 4/0, install (2) future upgrade conduits and Christi boxes

This proposal includes all the following:

Labor, wire, conduit, boxes, breaker

This proposal does not include any of the following:

permits, repair of broken irrigation lines
Distribution wire 4/0 $12200
(4) North facing 1000w lights installed $9200

Additional Notes:

All exclusions may be performed for additional cost.

All work to be completed in a substantial time frame and in a workman like manner for the sum of Sixty eight thousand nine hundred Dollars ($ 68,900.00 Payment to be made at Completion of work progresses to the value of One Hundred percent (100 %) of all work completed.

Any alterations or deviations from the above specifications involving extra cost of material or labor will be executed upon written order for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing.

Payment Process 40% Down payment prior to start of project, 30% after electrical rough in, last 30% upon completion

Authorized Signature Adam Pinkus

ACCEPTANCE

Price Good For 20 Days

You are hereby authorized to furnish all materials and labor required to complete the work mentioned in the above proposal for which Helendale Community Service agree to pay the amount mentioned in said proposal and according to the terms thereof.

Date: _____ Signature: _____

Quote

Helendale Community Park Retrofit- Helendale, CA
Date: May 16, 2016
To: Kimberly Cox

Quotation Price- South Field including 8 Man Football Field

SportsCluster Green™ as described below and delivered to the job site:	$63,200.00
*Estimated Sales Tax at Helendale Rate of 8%	$5,056.00
Estimated Equipment Total (sales tax rate to be verified at time of sale)	$68,256.00

Equipment Description

SportsCluster Green System delivered to your site

- (30) Factory aimed and assembled pole top luminaire assemblies
- (30) 1500-watt metal halide fixtures
- UL Listed remote electrical component enclosures
- Mounting hardware for the pole top units and electrical component enclosures
- 40' and 30' Pole length wire harness, with Disconnects
- Lighting Contactor Cabinet, and Remote Lighting Controller with seven available lighting zones.
- 10-Year warranty including ten years parts, two years labor. Lamps are warranted for two years, with the first year including lamps and labor, and the second year lamps only
- Fine-tune aiming by a Musco Technician as necessary after installation by an Electrical Contractor

*****Project Note: Adding two wood poles on the south edge of the field will improve lighting efficiency, uniformity, and should reduce cost (equipment / Kwh)***

Quotation Price- North Field Practice Field Lighting

SportsCluster Green™ as described below and delivered to the job site:	$35,700.00
*Estimated Sales Tax at Helendale Rate of 8%	$2,856.00
Estimated Equipment Total (sales tax rate to be verified at time of sale)	$38,556.00

Equipment Description

SportsCluster Green System delivered to your site

- (20) Factory aimed and assembled pole top luminaire assemblies
- (20) 1500-watt metal halide fixtures
- UL Listed remote electrical component enclosures
- Mounting hardware for the pole top units and electrical component enclosures
- 40' and 30' Pole length wire harness, with Disconnects
- 10- Year warranty including ten years parts, two years labor. Lamps are warranted for two years, with the first year including lamps and labor, and the second year lamps only.

Poles, labor, and unloading of the equipment are **not** included as part of this quote.

Pricing furnished is effective for 60 days unless otherwise noted and is considered confidential. Divulging technical or pricing information to competitive vendors will result in removal from the bid list.

© 2009, 2010 Musco Sports Lighting, LLC

Quote

Helendale Community Park Retrofit- Helendale, CA
Date: May 27, 2016
To: Kimberly Cox

Quotation Price- South Field (Revised 5-27-16) including 8 Man Football Field

SportsCluster Green™, and Light Structure Green as described below and delivered to the job site: $74,800.00
*Estimated Sales Tax at Helendale Rate of 8% $5,984.00

Estimated Equipment Total (sales tax rate to be verified at time of sale) ***$80,784.00***

Equipment Description- Musco Design 171850B, two new 60' poles

Light-Structure Green™ System delivered to your site in Five Easy Pieces™

- (2) Pre-cast concrete bases
- (2) 60' Galvanized steel poles F1 and F2 (South side of 8 Man Football Field)
- UL Listed remote electrical component enclosures
- Pole length wire harnesses
- (12) Factory-aimed and assembled 1500w MH Luminaires

Also Includes:

- Energy savings of more than 50% over a standard lighting system
- 50% less spill and glare light than Musco's prior industry leading technology
- Musco Constant 10™ warranty and maintenance program that eliminates 100% of your maintenance costs for 10 years, including labor and materials for Poles F1/F2- 12x 1500w Light Fixtures
- Control Link® Control & Monitoring System for flexible control and solid management of your lighting system
- Lighting Contactors sized for voltage and phasing at the job site (to be confirmed prior to production)
- Includes (1) relamp at the end of the 10 year period

Equipment Description- Musco Design 171850B, Retrofit assemblies on the existing wood poles

SportsCluster Green System delivered to your site

- (18) Factory aimed and assembled pole top luminaire assemblies
- (18) 1500-watt metal halide fixtures
- UL Listed remote electrical component enclosures
- Mounting hardware for the pole top units and electrical component enclosures
- 40' and 30' Pole length wire harness, with Disconnects
- Musco Constant 10™ warranty and maintenance program that eliminates 100% of your maintenance costs for 10 years, including labor and materials

Per the new design (171850B)- the retrofit light fixture arrangement has changed for each existing wood pole:

Wood Pole P1- 2
Wood Pole P3- 2
Wood Pole P4- 5
Wood Pole P13- 5
Wood Pole P12- 2
Wood Pole P16- 2

© 2009, 2010 Musco Sports Lighting, LLC

Helendale Community Services District

Date: July 21, 2016
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Item #9 – Discussion and Possible Action Regarding Adoption of a Memorandum of Understanding between the Helendale community Services District and the Silver Lakes Association Related to the Funding of Necessary Engineering and Financial Analysis for the Tertiary Upgrade of the Helendale Wastewater Treatment Facility

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Staff Recommendation

Adopt proposed memorandum.

Staff Report

As the Board may recall the District has been in protracted discussions with the Silver Lakes Association (SLA) regarding the Recycled Water Agreement between SLA and the County that pre-dated the District. The Recycled Ad Hoc Committee has met on several occasions to discuss this topic and in April District representatives met with SLA representatives to discuss the cooperative agreement and review the body of documents.

Staff and District Counsel have been working cooperatively with Silver Lakes Association's Counsel in an effort to provide them with critical information that will facilitate the drafting of a restated agreement between Helendale CSD and the SLA. In a meeting with SLA management last week it was determined that additional engineering and financial analysis will be required in order to provide SLA with the requested information. It was requested that HCSD Legal Counsel draft a memorandum of understanding (MOU) that outlines the requirement for SLA to reimburse the District for cost incurred related to engineering, environmental compliance and financial analysis at an estimated cost of $300,000.

Legal Counsel will present the Memorandum of Understanding (MOU) to the Board at the meeting. If available the MOU will be forwarded earlier.

Helendale Community Services District

Date: July 21, 2016
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Item #10:
Discussion and Possible Action Regarding Changing the Day and Time of the Regular Board Meetings and Review of Ordinance 2015-01: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities

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Staff Recommendation

Staff seeks input from the Board.

Staff Report

The matter was discussed previously on May 6 and May 19. Director Haas requested that it be brought back for discussion at the July 21st meeting.

At the Board meeting held June 16 information was requested related to Board vacancy. District Legal Counsel has prepared a responsive document for the Board's review and consideration.

If the Board determines that it desires to change the day and/or time of the public meetings it would be necessary for Ordinance 2015-01, the District's Sunshine Ordinance (attached) to be modified accordingly.

BRUNICK, McELHANEY & KENNEDY
PROFESSIONAL LAW CORPORATION
1839 COMMERCENTER WEST
SAN BERNARDINO, CALIFORNIA 92408

WILLIAM J. BRUNICK
LELAND P. McELHANEY
STEVEN M. KENNEDY

TELEPHONE: (909) 889-8301
FAX: (909) 388-1889

MAILING ADDRESS:
POST OFFICE BOX 13130
SAN BERNARDINO, CALIFORNIA 92423-3130

July 1, 2016

TO: Board of Directors
HELENDALE COMMUNITY SERVICES DISTRICT

FROM: Steven M. Kennedy, General Counsel

RE: Board Vacancy

As requested by the Board, the purpose of this memorandum is to provide the District with information concerning the statutory requirements with respect to the above-referenced matter.

Creation of Vacancy

Under the salient provisions of Government Code Section 1770, a director's seat on the Board becomes vacant upon the occurrence of any of the following events before the expiration of his or her term of office:

(a) The death of the incumbent.

(b) An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term.

(c) His or her resignation.

(d) His or her removal from office.

(e) His or her ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his or her office are required to be discharged.

(f) His or her absence from the state without the permission required by law beyond the period allowed by law.

(g) His or her ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.

(h) His or her conviction of a felony or of any offense involving a violation of his or her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.

(i) His or her refusal or neglect to file his or her required oath or bond within the time prescribed.

(j) The decision of a competent tribunal declaring void his or her election or appointment.

(k) The making of an order vacating his or her office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.

(l) His or her commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.

It should be noted that the courts have held that the above provisions are not exclusive in their operation and that an office may be also vacated by "constructive resignation" when the officer manifests "a clear intention to abandon the office and its duties." Walter v. Adams (1952) 110 Cal. App. 2d 484, 243 P.2d 21. As stated by the Court in Walter, *supra*, "[i]n order to constitute an abandonment of office, the abandonment must be total, and under such circumstances as clearly to indicate an absolute relinquishment." 110 Cal. App. 2d at 489. The acts that will constitute abandonment or implied resignation depend upon the totality of the circumstances of the particular case and the controlling law. Attendance at Board or committee meetings is only one factor in determining whether a director has failed to discharge the duties of his or her office. Such duties also include responding to mail, constituent inquiries, and communications with other Board members or District staff. The existence of such actions by a director may show that there is no intent to abandon the office.

Filling of Vacancy

Government Code Section 61042(c) provides the mechanism for filling vacancies on the Board and states that all such vacancies "shall be filled pursuant to Section 1780" of the Government Code. The text of Government Code Section 1780 is attached hereto.

Government Code Section 1780(c) allows the remaining Board members of the District to fill the vacancy by appointment. In order to do so, the District must first notify the county elections official of the vacancy no later than fifteen (15) days following either the date on which the Board is notified of the vacancy or the effective date of the vacancy, whichever is later. Government Code Section 1780(b). The District must also post a notice of the vacancy at least fifteen (15) days before an appointment is made in at least three (3) conspicuous places within the District. The appointment to the vacancy must be made within sixty (60) days following the effective date of the vacancy. Government Code Section 1780(d)(1). If the vacancy is not filled by the District, the San Bernardino County Board of Supervisors may fill the vacancy within ninety (90) days of the vacancy. Government Code Section 1780(f)(1).

With respect to the period of time in which the appointment shall be in effect, Government Code Sections 1780(d)(2) and (3) provide as follows:

> "(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.
>
> (3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office."

If the Board has any questions or comments regarding this information, please feel free to address them to me as appropriate.

Enclosure
cc: Kimberly Cox, HCSD General Manager

§ 1780. Special districts; vacancies in elective offices of governing board; election dates; term

(a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled pursuant to this section.

(b) The district shall notify the county elections official of the vacancy no later than 15 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later.

(c) The remaining members of the district board may fill the vacancy either by appointment pursuant to the subdivision (d) or by calling an election pursuant to subdivision (e).

(d) (1) The remaining members of the district board shall make the appointment pursuant to this subdivision within 60 days after either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The district shall post a notice of the vacancy in three or more conspicuous places in the district at least 15 days before the district board makes the appointment. The district shall notify the county elections official of the appointment no later than 15 days after the appointment.

(2) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(3) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(e) (1) In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is 130 or more days after the date the district board calls the election.

(f) (1) If the vacancy is not filled by the district board by appointment, or if the district board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, then the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held, may appoint a person to fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or board of supervisors may order the district to call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Election Code that is 130 or more days after the date the city council or board of supervisors calls the election.

(g) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the district board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, then the district board shall call an election to fill the vacancy.

(2) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections code that is 130 or more days after the date the district board calls the election.

(h) (1) Notwithstanding any other provision of this section, if the number of remaining members of the district board falls below a quorum, then at the request of the district secretary or a remaining member of the district board, the appropriate board of supervisors or the city council shall promptly appoint a person to fill the vacancy, or may call an election to fill the vacancy.

(2) The board of supervisors or the city council shall only fill enough vacancies by appointment or by election to provide the district board with a quorum.

(3) If the vacancy occurs in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold the office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office.

(4) If the vacancy occurs in the first half of a term of office, but less than 130 days prior to the next general district election, or if the vacancy occurs in the second half of a term of office, the person appointed to fill the vacancy shall fill the balance of the unexpired term of office.

(5) The election called pursuant to this subdivision shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code that is held 130 or more days after the date the city council or board of supervisors calls the election.

ORDINANCE NO. 2015-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING GUIDELINES FOR THE CONDUCT OF ITS PUBLIC MEETINGS AND ACTIVITIES

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District ("the District") is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors ("the Board") whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. ("the Brown Act") pursuant to California Government Code Section 61044.

C. The Board is authorized by Government Code Section 54953.7 to impose requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this ordinance is to ensure that the Board's deliberations are open to the public to the fullest extent permitted by law and its activities are performed in a manner that reflects a dedication to the highest standards of integrity and accountability so as to continue to earn the trust and confidence of the public served by the District.

THEREFORE, THE BOARD OF DIRECTORS of the Helendale Community Services District does hereby adopt and ordain as follows:

Section 1. **COMPLIANCE WITH STATUTORY REQUIREMENTS.**

All meetings of the Board and all committees thereof shall be conducted in compliance with all applicable requirements of the Brown Act.

Section 2. **ADDITIONAL REQUIREMENTS.**

2.1. **Regular Meetings.** Pursuant to Government Code Section 54954(a), all regular meetings of the Board shall be held at 6:30 p.m. on the first and third Thursdays of each month at the District Boardroom located at 26540 Vista Road, Suite B or C, Helendale, California.

2.2. **Special Meetings.** Special meetings of the Board shall be called and conducted in accordance with Government Code Section 54956. The Board shall not add any non-agendized item to the agenda of a special meeting.

2.3. **Agendas**.

2.3.1. Descriptions.

(a) *Open Session*. The agenda for all Board meetings and all committee meetings that are open to the public shall contain a brief, general description of each item of business to be transacted or discussed during the meeting and shall avoid the use of undefined abbreviations or acronyms not in common usage and terms whose meaning are not known to the general public. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

(b) *Closed Session*. Substantial compliance with the permissive provisions of Government Code Section 54954.5, as generally reflected in Exhibit A attached hereto and incorporated herein by this reference, is mandatory under this ordinance with respect to the description of any closed session items on any Board meeting agenda.

2.3.2. Public Comment. The agenda for all meetings of the Board shall include an item for Public Comment so as to provide an express opportunity for members of the public to directly address the Board in accordance with the requirements of Government Code Section 54954.3(a) prior to the Board's consideration of the merits of any item placed on the agenda. In the event that a motion is made to reorder the agenda, or add an item to the agenda, or otherwise take any Board action prior to the Public Comment portion of the agenda, the President of the Board shall ask any members of the public in attendance at the meeting whether they wish to comment on the motion that is pending before the Board. During the Board's consideration of items discussed after the Public Comment portion of the agenda, the President of the Board should exercise best efforts to recognize any member of the public who wishes to speak on that issue prior to any action thereon that is taken by the Board. While testimony and input received from the public during Board meetings is a valuable part of the Board's decision-making process, the Board President is nevertheless authorized pursuant to Government Code Section 54954.3(b) to limit the total amount of time allocated for public testimony on particular issues to a reasonable length of time, to limit public testimony to three (3) minutes and three (3) seconds or less for each individual speaker (although individual speakers will be permitted on a reasonable basis to transfer their unused allotment of time to another speaker), and to prevent a person who is unduly repetitive from continuing to speak.

2.4. **Posting**. The agendas of all Board meetings and all committee meetings that are open to the public shall be posted in the following locations: (1) an exterior window or bulletin board located outside the location of the Board meeting which is accessible twenty-four (24) hours a day; (2) an exterior window or bulletin board located outside of the administration office; and (3) as soon as possible, the full agenda packet shall be posted on the District website: www.helendalecsd.org.

Section 3. **ANNUAL REVIEW**.

Each year the Board shall review this ordinance to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this ordinance, and make any recommendations deemed appropriate,

including proposals to amend the ordinance. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this ordinance. Nothing herein shall preclude the Board from taking action on the ordinance at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY**.

If any provision of this ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. **EFFECTIVE DATE**.

The provisions of this ordinance shall supersede and rescind Ordinance No. 2015-01 adopted by the District's Board of Directors on March 19, 2015, and shall take effect immediately upon adoption.

Adopted this 5th day of November, 2015.

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
H. James Keoshkerian, President

ATTEST:

_____
Sandy Haas, Secretary

EXHIBIT A

Under Government Code Section 54954.5, the following language has been provided by the State Legislature as sample language which will meet the mandate of the Brown Act for properly identifying closed session items on the Board's agenda:

- LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

  Applicant(s): (Specify number of applicants)

- CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

  Property: (Specify street address; parcel number if no street address; or other unique reference of parcel under negotiation)

  District Negotiator: (Specify names of negotiators attending closed session) (If the specified negotiator is to be absent, an agent or designee may participate provided the name of the agent or designee is announced publicly prior to the closed session.)

  Negotiating parties: [Specify name of party (not agent)]

  Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

  Name of case: (Specify by reference to claimant's name, name of parties, case or claim numbers)

  or

  Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

  Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (Specify number of potential cases)

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

  Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Specify number of potential cases)

- LIABILITY CLAIMS (Government Code Section 54956.95)

  Claimant: (Specify name unless unspecified pursuant to Section 54961)

  Agency claimed against: (Specify name)

- THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code Section 54957)

  Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable District representative and title)

- PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)

  Title: (Specify description of position to be filled)

- PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

  Title: (Specify position title of employee being reviewed)

- PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

  (No additional information is required in connection with a closed session to consider discipline, dismissal, or release.)

- CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

  District designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

  Employee organization: (Specify name of organization representing employee or employees in question)

  or

  Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)

- CASE REVIEW/PLANNING (Government Code Section 54957.8)

  (No additional information is required in connection with a closed session to consider case review or planning.)