



REGULAR BOARD MEETING
Thursday, November 21, 2024, at 6:00 PM

SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY

This meeting of the Board of Directors of the Helendale Community Services District is Open to the public both in-person at the District Office located at 26540 Vista Road, Suite C, Helendale, California, and via teleconference by clicking the following link: www.zoom.com Meeting ID 463 173 8547 Passcode: HCS D. (Dial-in instructions will be provided after registering at the link)

Pursuant to Government Code Section 54953(b), Director Sandy Haas will attend the meeting via teleconference; location at 26454 Edgewater Lane, Helendale, CA 92342.

Call to Order - Pledge of Allegiance

- 1. Discussion and Possible Action Regarding Director Remote Participation pursuant to AB2449 (Government Code Section 54953(f))**
 - a. Notification due to Just Cause
 - b. Request due to Emergency Circumstances

2. Approval of Agenda

3. 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 per person. Any member wishing to make comments may do so by filling out the speaker's card in person or using the "raise the hand" or "chat" feature. If viewing remotely a speaker's card may be filled out at the following link: <https://www.surveymonkey.com/r/HKGNLL8> or use the features referenced above. The District requests that all speaker cards be submitted at any time prior to the close of public participation.

4. Consent Items

- a. Approval of Minutes: Board Meetings of November 7, 2024
- b. Bills Paid Report

5. Reports

- a. Directors' Reports
- b. General Manager's Report

Regular Business:

- 6. Discussion and Possible Action Regarding Modification of the Helendale Community Services District Policy on Discontinuation of Residential Water Service for Non-Payment (SB998)**
- 7. Discussion and Possible Action Regarding an Increase in Employee Medical Benefits Paid by the District**
- 8. Discussion and Possible Action Regarding Adoption of Revisions to the Fee Package**

Other Business

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

10. 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 agenda 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

Date: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #1
Discussion and Possible Action Regarding Director Remote Participation
Pursuant to AB2449 (Government Code Section 54953(f))

NOTIFICATION OF REMOTE BOARD MEETING ATTENDANCE

Directors may not attend a meeting remotely on the basis of Just Cause or Emergency Circumstances for more than three consecutive months or more than 20% (up to four) meetings in a calendar year. A general description of the circumstances relating to the need to appear remotely at the meeting **must** be included.

JUST CAUSE

Each Director is responsible for notifying the General Manager at the earliest opportunity possible (including at the start of a regular meeting) of the need to participate remotely for Just Cause. Remote participation for Just Cause reasons shall not be utilized by any Director for more than two meetings per calendar year.

Just Cause means any of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person.
- A need related to a physical or mental disability not otherwise accommodated.
- Travel while on official business of the legislative body or another state or local agency.

A General description of the circumstances relating to the need to appear remotely at the meeting **MUST** be included.

EMERGENCY CIRCUMSTANCES

Each Director is responsible for notifying the General Manager as soon as possible (preferably before posting of the agenda but up to the start of the meeting) of the need to participate remotely due to Emergency Circumstances.

Emergency Circumstances means the following: A physical or family medical emergency that prevents a member from attending in person.

A general description of the circumstances relating to the need to appear remotely at the meeting **must** be included. The general description of the circumstances does not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act.



Helendale Community Services District

Date: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #4
Consent Items

CONSENT ITEMS

- a. Approval of Minutes: Regular Board Meeting of November 7, 2024
- b. Bills Paid Report



Helendale Community Services District

Date: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Cheryl Vermette
SUBJECT: Agenda item #4a
Minutes from Regular Board meeting 11/7/2024



**Minutes of the Helendale Community Services District
REGULAR BOARD OF DIRECTORS MEETING**

Date: November 7, 2024
 Time: 6:00 PM
 Meeting called to order by: President Henry Spiller

Attendance

President Henry Spiller	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Vice President Ron Clark	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Secretary Sandy Haas	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director George Cardenas	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director Gail Guinn	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote

Staff Members Present

Kimberly Cox, General Manager (Zoom); Craig Carlson, Water Operations Manager; Alex Aviles, Wastewater Operations Manager; Cheryl Vermette, Administrative Services Manager

Consultants/Guests

Steven Kennedy, Legal Counsel (Zoom)
 Daniel Bruckner, AMS
 CJ Porter, Policy Director Office of San Bernardino County First District

Members of the public

There were five members of the public attending in person.

1. DISCUSSION AND POSSIBLE ACTION REGARDING DIRECTOR REMOTE PARTICIPATION PURSUANT TO AB2449 (GOVERNMENT CODE SECTION 54953(F) OF AGENDA

- a. Notification due to Just Cause
- b. Request due to Emergency Circumstances

Discussion None

2. APPROVAL OF AGENDA

Discussion None

Motion Vice President Clark made a motion to approve the agenda as presented.

Second Director Guinn

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

3. PUBLIC PARTICIPATION

Artie DeVries – Resident and newly elected Board member – introduced herself to the Board and thanked everyone for the opportunity to serve on the Board.

Bob Cushman – Manx Club – thanked the Board for use of the park for his Manx buggy event and said the club will be making a donation to the park.

Billy Rosenberg – Resident and newly elected Board member – introduced himself and thanked the Board specifically President Spiller.

CONSENT ITEMS

4. CONSENT ITEMS

- a. Approval of Minutes: Special Board Meeting for October 17, 2024
- b. Bills Paid Report
- c. September Financial Report

Discussion None

Motion Director Guinn made the motion to approve the consent items as presented.

Second Director Cardenas

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

5. REPORTS

a. Directors' Reports

- Director Guinn reported that she attended the SLA Board meeting where they talked about the 4th of July Fireworks. She also reported that she participated in clean-up day and suggested that Staff look at the location of the compost because it caused a traffic situation. She also asked if the volunteers should be signing a release. Director Guinn also reported that she attended the Victor Valley CSD meeting, where they discussed roads, safety and other topics related to CSD's.
- Director Cardenas echoed Director Guinn's comments about the CSD meeting and added that they discussed project notifications within the County that would be relevant to the District. They also discussed Joshua trees which used to be an endangered species and is now a conservation effort. This has created additional challenges with mitigation and costs. Director Cardenas also attended the Mojave Water Agency TAC meeting where he also brought up the Joshua tree mitigation issues. Also attended the Infrastructure Management GIS conference where they discussed GIS and AI
- Henry – Asked if clean-up day totals were available yet. He also discussed the farmers' market and reported that the participation was very low.

b. General Managers Report

Indoor Pickleball Program:

- Start Date: December 1
- Dr. Scott Martin assisting with establishment

- Location: Unit D for open play
- WhatsApp group set up for communication
- Looking at scheduling training clinics in the future

Upcoming Events:

- Closed on Monday for Veterans Day
- Closed on November 28 & 29 for Thanksgiving
- Park and Rec Committee Meeting on November 19
- Staff and Board Thanksgiving Potluck on November 19
- Board Meeting on November 21

Wastewater Report:

- Bypass built at Smithson Lift Station for emergencies
- Cameras installed at Well #13; vandalism occurred shortly after
- Craig designing a cage to protect cameras from vandalism
- Jumper installed on pump air compressors to balance run time
- Two sewer inspections completed for new construction
- Fuel leak repaired on Dodge pickup
- Secondary pump #2 suction valve found plugged with grit; grit removal system down due to electrical issue; valve removed, and system flushed
- Water and wastewater staff attended Confined Space Training at PPHCSD

REGULAR BUSINESS

6. Discussion and Possible Action Regarding Approval of Directors’ Expense Reports

Discussion: None

Motion: Director Guinn made the motion approve Director’s expense reports.

Second: President Spiller

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

7. Discussion and Possible Action Regarding Adoption of Resolution 2024-17: A Resolution of the Board of Directors of the Helendale Community Services District Approving Award of a Sole Source Contract to AMS Solar Power for 77.935 KW Solar Roofing Project

Discussion: The primary goal is to offset increasing SCE costs, which has led to positive dialogue by the Board and Ad Hoc Committee. The agenda materials included the Sole Source Resolution, contract document, and AMS proposal. The project, sized at 77.935 kW, includes a 55.3 kWh battery system. The district will receive 100% of the energy generated, except during the 4-9pm peak period when they will receive 25%. Any excess power generated will be used to recharge the batteries.

Potential funding sources include:

- Property Fund
- Interest Earnings
- Park Fund
- Water Fund

- Wastewater Fund
- If shared by all funds, the cost would be approximately \$63k per fund

Legal counsel noted that the language in Section 25 is statutory, derived from Public Contract Code Section 7105(b)(2). General Manager Cox added that the total cost of the project is \$314,627.75

Motion Director Cardenas made a motion to adopt resolution 2024-17 awarding a sole-source contract to AMS for the Community Center solar solution and approve the funding distribution [as outlined in the presentation].

Second Vice President Clark

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

8. Discussion and Possible Action Regarding Farmer’s Market Options

Discussion: The Farmer is not returning, and no replacement has been found. Staff spoke with a wholesaler of fruit and vegetables who indicated it would not be feasible to participate. Additionally, there is no EBT or Market Match available, meaning the market can no longer be called a “Farmers Market.” Despite these challenges, the market is currently paying \$5 per event per booth to the Department of Agriculture.

Recent market events have seen low participation, with the Trick or Treat market on 10/30 having very small attendance and the market on 11/6 featuring only 7 vendors. Due to this, the Board may consider canceling the December markets, although markets are still scheduled for 11/20, 12/4, and 12/18. Prior discussions have included options such as changing to a Saturday Flea Market, hosting a Food Truck Day, or closing the market without offering alternatives. A Saturday market would require minimal staff, be held outside, and use a designated area in the parking lot. Staff is requesting direction from the Board regarding the remaining markets and future options.

Board Direction: The Board directed Staff to cancel the remaining markets except the final December Christmas market. They requested this item be brought to the Park and Rec Committee to explore options. Some options that were brought up were to try out a flea market or community yard sale. It was also noted that whatever direction is taken trash receptacles would need to be provided even if all vendors are outside.

9. Discussion and Possible Action Regarding the Preferred Process for Awarding a Contract for Wastewater Engineering Services for the Tertiary Plant Upgrade

Discussion: In May 2022, Congressman Olberholte included the district's request for funding in the Consolidated Appropriations Act. As a result, the district was awarded a grant of \$1.25 million. Budget Breakdown:

- Federal Funding:
 - Engineering & Design: \$850,000
 - Environmental: \$150,000
- District Match:
 - Engineering & Design: \$67,765
 - Program Administration: \$50,235
 - Bureau Feasibility & Grant Assistance: \$132,000

- Total Budget:
 - Federal: \$1,000,000
 - District Match: \$250,000

Alex is the lead on the project, with the General Manager providing administrative support for the contract. The district was notified of project funding on December 20, 2022, and began communication with the EPA in January 2023. The district awaited the EPA guidance document until February 2024, and a new EPA grant officer was assigned in April 2024. Staff completed all submissions by August 15, 2024, and the grant award was received on August 26, 2024. The Board accepted the grant award on September 5, 2024, and staff began working on bid documents for engineering services. The District received an email from the Grant Officer on October 24, 2024. An excerpt from the email included in the staff report. The email indicated that contracts prior to March 9, 2024, were exempt from federal procurement standards. The District entered into the contract in January 2023 and expired in March 2024. Legal Counsel discussed the pros and cons of the different options regarding the contract and procurement standards.

Board Direction: The Board directed Staff to prepare an RFP and put the project out to bid. Staff and Legal Counsel will work on language regarding the termination of the grant contract if grant funds are pulled back.

OTHER BUSINESS

- 10.** Requested items for next or future agendas (Directors and Staff only)
None

President Spiller called for a brief recess at 7:37 pm
Closed session was called to order at 7:50 pm

Closed Session

- 11.** Conference with Real Property Negotiators
(Government Code Section 54956.8)
Property: 15302 Smithson Road
District Negotiator: Kimberly Cox
Negotiating Parties: Vertical Bridge
Under Negotiation: Price and Terms of Payment

- 12.** Report on Closed Session Item
Legal Counsel Kennedy reported that the Board met in closed session to discuss the item listed on the agenda. No reportable action was taken.

- 13.** Adjournment
President Spiller adjourned the meeting at 8:07 pm.

Henry Spiller, President

Cheryl Vermette, Clerk of the Board

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: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Sharon Kreinop, Senior Account Specialist
SUBJECT: Agenda item #4b
Consent Items: Bills Paid and Presented for Approval

STAFF RECOMMENDATION

Updated Report Only. Receive and File

STAFF REPORT:

Staff issued 38 checks and 11 EFT's totaling \$174,328.03

Total Cash Available:	<u>11/18/244</u>	<u>11/04/24</u>
Cash	\$ 8,493,859.29	\$ 8,539,936.56
Checks/EFT's Issued	\$ 174,328.03	\$ 130,267.69

INVESTMENT REPORT:

The Investment Report shows the status of the District funds invested. October 2024 interest was 4.7501% for CA Class and 4.518% for LAIF. Interest earned October 2024 on CA Class account was \$15,911.61.



Helendale CSD

Bills Paid and Presented for Approval

Transaction Detail

Issued Date Range: 11/05/2024 - 11/18/2024

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
Bank Account: 211102187 - CBB Checking					
11/06/2024	28304	Eide Bailly LLP	-14,324.31	Check	Accounts Payable
11/06/2024	28305	JERGENSEN	-832.03	Check	Utility Billing
11/06/2024	28306	RIVERS EDGE TRUST#14174,	-387.00	Check	Utility Billing
11/06/2024	28307	RIANNE ROTHLSBERGER	-218.54	Check	Utility Billing
11/06/2024	28308	LIEFELD REVOCABLE TRUST NO 1	-129.67	Check	Utility Billing
11/06/2024	28309	MAURICA ESPINOZA	-11.56	Check	Utility Billing
11/07/2024	28310	AVCOM Services Inc.	-70.00	Check	Accounts Payable
11/07/2024	28311	Burrtec Waste Group, Inc	-58,987.56	Check	Accounts Payable
11/07/2024	28312	Burrtec Waste Industries Inc	-474.24	Check	Accounts Payable
11/07/2024	28313	Burrtec Waste Industries Inc	-1,585.14	Check	Accounts Payable
11/07/2024	28314	Burrtec Waste Industries Inc	-191.88	Check	Accounts Payable
11/07/2024	28315	Business Card	-8,657.63	Check	Accounts Payable
11/07/2024	28316	C Wells Pipeline Materials , Inc	-6,755.93	Check	Accounts Payable
11/07/2024	28317	Cal Fire	-1,589.56	Check	Accounts Payable
11/07/2024	28318	County of San Bernardino	-60.00	Check	Accounts Payable
11/07/2024	28319	Frontier Communications	-70.31	Check	Accounts Payable
11/07/2024	28320	Frontier Communications	-195.49	Check	Accounts Payable
11/07/2024	28321	G.A. Osborne Pipe & Supply Inc.	-2,854.45	Check	Accounts Payable
11/07/2024	28322	Infosend, Inc	-1,994.84	Check	Accounts Payable
11/07/2024	28323	Lowe's Inc.	-238.85	Check	Accounts Payable
11/07/2024	28324	Online Information Services, Inc	-24.96	Check	Accounts Payable
11/07/2024	28325	Parkhouse Tire, Inc.	-517.32	Check	Accounts Payable
11/07/2024	28326	Print Mart	-138.94	Check	Accounts Payable
11/07/2024	28327	Silver Lakes Hardware	-154.84	Check	Accounts Payable
11/07/2024	28328	Underground Service Alert of Southern California	-52.55	Check	Accounts Payable
11/07/2024	28329	USA Blue Book	-571.87	Check	Accounts Payable
11/14/2024	28330	Beck Oil Inc	-2,235.89	Check	Accounts Payable
11/14/2024	28331	Cal Fire	-454.16	Check	Accounts Payable
11/14/2024	28332	Choice Builder	-1,077.25	Check	Accounts Payable
11/14/2024	28333	FNBO	-216.72	Check	Accounts Payable
11/14/2024	28334	Frontier Communications	-104.86	Check	Accounts Payable
11/14/2024	28335	Geo-Monitor, Inc.	-4,172.00	Check	Accounts Payable
11/14/2024	28336	Kimberly Cox	-313.01	Check	Accounts Payable
11/14/2024	28337	Kimberly Cox	-1,450.00	Check	Accounts Payable
11/14/2024	28338	USA Blue Book	-550.35	Check	Accounts Payable
11/14/2024	28339	C. J. Brown & Company, CPAs	-1,015.00	Check	Accounts Payable
11/15/2024	28340	ASBCSD	-88.00	Check	Accounts Payable
11/15/2024	28341	Robertson's Ready Mix Reversal	976.01	Check Reversal	Accounts Payable
11/15/2024	28341	Robertson's Ready Mix	-976.01	Check	Accounts Payable
11/15/2024	28342	USA Blue Book	-1,678.87	Check	Accounts Payable
11/05/2024	EFT00052:19	SCE ACH WWTP & Wells 1,3 & 4Acct 700547354472	-30,464.99	EFT	General Ledger
11/12/2024	EFT00052:20	SW Gas ACH 4-Plex Acct # 910000817466	-90.19	EFT	General Ledger
11/12/2024	EFT00052:21	SW Gas Community Center 910000010177	-11.00	EFT	General Ledger
11/12/2024	EFT00052:22	SW Gas Water Shop Acct # 910001037540	-11.00	EFT	General Ledger
11/12/2024	EFT00052:23	SW Gas ACH WWTP Acct # 910000010195	-41.45	EFT	General Ledger
11/12/2024	EFT00052:29	SCE ACH 4-Plex Acct 700392338368	-471.24	EFT	General Ledger

Bank Transaction Report

Issued Date	Number	Description	Amount	Type	Module
11/12/2024	EFT0005230	ACH Water Shop SCE Acct 700453074415	-16.36	EFT	General Ledger
11/06/2024	EFT0005233	To record CalPERS Health Premium	-21,313.53	EFT	General Ledger
11/08/2024	EFT0005238	CalPERS 457 Pmt PPE 11/3/24	-4,637.51	EFT	General Ledger
11/06/2024	EFT0005242	To record Sales Tax Pmt #1 4th Quarter 2024	-1,935.63	EFT	General Ledger
11/13/2024	EFT0005247	To record Tasc Flex Claim Pmt PPE 11/3/24	-889.55	EFT	General Ledger
			Bank Account 211102187 Total: (51)		-174,328.03
			Report Total: (51)		-174,328.03

Summary

Bank Account

[211102187 CBB Checking](#)

Count	Amount
51	-174,328.03
Report Total: 51	-174,328.03

Cash Account

[99 99-111000 Cash in CBB - Checking](#)

Count	Amount
51	-174,328.03
Report Total: 51	-174,328.03

Transaction Type

Transaction Type	Count	Amount
Check	39	-115,421.59
Check Reversal	1	976.01
EFT	11	-59,802.45
Report Total:	51	-174,328.03

Master Card Sep 17- Oct 16, 2024										
Acct #	Description	Charges	Charges	Charges	Charges	Charges	Charges	Charges	Charges	Totals
01-524500	ACWA Region 10 Event (CC) / Membership / Hotel	115.00	75.00	102.95						292.95
01-541000	Locksmith	150.00								150.00
01-545001	Fuel Unit 201	19.97								19.97
01-553000	Welding Supplies / Electrical / Safety Gloves / Flashlights	342.50	244.42	31.02	147.13					765.07
01-553600	Cold Weather Gear / Uniform Shirts	275.31	45.76	556.89						877.96
02-541000	WWTP Pest Control / Pizza During Pump Project	170.00	36.60							206.60
02-553000	Operating Supplies	449.92	115.27							565.19
03-556800	Fall Sale Pizza / Thrift Store Employee Incentive Gift Cards	68.93	140.05	109.82	430.00					748.80
05-524500	Education & Training (KC)	195.00								195.00
05-550003	Soccer Insurance / Soccer Uniforms	1,141.58	178.74	110.45	43.08	211.12	32.93	808.14		2,526.04
10-522505	Director's Training (Dir. HS & GG)	267.54	267.54							535.08
10-522510	Breakfast Meeting w/ Directors (KC, HS, RC) / Pizza	53.66	49.08	29.07						131.81
10-553000	Air Compressor Refund / Admin Supplies	(45.48)	(38.78)	79.43	25.60	38.78	264.46	82.17		406.18
10-553000	Admin Operating Supplies	8.61	10.76	17.22	50.60	45.59	53.86	93.37	96.96	376.97
10-556800	Employee Christmas Gifts	32.32	24.77	188.72	222.94	66.78	255.84	34.03	34.61	860.01
Total Due		3,244.86	1,149.21	1,225.57	919.35	362.27	607.09	1,017.71	131.57	8,657.63
Due 11/12/24			KC	Charges	AA	Charges	CC	Charges	CV	Charges



Helendale Community Services District

Date: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #6
Discussion and Possible Action Regarding Modification of the Helendale Community Services District Policy on Discontinuation of Residential Water Service for Non-Payment (SB998)

STAFF RECOMMENDATION:

Staff seeks input from the Board regarding this matter

STAFF REPORT:

On September 19, 2024, the District received a Legal Alert from the Office of the Attorney General reminding all water districts about the new requirements under Senate Bill 3 (Dodd). This was a most unusual communication and gave pause to management to review how we are currently implementing SB998 requirements. While the District does offer a two-week deferral in payment to customers, it would appear not to be consistent with the intent expressed by SB3.

The SB998 Policy was approved by the Board in February 2020 as required by law. In 2023, Senate Bill 3 (Dodd), expanded upon the groundwork laid by SB998 and extended protections to customers of systems with less than 200 connections. Further, it emphasizes that all Water Districts should offer alternative payment plans. While the District does currently offer a two-week extension to customers, that does not appear to satisfy the intent of the expanded legislation.

In discussions with Legal Counsel, Mr. Kennedy has submitted suggested revisions to the SB998 Policy (page 8) that addresses the ability to offer a payment plan to any District customer. Previously, the District has offered occasional payment arrangements as approved by management for extenuating circumstances. The proposed modifications would allow for the establishment of a payment plan without an explanation from the customer as to the necessity. The District's billing software is able to establish a payment plan which can be tracked automatically.

Additionally, SB998 allows for the collection of a fee to establish a payment plan. Because the District has only completed a couple of payment plans consistent with the current policy, a fee had never been added to the fee package. If the Board approves the more liberal application of a payment plan, Staff is recommending the addition of a fee contemplated in agenda item 8.

Of note, the creation of a payment plan does not eliminate the accrual of late fees. Further, the customer must remain current on their monthly bills otherwise the payment plan is void.

FISCAL IMPACT: NA

POSSIBLE MOTION: Adopt revisions to the Policy on Discontinuation of Residential Water Service for Non-Payment

ATTACHMENTS: Policy on Discontinuation of Residential Water Service for Non-Payment with proposed changes

Legal Alert from the Attorney General's office

**HELENDALE COMMUNITY SERVICES DISTRICT
POLICY ON DISCONTINUATION OF
RESIDENTIAL WATER SERVICE FOR NON-PAYMENT**

Notwithstanding any other policy or rule of the Helendale Community Services District, this Policy on Discontinuation of Residential Water Service for Non-Payment shall apply to the District's discontinuation of residential water service for non-payment under the provisions set forth herein. It is the intent of this policy to comply with Government Code Sections 60370-60375.5 and Health and Safety Code ("HSC") Sections 116900-116926. In the event of any conflict between this Policy and applicable law, applicable law shall govern.

I. Application of Policy; Contact Telephone Number; Translations: This policy shall apply only to residential water service for non-payment and the District's existing policies and procedures shall continue to apply to all other service accounts. The CSD can be reached at 760-951-0006 for assistance concerning the payment of water bills and the potential establishment of the alternatives set forth in this policy to avoid discontinuation of service. Translations of this Policy shall be available in English and in the languages listed in Section 1632 of the Civil Code at the District offices, on the District website, and shall be made available as otherwise required.

II. Discontinuation of Residential Water Service for Non-Payment:

A. Billing:

1. Rendering and Payment of Bills: Bills for water service will be rendered to each customer on a monthly basis. Bills for service are due and payable upon presentation. Bills are late as of the tenth (10th) day of each month with late fees posting to the account on the first normal business day of each month. Residential bills become overdue and subject to discontinuation of service if not paid within sixty (60) days from the date of the bill. Payment may be made at the Helendale Community Services District office, on-line, pay by phone, auto debit or auto credit transaction or through the night-drop box located at the office. It is the customer's responsibility to assure that payments are received at the office in a timely manner. Partial payments are not authorized unless prior approval has been received from the CSD.
2. Monthly Bills: On or near the first of each month a new bill will be sent to the customer. This bill will include the current amounts due, enumerate any past due amounts and list the date by which past due payment must be received to avoid discontinuation of service.

B. Overdue Bills:

1. Disconnection for nonpayment: The District shall not disconnect/shut-off/discontinue water service for nonpayment until the account has been delinquent for at least sixty (60) days. No less than seven (7) business days before

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

discontinuation of residential water service for nonpayment, the District shall contact the customer named on the account by telephone or written notice.

2. Customer Contact: If the District is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place, a notice of imminent discontinuation of service for nonpayment along with a copy of the District's Policy for Discontinuation of Residential Water Service for Nonpayment.
3. Reconnection of Service: Customers whose water service has been disconnected may contact the District by telephone or in person regarding reconnection of water service. Restoration of water service will be subject to payment of all delinquent charges on the account plus any additional fees or charges, (including but not limited to disconnection, reconnection, past due, late fees, service fees and deposit), resulting from the disconnection and reconnection process plus any deposits that may be required by the District.
4. Notices:
 - a. The District may not terminate residential service on account of non-payment of a delinquent account unless the District first gives notice of the delinquency and impending termination at least ten (10) days prior to the proposed termination, by means of a notice mailed, postage prepaid, to the customer to whom the service is billed not earlier than nineteen (19) days from the date of mailing the District's bill for services, and the ten (10) day period shall not commence until five (5) days after the mailing of the notice. [Government Code Section 60373(a)]
 - b. No less than seven (7) business days before disconnection of residential water service for nonpayment, the District shall contact the customer named on the account by telephone or written notice of any delinquency and impending disconnection of water service. When the District contacts the customers by telephone the District shall offer to provide, in writing to the customer, the policy on discontinuation of residential service for nonpayment. The District shall offer to discuss options to avert discontinuation of residential service for nonpayment, including but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal. [HSC Section 116908(a)(1)(A) and (B)]
 - c. When the District contacts the customer named on the account by written notice pursuant to subdivisions (a) and (b) above, the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant". A post office box will be considered the customer's address. The notice shall include, but is not limited to, all of the following information in a clear and legible format [Government Code Section 60373(c) and HSC Section 116908(a)(1)(C)]:

- (1) The name and address of the customer whose account is delinquent
 - (2) The amount of the delinquency
 - (3) The date by which payment or arrangements for payment is required in order to avoid termination
 - (4) A description of the process to apply for an extension of time to pay delinquent charges
 - (5) A description of the procedure to petition for bill review and appeal
 - (6) The procedure by which the customer may initiate a complaint or request an investigation concerning service or charges
 - (7) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the unpaid charges, consistent with the written policies set forth herein.
 - (8) The procedure for the customer to obtain information on the availability of financial assistance, including private, local, State, or Federal sources, if applicable.
 - (9) The telephone number of a representative of the District who can provide additional information or institute arrangement for payment.
- d. The District shall make a reasonable, good faith effort to contact an adult person residing at the premises of the customer by telephone or in person at least forty-eight (48) hours prior to any termination of service except that whenever telephone or personal contact cannot be accomplished, the District shall give, by mail or by posting in a conspicuous location at the premises, a notice of termination. [Government Code Section 60373(b)]
- e. If the District is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment. [HSC Section 116908(a)(2)]
- f. All written notices that are provided pursuant to HSC Section 116908 shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by ten percent (10%) or more of the customers in the District's service area.

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

5. **Restrictions:** No termination of service may be affected without compliance with Section II.B.4 above, and any service wrongfully terminated shall be restored without charge for the restoration of service [Government Code Section 60373(e)]. The District shall not, by reason of delinquency in payment for any water services, cause cessation of those services on any Saturday, Sunday, legal holiday, or at any time during which the business offices of the District are not open to the public (Government Code Section 60374).
 6. **Late Charge:** A Late Charge, as specified in the District's fees and charges, shall be assessed and added to the outstanding balance on the customer's account if the amount owing on that account is not paid before the due date specified on the bill.
 7. **Turn-Off Deadline:** Payment for water service charges must be received by the District no later than 5:30 p.m. on the date specified on prior billing notice(s) of impending termination. Postmarks are not acceptable.
 8. **Notification of Returned Check or Failed Automatic Debit Transaction (ACH):** Upon receipt of a returned check or failed ACH transaction rendered for water service or other charges, the District will consider the account not paid. The District will attempt to notify the customer via phone and/or posted notice at the residence. Water service will be disconnected if the amount of the returned check and returned check charge are not paid by the due date specified on the notice, which due date shall not be sooner than the date specified in the Notice of Impending Termination. To redeem a returned check and to pay a returned check charge, all amounts owing must be paid by credit/debit card, cashier's check or money order.
 9. **Returned Check Tendered as Payment for Water Service Disconnected for Nonpayment:**
 - a. If the check tendered and accepted as payment which resulted in restoring service to an account that had been disconnected for nonpayment is returned as non-negotiable, the District may disconnect said water service upon at least three (3) days' written notice. The customer's account may only be reinstated by receipt of outstanding charges in the form of a credit/debit card, cashier's check or money order. Once the customer's account has been reinstated, the account will be flagged for a one-year period indicating the fact that a non-negotiable check was issued by the customer. A deposit may be required to reinstate service.
 - b. If at any time henceforth, the customer's account is again disconnected for nonpayment, the customer will be required to pay by credit/debit card, money order or cashier's check to have said water service restored.
- C. **Conditions Prohibiting Discontinuation:** The District shall not discontinue residential water service if all the following conditions are met:

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

1. Health Conditions – The customer or tenant of the customer submits certification of a primary care provider that discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of a resident;
 2. Financial Inability – The customer demonstrates he or she is financially unable to pay for water service within the District's normal billing cycle. The customer is deemed "financially unable to pay" if any member of the customer's household is: (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the customer declares the household's annual income is less than 200% of the federal poverty level; and
 3. Alternative Payment Arrangements –The customer is willing to enter into an amortization agreement, alternative payment schedule or a plan for deferred or reduced payment, consistent with the provisions of Section III, below.
- D. Process for Determination of Conditions Prohibiting Discontinuation of Service: The burden of proving compliance with the conditions described in Subdivision (C), above, is on the customer. In order to allow the District sufficient time to process any request for assistance by a customer, the customer is encouraged to provide the District with the necessary documentation demonstrating the medical issues under Subdivision (C)(1), financial inability under Subdivision (C)(2) and willingness to enter into any alternative payment arrangement under Subdivision (C)(3) as far in advance of any proposed date for discontinuation of service as possible. Upon receipt of such documentation, the District's General Manager, or his or her designee, shall review that documentation and respond to the customer within seven (7) days to either request additional information, including information relating to the feasibility of the available alternative arrangements, or to notify the customer of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the customer to participate. If the District has requested additional information, the customer shall provide that requested information within five (5) days of receipt of the District's request. Within five (5) days of its receipt of that additional information, the District shall either notify the customer that the customer does not meet the conditions under Subdivision (C), above, or notify the customer of the alternative payment arrangement, and terms thereof, under Section III, below, in which the District will allow the customer to participate.
- E. Upon request by a water customer, the District will perform the following:
1. Reconnection Fees: Any reconnection fees during the District's normal operating hours cannot exceed \$50, and reconnection fees during non-operational hours cannot exceed \$150. Those fees cannot exceed the actual cost of reconnection if that cost is less than the statutory caps. Those caps may be adjusted annually for changes in the CPI beginning January 1, 2021.

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

2. Interest Waiver: The District shall waive interest charges (late fees) on delinquent bills once every 12 months.

F. Landlord-Tenant Scenario: The following procedures apply to individually metered detached single-family dwellings, multi-unit residential structures and mobile home parks where the property owner or manager is the customer of record.

1. Required Notice:

- a. At least 10 days prior if the property is a multi-unit residential structure or mobile home park, or 7 days prior if the property is a detached single-family dwelling, to the possible discontinuation of water service, the District must make a good faith effort to inform the tenants/occupants at the property by written notice that the water service will be discontinued.
- b. The written notice must also inform the tenants/occupants that they have the right to become customers to whom the service will be billed (see Subdivision 2, below), without having to pay any of the delinquent amounts. Delinquent charges will remain the responsibility of the property owner.

2. Tenants/Occupants Becoming Customers:

- a. The District is not required to make service available to the tenants/occupants unless each tenant/occupant agrees to the terms and conditions for service and meets the District's requirements and rules.
- b. However, if (i) one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the District's satisfaction, or (ii) there is a physical means to selectively discontinue service to those tenants/occupants who have not met the District's requirements, then the District may make service available only to those tenants/occupants who have met the requirements.
- c. If prior service for a particular length of time is a condition to establish credit with the District, then residence at the property and proof of prompt payment of rent for that length of time, to the District's satisfaction, is a satisfactory equivalent.
- d. If a tenant/occupant becomes a customer of the District and the tenant's/occupant's rent payments include charges for residential water service where those charges are not separately stated, the tenant/occupant may deduct from future rent payments all reasonable charges paid to the District during the prior payment period.

III. **Alternative Payment Arrangements**: For any customer who meets the three conditions under Section II(C), above, in accordance with the process set forth in Section II(D), above,

the District shall offer the customer one of the following alternative payment arrangements, to be selected by the District in its discretion: (i) amortization of the unpaid balance under Subdivision (A), below; (ii) alternative payment schedule under Subdivision (B), below; (iii) partial or full reduction of unpaid balance under Subdivision (C), below; or (iv) temporary deferral of payment under Subdivision (D), below. The General Manager, or his or her designee, shall, in the exercise of reasonable discretion, select the most appropriate alternative payment arrangement after reviewing the information and documentation provided by the customer and taking into consideration the customer's financial situation and District's payment needs. A customer is allowed one active payment arrangement at a time.

A. **Amortization:** Any customer who is unable to pay for water service within the District's normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, enter into an amortization plan with the District on the following terms:

1. **Term:** The customer shall pay the unpaid balance, with the administrative fee as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the District's General Manager or his or her designee. The unpaid balance, together with the applicable administrative fee, shall be divided by the number of months in the amortization period and that amount shall be added each month to the customer's ongoing monthly bills for water service.

2. **Administrative Fee:** For any approved amortization plan, the customer will be charged an administrative fee, in the amount established by the District from time to time, representing the cost to the District of initiating and administering the plan.

3. **Compliance with Plan:** The customer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. If the customer fails to comply with the terms of the amortization plan for sixty (60) days, or fails to pay the customer's current service charges for sixty (60) days, the District may discontinue water service to the customer's property at least five (5) business days after the District posts at the customer's residence a final notice of its intent to discontinue service.

B. **Alternative Payment Schedule:** Any customer who is unable to pay for water service within the District's normal payment period and meets the three conditions under Section II(C), above, as the District shall confirm, may, if the District has selected this alternative, enter into an alternative payment schedule for the unpaid balance in accordance with the following:

1. **Repayment Period:** The customer shall pay the unpaid balance, with the administrative fee as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the District's General Manager or his or her designee.

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

2. Administrative Fee: For any approved alternative payment schedule, the customer will be charged an administrative fee, in the amount established by the District from time to time, representing the cost to the District of initiating and administering the schedule.
3. Schedule: After consulting with the customer and considering the customer's financial limitations, the District's General Manager or his or her designee shall develop an alternative payment schedule to be agreed upon with the customer. That alternative schedule may provide for periodic lump sum payments that do not coincide with the District's established payment date, may provide for payments to be made more frequently than monthly, or may provide that payments be made less frequently than monthly, provided that in all cases, the unpaid balance and administrative fee shall be paid in full within twelve (12) months of establishment of the payment schedule. The agreed upon schedule shall be set forth in writing and be provided to the customer.
4. Compliance with Plan: The customer must comply with the agreed upon payment schedule and remain current as charges accrue in each subsequent billing period. The customer may not request a longer payment schedule for any subsequent unpaid charges while paying delinquent charges pursuant to a previously agreed upon schedule. If the customer fails to comply with the terms of the agreed upon schedule for sixty (60) days or more, or fails to pay the customer's current service charges for sixty (60) days or more, the District may discontinue water service to the customer's property at least five (5) business days after the District posts at the customer's residence a final notice of its intent to discontinue service.

C. Additional Payment Options: Notwithstanding the above, aAny customer within the District's normal payment period may be eligible for one or more of the following:

1. Deferred Payment to Avoid Disconnection: A payment extension of up to two weeks is available to customers one time per year. Applicable penalties will apply during the extension period. Failure to comply with payment extension will result in discontinuation of service upon a forty-eight (48) hour courtesy phone notification.
2. Reduced Fees: A one-time disconnection fee waiver and a one-time late fee waiver are available to any customer upon request. These waivers are available one-time over the life of the account.
- 2.3. Alternative Payment Schedule: An alternative payment schedule consistent with Section III(B) above.

IV. Appeals: The procedure to be used to appeal the amount set forth in any bill for residential water service is as follows:

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

- A. Time for Appeal: Within ten (10) days of receipt of the bill for water service, but no later than the last business day of the month, the customer has a right to initiate a complaint or request an investigation regarding any bill or charge rendered by the District. Such protest shall be made in writing and be delivered to the District's office. While the customer's appeal and any resulting investigation is pending, the District cannot discontinue water service to the customer.
- B. Appeal Hearing: Following receipt of a complaint or a request for an investigation, a hearing date shall be set before the General Manager, or his or her designee (the "Hearing Officer"). After evaluation of the evidence provided by the customer and the information on file with the District concerning the water charges in question, the Hearing Officer shall render a decision as to the accuracy of the water charges and shall provide the appealing customer with a brief written summary of the decision.
 1. If water charges are determined to be incorrect, a corrected invoice will be provided and payment of the revised charges will be due within ten (10) days of the invoice date for revised charges. If the revised charges remain unpaid for more than sixty (60) days after the corrected invoice is provided, water service will be disconnected, on the next regular working day after expiration of that sixty (60) day period; provided that the District shall provide the customer with the Overdue Notice in accordance with Section II(B), above. Water service will only be restored upon full payment of all outstanding water charges, penalties, and any and all applicable reconnection charges.
 2.
 - a. If the water charges in question are determined to be correct, the water charges are due and payable at the time the Hearing Officer's decision is rendered. At the time the Hearing Officer's decision is rendered, the customer will be advised of the right to further appeal before the District's Board of Directors. Any such appeal must be filed in writing within seven (7) days after the Hearing Officer's decision is rendered and will be heard as soon as possible at the next regularly-agendized meeting of the District's Board of Directors, or at a special meeting of the District's Board of Directors as agreed upon by customer and District.
 - b. If the customer does not timely appeal to the District's Board of Directors, the water charges in question shall be immediately due and payable. In the event the charges are not paid in full within sixty (60) days after the original billing date, then the District shall proceed with the Notice of Impending Termination in accordance with Section II(B), above, and may proceed in potentially discontinuing service to the customer's property.
 3. When an appeal hearing before the Board of Directors is requested, such request shall be made in writing and delivered to the District at its office. The customer will be required to personally appear before the Board and present evidence and reasons as to why the water charges in question are not accurate. The Board shall evaluate the evidence presented by the customer, as well as the information on file

Policy on Discontinuation of Residential Water Service for Non-Payment (Cont'd)

with the District concerning the water charges in question, and render a decision as to the accuracy of said charges.

a. If the Board finds the water charges in question are incorrect, the customer will be invoiced for the revised charges. If the revised charges remain unpaid for more than sixty (60) days after the corrected invoice is provided, water service will be disconnected, on the next regular working day after expiration of that sixty (60) day period; provided that the District shall provide the customer with the Notice of Impending Termination in accordance with Section II(B), above. Water service will be restored only after outstanding water charges and any and all applicable reconnection charges are paid in full.

b. If the water charges in question are determined to be correct, the water charges are due and payable at the time the decision of the Board is rendered. In the event the charges are not paid in full within sixty (60) days after the original billing date, then the District shall proceed with the Notice of Impending Termination in accordance with Section II(B), above, and may proceed in potentially discontinuing service to the customer's property.

c. Any overcharges will be reflected as a credit on the next regular bill to the customer, or refunded directly to the customer, at the sole discretion of the Board.

d. Water service to any customer shall not be discontinued at any time during which the customer's appeal to the District or its Board of Directors is pending.

e. The Board's decision is final and binding.

V. **Restoration of Service:** In order to resume or continue service that has been discontinued by the District due to non-payment, the customer may be required to pay a security deposit and will be required to pay a Reconnection Fee established by the District, subject to the limitation set forth in Section II(D), above. The District will endeavor to make such reconnection as soon as practicable as a convenience to the customer. The District shall make the reconnection no later than the end of the next regular working day following the customer's request and payment of any applicable Reconnection Fee.

VI. **Unauthorized Action:** This policy does not apply to the termination of a service connection by the District due to an unauthorized action of a customer.

California Department of Justice

OFFICE OF
THE ATTORNEY GENERAL



Legal Alert

Subject:

The Water Shutoff Protection Act – As Amended by SB 3 (2023)

No.

OAG-2024-04

Date:

September 19,
2024

Contact for information:

EJ@doj.ca.gov

TO: All Community Water Systems

The Office of the California Attorney General issues this legal alert to remind all community water systems of the requirements of the Water Shutoff Protection Act and to reflect recent changes in the law. This alert amends and supersedes Legal Alert OAG-2022-04.

In 2019, the Legislature adopted Senate Bill 998, the Water Shutoff Protection Act (the Act), Health and Safety Code Sections 116900 *et. seq.*, increasing protections for residents facing termination of water service due to non-payment.¹ In enacting these protections, the Legislature recognized that water debt and residential water shutoffs threaten human health and well-being and “have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.” (Sen. Bill. 998 (2017-2018 Reg. Sess.) §1, subd. (c).)

In 2023, the Legislature adopted Senate Bill 3 which expanded the protections of the Act to more people by applying the Act to smaller water systems. While the Act previously applied to systems with more than 200 service connections, the Act now applies to all community water systems. (§116902, subd. (e) incorporating the definition in §116275.) Application of the Act to these newly covered, smaller systems took effect August 1, 2024. (§116904, subd.(d).)

Senate Bill 3 also clarified that covered water systems must provide alternative payment plan options to all customers who are unable to pay their water bill, not only customers who meet certain medical and financial criteria. (§116906, subds. (a)(1) & (a)(2).) This requirement took effect on January 1, 2024.

The Act continues to apply only to the discontinuation of residential water service for nonpayment. (§§116906, subd. (a); 116902, subd. (c).) The Act does not apply to terminations due to an unauthorized action by a customer. (§116926.) The Act has several requirements for termination of water service due to nonpayment, discussed below.

Covered water systems should immediately cease all water shutoffs that do not comply with the Act. Water systems that have not yet adopted compliant policies and made those policies available to the public must do so immediately. The Act can be enforced by the State Water Resources Control Board and the California Public Utilities Commission, which have authority to issue citations with monetary

¹ All statutory references are to the Health and Safety Code.

penalties to non-compliant water systems. The Attorney General and the California Public Utilities Commission can enforce the Act by seeking a temporary or permanent injunction and the Attorney General can seek restitution against non-compliant water systems.

No Water Shutoffs Unless At Least 60-Days Delinquent

- Under the Act, a covered water system cannot discontinue service until a payment by a customer has been delinquent for at least 60 days. (§116908, subd. (a)(1)(A).)
- If service is discontinued for nonpayment, the water system is required to provide information about how to restore residential service. (§116912.)
- The Act also prohibits water shutoffs for residents who meet certain health and financial requirements and who are willing to make alternative payments. (§116910.)
- Reconnection fees are limited by the Act for residents with income below 200 percent of the federal poverty level and those residents are entitled to a waiver of interest charges on delinquent bills once every 12 months. (§116914.)

Written Policy Required

The Act requires every covered water system to have a written policy on discontinuation of residential water service for nonpayment. The policy shall include all of the following:

- (1) a plan for deferred or reduced payments that is available to any customer;
- (2) alternative payment schedules that are available for any customer;
- (3) a formal mechanism for a customer to contest or appeal a bill; and
- (4) a telephone number for a customer to discuss options to avoid discontinuation of service due to nonpayment. (§116906, subd. (a).)

This policy shall be available on a website if the provider has one. (§116906, subd. (b).) If the water system does not have a website, the policy shall be provided to the customer upon request. (§116906, subd. (b).) Covered water systems with 200 or more service connections must make the policy available in English, Spanish, Chinese, Tagalog, Vietnamese and Korean. (§116906, subd. (a); Civil Code, §1632.) Covered water systems with fewer than 200 service connections must make the policy available in English, any other language spoken by at least 10 percent of the people residing in the service area, and, upon customer request, any of the languages listed in Civil Code section 1632. (*Ibid.*)

Telephone or Written Notification Requirements

The Act also addresses the notice which must be provided to the person listed on the water bill and provides notification protections for tenants, including:

- Notice must be provided to the person listed on the water bill at least 7 business days before the possible termination of service. (§116908, subd. (a)(1)(B).)
- If the customer's address is not the address of the property where water service is provided, notice must also be mailed to the property address, addressed to "Occupant."
- If the water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned as undeliverable, the water system is required to make a good faith effort to visit the residence and leave or make arrangements for

placement in a conspicuous place a notice of imminent discontinuation for nonpayment and the system's discontinuation policy. (§116908, subd. (a)(2).)

- The notice must include the following: customer's name and address; amount of delinquency; date by which payment or arrangement for payment is required to avoid discontinuation of service; description of the process to apply for an extension of time to pay the delinquent charges; description of the procedure to petition for bill review and appeal; and description of the procedure by which the customer can request a deferred, reduced, amortized or alternative payment schedule. (§116908, subd. (a)(1)(C).)
- Tenants of individually metered residences must be notified in writing that they have the right to become customers to whom water service will be billed without having to pay any of the delinquent amounts. (§116916, subd. (b).)

If an appeal is filed by "an adult at the residence," a covered water system cannot terminate service while the appeal is pending. (§116908, subd. (b).)

Annual Reporting

A covered water system must report annually to the State Water Resources Control Board on water shutoffs due to inability to pay and post the information on its website if it has one. (§116918.)



Helendale Community Services District

Date: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #7
Discussion and Possible Action Regarding an Increase in Employee Medical Benefits Paid by the District

STAFF RECOMMENDATION

Staff seeks input from the Board regarding this matter.

STAFF REPORT:

Over the last four years, the District has seen continual increases in medical costs for the various plans available to Staff. This year the average increase is 11.02% for 2025 depending upon the plan selection. Over the last few years, Staff has been reducing their coverage selections due to the increasing costs. Some who previously selected a PPO have now opted for an HMO. Due to the significant increase in medical plan costs over the past several years, Management is requesting that the Board consider increasing the amount of medical benefit offered to employees to \$1500 per month effective for the January 2025 increases. If approved, this would increase the budget by \$3,625 per month or an annual increase of \$43,500.

Currently of the 17 full-time staff, nine pay out of pocket for medical coverage ranging from \$30 to \$1018 per month. The amounts of monthly out of pocket payments for these employees who exceed the benefit amount are as follows:

PPO	Single person	\$ 30.25
PPO	Employee +one	\$ 184.36
HMO	Employee +one	\$ 232.05
HMO	Employee +one	\$ 489.97
Kaiser	Employee +one	\$ 608.87
HMO	Employee family	\$ 673.09
HMO	Employee family	\$ 937.59
HMO	Employee family	\$ 937.59
HMO	Employee family	\$1,018.06

BACKGROUND:

When the District staff was hired in 2007, the health benefit amount which includes medical, dental and vision, was \$750 per month. In 2018, the Board commissioned a compensation study in an effort to attract and retain highly qualified staff. In January 2019, the Board adopted new ranges and modified some classifications based upon the recommendations of the consultant.

One of the recommendations discussed with the Board in June 2020 and incorporated in the budget in FY2021, was increasing the health benefit contribution from \$750 per month to an amount between \$1400-1500. The Board selected \$1300 per month for all full-time staff. Those who did not use all of the allowance for health plans could invest the remainder in the District's 457 plan through CalPERS. The minutes from that Board meeting are attached to provide context for this discussion.

FISCAL IMPACT: Increase of \$3,625 per month or an increase of \$43,500 per year.

POSSIBLE MOTION: Approve an increase in the District's Cafeteria plan.

ATTACHMENTS: Minutes from 6/4/2020 Board meeting



Minutes of the Helendale Community Services District
BOARD OF DIRECTORS MEETING
June 4, 2020 at 6:30 PM
26540 Vista Road, Suite C. Helendale, CA 92342

Pursuant to the provisions of Executive Order N-29-20 issued by Governor Gavin Newsom in response to the COVID-19 pandemic and in an effort to prevent the spread of the virus, Helendale CSD's June 4, 2020 board meeting was held via teleconference.

Board Members Roll Call:

Ron Clark – President; Tim Smith - Vice President; Sandy Haas, Secretary; Craig Schneider – Director; Henry Spiller – Director

Staff Members Present:

Kimberly Cox, General Manager
Cheryl Vermette, Program Coordinator
Craig Carlson, Water Operations Manager
Alex Aviles, Wastewater Operations Manager

Consultants:

Steve Kennedy, Legal Counsel
Richard Nino

Members of the Public:

There were no members of the public present via the teleconference link

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:35 by President Ron Clark, after which the Pledge of Allegiance was recited.

1. Approval of Agenda

Action: A motion was made by Director Schneider to approve the agenda as presented. The motion was seconded by Director Haas.

Vote: Motion carried by the following vote: 5 Yes; 0 No

2. Public Participation

None

3. Consent Items

- a. Approval of Minutes: May 21, 2020 Regular Board Meeting and May 27, 2020 Special Board Meeting
- b. Updated Bills Paid Report
- c. Directors Compensation and Expenses

Action: A motion was made by Vice-President Smith to approve the consent items as presented. The motion was seconded by Director Spiller.

Vote: Motion carried by the following vote: 5 Yes; 0 No

4. Reports

a. Directors' Reports

Director Schneider reported that he went to look at the well test hole project. He was able to speak to the hydrogeologist Mark Roberts at the site.

Director Spiller reported that he went to visit the new farmers market in Apple Valley. The Board asked that Staff monitor the vendor and public attendance at the Helendale Market.

b. General Manager's Report

The District received notification from Helendale School District that the use of the gym for Open Gym has been suspended due to state guidance. The school will also suspend uses for Church and Seniors who meet at their facility. A letter was provided for Board review.

The drill rig mobilized on Friday, 5/27, on 5/28 they drilled to 200' and took sample; on 5/29 they drilled to 228'; on 6/1 they drilled to 280' and took a sample; on 6/2 they drilled to 333' and the sample failed; on 6/3 they drilled to 385 but their tool broke; on 6/4 they used a new tool and drove the test tool in place, they are waiting overnight for enough water for a sample. Tomorrow morning, they will evacuate sample (approximately ½ gal). Progress has been slower than anticipated. Several photos of the test hole project were then presented.

Wastewater Operations Manager Aviles presented the wastewater report. The flow meters at the plant were calibrated by A&G Instruments. Staff continues weed abatement. The filtrate pumps airlocked and would not pump drying beds collection system, Staff removed check valve to bleed gasses and inspect lifting arm on the check valve. The pumps are now working again. Staff completed lubes and oil changes on all equipment. Staff used the man lift to retrieve all broken splash plates that have fallen off of the T-filter arm over the years. Cleaned check balls in primary and cleared digester sludge feed-line blockage. Staff removed the broken skim arm off of secondary #2, and was able to piece together and rebuild arm from scrapped clarifier parts to get #2 on line and flow transferred over from Secondary #1 to Secondary #2.

Regular Business

5. Discussion Only Regarding Response to COVID-19 Pandemic

Discussion: General Manager Cox reported on the COVID-19 pandemic. Staff is all back together again after more than 2 months split into teams. On Monday the office will begin offer public hours from 1-5:30 daily. Customers have been very understanding. Staff continues to monitor cash-flow due to no disconnection requirement (N-42-20). Currently 419 customers have not paid running \$48,522 in arrears. Liens have been filed as appropriate, letters have been sent to landlords and notification calls will go out next week. Cash flow is better than expected - May receivables: \$264,628 and April receivables: \$252,176

Action: There was no action on this item.

6. Public Meeting to Discuss Proposed Burrtec Rate Increase

Discussion: Each year Burrtec presents the CPI increase for solid waste pick up services Contract requires notice no later than 4/1. Section 10.05 outlines the annual formula-based compensation adjustment: "The maximum rates set forth in Attachment D, Residential Bin and Commercial Services may be adjusted annually effective each July 1st by an amount equal to the calendar year annual twelve-month mean average change in the Consumer Price Index (CPI)...It is understood by both parties that the maximum annual CPI increase shall be no greater than four percent (4%) in any given adjustment period." The total proposed new rate will increase monthly charges by \$1.28 from \$21.70 to \$22.98. The proposed CPI increase is 3.07%. Presented for review are only the residential rates. Commercial rates vary significantly based upon service. Public notice was mailed to all

affected rate payers. The Public hearing is scheduled for June 18th and will be held in virtual format with the Board present and public online.

Action: There was no action on this item.

7. Discussion and Possible Action Regarding National Night Out

Discussion: The District has partnered with SLA for the past 3 years to hold NNO at North Beach

The site has served the event well, however as the event grows the location may need to be reconsidered. Some of the drawbacks to holding the event at North Beach are Many of the activities take place in the parking lot and the helicopter has to land across the street, on the positive side North Beach provides a convenient location and has a nice ambiance. Staff requested Board direction on the location and date of the event. The Board agreed the event should be held on the National Night Out event scheduled day, October 6, 2020, and asked Staff to seek input from the Silver Lakes Association on the location.

8. Discussion and Possible Action Regarding Purchase of a Bobcat for District Operations

Discussion: This item has been on the CIP, however the Board requested that it be agendized for action. District Staff has received quote on new and used units. Bobcat owns all the franchises therefore no competition amongst dealers. The District has struggled with the changing Carb regulations. These rules continue to pose challenges. This new Bobcat unit will allow some relief with those regulations because the District will be able to dispose of older non-compliant units. Numerous attachments available for the bobcat making it versatile. The Purchasing Policy allows for the purchase of equipment and requires approval by the Board over \$25,000. Due to the specific type of equipment determined by staff to best meet the needs of field operations only one brand is acceptable. Quotes included a 2014 unit for \$33,025.38 and a 2020 unit for \$44,371.91. The Board deferred to Staff to decide on the extended warranty.

Motion: Director Schneider made the motion to approve the purchase of the 2014 Bobcat unit for \$33,025.38 and allow Staff to decide on the extended warranty. Director Haas seconded the motion.

Vote: The motion was approved by the following roll call vote: President Clark – Yes; Vice President Smith – Yes; Secretary Haas – Yes; Director Schneider – Yes; Director Spiller – Yes

9. Discussion and Possible Action Regarding Increase in District Cafeteria Plan

Discussion: In January 2019, the Board adopted the results of a classification evaluation. The second part of that consideration was a benefits evaluation. Management contracted with Koff and Associates to provide a comparison and recommendation. The plan has not been modified since 2015 which includes \$750 plus 50% match up to \$1050. Since ADA, medical costs have continued to increase. Competitive benefits are an important component to retention. The District has lost 4 tenured employees in the past three years and have had challenges hiring qualified/certified staff. The Board determination from tonight's discussion will be factored into the budget for adoption on June 18. The consultant recommended increasing medical between \$1400-\$1500/mo with options of cash out, CA125, 457 or 401A. Management is suggesting the Board consider an increase to \$1300 and 50% of remaining fund going to 457 or 401A plan for retirement. Management also recommends that an employee who doesn't take District medical will have 50% of benefit available for a 457 or

401A plan. The current costs if all employees used max amount: \$176,400 and the proposed cost if all employees used max amount: \$217,400. The difference is \$42,000 based upon max scenario. Seven out of fourteen employees would still pay \$86 to \$472 each month additional for insurance and seven employees would have extra money for 457/401A. The Board discussed and agreed to increase the maximum District contribution to \$1,300 per month and allow any unused portion to be rolled over into a 457 or 401A plan.

Motion: Director Schneider made the motion to increase District medical benefit to a monthly amount of \$1300 per employee and allow 100% of any leftover funds be invested in a 457 or 401A plan. Director Haas seconded the motion.

Vote: The motion was approved by the following roll call vote: President Clark – Yes; Vice President Smith – Yes; Secretary Haas – Yes; Director Schneider – Yes; Director Spiller – Yes

Other Business

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

11. Adjournment

Action: President Ron Clark adjourned the meeting at 7:45 pm

Submitted by:

Approved By:

Ron Clark, President

Sandy Haas, Secretary

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: November 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #8
Discussion and Possible Action Regarding Adoption of Revisions to the Fee Package

STAFF RECOMMENDATION

Staff seeks approval for this item.

STAFF REPORT

The Fee Package is reviewed periodically with the Board and most recently in July 2024. As Staff becomes aware of modifications that need to be made it is revised and scheduled for Board consideration. The purpose of modifying the fees from time to time is to ensure that we are collecting sufficient fees to cover the cost of optional services offered by the District.

Suggested modifications are highlighted in yellow for easy identification. Following are the suggested modifications:

- Page 2: Clarification on other Burrtec fees.
- Page 3: Added line for water plan check
Clarified that Park fee is per unit.
- Page 4: Added a Service Establishment Fee for a Hydrant Meter Rental and clarified language.
- Page 5: Added that fees for Bulky service must be paid in advance for non-customers.
Added ACH to Returned check fee for clarification.
- Page 7: Added a fee for Alternative Payment Plan Establishment fee per SB998 Policy

Fiscal Impact: As outlined in the Fee Package

Possible Motion: Approve changes to the Fee Package as outlined in staff report.

Attachments: Fee Package with modifications noted



Helendale Community Services District

26540 Vista Road, Ste. B
 PO Box 359
 Helendale, California 92342
 (760) 951-0006 Fax (760) 951-0046

**HELENDALE COMMUNITY SERVICES DISTRICT
 FEE PACKAGE
 As amended November 16, 2024**

FIXED MONTHLY RATES:

WATER FACILITIES CHARGE*

Meter Size	Monthly Charge as of 7-1-20
¾" & 1"	\$46.05
2"	\$96.71
3"	\$363.81
4"	\$460.52
6" (SLA-RV)	\$460.52
6"	\$690.79

CONSUMPTION CHARGES (per HCF)

RATE
\$1.50

*HCF = 748 Gallons

SEWER SERVICE CHARGE*

	Monthly Charge as of 7-1-24	Monthly Charge as of 7-1-25
	\$53.45	\$55.32

*per edu (Equivalent Dwelling Unit)

*Once Water/Sewer is connected to the District's system, a continuous monthly water/sewer begins. The District will bill the customer until date of transfer of title. The customer is liable for the applicable minimum charges (Water Service Charge/Sewer Service Charge) even if no water is used. The monthly rate is subject to change based on HCSD Board approved rate increases.

SOLID WASTE (TRASH/RECYCLING) SERVICE CHARGE – RESIDENTIAL

SERVICE TYPE	Monthly charge as of 7/1/24
Residential with Solid Waste Fee on Property Tax bill	27.45
Residential without Solid Waste Fee on Property Tax bill	34.55
Duplex	54.90
Extra 95-gallon trash barrel	9.93
Extra 65-gallon recycle barrel	1.94
Extra pick up/extra bags on service day	9.93
Extra pick up/extra bags on non- service day	29.53
Green Waste Fee	.37

[All other fees are as outlined in Burrtec Rate Notice for FY25](#)

1. Cost to re-establish residential trash/recycling service*

The cost to establish or re-establish residential trash/recycling service once service is inactivated for non-payment is three times the monthly charge, held as a deposit until the account is closed as defined in the Deposit Policy. *Does not apply to customers with water and/or sewer services with the District. The monthly rate is subject to change based on HCSO Board approved rate increases.

2. Trash Service Vacation Suspension:

Customer may suspend service on time per calendar year at no cost. Any additional suspension during the calendar year will be at a cost of \$50 per suspension. Empty trash cans will be picked up before service suspension is effective. If cans are full when picked up, trash service will be charged for one additional week to account for full cans.

DEVELOPMENT FEES:

1. Water Availability Letter

\$35.00 per letter

2. Water Permit Fee

A permit is required for all new connections to the water system.

\$60.00 per connection

3. Water System Connection Fee (based on residential)

\$2,251.65

Commercial evaluated on a case by case basis.

4. Water Supply Fee (based on residential – See Resolution 2015-01 & Exhibit A)

For the purchase of water to serve property the fee is:

\$5,000.00 – effective 1/15/15

Commercial evaluated on a case by case basis.

5. Meter Installation Charges

Includes cost of new meter, installation of meter and courtesy valve and meter box. Hereafter courtesy valve is responsibility of customer to maintain.

Meter Size	Charge
¾ & 1"	\$600.00
1 ½"	\$600.00

2"	Cost + 15%
3"	Cost + 15%
4"	Cost + 15%
6"	Cost + 15%
8"	Cost + 15%

Cost includes necessary supplies, equipment and staff time related to the new meter installation which may include installation of new service from the main and asphalt repair. Additional labor and materials costs may apply.

6. Plan Check Fees

a. Commercial Service

Plan check to verify that proposed facility is designed to meet HCSD water and sewer standards.
\$340.00 plus \$68.00/hour over five (5) hours.

-Construction Inspection Fee

Inspection of proposed facility to ensure that construction is in compliance with HCSD water and sewer standards.

\$340.00 plus \$68.00/hour over five (5) hours

b. Residential

- \$55.00 per sewer connection for plan check
- **\$55.00 per water connection for plan check**
- Fixture Units over 20 = \$25.00 per fixture unit

7. Sewer System Connection Fee (based on residential)

\$3,360.95

Commercial evaluated on a case by case basis.

8. Processing fee to determine EDU count

\$55.00 per sewer connection for plan check

- a. Fixture Units over 20 = \$25.00 per fixture unit

9. Inspection Fees - Sewer

Service	Fee
Permit & 3 inspections	\$219.00
Additional inspections	\$53.00 per visit over 3
Main cut-in	\$100.00

10. Park Development Impact Fee

All new development. Collected upon application for service, including water and wastewater connection fees (see Resolution No. 2018-03 and Ordinance No. 2018-01). Fee effective 3/1/18

Single Family \$ 1,720.00

Multi-Family \$ 1,274.00 per unit

11. Field Inspection for verification of utilities

This would include any pre-construction verification including pot-holing for utilities.
 \$75 per location plus 15%

12. Feasibility Study (Primarily for Commercial, Multi-Residential or Tract Construction)

The fee for work performed to determine feasibility of service delivery.

Fee will be determined by the District Engineer that HCSD contracts with and charged at cost plus 50% Administration fee.

WATER RELATED FEES:

1. Backflow Maintenance Fee

\$35.00 per device per year

Customers with back-flow devices are notified annually to conduct an inspection of the device. The inspection is performed by a licensed inspector who submits the inspection report to HCSD. The HCSD is required to process such notices and keep records of the inspections. Properties must maintain a backflow in good working order.

If the report is not received within 30 days a second reminder notice will be mailed at a cost of \$15.00. Once the report is 45 days past due, a third reminder notice will be mailed at a cost of \$15.00. Should the report become 60 days past due, the District will perform the inspection and bill the customer \$35.00 plus an administrative fee of \$15.00.

2. Meter and Backflow Testing

All meter testing and backflow testing will be at cost plus fifteen percent (15%)

3. Fire Flow Test

\$225.00 plus 5 HCF of water consumption for each test.

4. Monthly Fire Protection Service

Service Line Size	Charge
1" – 2"	\$ 9.00
4"	\$18.00
6"	\$27.00
8"	\$36.00
10"	\$45.00
12"	\$54.00

Water used for any purpose other than fire protection shall be charged double the monthly facilities charge **plus the cost of water consumed at a 20% surcharge.** If property has a separate water meter for fire protection only, a meter installation fee of \$600.00 is assessed.

5. Replacement of Customer's Courtesy Valve

Covers the parts and installation of a new "lead free" brass gate valve.

\$170.00

6. Hydrant Meter Rental

Meter Size	Monthly charge as of 7/1/20	Usage per HCF as of 6/19/22	Service Establishment Fee	Deposit*
3"	\$545.72	\$4.10	\$53	\$1500.00

Once the meter is returned, the above fees/charges (hydrant meter rental fee/water consumption) will be deducted from the deposit **(*if a deposit is required)** and any remaining balance will be refunded. All meters and ancillary devices shall be inspected by the Water Operations staff for damages before a final bill/refund is issued and the meter is put back into inventory. All meters must have a backflow device or approved air gap supplied by customer. At the District's discretion, staff will direct contractor to **a selected** District facility **from**

~~which to draw the water. for use of water or may rent a meter out.~~ The District reserves the option to not rent out hydrant meters.

SOLID WASTE FEES:

1. Bulky Item Pickup

Once a customer has utilized both bulky item pickups for the calendar year, they may call for an additional pickup. The charge is \$35, plus \$11 per item up to five items. These fees ~~will also be billed~~ must be paid for in advance for those customers who do not pay for trash service (i.e. condo units with dumpsters).

LABOR AND EQUIPMENT FEES:

1. **Equipment Rates are billed at the hourly rate plus 15%.**

2. **Administration/Supervision**

The total labor/equipment cost to include the costs of administration and other overhead charges including accounting, purchasing, building leases, etc.

50% of labor/equipment cost

3. **Labor Rate**

Miscellaneous work performed by operator or maintenance worker.

Will be charged at the appropriate hourly rate. After hours, weekend and holiday rates will be charged as appropriate and are subject to a minimum two (2) hour call out.

MISCELLANEOUS FEES:

1. **Delinquent Water & Sewer Fees**

The amount to charge for accounts that remain unpaid after the due date:

10% of the current balance plus 1% of the unpaid previous balance.

2. **Returned Check/ACH**

The fee charged when a check is returned unpaid by the bank or an ACH transaction is not approved for any reason - **\$35.00**

3. **Turn off/Turn on Fee at Customer's Request**

This is a coupled fee that covers both the turn off and subsequent turn on. The charge for a Customer Requested turn on/turn off during normal working hours.

\$40.00

If a customer is temporarily vacating premises and wishes to have the meter turned off and/or locked, the customer may do so by submitting a written request and pay the turn-off/turn-on fees. Turning off the meter does not relieve the customer of the monthly basic rates for water/sewer. The customer should also check with other utilities and his/her insurance company to understand any potential liability if the water is turned off. A District release of liability form must be signed by the property owner.

4. **Turn on/Turn Off Fee for Real Estate Inspection**

A form must be signed by the listing agent/bank or bank assignee is required. The turn on/turn off for an inspection only is:

\$40.00 - 1 day turn on/off

5. After-Hours Call Out Fee

The fee for staff to respond to a call for emergency turn off due to leak after normal working hours is:
\$96.00

*Waive fees for the first and second emergency turn off; after the second turn off, a letter will be mailed to the customer. The after hours call out fee will apply to the third and all subsequent emergency turn offs. This benefit resets every five years.

- a) Customers who make excessive after hours calls to the answering service during the same day will be charged a \$5.00 fee for each call in excess of two calls during the same day.

6. Variance

Management and Legal Counsel are required to review an application for a variance.
\$200.00

7. Copying Fees

Fee for providing reproduction services; per page charge.
\$0.25 per page

8. Door Hanger Charge

The fee when a door hanger is needed to notify the customer or occupant of important information.
\$20.00

9. Check Processing Fee

This fee will be incurred when any of the follow are requested:

- Request to issue refund check to a customer (credit balance on active account),
- Request to issue a deposit refund to multiple recipients
- Request a refund check outside of the normal billing/closing bill process (if earlier than 15 days after close of account.
- Request for a check to be made out to in individual rather than a trust. (In cases when the account is in the name of a trust)

\$15.00 per check issued or to re-issue a check

10. Stop Payment Fee

When the District needs to place a stop payment on a District issued check (due to lost, damaged, etc.).

\$30.00 per check (\$30 fee will be deducted from original check amount issued)

The cost to re-issue a new check at the customer or vendor request is \$15.00. See Item 9.

11. Credit Card Convenience Charge

A \$3.00 fee is charged for all utility payments made by credit card when not paying in person.

A \$1.00 convenience fee will be charged for all credit card transactions in the Recycling Center/ Thrift Store.

12. Credit Check Fee

A **\$5.00** fee is charged to perform a credit check as a means of waiving a customer deposit.

13. Disconnect Fee

The fee to turn off water service for non-payment. When performed during normal working hours the fee is: \$50.00

14. Reconnect Fee

The fee to turn water service on after service has been turned off for non-payment.

- a) When performed during normal working hours the reconnect fee is: \$20.00
- b) When performed after normal working hours the reconnect fee is: \$96.00

15. Lien Fees

The fee to ensure payment for unpaid water and sewer related charges against the property.

The fee for preparation and recordation of the Lien and the subsequent Release of Lien are as follows:

\$109.00 + lien release cost as a pass-through (As of 1/1/2020 the County fee is \$20).

16. Alternative Payment Plan Establishment Fee

\$25 Fee to establish an alternative payment plan for customers.

DAMAGE and ILLEGAL USE FEES:

1. Damaging sewer infrastructure during tie-in

There shall be a charge of Cost plus 15% for any damage caused during the tie in of the sewer lateral to the collection main during new construction or customer-side repairs.

2. Damages to District Facilities

Charge shall be Cost plus 15% for any damage to water, wastewater, or park infrastructure including but not limited to: MXU, Meter Register, cut wires, damaged angle-meter stop, sewer manhole, sewer mains, sewer cleanouts, sewer chimney, sewer laterals, graffiti on District property, etc. Charge due to damage may include 50% of replacement of service line.

Intentional Damage Charge

Charges for intentional damage to HCSD's equipment, facilities or infrastructure shall be charged:

\$35.00 per incident + costs of parts and labor + 15% administration fee.

Misdemeanor Charge

Administrative time and actual field time plus any related materials charge to handle a misdemeanor violation.

\$60.00 + costs of parts and labor + 15% administration fee.

Damages to Park Facilities

Administrative time and actual field time plus any related materials charge to handle damages, make police report, coordinate with insurance, etc.

Costs of parts and labor + 15% administration fee.

3. Police Report

In the event a police report is filed the charge is:

Cost + 15%

4. Cessation of Sewer service due to illegal usage

In the event of illegal/unauthorized usage of the sewer system a property can be blocked from usage.

Cost plus 15%.

5. Flow Restrictor Installation/Removal

For means of enforcement of the District Rules & Regulations, implementation of conservation mandates, and/or other circumstances under which the District deems necessary, the charge for installation and removal of the flow restrictor is:

Cost + 15%

6. Broken Utility Lock

In the event the lock is damaged or removed the following fee applies:

Cost + Labor + 15%

7. Broken Angle Meter Stop (A-Stop)

Any combination of the following charges may apply:

- If the A-Stop is repairable the charge is: \$50.00 + Cost + 15%
- If the A-Stop cannot be repaired and a new service line will need to be pulled the charge is: Cost + 15%
- If existing service line can be compressed in order to make necessary repair the charge is: 50% of the cost of new service installation + 15% (This process compromises the service line and can only be done twice before line needs to be replaced.)

8. Meter Pull/Meter Reset In the event the meter is pulled (due to tampering, to check meters performance per customer request, etc.) the fee is:

\$100.00 + Cost + 15%

To reset the meter the charge is:

\$100.00 + Cost + 15%

9. Unauthorized Water Usage/Theft of Water

This includes unauthorized use of water for domestic, commercial or fire flow purposes and can include one or more of the following:

--An illegal connection of water via a hose or other device across property lines and between two residential or commercial units.

--Use of water after a meter lock has been cut or meter tampered with

\$150.00 per instance

\$150.00 + cost of repairs and water usage.

If usage amount cannot be verified then a water cost equivalent to an average of the last twelve months will be charged.

10. Obstruction Charge

On occasion, customers intentionally obstruct their meters making it difficult for field staff to read or maintain the meter. After a phone call and door hanger notifying customer of obstruction the following will be charged:

\$35.00 per technician site visit to property plus monthly average of water usage based upon the previous twelve months until the meter is unobstructed.

Once meter read is obtained, usage amount will be modified accordingly.

11. Unauthorized Move of Temporary Construction Meter

Fee for movement of a temporary construction meter without authorization.

\$90.00