



# Helendale Community Services District

BOARD OF DIRECTORS MEETING  
May 2, 2019 at 6:30 PM  
26540 Vista Road, Suite C, Helendale, CA 92342

## Call to Order - Pledge of Allegiance

### 1. Approval of Agenda

2. **Public Participation** - *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.*

### 3. Consent Items

- Approval of Minutes: April 18 Regular Board Meeting
- Bills Paid and Presented for Approval

### 4. Reports

- Directors' Reports
- General Manager's Report

## New Business

- Discussion Only Regarding Development of a BMX Bike Area
- Discussion and Possible Action to Authorize purchase of a Water Truck for the Water Department
- Discussion and Possible Action Regarding Adoption of Resolution 2019-04: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Compensation, Reimbursement, and Ethics Training
- Discussion Only Regarding Review of Ordinance No. 2016-03: An Ordinance of the Helendale Community Services District Setting Compensation for its Board of Directors

## Other Business

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

## Other Business

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

## Closed Session

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

## 12. 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.*

## Providing:

- Water
- Wastewater
- Park & Recreation
- Solid Waste Management
- Street lighting
- Graffiti Abatement for the Helendale Community

## OFFICE HOURS:

Monday-Friday  
8:00 – 5:30 p.m.

## PHONE:

760-951-0006

## FAX:

760-951-0046

## ADDRESS:

26540 Vista Road  
Suite B  
Helendale, CA  
92342

## MAILING

### ADDRESS:

PO BOX 359  
Helendale, CA  
92342

Visit us on the Web  
at:

[www.helendalecsd.org](http://www.helendalecsd.org)





# Helendale Community Services District

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Date: May 2, 2019  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
BY: Sharon Kreinop / Cheryl Vermette  
SUBJECT: Agenda item #3  
Consent Items

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## CONSENT ITEMS

- a. Approval of Minutes: April 18 Regular Board Meeting
- b. Bills Paid and Presented for Approval



Minutes of the Helendale Community Services District  
BOARD OF DIRECTORS MEETING FOR  
April 18, 2019 at 6:30 PM  
26540 Vista Road, Suite C. Helendale, CA 92342

**Board Members Present:**

Ron Clark - President; Tim Smith - Vice President; Sandy Haas, Secretary (arrived at 6:54 pm); Craig Schneider - Director; Henry Spiller – Director

**Staff Members Present:**

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

**Consultants:**

Steve Kennedy, Legal Counsel

**Members of the Public:**

There were five (5) members of the public present.

**Call to Order and Pledge of Allegiance**

The meeting was called to order at 6:30 by President Ron Clark, after which the Pledge of Allegiance was recited.

**1. Approval of Agenda**

**Discussion:** General Manager Cox requested to add item 8A: Discussion and Possible Action Regarding Purchase of Water Rights and item 9A: Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation, Pursuant to Government Code Section 54956.9 (d)(2), One Potential Case.

**Action:** A motion was made by Director Schneider to approve the agenda as amended. The motion was seconded by Director Spiller.

**Vote:** Motion carried by the following vote: 4 Yes – 0 No – 1 Absent

**2. Public Participation**

Christian Gunter, Field Representative for First District Supervisor Robert Lovingood announced the County of San Bernardino will be hosting a veteran's fair at the Apple Valley Conference Center. At the next Yermo on May 8<sup>th</sup>, CSD multi-District luncheon, CSDA representative Chris Palmer will be speaking. Deputy Gates, San Bernardino County Sheriff's Department, gave the crime statistics for February and March 2019.

**3. Consent Items**

- a. Approval of Minutes: April 4, 2019 Regular Board Meeting a
- b. Bills Paid and Presented for Approval

**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: 4 Yes – 0 No – 1 Absent

#### 4. Reports

##### a. Directors' Reports

Director Schneider reported that he attended the Association of San Bernardino County Special Districts meeting.

##### b. General Manager's Report

General Manager Cox reported that Clean Up day will be held on Saturday, April 27<sup>th</sup>. The fire engine dedication will also be held on April 27<sup>th</sup>. The Budget workshop is scheduled for April 29<sup>th</sup>. GM Cox attended a meeting with Southern California Edison and they offered to make a presentation to the Board regarding the outages in Helendale/Silver Lakes.

Water Operations Manager Carlson gave the water report. Staff completed the Watermaster report and the monthly coliform report. Staff repaired service line leak on Bluegrass, began weeding tank and well sites and they are continuing the meter replacement program. Staff also met with Nobel to address modifications to meter module on GIS. Water Operator III Jonathan Escobar passed his SWRCB Distribution Grade IV exam

General Manager Cox gave the Administration and Financial update. There were 45 account transfers in March. 49 people attended Open Gym in March. The total cash balance is \$5,583,983. Water has a balance of \$1,322,859, Wastewater has a balance of \$3,752,070, Park has a balance of \$387,177 and Admin has a balance of \$113,249. The total deposits for March were \$379,134 and disbursements were \$282,211.

#### New Business

##### 5. Discussion Only Regarding Third Quarter/Year-to-Date Budget Review

**Discussion:** The information presented is through March 31. We are three quarters of the way through the fiscal year and are on target for revenue and expenditures are at 75%. Some items are paid at the beginning of the fiscal year. Water Department revenue is \$1,780,647 and expenditures are at \$1,483,619; wastewater revenue is at \$1,002,037 and expenditures are \$1,109,522; solid waste revenue is at \$514,543 and expenditures are at \$48,404; the park revenue is at \$272,513 and expenditures are at \$292,756; and the recycling center revenue is at \$227,982 and expenditures are at \$128,192. The water fund has a year to date water surplus of \$266,534, misc A/R & A/P change is \$70,260 and year to date net change in cash of \$196,234. The wastewater fund has a year to date wastewater surplus of \$107,485, misc A/R & A/P change is \$39,541 and year to date net change in cash of -\$147,027. The recycling center has a year to date recycling surplus of \$99,789, misc A/R & A/P change is \$2,286 and year to date net change in cash of \$102,076. The Park fund has a year to date surplus of \$54,241, misc A/R & A/P change is \$49,120 and year to date net change in cash of -\$103,361. Solid Waste has a year to date water surplus of \$27,138, misc A/R & A/P change is \$45,599 and year to date net change in cash of -\$18,461. Property Rentals have a year to date water surplus of \$2,626, misc A/R & A/P change is \$24,956 and year to date net change in cash of \$27,582. The Board reviewed the first quarter budget in October, the mid-year budget review was in February and the end of year budget review will be in September.

**Action:** There was no action on this item.

##### 6. Discussion and Possible Action Regarding Review of Updated Water CIP for 2020-2024

**Discussion:** GM Cox and Water Operations Manager Craig Carlson went through each line item on the water CIP and gave explanations for any changes in timing or costs. Director Schneider requested that water projects be prioritized. Director Schneider also wanted staff to put together anticipated revenue for new homes built including the connection fees and other potential revenue.

**Action:** There was no action on this item.

7. Discussion and Possible Action Regarding Review of Updated Park CIP for 2020-2024

**Discussion:** GM Cox went through each line item on the park CIP and gave explanations for any changes in timing or costs. GM Cox explained the source for the project list came from public meetings, surveys from the community, the Board's project prioritization and the Park DIF project list.

**Action:** There was no action on this item.

*Director Haas arrived during item #7 at 6:54 pm*

8. Discussion and Possible Action Regarding 4-Plex and Gym Conversion

**Discussion:** Both of these projects have merit and are feasible. Neither of the options are on the Capital Improvement Plan. The Board would need to give staff direction regarding priority for the projects and approximate timing for the projects. More information is needed on both projects. The conversion of the 4-plex was originally discussed on 2/21/2019. At that time the Board requested more information on the net revenue, potentially load bearing walls, and size. The net revenue is approximately \$22,600 annually. The dividing walls appear to be load bearing. The four units are 600 square feet each. The gym conversion was originally discussed at the Park and Rec committee meeting. The unit is 5,000 square feet and is currently occupied by a tenant. The net revenue is \$12,000. Director Schneider discussed possible uses including using the space for basketball as well as an additional indoor area for the Farmers Market. The Board came to the consensus that the timing was not right for the projects and wanted to add both the CIP for 2024. Director Spiller suggested asking the current tenant for the gym what her long-term plans are for use of that space. The Board also requested that staff put together a loss of revenue chart and how that might affect the District long term. The Board also wanted to see more information on the costs to convert and an estimate of how many people would use the space if converted.

8A. Discussion and Possible Action Regarding Purchase of Water Rights

**Discussion:** The recent 5% rampdown of Base Annual Production (BAP) resulted in a reduction of 187 AF of Free Production Allowance (FPA). The District purchased 242 AF recently for \$4,850 resulting in 133 AF of FPA. The District is still short 54AF to replace all of the loss. The District is proposing a purchase of 50AF of BAP, which will result in 27.5 AF of FPA, for \$4,815 per AF, for a total of \$250,000. The payment for the water rights will not be made until July 1. Water rights are necessary to protect the community against Delta issues, etc. The District has enough water to serve the current needs of the community and can liquidate if an emergency exists, however water rights will be in shorter supply in the future.

**Action:** Director Schneider made the motion to approve the purchase of 50 AF of BAP including FPA for a cost not to exceed \$250,000 to be paid July 1. Director Haas seconded the motion.

**Vote:** The motion was approved by the following roll call vote: 5 – Yes 0 – No

Director Schneider: Yes; Director Haas: Yes; President Clark: Yes; Vice President Smith: Yes; Director Spiller: Yes

**Other Business**

9. Requested items for next or future agendas (Directors and Staff only)  
Director Schneider requested to review Directors fees and days of service

President Clark called for a brief recess at 7:34 pm after which Closed Session began.

**Closed Session**

President Clark called the Closed Session to Order at 7:40 pm

- 9A. Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation  
Pursuant to Government Code Section 54956.9 (d)(2)  
One Potential Case

**10. Announcement of Closed Session Actions**

President Clark called to order the Open Session of the Board meeting at 7:55 pm and Legal Counsel announced there was no reportable action resulting from closed session items.

**11. Adjournment**

**Action:** President Ron Clark adjourned the meeting at 7:56 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 CSD

# Bills Paid and Presented for Approval

## Transaction Detail

Issued Date Range: 04/12/2019 - 04/26/2019

Cleared Date Range: -

| Issued Date                                   | Number                     | Description   | Amount     | Type  | Module           |
|---|----------------------------|---|------------|-------|------------------|
| <b>Bank Account: 251229590 - CBB Checking</b> |                            |   |            |       |                  |
| 04/12/2019                                    | <a href="#">EFT0002727</a> | To record payroll fee payment                                     | -179.29    | EFT   | General Ledger   |
| 04/15/2019                                    | <a href="#">EFT0002726</a> | To record Tasc Flex Claim Pmt Payroll Date 4/19/19                | -559.59    | EFT   | General Ledger   |
| 04/16/2019                                    | <a href="#">EFT0002722</a> | To record CalPERS Pmt Classic PP 3/4/19-3/17/19                   | -5,511.79  | EFT   | General Ledger   |
| 04/16/2019                                    | <a href="#">EFT0002723</a> | To record CalPERS Pmt PEPRA PP 3/4/19-3/17/19                     | -1,003.62  | EFT   | General Ledger   |
| 04/16/2019                                    | <a href="#">EFT0002724</a> | To record CalPERS Pmt 457 Contribution PP 2/18/19-3/3/19          | -575.00    | EFT   | General Ledger   |
| 04/16/2019                                    | <a href="#">EFT0002725</a> | To record CalPERS Pmt 457 Contribution PP 3/4/19-3/17/19          | -575.00    | EFT   | General Ledger   |
| 04/17/2019                                    | <a href="#">21771</a>      | MICHAEL CHAVEZ  | -110.01    | Check | Utility Billing  |
| 04/18/2019                                    | <a href="#">21772</a>      | USA Blue Book   | -6,167.07  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21773</a>      | Southern California Edison  | -357.12    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21774</a>      | Southern California Edison  | -1,161.89  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21775</a>      | Southern California Edison  | -14,868.61 | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21776</a>      | Brian K. Mc Namara  | -936.17    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21777</a>      | Brunick, McElhane & Kennedy                                       | -3,637.50  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21778</a>      | Burrtec Waste Industries, Inc.                                    | -48,921.11 | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21779</a>      | Choice Builder  | -931.11    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21780</a>      | Consolidated Electrical Distributors, Inc.                        | -280.33    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21781</a>      | Diane Ona   | -45.00     | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21782</a>      | Frontier Communications   | -62.19     | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21783</a>      | Home Depot Credit Services  | -204.02    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21784</a>      | Jonathan A. Escobar   | -635.00    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21785</a>      | Konica/Minolta  | -524.70    | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21786</a>      | Print Mart  | -75.59     | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21787</a>      | Rudy Villareal & Son Inc  | -1,200.00  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21788</a>      | SWRCB FEES  | -1,282.00  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">21789</a>      | USA Blue Book   | -1,105.46  | Check | Accounts Payable |
| 04/18/2019                                    | <a href="#">EFT0002729</a> | To post Payroll pmt - Dir Deposit PP 4/1/19 - 4/14/19             | -34,092.95 | EFT   | General Ledger   |
| 04/18/2019                                    | <a href="#">EFT0002730</a> | To post Payroll pmt - PR Tax Pmt PP 4/1/19 - 4/14/19              | -8,772.45  | EFT   | General Ledger   |
| 04/23/2019                                    | <a href="#">EFT0002731</a> | To record Bank Account Analysis Fees                              | -535.13    | EFT   | General Ledger   |
| 04/24/2019                                    | <a href="#">21790</a>      | TRISTA HUINKER  | -184.40    | Check | Utility Billing  |
| 04/24/2019                                    | <a href="#">21791</a>      | FREEDOM MORTGAGE  | -1,115.51  | Check | Utility Billing  |
| 04/24/2019                                    | <a href="#">21792</a>      | ALFONSO R ZENDEJAS  | -14.57     | Check | Utility Billing  |
| 04/24/2019                                    | <a href="#">EFT0002732</a> | To record Sales Tax Pmt - 3rd Quater Return Period Ending 3/31/19 | -1,845.00  | EFT   | General Ledger   |
| 04/25/2019                                    | <a href="#">21793</a>      | Cashier, CDFA   | -742.00    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21794</a>      | County of San Bernardino, Solid Waste Mgmt. Div.                  | -928.04    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21795</a>      | Craig Schneider   | -798.72    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21796</a>      | Daily Press   | -617.50    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21797</a>      | Desert Community Bank   | -263.67    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21798</a>      | Frontier Communications   | -78.74     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21799</a>      | Frontier Communications   | -57.43     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21800</a>      | Grainger, Inc   | -68.33     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21801</a>      | Harbor Freight Tools  | -97.39     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21802</a>      | Henry Spiller   | -767.40    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21803</a>      | Mojave Desert AQMD  | -323.01    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21804</a>      | Official Payments Corp  | -58.00     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21805</a>      | Shred-it USA LLC  | -76.71     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21806</a>      | Staples Office Supplies   | -762.45    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21807</a>      | Tyler Technologies, Inc.  | -137.00    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21808</a>      | UIA Ultimate Internet Access, Inc                                 | -687.80    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21809</a>      | United Site Services  | -312.36    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21810</a>      | Verizon Wireless  | -96.90     | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21811</a>      | Verizon Wireless  | -591.14    | Check | Accounts Payable |
| 04/25/2019                                    | <a href="#">21812</a>      | Fedak & Brown LLP   | -1,050.00  | Check | Accounts Payable |

**Bank Transaction Report**

**Issued Date Range: -**

| <b>Issued Date</b> | <b>Number</b>              | <b>Description</b>                        | <b>Amount</b>      | <b>Type</b> | <b>Module</b>  |
|--------------------|----------------------------|---|--------------------|-------------|----------------|
| 04/26/2019         | <a href="#">EFT0002728</a> | To record payroll fee payment             | -181.52            | EFT         | General Ledger |
|                    |                            | <b>Bank Account 251229590 Total: (53)</b> | <b>-146,165.29</b> |             |                |
|                    |                            | <b>Report Total: (53)</b>                 | <b>-146,165.29</b> |             |                |



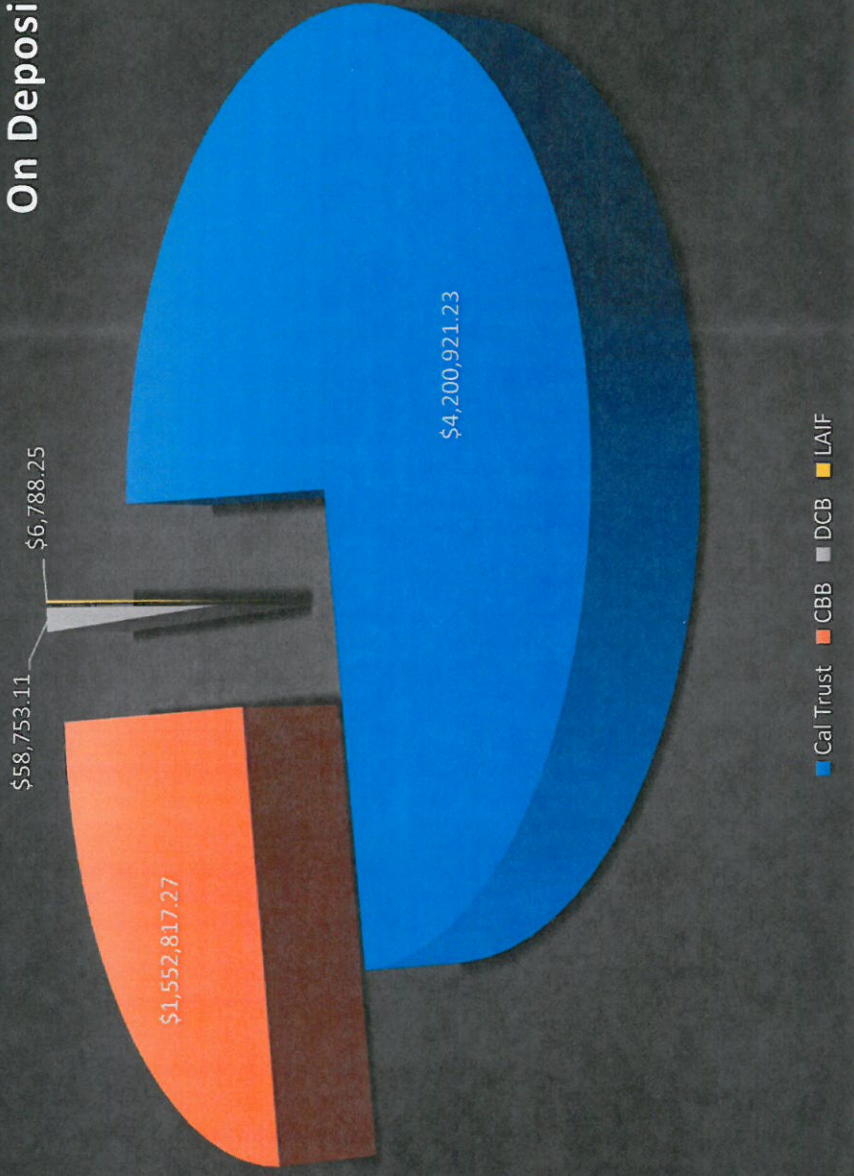
Bank Transaction Report

| Bank Account                           | Count     | Amount             |
|--|-----------|--------------------|
| <a href="#">251229590 CBB Checking</a> | 53        | -146,165.29        |
| <b>Report Total:</b>                   | <b>53</b> | <b>-146,165.29</b> |

| Cash Account  | Count     | Amount             |
|---|-----------|--------------------|
| <a href="#">99 99-111000 Cash in CBB - Checking</a> | 53        | -146,165.29        |
| <b>Report Total:</b>                                | <b>53</b> | <b>-146,165.29</b> |

| Transaction Type     | Count     | Amount             |
|----------------------|-----------|--------------------|
| Check                | 42        | -92,333.95         |
| EFT                  | 11        | -53,831.34         |
| <b>Report Total:</b> | <b>53</b> | <b>-146,165.29</b> |

# On Deposit





# Helendale Community Services District

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Date: May 2, 2019  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #5  
Discussion Only Regarding Location of a BMX Park

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**STAFF RECOMMENDATION:**

Staff seeks further direction on this item.

**STAFF REPORT:**

This item was requested to be placed on the agenda at the last Board meeting. The proposed location would be the property owned by the District along Helendale Road and Smithson Road between the Silver Lakes Equestrian Center and the SLA RV Park.

An aerial of the location is included with the staff report to provide additional information for the Board's discussion of this matter. Staff will provide additional information based upon the Board's direction at a subsequent meeting.

**FISCAL IMPACT:** None at this time

**REQUESTED ACTION:** Provide further direction to Staff

**ATTACHMENTS:** Map of proposed location

# Helendale CSD Property on Wild Rd



1" = 752 ft

Sub Title

04/29/2019



This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up to date information.



# Helendale Community Services District

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Date: May 2, 2019  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #6  
Discussion and Possible Action Regarding Approval of the Purchase of a Used Water Truck

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**STAFF RECOMMENDATION:**

Staff recommends approval.

**STAFF REPORT:**

Recently the Staff reviewed with the Board the Capital Improvement Plan and it was discussed at that time that the purchase of a used water truck has been challenging due. The on-line marketplace is dynamic and does not lend itself to identification of a used truck, board approval and purchase as these items are acquired by the first willing buyer. The District's mechanic has been looking for some time but has found that the trucks are quickly purchased.

Staff would like to seek approval from the Board to purchase a carb-compliant water truck for an amount not to exceed \$50,000 and bring the purchase to the Board at the first available meeting after the purchase.

**FISCAL IMPACT:** Up to \$50,000

**REQUESTED ACTION:** Approve expenditure of up to \$50,000

**ATTACHMENTS:** None.



# Helendale Community Services District

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Date: May 2, 2019  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #7  
Discussion and Possible Action Regarding Adoption of Resolution 2019-04: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Compensation, Reimbursement and Ethics Training

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**STAFF RECOMMENDATION:**

Review and approval of the resolution

**STAFF REPORT:**

Annually the resolution regarding compensation, reimbursements and ethics training is reviewed by the Board. With the request to review the compensation ordinance, Staff felt it was appropriate to also review this resolution which was one of the first actions taken by the Board in early 2007 to set forth guidelines for certain actions and provide transparency to the public. This resolution defines what a meeting is and includes Exhibit A that provide specific examples of compensable meetings. The resolution in section 2.7 also outlines the requirement to provide a brief report about meetings attended which is done at open board meetings under Director's comments.

**FISCAL IMPACT:** None

**REQUESTED ACTION:** Approve Resolution 2019-04

**ATTACHMENTS:** Resolution 2019-04



**RESOLUTION NO. 20198-2104**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING POLICIES FOR ITS  
COMPENSATION, REIMBURSEMENT, AND ETHICS TRAINING**

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

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

B. The District is governed by an elected Board of Directors (the Board) whose activities are subject to the requirements of California law, including but not limited to the Local Government Sunshine Bill (AB 1234).

C. The purpose of this resolution is to ensure compliance with AB 1234 and to establish policies with respect to (1) Board member compensation, (2) Board member reimbursement, and (3) Board member ethics training.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS of the Helendale Community Services District as follows:

Section 1. **COMPENSATION.**

1.1. **Amount.** The amount of Board member compensation by the District shall be determined in accordance with all applicable requirements of California law. Pursuant to said requirements, the Board shall set the amount of such compensation at a rate established by adoption of a separate ordinance or resolution.

1.2. **Day of Service.**

1.2.1. **Definition.** For purposes of determining eligibility for compensation of Board members pursuant to the ordinance or resolution referred to in Section 1.1 above, the term “day of service” is defined as follows, and Board member attendance, representation, and participation shall be deemed previously approved by the Board, pursuant to Government Code Section 61047(e):

- (a) Attendance at a meeting of the Board;
- (b) Participation at a meeting of a standing committee of the Board;
- (c) Attendance at a meeting of an ad hoc committee of the Board;
- (d) Attendance at a meeting with the District’s General Manager involving the operations of the District;
- (e) Attendance at a meeting with the District’s auditors, attorneys, or other consultants involving matters for which the consultants have been retained by the District;
- (f) Attendance at a meeting of a local, state, or federal body with subject matter jurisdiction affecting the operations of the District;
- (g) Attendance at a meeting with a local, state, or federal representative concerning matters involving the operations of the District;
- (h) Participation in the following activities, provided that the Board member delivers a written or oral report to the Board regarding the member’s participation at the next Board meeting following the event:
  - (1) A conference, seminar, or organized educational or training



activity involving matters related to the functions and operations of the District; and

(2) A meeting of organizations or community members with interests in matters involving the function and operations of the District;

(i) Representation of the District at the following events, provided that the Board member delivers a written or oral report to the Board regarding the member's representation at the next Board meeting following the event:

(1) A public meeting or a public hearing conducted by another public agency;

(2) A public benefit nonprofit corporation on whose board the District has membership;

(j) Any occurrence that is listed in Exhibit "A" attached hereto and incorporated herein by this reference; and

(k) All other occurrences for which the Board member has obtained prior approval from the Board to attend or participate on behalf of the District.

1.2.2. Daily Limitation. If a Board member attends or participates in multiple meetings in a single day, the Board member shall only be eligible for compensation for one meeting on that day.

1.3. Procedure. To receive compensation for attendance or participation at approved meetings, a Board member shall submit to the District's General Manager a payment request for the calendar month by the first regular Board meeting of the following month. Thereafter, the District's General Manager will issue a check to the Board member in the amount of the payment

request to the extent consistent with this Resolution. The check number, name of the Board member, and amount of the check shall be included in the agenda materials for the next public meeting. If a Board member fails to timely submit his or her compensation request in the manner set forth above, payment thereof will only be made to the Board member upon formal approval by the Board taken in the exercise of its discretion within the same fiscal year in which the day of service was provided.

Section 2. **REIMBURSEMENT.**

Pursuant to Government Code Section 61047(c), the District shall reimburse Board members for their actual and necessary traveling and incidental expenses incurred while on official business as provided herein.

2.1. **Qualifying Events.** Pursuant to Government Code Section 53232.2(b), the types of occurrences that qualify a Board member to receive reimbursement of eligible expenses set forth in Section 2.2 below shall be any occurrence that is listed in Section 1.2.1 of this Resolution.

2.2. **Eligible Expenses.** Expenses eligible for reimbursement shall be limited to (1) registration or tuition costs, or other charges for participation at the meeting; (2) transportation to and from the meeting, including airfare, car rental, or mileage for use of a Board member's own automobile, and other miscellaneous transportation costs (shuttle, taxi, parking, etc.); (3) lodging at the single-room rate; and (4) costs of meals as set forth in Section 2.3.4.

2.3. **Rates.**

2.3.1. **Registration, Tuition, and Meeting Charges.** The District reimbursement rate for registration or other charges for participation at a meeting shall be the actual amount

incurred, not to exceed the maximum rate published by the conference or activity sponsor for timely registration after applying all applicable deductions for any available discounts.

2.3.2. Transportation.

(a) Members of the Board must use government and group rates offered by a provider of transportation services for travel when available. If such rates are not available, the District reimbursement rate for Board member transportation shall be the actual amount incurred, not to exceed the cost of round-trip coach airfare.

(b) The District reimbursement rate for mileage by use of a Board member's own vehicle shall be calculated on the basis of total miles driven for District purposes at the rate specified in the Internal Revenue Code in effect at the time of the vehicle usage.

(c) The District reimbursement rate for vehicle parking by a Board member shall be the actual amount incurred.

2.3.3. Lodging. Members of the Board must use government and group rates offered by a provider of lodging services when available. If the lodging is in connection with an accepted conference or organized educational activity, lodging costs must not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board at the time of booking. If a government or group rate is not available, the District reimbursement rate for Board member lodging shall be the actual amount incurred, not to exceed the rate for comparable lodging.

2.3.4. Meals. The District reimbursement rate for Board member meals shall be the actual amount incurred, not to exceed the applicable Internal Revenue Service rates for reimbursement as established in Publication 463 or any successor publication, or \$100.00,

whichever is less, for each day of service outside the District’s boundaries.

2.3.5. Other. District reimbursement of all other actual and necessary expenses incurred by a Board member shall be computed using the applicable Internal Revenue Service rates for reimbursement as established in Publication 463, or any successor publication. All expenses that do not fall within this reimbursement policy or the Internal Revenue Service reimbursable rates, as provided above, shall be approved by the Board in a public meeting before the expense is incurred.

2.4. Budget Limits. The maximum amount of District-paid expenses that each Board member may annually incur without separate prior Board approval is \$2,000 each fiscal year.

2.5. Ineligible Expenses. Board members shall not be eligible for District reimbursement of any expenses incurred by any person traveling or attending a meeting as a guest of the Board member. No Board member shall be eligible for District reimbursement of any expenses for personal services not related to District business.

2.6. Expense Forms. The District shall provide expense report forms to be filed by the members of the Board for reimbursement for actual and necessary expenses incurred on behalf of the District in the performance of official duties. The expense reports shall document that expenses meet the policy reflected in this Resolution for expenditure of public resources. Board members shall submit to the District’s General Manager expense reports for the calendar month by the first regular Board meeting of the following month, and the reports shall be accompanied by the receipts documenting each expense. Thereafter, the District’s General Manager will issue a check to the Board member in the amount requested in the expense report to the extent consistent with this Resolution. The check number, name of the Board member, and amount of

the check shall be included in the agenda materials for the next public meeting. If a Board member fails to timely submit his or her expense report in the manner set forth above, payment thereof will only be made to the Board member upon formal approval by the Board taken in the exercise of its discretion within the same fiscal year in which the day of service was provided. All documents related to reimbursable District expenditures are public records subject to disclosure under the California Public Records Act.

2.7. **Report.** Board members shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board.

Section 3. **ETHICS TRAINING.**

3.1. **Requirement.** Each local agency official of the District must receive training in ethics laws no later than one year from the first day of service with the District. Thereafter, each local agency official must receive such training at least once every two years.

3.2. **Application.**

3.2.1. **Local Agency Official.** As used in Section 3.1 of this Resolution, the term “local agency official” means all of the following:

- (a) All Board members; and
- (b) All executive staff of the District.

3.2.2. **Ethics Laws.** As used in Section 3.1 of this Resolution, the phrase “ethics laws” includes, but is not limited to, the following:

- (a) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws;
- (b) Laws relating to claiming prerequisites of office, including, but not

limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies;

(c) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws; and

(d) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

### 3.3. **District Responsibilities.**

3.3.1. **Records.** The District shall maintain records indicating (a) the dates that local agency officials satisfied the requirements of Section 3 of this Resolution and (b) the entity that provided the training. The District shall maintain these records for at least five years after local agency officials receive the training. These records are public records subject to disclosure under the California Public Records Act.

3.3.2. **Notice.** The District is required to provide information on training available to meet the requirements of Section 3 of this Resolution to its local agency officials at least once annually.

### Section 4. **REVIEW OF RESOLUTION ON ANNUAL BASIS.**

Each year the Board shall review this Resolution to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board

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

Section 5. **SEVERABILITY.**

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

Section 6. **EFFECTIVE DATE.**

This Resolution supersedes Resolution No. 201~~86-139~~ adopted by the Board on ~~August~~ ~~October~~ 4, ~~2016~~2018, and shall take effect immediately upon its adoption.

ADOPTED this 24<sup>th</sup>nd day of ~~October~~May, ~~2018~~2019

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Ron Clark, Vice President

ATTEST:

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Sandy Haas, Secretary

## Exhibit "A"

This list is to be used as examples of meetings outlined under Section 1.2.1 and is subject to change at the discretion of the Board.

Brown Act Meetings  
Regular and Special Board Meetings

Representation at a public hearing or public meeting of another government agency  
Mojave Water Agency  
Watermaster  
San Bernardino County  
LAFCO  
Various City Councils  
VVWRA

Meeting with a representative from County, State, or Federal Government  
Elected officials or representatives

Ad hoc committees of the Board  
Park and Rec Committee  
Recycled Water Committee

Meeting with District Consultants  
Attorney, Engineer, Auditor, etc.

Meetings of County, -Special District or LAFCO  
Tri-Communities Special District Luncheon  
Association of San Bernardino County Special Districts (ASBCSD)

Representation of the District on a non-profit Board  
Chamber of Commerce  
Homeowners Association

Training or education involving matters related to the functions and operations of the District  
Board member training through CSDA  
ABC's of Water seminars (Mojave Water Agency)  
Mojave Water Agency Tours





# Helendale Community Services District

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Date: May 2, 2019  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #8  
Discussion Only Regarding Review for Ordinance No 2016-03: An Ordinance of the Helendale Community Services District Setting Compensation for its Board of Directors

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**STAFF RECOMMENDATION:**

None.

**STAFF REPORT:**

This item was requested to be placed on the agenda for discussion by the Board.

The ordinance discusses that Board's compensation that is governed by the water code and the CDS law. The Water Code allows for up to 10 compensable meetings per month while the CDS law only allows for 6 meetings. The excerpt from the CDS law outlines this information:

*61047. (a) The board of directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than six days of service in a month. (b) The board of directors, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the amount of compensation that may be received by members of the board of directors.*

**Background of last review:**

At the August 4, 2016, meeting District's Legal Counsel reviewed the compensation options available to the Board of Directors. Per the Water Code Section 20202, the Board is entitled to an increase of 5% per year. Because the Board had not increased the \$100 compensation for ten years the compensation could have been increased to \$150. The Board provided subsequent direction to Staff to prepare and notice the ordinance to seek input regarding increasing the Board's compensation from \$100 per meeting to \$125 per compensable event. The ordinance was duly noticed in the Daily Press and at the Board meeting of 11/17/16, the Board approved an increase in compensation from \$100 per meeting to \$125 per meeting.

Staff seeks direction from the Board regarding this matter.

**FISCAL IMPACT:** Increase in Board compensation expense to be determined.

Budgeted amount: \$45,000 FY 2019  
Expended YTD: \$30,750

**REQUESTED ACTION:** Provide further direction to Staff.

**ATTACHMENTS:** Ordinance 2016-03

**ORDINANCE NO. 2016-03**

**AN ORDINANCE OF THE  
HELENDALE COMMUNITY SERVICES DISTRICT  
SETTING COMPENSATION FOR ITS BOARD OF DIRECTORS**

WHEREAS, the Board of Directors of the Helendale Community Services District (“the District”) finds as follows:

A. Pursuant to Resolution No. 2009-03 adopted by the District’s Board of Directors (“the Board”) on or about February 19, 2009, each member of the Board is entitled to receive compensation in the amount of \$100.00 for each day of service rendered on behalf of the District, not exceeding a total of six (6) compensable days in any calendar month.

B. Pursuant to Water Code Section 20202, the rate of such compensation may be increased by an amount not to exceed five percent (5%) for each calendar year following the operative date of the last adjustment.

C. The Board has not made any adjustment in the amount of compensation paid to a director since its original adoption of Resolution No. 07-03 on or about January 4, 2007.

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

1. Each Board member of the District shall be entitled to receive compensation in the amount of \$125.00 for each day of service (as that term is defined in Section 1.2 of Resolution No. 2016-13 as may be amended from time to time) rendered on behalf of the District, not exceeding a total of six (6) days in any calendar month, after the effective date of this Ordinance.

2. Compensation shall be paid to a director in accordance with the procedure set forth in Section 1.3 of Resolution No. 2016-13 (as may be amended from time to time).

3. This Ordinance shall take effect sixty (60) days after adoption pursuant to Water Code Section 20204.

ADOPTED this 17th day of November, 2016.

ROLL CALL:

Ayes: 5

Noes: 0

Abstain: 0

Absent: 0



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Ron Clark, Vice-President  
Board of Directors

ATTEST:



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Sandy Haas, Secretary