



Helendale Community Services District

BOARD OF DIRECTORS MEETING
June 20, 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: June 6 Regular Board Meeting
- Bills Paid and Presented for Approval

4. Reports

- Directors' Reports
- General Manager's Report

New Business

- Discussion and Possible Action Regarding Concurrence on Park Design for Conceptual Drawing
- Discussion and Possible Action Regarding Adoption of Resolution 2019-10: A Resolution of The Board of Directors of The Helendale Community Services District Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds
- Discussion and Possible Action Regarding Review of Helendale Farmers Market Operation and Rules

Other Business

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

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at:

www.helendalecsd.org





Helendale Community Services District

Date: June 20, 2019
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Sharon Kreinop / Cheryl Vermette
SUBJECT: Agenda item #3
Consent Items

CONSENT ITEMS

- a. Approval of Minutes: June 6 Regular Board Meeting
- b. Bills Paid and Presented for Approval



Minutes of the Helendale Community Services District
REGULAR BOARD OF DIRECTORS MEETING FOR
June 6, 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; Craig Schneider - Director; Henry Spiller – Director

Staff Members Present:

Kimberly Cox, General Manager
Cheryl Vermette, Program Coordinator
Alex Aviles, Wastewater Operations Manager
Craig Carlson, Water Operations Manager
Shavon Aviles, Senior Customer Service Rep
Bill Kuhlmann, Wastewater Operator III
Robert Collison, Operator in Training
Robert Manley, Intern

Consultants:

Steve Kennedy, Legal Counsel

Members of the Public:

There were seven (7) members of the public present.

Call to Order and Pledge of Allegiance

The meeting was called to order at 6:33 by President Ron Clark, after which the Pledge of Allegiance was recited.

1. Approval of Agenda

Action: A motion was made by Vice President Smith 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

Christian Gunter, Field Representative for First District Supervisor, Robert Lovingood, announced that the anniversary of D-Day is today. The Veterans Resource Fair was last Thursday at the Conference Center in Apple Valley, and was well attended. Director Haas thanked Mr. Gunter for the speaker at the last Tri-Communities meeting.

3. Consent Items

- a. Approval of Minutes: May 16, 2019 Regular Board Meeting
- 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: 5 Yes – 0 No

4. Reports

a. Directors' Reports

None

b. General Manager's Report

General Manager Cox reported that the District received a check from Victorville for \$297,724 for a water lease. She introduced the District's new intern, Robert Manley, who has a Master's Degree in International Law, and he studied in England for 5 years. He is working on policies and helping in Customer Service.

Program Coordinator Vermette reported that the District has been awarded a Strategic Partners grant from Mojave Water Agency in the amount of \$12,500 for AMI Smart Meters. Our first concert in the park will be held on June 8th. We have several workshops coming up including a pruning workshop on June 28th from 6-8 pm, an essential oils workshop on June 25th at 6:30 pm, a teen driving program on July 12 and a senior driving program on July 26th. The District is also promoting Burrtec's Right Stuff recycling contest. Program Coordinator Vermette also gave the solid waste report: total recycling for the month of March was 62.42 tons; total refuse collection was 281.09 tons; green waste pickups totaled 5.45 tons for the month of May; metal recycling totaled 3.32 tons for the month of May; and there were 43 bulky item pick ups for the month of May.

Wastewater Operations Manager Aviles gave the wastewater report. The trickling filter feed pump shaft was ragged and would not spin. Staff removed the shaft shroud and was able to free shaft and impeller and cleaned out oil lubrication unit to ensure property lubrication of the pump. Staff installed two more orifices and splash plates on TF#2 by borrowing parts from TF#1. Staff performed a sewer inspection on Lakeview that had been illegally hooked up. Staff pumped down grit chamber and had Tunnel Vision pump out grit from plant sump pumps. Aviles also introduced the new Operator in Training, Robert Collison. Dyer Electric repaired the 480 volt leads coming into the electrical panels for the alfalfa fields, the leads had shorted causing severe damage to the components of the panel.

New Business

5. Public Hearing to Receive Comment and Possible Action Regarding Adoption of Resolution 2019-05: A Resolution of the Helendale Community Services Determining That There was No Majority Protest to Proposed Increases to Refuse Collection Services and Adopting a Rate Schedule for Such Charges and Superseding Existing Applicable Rates

Discussion: The District notified all affected rate payers by mailing notices. The public meeting was held on May 16th and tonight's meeting is the public hearing to receive comments and render if a majority protest exists. Each year Burrtec presents the CPI increase for solid waste pick up services. Section 10.05 outlines the annual formula-based compensation adjustment. Once submitted to the Board the request is accepted upon verification of CPI by Staff. The Board directs Staff to comply with public noticing requirements and schedule the public meeting and hearing. The increase can be no more than 4% in any given year. The requested CPI is 3.81%. This presentation discusses residential rates only. The commercial rates are included in "Exhibit A" of the notice. Residential customers who do not pay for disposal on tax bill pay an additional \$7.26 per month to cover that cost. The proposed increase is \$1.06 per month or \$0.26 per week for residential curbside pick-up service.

Public Hearing: President Clark opened the public hearing at 6:51 PM. Staff announced that to date there were three written protests received. Resident, Pashko Nikac, who has submitted a written protest spoke and said he does not agree with the increase. President Clark closed the public hearing at 6:52 pm.

Action: A motion was made by Director Schneider to adopt Resolution 2019-05: A Resolution of the Helendale Community Services District Determining that there was no majority protest to proposed increases to refuse collection services and adopting a rate schedule for such charges and superseding existing applicable rates. Vice President Smith 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

6. Public Hearing to Receive Comment and Possible Adoption of Resolution 2019-06; a Resolution of the Board of Directors of the Helendale Community Services District Approving and Adopting the Fiscal Year 2020 Annual Budget and Authorizing Appropriations Therefrom

Discussion: The budget development process occurs throughout the year. As Staff used the adopted budget for FY 2019 changes were noted for the FY 2020 budget. There were multiple discussions at agendaized Board meetings, and the process is completed with total transparency. There is an updated CIP in the budget, and every CIP project will be brought to the Board in a public meeting. Approval of the budget authorizes the expenditures of funds as outlined and all expenditures must be consistent with applicable laws and policies (i.e. the District's purchasing policy and prevailing wage laws). All funds have a positive balance at the end of FY 2020. General Manager Cox presented several charts that showed funding by category; major expenditures in water, wastewater, and solid waste; general revenue; and general expenditures.

Public Hearing: President Clark opened the public hearing at 7:03 pm. Resident, Pashko Nikac commented that the budget was overpriced and asked what was the increase from last year. General Manager Cox responded there was an increase of approximately \$100,000 in expenses from last year. Director Spiller commented that he believes this is one of the best run water agencies in the High Desert. President Clark closed the public hearing at 7:05 pm.

Action: A motion was made by Director Spiller to adopt resolution 2019-06, a resolution of the Helendale Community Service District Board of Directors approving and adopting the fiscal year 2020 annual budget and authorizing appropriations therefrom.

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

7. Discussion and Possible Action Regarding Adoption of Resolution 2019-07: A Resolution of the Board of Directors of the Helendale Community Services District Establishing the Appropriations Limit for Fiscal Year 2020 Pursuant to Article XIII B of the California State Constitution

Discussion: Establishing the appropriations limit is an annual requirement under Article XIII B of the California Constitution. The limit sets the amount of taxes and assessments that can be collected by an agency. Each year the limit is adjusted for population growth and for CPI changes. The California Department of Finance published the CPI at 3.85% and the population growth factor at 1.034%. The factor was applied to the \$720,267 limit amount from FY 2019. The new limit for FY19 is \$754,729, an

increase of \$34,462. The total FY 2020 projected taxes and assessments are \$395,238. The District taxes and assessments are \$359,491 below the voter approved limit, therefore, the District will not exceed the maximum limit. Any funds collected over the limit are required to be refunded to the taxpayers via a change in the tax rate over the following two years. Legal counsel Kennedy added that the GANN limit was adopted in 1979, but the amount the District uses is based on a ballot measure voted on by the public in 2009. Resident, Pashko Nicac asked about federal requirements. Legal Counsel Kennedy informed him this is a provision of the California Constitution, independent of the Federal Constitution.

Action: Vice President Smith made the motion to adopt Resolution 2019-07, establishing the appropriations limit for Fiscal Year 2020, pursuant to Article XIII B of the California State Constitution. 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

8. Discussion and Possible Action Regarding Adoption of Resolution 2019-08: A Resolution of the Board of Directors of the Helendale Community Services District Initiating Procedures to Continue Collection of Water and Sewer Standby Fees for Fiscal Year 2020

Discussion: This item must be presented on an annual basis. The District is allowed to utilize the County property tax process to collect the annual water and sewer standby fees. A standby fee is a charge for availability of service to vacant property that has access to a water and sewer main. The fee is \$30 for each vacant lot up to 1-acre. The total received as of 4/30/19 is \$17,995 for water; \$14,990 for Wastewater. The budget estimate is \$44,000. The standby fee is submitted to the County in August. The District completed an engineering report on October 2014 evaluated the Standby Fee. Any changes to the fee amount would require adherence to the 218 process. A protest hearing is scheduled for July 18, 2019 at 6:30 pm regarding the imposition of the standby charges, at the public hearing the Board will hear and consider any objections or protests to the proposed charges. To date there has never been a protest to this service-related fee.

Action: Director Haas made the motion to adopt Resolution 2019-08 initiating procedures to continue collection of water and sewer standby charges for Fiscal Year 2020. Director Schneider 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

9. Discussion and Possible Action Regarding Adoption of Employee Pay Schedule for Fiscal Year 2020

Discussion: CalPERS circular letter #200-050-16 outlines 8 requirements related to employee retirement compensation:

- Approved and adopted by the Board in a duly agendized meeting
- Identify position title for every employee
- Show payrate for each position
- Indicate the time basis (i.e. hourly, salary, etc)
- Make it available for the public via posting in office, website
- List effective date

- Retain for five years
- Does not reference another document (i.e. contract) in lieu of pay rate

The District's table of Organization included in the FY 2020 budget complies with these required elements.

Action: Director Schneider made the motion to adopt the pay schedule for Fiscal Year 2020. Director Spiller 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

10. Discussion and Possible Action Regarding Adoption of Resolution 2019-09: A Resolution of the board of Directors of the Helendale Community Services District Approving Award of a Sole-Source Contract to Westech Engineering for Replacement Grit Removal System

Discussion: Staff has been evaluating the issues with the existing Grit Removal System for several months. This equipment is essential to the plant operating within legal permit requirements. Time is of the essence in getting the system replaced. Portions of the existing Grit Removal System are 45 years old and the pump was installed in 2009. The equipment to be replaced is Westech. Westech parts have been standardized throughout the plant due to responsiveness, quality of materials and standardization of plant pumps. There are currently 7 other Westech pumps installed in the plant. Efficiencies are gained through this standardization. Staff is requesting that Board approve a sole-source contract with Westech Engineering based upon the foregoing factors. Purchasing Policy outlines requirements for sole source, the Board is required to make certain findings regarding sole source and a resolution memorializing the sole source must be adopted. Legal Counsel Kennedy went over the requirements regarding sole source contracts.

Action: Director Spiller made the motion to approve Resolution 2019-09: approving award of sole source contract to Westech Engineering for replacement grit removal system in an amount not to exceed \$84,643. Vice President Smith 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

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

None

12. **Adjournment**

Action: President Ron Clark adjourned the meeting at 7:30 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: June 20, 2019
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Sharon Kreinop, Senior Account Specialist
SUBJECT: Agenda item # 3 b.
Consent Item: Bills Paid and Presented for Approval

STAFF RECOMMENDATION:

Report Only. Receive and File

STAFF REPORT:

Staff issued 68 checks and 12 EFT's totaling \$226,089.51

Total cash available:	<u>6/16/19</u>	<u>6/3/19</u>
Cash	\$ 4,997,442.20	\$ 4,704,863.23
Checks/EFT's Issued	\$ 226,089.51	\$ 1,548,307.06

Investment Report

The Investment Report shows the status of invested District funds. The current interest rate is 2.44% for CalTRUST Short-Term and 2.18% for Medium-Term Investments, 2.44% for LAIF, and 0.25% for the CBB Sweep Account for May 2019. Interest earned in May 2019 on the CalTrust investments and the CBB Sweep Account is \$8,146.80



Helendale CSD

Bills Paid and Presented for Approval

Transaction Detail

Issued Date Range: 06/04/2019 - 06/16/2019

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
Bank Account: 251229590 - CBB Checking					
06/06/2019	21931	Beck Oil Inc	-2,353.58	Check	Accounts Payable
06/06/2019	21932	Burrtec Waste Industries Inc	-232.14	Check	Accounts Payable
06/06/2019	21933	Burrtec Waste Industries Inc	-14,450.86	Check	Accounts Payable
06/06/2019	21934	Burrtec Waste Industries Inc	-696.54	Check	Accounts Payable
06/06/2019	21935	CHARLIE BUI	-450.00	Check	Accounts Payable
06/06/2019	21936	City National Bank	-105,041.47	Check	Accounts Payable
06/06/2019	21937	G.A. Osborne Pipe & Supply Inc.	-92.13	Check	Accounts Payable
06/06/2019	21938	Geo-Monitor, Inc.	-585.00	Check	Accounts Payable
06/06/2019	21939	Hank Dyer Electric	-792.94	Check	Accounts Payable
06/06/2019	21940	Henry Spiller	-750.00	Check	Accounts Payable
06/06/2019	21941	Imperial Sprinkler Supply, Inc.	-145.52	Check	Accounts Payable
06/06/2019	21942	Inland Water Works Supply Co.	-1,654.50	Check	Accounts Payable
06/06/2019	21943	Jeff C. Hale	-900.00	Check	Accounts Payable
06/06/2019	21944	Official Payments Corp	-57.30	Check	Accounts Payable
06/06/2019	21945	Parkhouse Tire, Inc.	-2,641.68	Check	Accounts Payable
06/06/2019	21946	Print Mart	-112.99	Check	Accounts Payable
06/06/2019	21947	Rebecca Gonzalez	-375.00	Check	Accounts Payable
06/06/2019	21948	Ron Clark	-750.00	Check	Accounts Payable
06/06/2019	21949	Sandy Haas	-770.32	Check	Accounts Payable
06/06/2019	21950	SB Cnty Dept of Public Works	-230.00	Check	Accounts Payable
06/06/2019	21951	Shred-it USA LLC	-82.07	Check	Accounts Payable
06/06/2019	21952	Siverts Publishing	-150.00	Check	Accounts Payable
06/06/2019	21953	Staples Office Supplies	-261.52	Check	Accounts Payable
06/06/2019	21954	The Woodall Group, Inc	-20.00	Check	Accounts Payable
06/06/2019	21955	Tim Smith	-890.94	Check	Accounts Payable
06/06/2019	21956	Tyler Torres	-300.00	Check	Accounts Payable
06/06/2019	21957	Uline	-771.67	Check	Accounts Payable
06/06/2019	21958	United Site Services	-128.89	Check	Accounts Payable
06/06/2019	21959	UPS	-24.24	Check	Accounts Payable
06/06/2019	21960	USA of So. California	-61.15	Check	Accounts Payable
06/06/2019	21961	ETIC	-1,456.84	Check	Utility Billing
06/06/2019	21962	Southwest Gas Company	-153.31	Check	Accounts Payable
06/06/2019	21963	Southern California Edison	-61.98	Check	Accounts Payable
06/06/2019	21964	Southern California Edison	-1,459.19	Check	Accounts Payable
06/06/2019	21965	Southern California Edison	-60.65	Check	Accounts Payable
06/06/2019	21966	ANGEL HERNANDEZ	-229.39	Check	Utility Billing
06/06/2019	21967	MIKE AMATO	-51.76	Check	Utility Billing
06/07/2019	EFT0002777	To record CalPERS Health Premium Paid	-13,924.88	EFT	General Ledger
06/07/2019	EFT0002790	To record payroll fee payment	-181.52	EFT	General Ledger
06/11/2019	21968	Apple Valley Communications, Inc	-130.00	Check	Accounts Payable
06/11/2019	21969	ASBCSD	-145.00	Check	Accounts Payable
06/11/2019	21970	AVCOM Services Inc.	-107.00	Check	Accounts Payable
06/11/2019	21971	Bank of America	-4,225.05	Check	Accounts Payable
06/11/2019	21972	County of San Bernardino	-24.00	Check	Accounts Payable
06/11/2019	21973	County of San Bernardino, Environmental Health Services	-367.00	Check	Accounts Payable
06/11/2019	21974	Daily Press	-485.20	Check	Accounts Payable
06/11/2019	21975	Frontier Communications	-46.54	Check	Accounts Payable
06/11/2019	21976	Frontier Communications	-108.49	Check	Accounts Payable
06/11/2019	21977	Harbor Freight Tools	-148.19	Check	Accounts Payable
06/11/2019	21978	Heather L. Starstman	-257.40	Check	Accounts Payable
06/11/2019	21979	Konica/Minolta	-183.67	Check	Accounts Payable
06/11/2019	21980	Lowe's	-269.12	Check	Accounts Payable

Bank Transaction Report

Issued Date Range: -

Issued Date	Number	Description	Amount	Type	Module
06/11/2019	21981	Mike Radford	-135.00	Check	Accounts Payable
06/11/2019	21982	On Line	-22.80	Check	Accounts Payable
06/11/2019	21983	O'Reilly Auto Parts	-261.01	Check	Accounts Payable
06/11/2019	21984	Platinum Consulting Group LLC	-1,624.92	Check	Accounts Payable
06/11/2019	21985	Pres-Tech Manufacturers' Representatives, Inc	-851.10	Check	Accounts Payable
06/11/2019	21986	Silver Lakes Association	-285.00	Check	Accounts Payable
06/11/2019	21987	State of California Department of Justice	-49.00	Check	Accounts Payable
06/11/2019	21988	Tyler Technologies, Inc.	-137.00	Check	Accounts Payable
06/11/2019	21989	United Site Services	-263.90	Check	Accounts Payable
06/11/2019	21990	MATTHEW ALLEN	-92.65	Check	Utility Billing
06/11/2019	21991	JUSTIN LINK	-165.35	Check	Utility Billing
06/11/2019	21992	SCHROEDER FAM REV LIVING TRUST	-44.36	Check	Utility Billing
06/11/2019	21993	CHRIS HERT	-95.19	Check	Utility Billing
06/11/2019	21994	DOUGLAS D. SCHUBERT	-78.01	Check	Utility Billing
06/11/2019	21995	ALYSSA DUENAS	-106.85	Check	Utility Billing
06/11/2019	21996	DAVID WILLIAMS	-158.02	Check	Utility Billing
06/11/2019	21997	CASEY CAMPBELL	-254.64	Check	Utility Billing
06/12/2019	EFT0002791	To record Sales Tax Pmt - 2nd Quarter Pmt	-2,071.00	EFT	General Ledger
06/13/2019	21998	MARK GIACONE	-550.00	Check	Utility Billing
06/13/2019	EFT0002778	To record CalPERS Pmt Classic PP 4/29/19 - 5/12/19	-5,848.60	EFT	General Ledger
06/13/2019	EFT0002779	To record CalPERS Pmt PEPPRA PP 4/29/19 - 5/12/19	-1,020.36	EFT	General Ledger
06/13/2019	EFT0002783	To record CalPERS Pmt 457 Contribution CalPERS Payroll f	-675.00	EFT	General Ledger
06/13/2019	EFT0002787	To record CalPERS Pmt Classic PP 5/13/19 - 5/26/19	-5,848.60	EFT	General Ledger
06/13/2019	EFT0002788	To record CalPERS Pmt PEPPRA PP 5/13/19 - 5/26/19	-844.60	EFT	General Ledger
06/13/2019	EFT0002789	To record CalPERS Pmt 457 Contribution PP 5/13/19 - 5/26/19	-625.00	EFT	General Ledger
06/13/2019	EFT0002792	To post Payroll pmt - Dir Deposit	-34,632.72	EFT	General Ledger
06/13/2019	EFT0002793	To post Payroll pmt - PR Tax Pmt	-8,940.61	EFT	General Ledger
06/14/2019	EFT0002794	To record Tasc Flex Claim Pmt	-559.59	EFT	General Ledger
Bank Account 251229590 Total: (80)			-226,089.51		
Report Total: (80)			-226,089.51		

Bank Transaction Report

Bank Account	Count	Amount
251229590 CBB Checking	80	-226,089.51
Report Total:	80	-226,089.51

Cash Account	Count	Amount
99 99-111000 Cash in CBB - Checking	80	-226,089.51
Report Total:	80	-226,089.51

Transaction Type	Count	Amount
Check	68	-150,917.03
EFT	12	-75,172.48
Report Total:	80	-226,089.51



Helendale Community Services District

Date: June 20, 2019
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #5
Discussion and Possible Action Regarding Concurrence on Park Design for
Conceptual Drawing

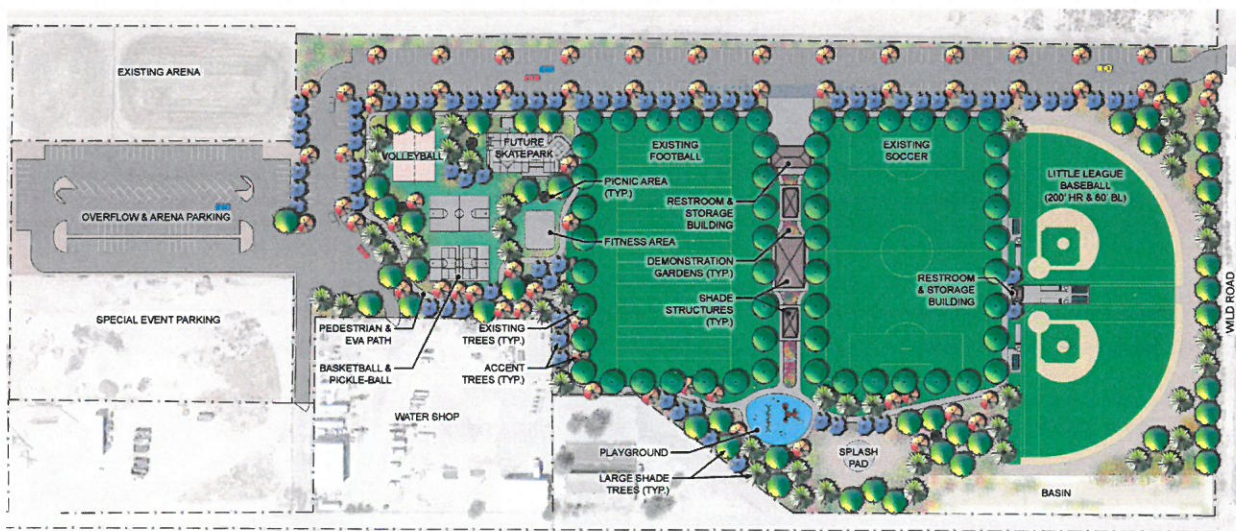
STAFF RECOMMENDATION:

Provide consensus to Staff regarding placement of park facilities.

STAFF REPORT:

Presented for the Board's consideration is a sketch (not to scale) that Staff believes best embodies the collective vision of the Board. Many elements on the last drawing has been completed and as additional grant opportunities have become available the discussion of new facilities envisioned for the park has evolved. Remaining for the original list are a basketball and pickleball court, skate facility and a splash pad. Each will be incorporated into the new drawing.

PREVIOUS DRAWING



BACKGROUND:

District Staff has held several public scoping sessions to seek input from the community regarding facilities they would like to see at the park. This included a session held at the January 17, 2019, meeting as part of the public Board meeting. Most recently, a scoping session was held on Friday, June 14 with many of the seniors regarding their thoughts, and wishes for a senior center.

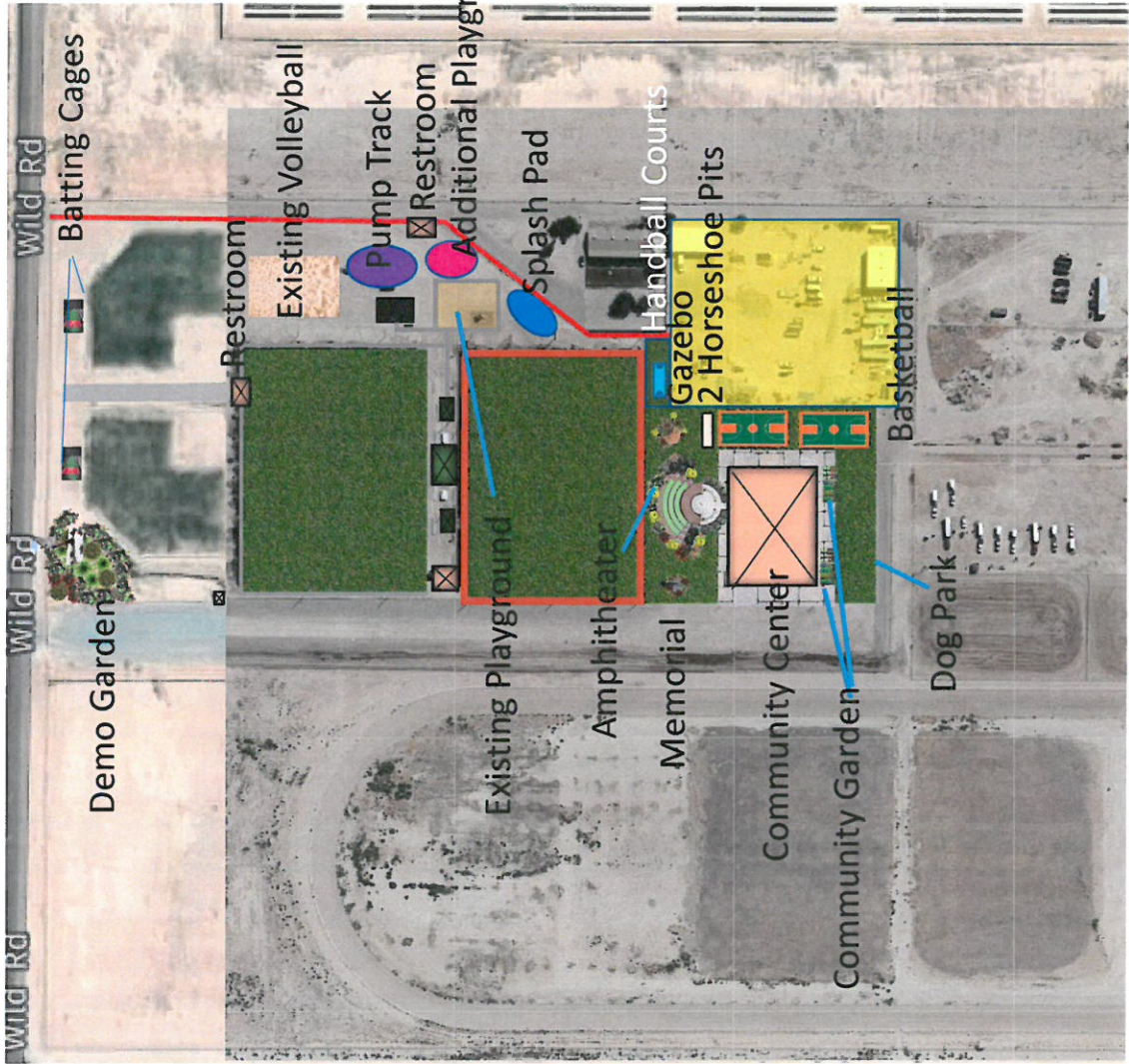
Park facilities was discussed with the Board and the Park and Rec committee on several occasions and most of the considered elements have been included in the Park Capital Improvement Plan (CIP). Cheryl Vermette, the District's Program Coordinator met with each director regarding the vision for the park. A sketch has been developed that will be sent to the architect who will produce a rendering of the vision for future park facilities. The previous drawings has been used countless times since it was originally drawn in 2015. Much progress has been made at the park of which the Board should be proud.

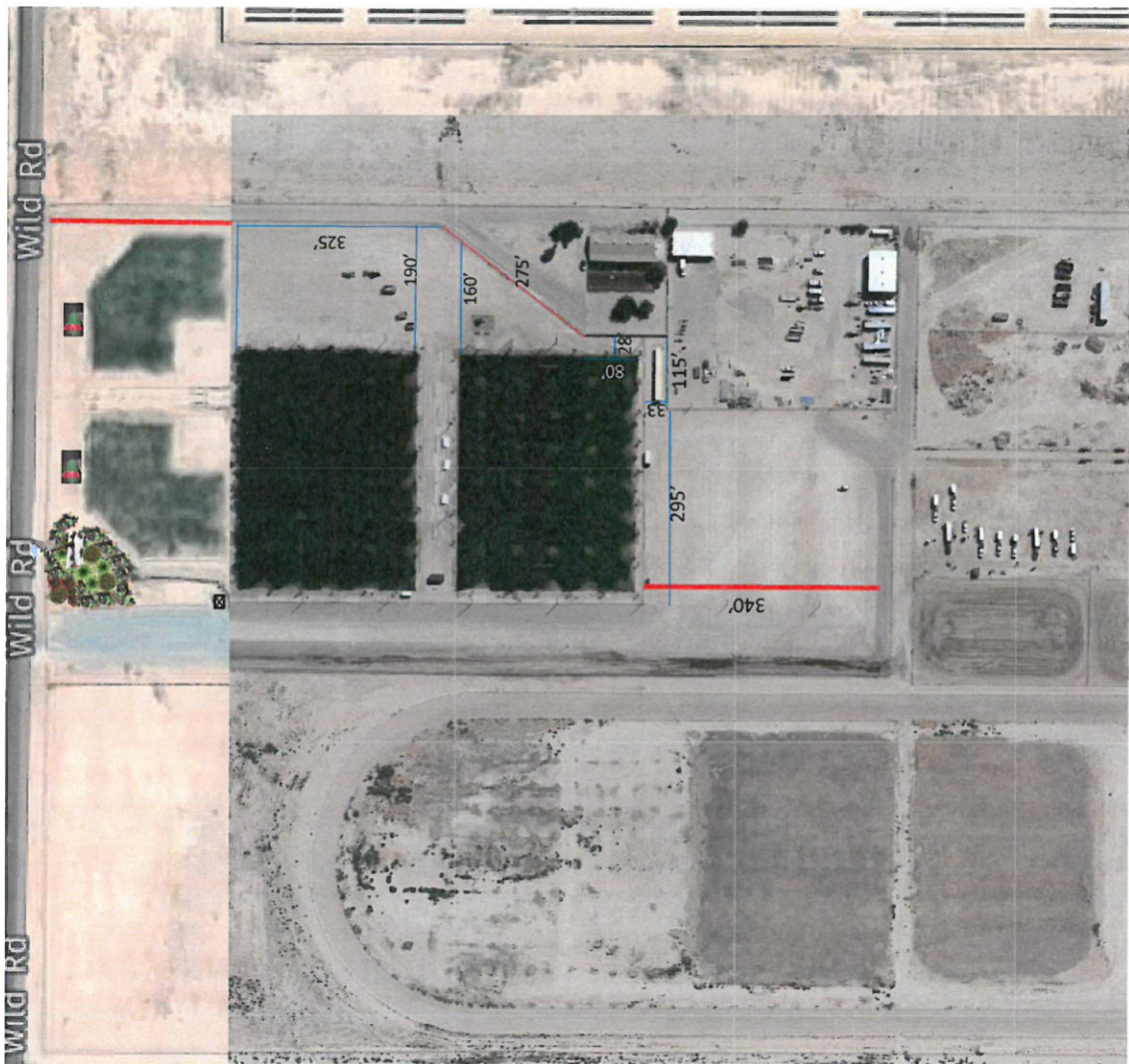
FISCAL IMPACT: The cost for the architectural rendering is approximately \$3800.

REQUESTED ACTION: Provide input regarding park facilities

ATTACHMENTS:

Sketch with approximately placement of park facilities.







Helendale Community Services District

Date: June 20, 2019
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Cheryl Vermette, Program Coordinator
SUBJECT: Agenda item #6
Discussion and Possible Action Regarding Adoption of Resolution 2019-10: A Resolution of The Board of Directors of The Helendale Community Services District Approving the Application for Statewide Park Development and Community Revitalization Program Grant Funds

STAFF REPORT:

The Statewide Park Development and Community Revitalization Program has released a competitive grant opportunity to create new parks and recreation opportunities in underserved communities across California. The funding for this grant is through Proposition 68 funding. The phase we will be applying for is Round 3: \$254,942,000 will be awarded during this phase of funding. A total of \$650,275,000 will be distributed throughout multiple rounds.

The District has held several public meetings to discuss various projects. Many residents of the community attended these meetings and expressed their opinions about recreation features they would like to be included at the community park. The features that will be included in the final grant application will include:

- Amphitheater/performing arts dance, music, and theater stage
- Horseshoe pits
- Athletic courts (basketball, tetherball and handball)
- Community gardens, botanical or demonstration gardens and orchards
- Community/Recreation center
- Dog park
- Jogging and walking loop
- Splash Pad
- Open space and natural area for public recreation use
- Picnic/Bar-B-Que areas
- Playground and tot lot
- Gazebos
- Public art including a Veterans memorial
- Pump track (non-motorized bike tracks)
- Lighting to allow for extended night time use of ball fields
- Shade structure over a playground, fitness area, splash pad

Batting Cages
Paved parking lot
Restrooms

The maximum grant per request is \$8.5 million and the minimum is \$200,000. **There is no match requirement.**

The application is scored based upon certain criteria, for detailed scoring information see the chart below:

PROJECT SELECTION CRITERIA	MAX POINT VALUE
Project Location	
1. Critical Lack of PARK SPACE	18
2. Significant Poverty	18
3. Type of Project	10
Community Engagement	
4. Community Based Planning	18
5. Employment or Volunteer Opportunities	3
6. Partnerships or Committed Funding	3
Operation and Maintenance Considerations	
7. Environmental Design	7
8. Public Use Fees and Hours of Operation	5
Summary about Project Need, Benefits, and Readiness	
9. Community CHALLENGES, Project Benefits and Readiness	18
Maximum Score	100

If we awarded a grant amount less than what we ask for, the District will still be required to perform all of the projects laid out in the grant application. The Board can elect to accept the grant award or not.

Projects must be completed by March 2022.

Fiscal Impact: Unknown



RESOLUTION NO. 2019-10

RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project;

NOW, THEREFORE, BE IT RESOLVED that the Helendale Community Services District Board of Directors hereby: APPROVES THE FILING OF AN APPLICATION FOR THE Helendale Community Park Expansion; AND

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and
3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to (designated position) to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.
6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G).

Approved and adopted the 20th day of June, 2019.

I, the undersigned, hereby certify that the foregoing Resolution Number 2019-10 was duly adopted by the Helendale Community Services District Board of Directors following a roll call vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

By: _____
Ron Clark, President

Attest: _____
Sandy Haas, Secretary



Helendale Community Services District

Date: June 20, 2019
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Cheryl Vermette, Program Coordinator
SUBJECT: Agenda item #7
Discussion and Possible Action Regarding Review of Helendale Farmers Market
Operation and Rules

Staff Recommendation:

Staff seeks input from the Board regarding this item.

Staff Report:

Market Rules were addressed on August 2, 2018. The Park and Rec Committee discussed possible revisions at the June meeting.

Minor revisions to the rules include registration 48 hours prior to a market, booth space is not guaranteed to vendor that does not register, vehicles may not enter the market area during market hours. Also included is a broader description of vendor types in the "Fees" attachment. Staff recommends the addition of plants, cut flowers, succulents, face painters, petting zoos, non-profits, approved community service providers and educational institutions to the "no fee" vendors. Other non-substantial changes have been outlined in red.

Some additional changes were proposed by the Market Manager which included assessing fees and penalties however these fees were not supported by the Park and Rec Committee at this time and therefore have not been included in this staff report.

FISCAL IMPACT:

As outlined in the staff report.

Market Rules & Regulations

TABLE OF CONTENTS

- I. PURPOSE
- 11. TYPE OF MARKET
- 111. GOVERNANCE
- IV. DEFINITIONS
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- VI. CERTIFIED PRODUCERS AND OTHER PRODUCERS
- VII. FOOD VENDORS
- VIII. ARTISANS
- IX. NON-PROFIT CORPORATIONS
- X. COMMERCIAL SELLERS
- XI. ENTERTAINERS
- XII. APPLICATION REQUIREMENTS
 - A. Instructions
 - B. Required Documents for all Sellers and Entertainers
 - C. Required Documents by Seller Category

HELENDALE CERTIFIED FARMERS MARKET RULES

I. PURPOSE

Helendale Certified Farmer's Market has been formed to provide healthy, fresh foods and horticultural products to the community and surrounding areas, and to encourage commerce, entertainment, nutrition program participation, and trade.

II. TYPE OF MARKET

Helendale Certified Farmer's Market operates in accordance with regulations published in California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5. ("Direct Marketing Regulations"), hereinafter referred to as "state law." The Markets are subject to all pertinent District, county, state, and federal regulations and laws. All participating producers are required to be familiar with the current provisions of the Direct Marketing Regulations. The Markets are in a location approved by the Helendale Community Services District ("District") and county agencies, as well as the County Agricultural Commissioner, who also certifies and inspects each farmer to ensure that he/she actually grew the commodity being sold at the Markets. Consequently, the produce is fresher, vine-ripened, of better quality, and greater variety.

III. GOVERNANCE

Helendale Certified Farmer's Market is governed and sponsored by Helendale Community Services District (DISTRICT). All Market activities are supervised and overseen by the Helendale CSD's Program Coordinator and the Market Manager. THE DISTRICT and its designated agents shall implement and enforce all rules and regulations pertaining to the operation of Helendale Certified Farmers Market in a fair and equitable manner.

IV. DEFINITIONS

THE MARKET: refers to the Helendale Certified Farmer's Market in the Helendale Community Services District located in San Bernardino County.

HELENDALE CERTIFIED FARMERS MARKET: a location authorized by the County Agricultural Commissioner where certified producers of fresh fruits, vegetables, and nuts may sell their produce directly to consumers exempt from standard pack labeling and grading regulations.

PROGRAM COORDINATOR / MARKET MANAGER: The person(s) responsible for the affairs of the Market and the authorized arbiter of the Market Rules and Regulations.

MARKET RULES: This document which is governed by California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5 on Direct Marketing, CRFC, and the Sherman Food, Drug, and Cosmetic Law ("state law").

CERTIFIED PRODUCER: A person or his/her agent and employees authorized by the County Agricultural Commissioner to sell fresh fruits and vegetables, nuts, apiary products, cut flowers and nursery products directly to consumers at this Certified Farmers Market. Products must be produced on land owned, leased or licensed by the producer.

PRODUCER:

1. (Farmer) A person, partnership, corporation or any other entity that produces agricultural products other than certified produce by practice of the agricultural arts upon the land or waters which the person or entity controls. These products may include but are not limited to: poultry and meat products; aquacultural products; viticultural products; dried fruits and vegetables; juices, jams or other processed agricultural products.
2. (Fisherman) A person or entity that catches pelagic and/or freshwater fish or shellfish from boats which the person or entity controls.

FOOD VENDOR: A person or entity that produces or controls the production of baked, processed, or prepared foods.

ARTISAN: A person, who through the practice of the applied arts, creates original craftwork or an artist or sculptor.

NON-PROFIT CORPORATION: An incorporated organization which has non-profit status under the Internal Revenue Code.

COMMERCIAL SELLER: A person or entity who resells goods for a profit.

OTHER DEFINITIONS

EMPLOYEE: "Any person employed by a producer at a regular salary wage, on either a full or part-time basis. It does not include any person who is reselling or whose compensation is primarily based on a commission of sales." (Direct Marketing Regulations § 1392.2.)

FOOD PREPARATION: "Packaging, processing, assembling, portioning, or any operation which changes the form, flavor, or consistency of food, but does not include trimming of produce." Source: California Retail Food Code, §113791. This includes but is not limited to: juices, jams, flavored nuts, nut butters, baked items, dairy products, and cleaned fish.

IMMEDIATE FAMILY: "Parents, children, grandparents, or grandchildren of the certified producer or a family member regularly residing in the certified producer's household."

LOAD LIST: "an itemized list of all products sold at the certified farmers' market each market day...[which]... shall state the name of the certified producer, the identity of each product sold as it appears on the certified producer's certificate, and the quantity of each product sold at the market."

PARTNERSHIP: "A partnership is a separate entity distinct from its individual members. As a separate entity, a partnership must obtain a certified producer's certificate to market, directly to consumers, its agricultural products, which shall be produced by practice of the agricultural arts upon land that the partnership, as a separate entity, exclusively controls." (Direct Marketing Regulations §1392.2)

~~V.~~ ALL SELLERS General Rules

1. All sellers shall complete the Vendor Reservation Application online at least 48 hours prior to the market. Sellers who do not register 48 hours prior to a market are not guaranteed a spot.

2. All sellers must agree to the "Hold Harmless" Agreement and the rules and regulations ~~set forth~~set forth herein.

3. Participants are not guaranteed space in the location of their choice. Management only reserves spaces to those participants who register by Monday prior to the market in question for their space(s). Management has the authority to assign and reassign spaces when the situation calls for it.

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34. All vendors must be either:
a. Certified Producers
b. Food Vendors
c. Artisans
d. Non-Profit Corporations
e. Commercial Sellers

45. Only those who have applied for and received permission from the Program Coordinator or Market Manager may sell at the Market. Entry requirements differ for each category and are described below. Permission to occupy a space at the Market is given only after the Program Coordinator or Market Manager has received all required documents and has confirmed a space reservation for the applicant. The seller must receive approval, at the discretion of the Program Coordinator or Market Manager, for all products offered for sale, under whichever categories and approval procedures are dictated by these rules.

56. Sellers shall only display or advertise items that have been approved for sale by the Program Coordinator or Market Manager. All products offered for sale in a gift box or other container must be approved items and be of the seller's own production. The market is not responsible for lack of sales.

76. No seller may assign or sublet stall space.

87. The Market is conducted in accordance with state and federal laws and local agencies. Sellers are expected to be familiar with the Market Safety Rules as described below, and to comply with them. Sellers will immediately comply with the Program Coordinator or Market Manager's directions in matters relating to safety.

98. All sellers are recommended to have product liability insurance, which indemnifies the Helendale Community Services District, and provide evidence if applicable.

910. All sellers acknowledge and agree to cooperate with any additional documentation that may be required and with any representative of the Market who may visit the farm, workshop, kitchen, or other location as necessary to verify compliance with all regulations.

Stall Space Set-up and Breakdown

119. A seller's stall size, location and other factors of the space assignment of selling space within the Market shall be at the discretion of the Program Coordinator or Market Manager. In making any

determination in this regard, the Program Coordinator or Market Manager may consider, among many factors, the following:

- a. The maintenance of present and past consumer-producer relationships.
- b. The maintenance and extent of a good product mix and consumer traffic flow.
- c. The principles of good Market and product promotion.
- d. Length of seniority for the space.

142. All sellers must post visible price signs and all required permits, licenses and certificates.

132. All sellers must visibly post a sign with business name and contact information.

143. All promotions and sales shall occur within the space provided. Aisle space, within the flow of customer traffic, may not be used without permission from the Program Coordinator or Market Manager.

154. In an effort to present a pleasant setting to the public, the Program Coordinator or Market Manager requests all booths to be set up with a 10 x 10 fire retardant awning with a minimum of 30 lb. sand bags attached at each corner. No hanging weights. Vendor product tables are to be covered with tablecloths or other eye-pleasing presentation to enhance the presentation of the market and in addition all product to be displayed in a similar pleasant presentation.

165. Produce for sale must be presented in plain sight and customers must be allowed to choose for themselves the items they wish to buy. Items may not be displayed hidden from view on seller's table (concealed in boxes or other containers).

167. When vacating their space, the seller shall remove all equipment, product, trimming, wrappings, and containers within 60 minutes after the closing of the Market. Sellers are responsible for cleaning their own stall space and the aisle area in front of, behind, and around their stall at the end of the Market and disposing of trash.

187. Sellers shall reimburse the District for any expenses incurred to return the stall space to the condition in which it was found (reasonable wear and tear excepted). This includes cleanup costs incurred by the Program Coordinator or Market Manager for any reason, including but not limited to grease, produce refuse and other conditions. The Program Coordinator or Market Manager also may remove such seller from market.

19. Vendors must register each for each individual market; each registration only covers one date. Vendors may register in advance for future markets.

20. It is the vendors' responsibility to notify the manager/coordinator 24 hours in advance if they cannot participate.

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Market Hours

~~181.~~ Market hours are Wednesday's from 3 pm – 7 pm or as modified from time to time. The market is "Rain or Shine" but may be cancelled from time due to severe weather including wind or snow. Vendors will be notified of any market cancellation and will not be charged any fees for that day.

~~192.~~ No selling is allowed before or after the times established for the market.

~~203.~~ All sellers are expected to arrive at the Market for stall space assignment, set-up, and important notices at least 1 hour but not more than 2 hours before the selling hours each Market day. Those sellers who arrive late jeopardize their selling space reservation. The Program Coordinator or Market Manager will make every reasonable effort to keep selling space open for late arrivals. However, the Program Coordinator or Market Manager reserves the right to reassign late sellers to another selling space or to offer empty spaces to other sellers. Late sellers may be required to unload offsite and carry in products for sale.

~~214.~~ Sellers who repeatedly arrive late may permanently lose their selling space and/or right to sell in the Market or repeated failure to arrive on-time may result in fines levied per occurrence.

~~225.~~ Sellers will be allowed a 60-minute take down time after the Market day.

~~236.~~ Sellers shall wait at least 15 minutes after ~~until~~ closing time before exiting ~~entering~~ the market area in their vehicle.

~~247.~~ No seller may leave the Market without permission before the Market closes.

~~258.~~ All sellers will park in designated seller parking lot per Program Coordinator or Market Manager's direction.

FEES:

SEE "EXHIBIT A" FOR FEE SCHEDULE

Market Safety

~~261.~~ All sellers shall comply with all applicable requirements of the California Retail Food Code and the Sherman Food, Drug and Cosmetic Law, specifically:

- a. Every stall selling food shall have a clean trash box in front of their stalls for public use.
- b. No display tables may be filled over carrying capacity. Items on display must be stable. Table legs must be secure and tables must not cave in.
- c. All connecting rods of the shade set-ups must be secure in their fittings. Shade set-ups must be tied to seller's tables or vehicle. Tarps must be securely fastened.
- d. "All food shall be stored at least 6 inches off the ground."(CRFC § 114371a)

~~272.~~ Auto and truck ingress and egress must not endanger pedestrians. After the Market starting time, no moving vehicles will be allowed in the Market. All off-loading vehicles must exit the Market 30 minutes before market starting time.

~~283.~~ No live animals, birds or fowl may be kept or allowed within 20 feet of any area where food is stored or held pursuant to California Retail Food Code requirements. This includes pets in Market vendor's vehicles. Service animals are exempt. This subdivision does not apply to guide dogs.

signal dogs, or service dogs when used in the manner specified in Section 54.1 of the Civil Code, CA Health & Safety 27831.

~~294.~~ No bicycling, skating, or skateboarding is allowed in the Market.

~~305.~~ Smoking is not allowed in the Market.

~~316.~~ All sellers shall keep their vehicles, merchandise and tables within their assigned stall space. No part of the seller's stall set-up may encroach on the mandated fire lane nor congest pedestrian flow.

~~327.~~ All sellers are required to clean their own area and keep it safe; this includes protecting the sidewalk and pavement from grease, produce refuse, and other potential stains and/or safety hazards. Any cleanup costs incurred due to grease, produce refuse and other conditions will be charged to the offending vendors.

8. The coordinator is in no obligation to provide water or any equipment to participants. The event is only obligated to provide a space. Power cords are prohibited from being strewn across pathways or walkways where pedestrian traffic can travel through.

Market Conduct

~~331.~~ At Market closing each seller is responsible for leaving his or her stall space completely clean and carrying offsite all trash generated. Trash may not be placed in street trash bins or the Market dumpster.

~~34.2.~~ Consumption of alcoholic beverages, yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated by anyone. Any behavior or language considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market with reinstatement to be based upon review by the Program Coordinator or Market Manager.

~~35.3.~~ Customers who have a legitimate complaint about the product that they purchase should be given a full monetary refund or replacement of equal value. It is the Market's policy to satisfy the customer and to promote goodwill by being generous. Complaints or disagreements will be mediated by the Program Coordinator / Market Manager or Helendale CSD General Manager. In general, the benefit of the doubt will be given to the consumer.

~~364.~~ Sellers are expected to treat each other, staff, customers and officials with common courtesy.

~~37.5.~~ Sellers are responsible for the actions of their representatives, employees or agents.

~~38.6.~~ Any complaints about other sellers should be made to the Program Coordinator or Market Manager and never to customers. All complaints between sellers will be addressed after Market hours.

~~39.7.~~ Collusion among sellers to change prices or exertion of any influence, pressure or persuasion to cause a seller to change prices is strictly forbidden according to state law.

~~40.8.~~ Sellers are expected to wear proper attire during Market hours, including shirts and shoes.

~~419.~~ No radios, boom boxes, or sound devices may be played during Market hours without permission of the Program Coordinator or Market Manager.

~~4210.~~ Conduct considered to be detrimental to the welfare of the Market may result in removal from the Market.

11. No person shall deface or otherwise abuse the venue, plants, or landscape.

~~43.——The Market Weather Policy will be determined by the forecasts on the www.weather.gov. Should the forecast predict a 60% chance of rain or snow at 5 pm or later, Market may be canceled. Farmers and vendors can look up the site themselves to find out if the market will be open by accessing the website at www.weather.gov entering zip code 92342 in the zip code field, and then clicking on the "Hour by Hour Forecast". Market participants can also call the Market Manager. If the weather defies prediction the following will apply: a. Market may be canceled if it snows at any time after 3 PM on the day before the Market (Tuesday).~~

Labeling and other provisions

~~441.~~ All closed or sealed containers, bags, jars, etc. must be labeled with a name, address, zip code and minimum weight. Processed items must also include an ingredients list. Meat, eggs, fish, etc. must have a grade on the label, in accordance with USDA standards.

~~452.~~ Scales must be in compliance with the San Bernardino County Dept. of Agriculture/Weights and Measures. Scales tested and sealed with a current year seal in other Counties within California are permitted. Scales are to be sealed, calibrated and tagged annually. Only certified scales are permitted in the market. Scales must be in plain sight of the consumer.

~~463.~~ Prices must be clearly posted.

~~474.~~ Participants selling fresh produce must have a protective covering on their table. Produce cannot be sold off of a bare wood table.

Violation of Rules

48. The Program Coordinator or Market Manager is responsible to interpret, implement, and enforce all rules and regulations pertaining to the running of the Market in a fair and equitable manner.

49. The Program Coordinator or Market Manager has the authority to issue warnings and to take appropriate action against participating sellers who violate these rules and all other applicable regulations and laws. Notwithstanding any other provisions of these Rules, the Program Coordinator or Market Manager also has the power to immediately suspend or remove any vendor for any health, safety and liability risks caused by any single violation. Vendors will be given a warning and chance to correct violation. After The third offense, vendors can be suspended or removed from the Market. In

other circumstances, a written Notice of Violation will be issued with the following schedule of penalties:

1st violation - Warning

2nd violation - Warning

3rd violation - Suspension or permanent removal from the Market

VI. CERTIFIED PRODUCERS AND PRODUCERS

1. All Certified Producers shall complete the "Certified Producer and Producer" Application. (See Section XII), complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations and provide a copy of current sellers permit, if applicable
2. All food products must be grown in California or caught in state waters.
3. Admission to sell at the Market shall be at the discretion of the Program Coordinator or Market Manager. In making any determination in this regard, the Program Coordinator or Market Manager shall consider many factors including the following:
 - a. Producer's positive or negative history of compliance with state, local government and this and other Market Rules and Regulations.
 - b. Producer's history of Market participation. When practical, significant weight, priority and preference should be given to producers returning from previous seasons.
 - c. The competitive availability and number of sellers of the same type of products as producers present within the Market. If practical, monopolies and surfeits (gluts) should be avoided. Admission of certain types of product will depend on whether the present number of sellers of the same type of product as the producer's product are adequately supplying consumer demand.
 - d. The number of stall spaces and other limitations of the Market
4. A producer may sell only those products listed on the approved application. Any changes, modifications, or additions must be approved by the Program Coordinator or Market Manager.
5. The actual producer of the product(s) is encouraged to attend the Market regularly; however, an employee may sell as long as the producer sells at the Market at least two (2) times each calendar year.
6. To sell fresh fruits, vegetables and nuts at a Certified Farmers Market, the seller shall have a Certified Producer Certificate issued by the Agricultural Commissioner in the county of origin of his/her produce, as required by state law.
7. Certified producers are required to ensure that the Program Coordinator or Market Manager has copies of all current certificates and permits.
8. Prepared or processed products may be sold by producers if prepared in accordance with the State Health & Safety Code and all ingredients (with some exceptions) of the prepared product is produced entirely by the producer.
9. Bulk foods, such as dried fruit or shelled nuts may be sold from washable, labeled bulk containers with attached self-closing lids and attached utensil. (CRFD § 114060a)

10. Any farmer, producer, partnership, owner representative, agent or employee whose Certified Producer Certificate has been revoked or canceled for resale of agricultural products will not be allowed to participate in the Market.

11. High quality, vine-ripened, recently harvested produce is expected. Lower grade fruits and vegetables must be marked as such and priced accordingly. However, lower grade produce is only permissible if higher grades are also available at the same stall (state law). Over 80% of products presented must be of the highest quality. The Program Coordinator or Market Manager has the authority to require that poor quality produce be removed.

12. A certified producer (including farmers, nurserymen, fishermen and other agricultural producers) may sell for up to two additional certified producers including, but not limited to, separate entities, such as partnerships in which the certified producer has an interest as an individual member, only at the express permission of the Program Coordinator or Market Manager. All producers wishing to carry a second certificate must meet the following CDFA Direct Marketing Regulations:
1392.4.f.1 "A certified producer shall not represent, nor be represented by more than two other certified producers in a 12-month period.
1392.4.f.2 "Each certified producer's certified agricultural products to be sold or offered for sale shall be separated and identifiable by each certified producer's valid certificate at point of sale."
1392.4.f.3 "The name of the certified producer for whom another certified producer is selling shall appear on the certificate of the person selling his/her products."
1392.4.f.4 "The name of the certified producer who is selling the products of another certified producer shall appear on the certificate of the person for whom s/he is selling."
1392.4.f.5 "The certified producer selling for another certified producer shall be selling or offering for sale certified agricultural products which s/he has produced and which are greater than the amount by volume offered for sale for the other certified producer."

13. Any producer claiming to have Certified Organic produce or products shall have grown or produced the product in accordance with the California Organic Products Act of 2003 and the National Organic Standards.

14. Signs stating that Certified Organic produce or products have been organically grown shall comply with the National Organic Standards.

15. Organic certification and registration shall be posted at the producer's stall and copies of all certification forms shall be submitted to the Program Coordinator or Market Manager. Producers selling less than \$5000 annually of organic produce may simply post organic registration.

16. All agricultural producers must post a conspicuous sign or banner at the point of sale identifying their name or the name of their establishment, the county where they maintain/store their product, the location where their production occurs, and the statement, "we sell only what we grow/raised", or similar, that clearly expresses the seller is only selling agricultural products that were grown or raised by the seller on California land.

VII. FOOD VENDORS

1. A prospective Food Vendor shall complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations and a copy of current sellers permit.
2. Food Vendors are required to have a valid permit from the San Bernardino County Health Department and their local jurisdiction.
3. The Program Coordinator or Market Manager selects prepared foods that are original, of high quality and that do not excessively duplicate foods already sold at Market. To benefit consumers, no food vendor will have exclusive right to sale of any category of food product. Food Vendors' products may not directly compete with products made and sold by producers from their own farm products.
4. All food stalls where cooking is taking place are required by the San Bernardino County Fire Marshall to have on site at all times a fire extinguisher and a water container. Sellers must not change propane cylinders during Market hours. All food stalls where cooking is taking place must meet Fire Department requirements for tarps and canopies (such as fireproofing and height requirements.)
5. All food stalls must have a trash can in front of the stall for customer use.
6. All food stalls must have a hand-washing sink.
7. All food stalls where cooking is taking place are required to have a floor cover when located on dirt.
5. All menus must be clearly marked as to price and type. Food Vendors may not sell food not originally listed on the application without prior approval of the Program Coordinator or Market Manager.
6. All San Bernardino County and State Health Department regulations must be followed.
7. All state and local requirements shall be met before a food vendor may sell at the Market. Food vendors must provide a copy of the following documents to the Program Coordinator or Market Manager and have on display, as applicable:
 - a. Current Retail Food Vehicle Permit or Temporary Event Permit, or other required permit from the San Bernardino County Health Department unless exemption criteria is met.
 - b. Seller's Permit from the State Board of Equalization
8. Priority consideration will be given to food vendors who make their own products, are local to the Market area, and use produce from Helendale Certified Farmers Market producers.
9. Prepared food vendors must provide adequate facilities to keep hot and cold foods at prescribed temperatures as per San Bernardino County Health Department requirements.
10. Food Vendors are encouraged to use recyclable and/or compostable packaging and containers for processed and prepared foods.

VIII. ARTISANS

1. A prospective artisan shall complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations.
2. Each artisan must have and present copy of a Seller's Permit from the State Board of Equalization and a County of San Bernardino Business Permit.
3. In accord with the "producer-to-consumer" philosophy, only an artisan (fine artist or skilled craftsperson) who designs and is involved in all aspects of production of her/his art work or craft work will be considered to sell under this designation. All interested artisans must first complete an application before being considered for acceptance by the Program Coordinator or Market Manager.
4. The Market selects for consideration only original art and applied crafts that are self-produced, hand-crafted and of high-quality workmanship while avoiding too much duplication of any given category (fine art, jewelry, textiles, ceramics). Artisans must have created, sewn, constructed or otherwise fashioned from component materials the item(s) they sell. The component materials must be sufficiently modified from their original state to demonstrate true craftsmanship. No reproductions or mass-produced items allowed. Art or craftsmanship that is thematic with the Market is preferred.
5. Consideration will be given to the following qualifications when evaluating applications: Creativity, originality, and uniqueness; Quality of product; Skill and technical execution; Presentation and display; Farmers' market relatedness (farm/food, garden, ecological themes); Seniority and past participation.
6. Artisans previously accepted may be re-evaluated so as to maintain the high standards of the Market. Anyone who is rejected may reapply with new products. While a balance of products is intended, the Market does not assure exclusive rights to any category or product.
7. All items in an artisan's line may be reviewed by the Program Coordinator or Market Manager.
8. Current artisans must receive the approval of the Program Coordinator or Market Manager before selling any new products in the market. Any products offered for sale not listed on the application are subject to removal.
9. Products shall not compete with items made by producers from their own farm-produced materials.
10. No resale of any items is permitted. The Market defines resale as using items not of his/her own production in an artwork. If using a commercial component in his/her own work, the artisan must substantially alter the item using great skill or technique and original design.
11. Artisans may be allowed to share booth space on a limited basis with Market Manager's approval. Each artisan must apply and receive approval separately prior to selling in the Market. Both artisans should be present at the Market. Limit two artisans per booth space.
12. Artisans who reside or do business in the immediate area of a Market will be given preference.
13. Artisans who create or demonstrate at the Market will be given preference.

14. The Program Coordinator or Market Manager reserves the right to determine on which Market days the artisan may sell and the rotation of artisans.

IX. NON-PROFIT CORPORATIONS

1. A prospective Non-Profit Corporation shall complete and sign the "Vendor" Application and present a copy of signed market rules and regulations and "Hold Harmless" agreement provided.

2. Non-profit corporations may apply to sell select products on a limited basis.

3. Non-profit corporations may also apply for a stall space to publicize their services and/or activities. The Program Coordinator or Market Manager may authorize such use of stall space on a week-by-week, space available basis only.

4. Application for stall space shall be made at least five days before Market day.

5. Applicant shall provide proof of the organization's charitable, 501(c)3 non-profit status and his/her position as representative of that organization.

6. When arts and crafts, prepared foods, or commercial goods are being offered for sale, the non-profit must apply and be approved under the conditions described under the appropriate category in these Rules and Regulations. No items may compete with products offered for sale by producers, food vendors or artisans.

7. Any organization selling prepared foods must obtain a temporary event permit from the Health Department unless exemption criteria is met per Department of Health guidelines.

8. The organization shall provide all necessary furnishings for their space (refer to General Rules #14 "General Rules"). Required.

9. Organization representatives shall not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities shall not block walkways or access to assigned stall spaces.

10. The Market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards, and other expressions of the interests represented. The use of fighting words, obscenities, grisly or gruesome displays or highly inflammatory slogans likely to provoke a disturbance may be prohibited by the Program Coordinator or Market Manager.

11. The Market prohibits proselytizing and/or campaigning for and against any ballot measure, political candidate or public office. This prohibition does not preclude any person or organization from conducting such activity during Market hours on public sidewalks or other public property adjacent to the Market. Violation of this prohibition may result in expulsion from the Market for the remainder of that Market day.

12. Non-profit corporations, whether dispensing information or selling, must comply with the Market Rules & Regulations, including Section V for all sellers.

X. ENTERTAINERS

1. A prospective Entertainer shall complete and sign the "Vendor" Application. (See Section XII) and present a copy of signed market rules and regulations and "Hold Harmless" agreement.
2. All entertainers at the Market must be pre-approved and scheduled by the Program Coordinator or Market Manager at least five days in advance.
3. All Entertainers are considered on an "as space allows" basis. Certain areas of the Market may be designated as a "no music" area and any musician setting up there may be asked to move.
4. All Entertainers perform at the discretion of the Program Coordinator or Market Management. The Market Management reserves the right to relocate or remove any entertainers.

XI. COMMERCIAL SELLERS

1. A prospective Commercial Seller shall complete and sign the "Vendor" Application. (See Section XII) and present a copy of signed market rules and regulations and "Hold Harmless" agreement provided and provide a copy of current sellers permit.
2. Commercial sellers selling select products may be permitted on a limited basis at the discretion of the Program Coordinator or Market Manager.
3. Commercial sellers may sell only high-quality products, approved by the Program Coordinator or Market Manager.
4. Because of the Markets "producer-to-consumer" philosophy, the Program Coordinator or Market Manager will be highly selective of products offered for resale. Items must be unique, well made, and conform to the overall atmosphere of the Market. No mass-market items will be accepted. No resale items may compete with items offered for sale by producers, food vendors or artisans.

XII. APPLICATION REQUIREMENTS

A. REQUIRED DOCUMENTS BY SELLER CATEGORY

1. **CERTIFIED PRODUCER** Certified Producer's Certificate
Producers of fresh fruits, nuts, vegetables, shell eggs, honey, flowers and nursery stock must obtain a Certified Producers Certificate prior to selling such commodities at the Market. Such commodities must have been produced by the producer by the practice of the agricultural arts upon land that the producer farms and owns, rents, leases or sharecrops. Any producer who sells produce that is not of his/her own production while claiming that it is will be permanently expelled from the Market. A certificate is issued by the County Agricultural Commissioner which exempts a producer of fresh fruits, vegetables and nuts from standard size, standard pack, container and labeling laws and which permits the producer to transport and sell his/her produce at a Certified Farmers Market. The Certified Producer's Certificate must list San Bernardino County as an "authorized County" if the certificate was issued outside of SB County. Producers may be required to submit additional proof that they produce what they or their representatives sell.

CERTIFIED PRODUCERS AND PRODUCERS will be required to have based on product:

Apiary Registration, Avocado Exemption Permit or Proof of Inspection, Board of Equalization Permit, Boat Registration/Commercial Fish Business License, Commercial Fishing License, Employee Agreement Form Health Processing Permit(s), Milk Handler's License, Nursery License, Organic Registration and/or Certification, Scale Registration, Other supporting documents such as lease or partnership agreements, any other licenses or permits required by regulatory agencies. All the above documentation with the exception of the "Hold Harmless" agreement shall be visibly posted during Market hours.

2. FOOD VENDORS

- a. Public Health Operating Permit and other Department of Health Permits:
 - Temporary Event Permit (if you prepare and/or sample and sell foods at the Market site)
 - Food Vehicle Permit (if applicable).
- b. Selling Permit from the State Board of Equalization
- c. Pictures of product and booth set up and/or trailer and list of products to be sold.

3. ARTISANS

- a. Selling Permit from the State Board of Equalization
- b. Detailed written description of product and pictures of product and booth set up.
- c. Detailed written description of how and where the products are produced.

4. NON-PROFIT CORPORATIONS

- a. Organizational Mission Statement and/or description of booth activity.
- b. Letter of Determination from the IRS stating tax-exempt status

5. COMMERCIAL SELLERS

- a. Selling Permit from the State Board of Equalization
- b. List of products to be sold, pictures and pictures of booth set-up

EXHIBIT A: FEES

This list is meant to provide an example of the types of vendors in each category and is not an exhaustive list of every type of vendor that will be allowed at the market.

FREE	Pay \$2	Pay \$10	Pay \$15
<u>Farmers</u>	<u>Homemade Food</u>	<u>Food-Cart</u>	<u>Boutique</u>
Vegetables/Eggs	Fudge	Fried foods	Hand sewn items
Fruit	Salsa/ Apple Butter	Tamale <u>s</u>	Doterra - <u>Essential Oils</u>
Pomegranates	Almond Rocca	Icies	Handmade items
Spices/pepper, etc	Nuts	Fair Food	Jewelry
Herbs	Apple Butter	Barbeque	Toys
Sea Food	Jerky	Pizza	Wood crafts
Goat Cheese	Hummus	Coffee	Windchimes, etc.
Musicians	Bread	Tacos	Scentsy
Cut Flowers	Tea	_____	Clothing
Plants	Peanut Butter	_____	Soaps
Succulents	Cakes/Cupcakes	_____	Candles
Face Painters	Cookies	_____	_____
Petting Zoo	Coffee	_____	_____
Non-Profit	_____	_____	_____
Educational Institution	_____	_____	_____