



# Helendale Community Services District

26540 Vista Road, Suite C, Helendale, CA 92342

**NOTE: New Time**  
**REGULAR BOARD MEETING**  
**Thursday, May 4, 2023, at 6:00 PM**

**SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY**

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

Pursuant to Government Code Section 54953(b), Vice-President Clark will attend the meeting via teleconference, location at 3280 West Black Jack Ridge Prescott, AZ 86305

**Call to Order - Pledge of Allegiance**

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

**2. Approval of Agenda**

**3. Public Participation**

*Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member wishing to make comments may do so by filling out the speaker's card in person or using the "raise the hand" or "chat" feature. If viewing remotely a speaker's card may be filled out at the following link:*

*<https://www.surveymonkey.com/r/HKGNLL8> or use the features referenced above. The District requests that all speaker cards be submitted at any time prior to the close of public participation.*

**4. Consent Items**

- a. Approval of Minutes: April 20, 2023, Regular Board Meeting
- b. Bills Paid Report

**5. Reports**

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

**Regular Business:**

- 6. Discussion and Possible Action Regarding Approval of Directors' Expense Reports**
- 7. Discussion and Possible Action Regarding Adoption of Resolution 2023-13: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Compensation, Reimbursement, and Ethics Training**
- 8. Discussion and Possible Action Regarding Adoption of Resolution 2023-11: A Resolution of the Board of Directors of the Helendale Community Services District Initiating Procedures to Continue Collection of Water and Sewer Standby Charges for Fiscal Year 2024**

9. Discussion Only Regarding Community Center Improvements

**Other Business**

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

**Closed Session**

11. Conference with Real Property Negotiators

(Government Code Section 54956.8)

Property: Water Rights

District Negotiator: Kimberly Cox

Negotiating Party: Robert Boyter

Under Negotiation: Price and Terms of Payment

12. Report of Closed Session Items

13. Adjournment

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



# Helendale Community Services District

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #1  
Discussion and Possible Action Regarding Director Remote Participation

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## **NOTIFICATION OF REMOTE BOARD MEETING ATTENDANCE**

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

### **JUST CAUSE**

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

#### **Just Cause means any of the following:**

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

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

### **EMERGENCY CIRCUMSTANCES**

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

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

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



# Helendale Community Services District

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #4  
Consent Items

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## **CONSENT ITEMS**

- a. Approval of Minutes: April 20, 2023 Regular Board Meeting
- b. Bills Paid Report



# Helendale Community Services District

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
BY: Cheryl Vermette  
SUBJECT: Agenda item #4a  
Minutes from Board meeting 4/20/2023

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*Minutes of the Helendale Community Services District*

*REGULAR BOARD OF DIRECTORS MEETING*

*April 20, 2023, at 6:30 PM*

*26540 Vista Road, Suite C. Helendale, CA 92342*

**SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY**

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

**Board Members Roll Call:**

**Present:** President Henry Spiller (Zoom); Vice President Ron Clark; Director Annette Roper, Director George Cardenas

**Absent:** Secretary Sandy Haas

**Staff Members Present:**

Kimberly Cox, General Manager; Craig Carlson, Water Operations Manager; Alex Aviles, Wastewater Operations Manager; Cheryl Vermette, Parks, Recreation & Programs Supervisor; Jean Thomas, Customer Service Supervisor; Trini Martin, Program Assistant

**Consultants/Guests:**

Steve Kennedy, Legal Counsel (Zoom)

Kathleen Rollings-McDonald, Consultant (Zoom)

**Members of the Public:**

There were two members of the public attending via Zoom and one member of the public attending in person.

**Call to Order and Pledge of Allegiance**

The meeting was called to order at 6:00 pm by Vice President Clark, after which the Pledge of Allegiance was recited.

**1. Director Remote Participation pursuant to AB2449 (Government Code Section 54953(f))**

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

**Discussion:** President Spiller requested to attend the meeting remotely due to a medical emergency.

**Action:** A motion was made by Director Roper to approve President Spiller's participation remotely under an emergency circumstance. Director Cardenas seconded the motion.

**Vote:** The motion carried by the following roll call vote: 3 - Yes; 0 - No; 1 - Absent; 1 - Abstain. President Spiller-Abstain; Vice President Clark-Yes; Director Clark -Yes; Director Haas -Absent; Director Cardenas -Yes; Director Roper - Yes.

## 2. Approval of Agenda

**Discussion:** General Manager Cox requested to remove the closed session item, as there was no longer a need for that item.

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

**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 – No; 1 – Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas – Absent; Director Cardenas -Yes; Director Roper - Yes.

## 3. Public Participation

None

## 4. Consent Items

- a. Approval of Minutes: April 6, 2023, Regular Board Meeting
- b. Bills Paid Report

**Motion:** Vice President Clark made a motion to approve the consent items as presented. President Spiller seconded the motion.

**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 – No; 1 – Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas – Absent; Director Cardenas -Yes; Director Roper - Yes.

## 5. Reports

- a. Directors' Reports

Director Roper reported that she attended the ASBCSD meeting. The guest speaker discussed the importance of using native plants and talked about a program to help homeowners and businesses with landscape.

Director Cardenas reported that he participated in the Earth Day event and did a presentation on GIS.

President Spiller reported that he attended the Earth Day event and said that everyone did a great job.

- b. General Managers Report

General Manager Cox reported that the District's annual Earth Day event took place on Tuesday.

Wastewater Operations Manager Aviles gave the wastewater report. The secondary clarifier failed and Staff found that the motor shorted due to a faulty wire. Staff pulled new wire and got it back up and running. MWC sent a company to fix bay door #2. Staff met with CalRural Water to work on a sampling plan for the District. Submitted the annual SMR report to the Water Board. Alex Creason and Bill Kuhlmann worked the Earth Day booth. The new tires were mounted on the Gator. Staff repaired the Dodge pickup, and it is back in service. Staff

also jetted .25 miles of 8" sewer mainlines. The Mr. Manhole is in operation, Staff raised manholes on Greenbriar, Red Coach and Branding Iron.

Customer Service Supervisor Thomas gave the administration update. There were 28 account transfers in March. She presented a map showing where the account transfers took place. She also presented a chart of bad debt accounts from July 2021 through February 2023. There were a total of 49 accounts owing \$5,007.51, of those accounts 40 have paid, the new amount due is \$522.64. Thomas also presented a graph showing how customers make their payments. The majority of customers pay remotely (66%), 24% pay in person, and 11% pay by mail. Thrift Store sales for March were at \$20,229.91. UIA payments for March were at \$9,143.76.

General Manager Cox presented the financial report. The District's total cash balance is \$6,151,771. The water fund has \$2,060,956; the sewer fund has \$3,078,489; the park fund has \$528,713; and the solid waste fund has \$150,059. The District has \$2,047,886.63 in CLASS; \$156,706.19 in DCB; \$887,670.27 in CBB checking; \$1,038,544.07 in LAIF; and \$2,020,963.48 in CBB Trust.

## Regular Business

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

**Motion:** President Spiller made a motion to approve the Directors' expense reports. Director Roper seconded the motion.

**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 - No; 1 - Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas -Absent; Director Cardenas - Yes; Director Roper - Yes.

### 7. Discussion and Possible Action Regarding Adoption of Resolution 2023-10: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Compensation, Reimbursement, and Ethics Training

**Discussion:** Direction was given to provide modified language related to phone call "meetings." Resolution 2023-10 contains modified language for consideration. Under section 1.2 Day of Service – new language added to address board direction: "Notwithstanding anything herein to the contrary, compensation for phone calls will be handled on a case-by-case basis. As a rule, phone calls do not constitute a meeting. However, to the extent that the Board determines that a phone call should be compensated as a day of service to the District, the amount of such compensation shall be one-sixth (1/6) of the rate established by the Board pursuant to the separate ordinance or resolution referenced in Section 1.1 above. The Board discussed additional changes to be brought to a future meeting including compensation for pre-board meetings with a stipulation that in order to be considered a fully compensable meeting the Board member must attend the regular Board meeting.

**Motion:** President Spiller made a motion to approve Resolution 2023-10: Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Compensation, Reimbursement, and Ethics Training. Director Roper seconded the motion.



**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 – No; 1 - Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas -Absent; Director Cardenas - Yes; Director Roper - Yes.

8. Discussion and Possible Action Regarding Adoption of Resolution 2023-12: A Resolution of Application by the Helendale Community Services District Requesting the Local Agency Formation Commission for San Bernardino County To Take Proceedings for the Annexation of a Portion of its Eastern Sphere of Influence

**Discussion:** Last fall the Board took action to begin the annexation process for a portion of the District's eastern Sphere of Influence. The Staff report provided background on the Sphere of Influence and prior annexation. The filing fee is \$25,699; however, the District will request a partial reduction of fees. The City of Barstow is in support of our annexation. General Manager Cox presented a map showing the proposed annexed area. Staff will work on public outreach and meet with residents in the area, schedule public meetings, and provide those residents with a District newsletter. LAFCO evaluates the seamless provision of services. The fire services (FP-5), ambulance, county transportation services, flood control, library services, will remain unchanged. Some benefits of annexation include: clarification of alignment with School District Boundary, the residents will have a local voice in their government, park & recreation services, youth programs, Senior Lunch program, concerts and informational programs, solid waste will transfer from County to the District. These residents will have a lower cost for trash service. The ESFR will be transferred from the County to the District. These residents will also benefit from enhanced recycling, Clean Up Days, dump passes, etc. Consultant Kathleen Rollings-McDonald said the hearing could take place 6-7 months after the application is received.

**Motion:** Director Roper made the motion to Adopt Resolution 2023-12 requesting to annex a portion of the District's Eastern SOI and approve application fee of \$25,699. Director Cardenas seconded the motion.

**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 – No; 1 - Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas -Absent; Director Cardenas - Yes; Director Roper - Yes.

9. Discussion and Possible Action Regarding Payment of the Unfunded Accrued Liability to CalPERS

**Discussion:** Each year District receives unfunded amount from PERS. There is a short window to pay, or it rolls into an overall amount. The amount is programmed into the budget (Fund 10). The amount for FY23 was \$44,670 (\$42,555 for Classic and \$2,115 for PEPRA) The amount budgeted for FY 24 will be \$39,395 for Classic and nothing due for PEPRA. This must be paid by July 28, 2023. Prepayment of the unfunded amount saves 3.4% interest. The total estimated unfunded amount is \$500,000. This is a moving number, last year it was \$400,000. Many factors to into amount, by paying the annual unaccrued liability it helps in avoided interest costs if added to balance.

**Motion:** Director Cardenas made the motion to approve the payment of \$39,395 for Pers unfunded liability payment. Director Roper seconded the motion.

**Vote:** The motion carried by the following roll call vote: 4 - Yes; 0 – No; 1 - Absent. President Spiller-Yes; Vice President Clark-Yes; Director Haas -Absent; Director Cardenas - Yes; Director Roper - Yes.

**Other Business**

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

Tour the properties on Smithson

Discussion on BNSF expansion

**Closed Session – Closed session was removed.**

~~11. Conference with Legal Counsel – Anticipated Litigation~~

~~Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)~~

~~Two Potential Case~~

12. Report of Closed Session Items

No closed session

13. Adjournment

President Spiller adjourned the meeting at 7:28 pm

Submitted by:

Approved by:

\_\_\_\_\_  
Henry Spiller, 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

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
BY: Sharon Kreinop  
SUBJECT: Agenda item #4b  
Bills Paid Report

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# Helendale Community Services District

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
BY: Sharon Kreinop, Senior Account Specialist  
SUBJECT: Agenda item #4 b  
Consent Items: Bills Paid and Presented for Approval

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**STAFF RECOMMENDATION:**

Updated Report Only. Receive and File

**STAFF REPORT:**

Staff issued 45 checks and 9 EFT's totaling \$209,275.54.

Total Cash Available:	<u>05/01/23</u>	<u>04/17/23</u>
Cash	\$6,410,885.51	\$6,151,770.64
Drafts /Checks/EFT's Issued	\$ 209,275.54	\$ 106,729.65

**INVESTMENT REPORT:**

The Investment Report shows the status of the invested District funds. The interest rate is 2.831% for LAIF and 4.9771% for CA Class for March 2023. Income earned March 2023 on CA Class account is \$8,254.26.



Helendale CSD

# Bills Paid and Presented for Approval

## Transaction Detail

Issued Date Range: 04/17/2023 - 05/01/2023

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
<b>Bank Account: 251229590 - CBB Checking</b>					
		ASBCSD	-308.00		
04/17/2023	<a href="#">26233</a>	A&G Instrument Service and Calibration, Inc.	-3,052.35	Check	Accounts Payable
04/17/2023	<a href="#">26233</a>	A&G Instrument Service and Calibration, Inc. Reversal	3,052.35	Check Reversal	Accounts Payable
04/17/2023	<a href="#">26234</a>	WaterMaster	-1,389.21	Check	Accounts Payable
04/17/2023	<a href="#">26235</a>	A&G Instrument Service and Calibration, Inc.	-5,827.99	Check	Accounts Payable
04/17/2023	<a href="#">26235</a>	A&G Instrument Service and Calibration, Inc. Reversal	5,827.99	Check Reversal	Accounts Payable
04/18/2023	<a href="#">26236</a>	A&G Instrument Service and Calibration, Inc.	-5,653.15	Check	Accounts Payable
04/18/2023	<a href="#">26237</a>	A&G Instrument Service and Calibration, Inc.	-2,960.78	Check	Accounts Payable
04/19/2023	<a href="#">26238</a>	Eide Bailly LLP	-3,151.00	Check	Accounts Payable
04/19/2023	<a href="#">26239</a>	DWIGHT DOLLINS	-245.51	Check	Utility Billing
04/20/2023	<a href="#">26240</a>	C. J. Brown & Company, CPAs	-550.00	Check	Accounts Payable
04/21/2023	<a href="#">26241</a>	ACI Payments, Inc	-57.20	Check	Accounts Payable
04/21/2023	<a href="#">26242</a>	ALR Engineering & Testing	-600.00	Check	Accounts Payable
04/21/2023	<a href="#">26243</a>	County of San Bernardino, Solid Waste Mgmt. Div.	-531.35	Check	Accounts Payable
04/21/2023	<a href="#">26244</a>	Frontier Communications	-59.71	Check	Accounts Payable
04/21/2023	<a href="#">26245</a>	Frontier Communications	-90.81	Check	Accounts Payable
04/21/2023	<a href="#">26246</a>	Konica Minolta	-764.42	Check	Accounts Payable
04/21/2023	<a href="#">26247</a>	Lakeside Heating and Air Conditioning	-367.00	Check	Accounts Payable
04/21/2023	<a href="#">26248</a>	Mojave Desert AQMD	-400.11	Check	Accounts Payable
04/21/2023	<a href="#">26249</a>	Staples Credit Plan	-547.00	Check	Accounts Payable
04/21/2023	<a href="#">26250</a>	Stericycle, Inc	-186.48	Check	Accounts Payable
04/21/2023	<a href="#">26251</a>	United Rentals, Inc.	-1,425.78	Check	Accounts Payable
04/21/2023	<a href="#">26252</a>	USA of So. California	-78.25	Check	Accounts Payable
04/21/2023	<a href="#">26253</a>	Verizon Wireless	-711.90	Check	Accounts Payable
04/21/2023	<a href="#">26254</a>	Verizon Wireless	-106.32	Check	Accounts Payable
04/21/2023	<a href="#">26255</a>	Brunick, McElhane & Kennedy Professional Law Corp	-3,937.50	Check	Accounts Payable
04/21/2023	<a href="#">26256</a>	Void Check	0.00	Check	Accounts Payable
04/21/2023	<a href="#">26257</a>	Zenith Insurance Company	-16,782.00	Check	Accounts Payable
04/21/2023	<a href="#">26258</a>	LAFCO	-25,699.00	Check	Accounts Payable
04/21/2023	<a href="#">26259</a>	Cashier, CDFA- Certified Farmer's Market	-478.00	Check	Accounts Payable
04/28/2023	<a href="#">26260</a>	California State Disbursement Unit	-230.76	Check	Accounts Payable
04/28/2023	<a href="#">26261</a>	State of California - Franchise Tax Board	-50.00	Check	Accounts Payable
04/27/2023	<a href="#">26262</a>	Allied Public Risk LLC	-33,027.00	Check	Accounts Payable
04/27/2023	<a href="#">26263</a>	Atlas Environmental Engineering, Inc	-4,150.00	Check	Accounts Payable
04/27/2023	<a href="#">26264</a>	Beck Oil Inc	-6,115.37	Check	Accounts Payable
04/27/2023	<a href="#">26265</a>	Cheryl Vermette	-630.00	Check	Accounts Payable
04/27/2023	<a href="#">26266</a>	Consolidated Electrical Distributors, Inc.	-241.79	Check	Accounts Payable
04/27/2023	<a href="#">26267</a>	Home Depot Credit Services	-3,866.39	Check	Accounts Payable
04/27/2023	<a href="#">26268</a>	Paul Osborne	-950.00	Check	Accounts Payable
04/27/2023	<a href="#">26269</a>	Print Mart	-1,067.27	Check	Accounts Payable
04/27/2023	<a href="#">26270</a>	Print Mart	-55.44	Check	Accounts Payable
04/27/2023	<a href="#">26271</a>	Rebecca Gonzalez	-1,000.00	Check	Accounts Payable
04/27/2023	<a href="#">26272</a>	Sierra Analytical Labs, Inc	-300.00	Check	Accounts Payable
04/27/2023	<a href="#">26273</a>	Uline, Inc	-2,875.94	Check	Accounts Payable
04/27/2023	<a href="#">26274</a>	Ultimate Internet Access, Inc	-818.88	Check	Accounts Payable
04/27/2023	<a href="#">26275</a>	USPS	-1,003.11	Check	Accounts Payable

**Bank Transaction Report**

Issued Date	Number	Description	Amount	Type	Module
04/27/2023	<a href="#">26276</a>	Victorville Glass Co, Inc	-343.36	Check	Accounts Payable
05/01/2023	<a href="#">26277</a>	Victorville Chevrolet / Cadillac	-66,142.47	Check	Accounts Payable
04/17/2023	<a href="#">EFT0004566</a>	To record Tasc Flex Claim Pmt	-770.81	EFT	General Ledger
04/24/2023	<a href="#">EFT0004567</a>	CalPERS Classic Pmt PPE 3/26/23	-7,968.92	EFT	General Ledger
04/24/2023	<a href="#">EFT0004568</a>	CalPERS PEPRA Pmt PPE 3/26/23	-1,893.22	EFT	General Ledger
04/20/2023	<a href="#">EFT0004569</a>	SCE ACH Park Wellheads Acct 700448234519	-369.28	EFT	General Ledger
04/24/2023	<a href="#">EFT0004571</a>	SCE Street Lighting Acct # 700013030275	-1,688.26	EFT	General Ledger
04/26/2023	<a href="#">EFT0004572</a>	SCE ACH Sod Farm Acct 700255337588	-1,263.05	EFT	General Ledger
04/28/2023	<a href="#">EFT0004584</a>	CalPERS 457 Pmt PPE 4/23/23	-5,005.06	EFT	General Ledger
04/26/2023	<a href="#">EFT0004591</a>	to record Pers Projected COntribution for J. McClure PP 3-	-223.31	EFT	General Ledger
05/01/2023	<a href="#">EFT0004592</a>	To record EVO Thrift Store CC Fees 23099	-453.37	EFT	General Ledger
<b>Bank Account 251229590 Total: (57)</b>					<b>-209,275.54</b>
<b>Report Total: (57)</b>					<b>-209,275.54</b>

# Summary

**Bank Account**  
[251229590 CBB Checking](#)

Count	Amount
57	-209,275.54
<b>Report Total:</b>	<b>-209,275.54</b>

**Cash Account**  
[\\*\\*No Cash Account\\*\\*](#)  
[99 99-111000 Cash in CBB - Checking](#)

Count	Amount
1	0.00
55	-209,275.54
<b>Report Total:</b>	<b>-209,275.54</b>

Transaction Type	Count	Amount
Check	47	-198,520.60
Check Reversal	2	8,880.34
EFT	9	-19,635.28
<b>Report Total:</b>	<b>56</b>	<b>-209,275.54</b>



# Helendale Community Services District

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DATE: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #6  
Discussion and Possible Action Regarding Approval of Directors' Expense Reports

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## **STAFF RECOMMENDATION**

None.

## **STAFF REPORT**

This matter is at the discretion of the Board. Included herein for the Board's consideration are expense reports submitted since the last Board meeting.

**FISCAL IMPACT:** NA

**POSSIBLE MOTION:** At the discretion of the Board.

**ATTACHMENTS:** Expense Reports



# HELENDALE COMMUNITY SERVICES DISTRICT BOARD MEMBER EXPENSE VOUCHER

Name: Steady News Pay Period Ending: 4-23-23

Date	Expense Description/Explanation	Miles	Meals	Lodging	Other Expense	Reimburse Y/N	Phone Call Y/N	Expense Category
4-17	Tri Communities		\$	\$	\$	Y		C
4-18	Share with other CSDs, board + government reps.		\$	\$	\$	Y		B
4-19	Evenk Day		\$	\$	\$	Y		G
	Awareness for children activities		\$	\$	\$			
	Meeting w/ GM		\$	\$	\$	Y		
	agenda and other district business		\$	\$	\$			
			\$	\$	\$			
			\$	\$	\$			
			\$	\$	\$			
			\$	\$	\$			
		<b>Total Miles</b>						
		<b>Total Meals</b>	235#					
		<b>Total Lodging</b>						
		<b>Total Other Expense</b>						
		<b>Total Compensable Meetings</b>				450-		

Signature: Steady News Date: 4-25-23

**Expense Categories**  
 G: Meeting w/GM or Designee regarding District Operations  
 H: Meeting w/auditors, attorney or consultant retained by District  
 I: Meeting of Local, State or Federal body w/jurisdiction affecting HCSD  
 J: Meeting w/organization with interests in matters involving functions or operations of the District  
 K: Meeting pre-approved by the Board of Directors  
 \* Written or verbal report required to be presented at the next Board meeting

MERCHANT COPY

Los Domingos  
(760) 256-1381

Ticket No: 51  
Ticket UID: 20230412E38B-224  
Small Room->5

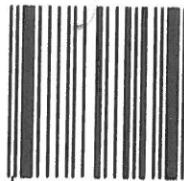
Employee: Brittney  
Dine In  
Date: 4/12/2023  
Time: 12:05:48 PM

L-8 Two Items	\$10.89
-- Enchilada Meat Cheese	\$0.00
-- Taquitos Beef	\$0.00
-- Rice	\$0.00
-- Refried Beans	\$0.00
Enchiladas	\$4.50
-- Enchilada Meat Chicken	\$0.00
Coke	\$3.50

Subtotal: \$18.89  
Tax: \$1.65  
Total: \$20.54

Suggested Tip

10% (Tip: \$2.05, Total: \$22.59)  
15% (Tip: \$3.08, Total: \$23.62)  
20% (Tip: \$4.11, Total: \$24.65)



Thank you come again!  
Please leave us a review on Yelp, Google or Facebook

Los Domingos  
(760) 256-1381

4/12/2023 12:45:05 PM  
Terminal SN: 3A504839  
EVO UID: 20230412E38B-224  
EVO ID: 51  
EVO Payment UID: 202304123BC1  
Small Room->5

Employee: Brittney

Transaction #: 42  
Account: 6370  
Name On Card: CARDHOLDER/VISA  
Entry: Contactless  
Amount: \$20.54  
Tip: \$ 3.00  
Total: \$ 23.54

Auth Code: 014503  
Response: OK

TC: 499F29C73EE8C7DB  
TVR: 0000000000  
AID: A0000000031010  
TSI: 0000  
ATC: 003F  
APPLAB: VISA DEBIT

Suggested Tip

[ ] 10% (Tip: \$2.05, Total: \$22.59)  
[ ] 15% (Tip: \$3.08, Total: \$23.62)  
[ ] 20% (Tip: \$4.11, Total: \$24.65)

I AGREE TO PAY ABOVE TOTAL  
AMOUNT ACCORDING TO CARD ISSUER  
AGREEMENT (MERCHANT AGREEMENT  
IF CREDIT VOUCHER)

X.....  
SIGNATURE



# Helendale Community Services District

---

Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #7  
Discussion and Possible Action Regarding Adoption of Resolution 2023-13: A  
Resolution of the Board of Directors of the Helendale Community Services District  
Establishing Policies for its Compensation, Reimbursement, and Ethics Training

---

**STAFF RECOMMENDATION:**

None

**STAFF REPORT:**

Based upon direction provided to Staff at the last board meeting held, April 20, 2023, attached are suggested revisions to the resolution that establishes policies for Board compensation and reimbursement. This intent of the last conversation of the Board focused on the use of the public's funds related to phone calls prior to and after a Board meeting and whether this was an appropriate use of public funds.

The District's General Counsel has drafted the language presented to the Board for consideration that will provide the basis for discussion as to whether this adequately addresses the desired direction of the Board. Staff reviewed the audio from the prior discussion to ensure the Board's direction was captured herein based upon the fluid conversation.

**FISCAL IMPACT:** NA

**Possible Motion:** Adopt Resolution 2023-13

**ATTACHMENTS:** Resolution 2023-13: Policies for compensation, reimbursement and ethics training



**RESOLUTION NO. 2023-1013**

**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 / the General Manager's Delegate 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 outlining the purpose of the meeting and the benefit to the public 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. Phone Calls. Notwithstanding anything herein to the contrary, compensation for phone calls will be handled on a case-by-case basis. As a rule, phone calls do not constitute a meeting. However, to the extent that the Board determines that a phone call should be compensated as a day of service to the District, the amount of such compensation shall be one-sixth (1/6) of the rate established by the Board pursuant to the separate ordinance or resolution referenced in Section 1.1 above. Nevertheless, the compensation-rate limitations of the prior sentence of this Section 1.2.2 shall not apply to phone calls that meet all of the following requirements:

(a) The phone call is between the Board member and the District's General Manager and/or the General Manager's delegate;

(b) The phone call specifically involves matters that have been expressly agendized for consideration at the next Board meeting immediately following said phone call;

(c) Said phone call occurs after the agenda for said Board meeting has been duly posted in accordance with the applicable requirements of the District's Sunshine Ordinance;

(d) At the time that said phone call is initiated, the Board member is present at a physical location that is situated outside of the jurisdictional boundaries of the District; and

(e) The Board member actually attends the Board meeting that is the subject of said phone call.

1.2.3. 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 a day of service within the scope of this Resolution, a Board member shall submit a payment request to the District's General Manager. Thereafter, the District's General Manager will issue payment to the Board member consistent with the District's regular payroll cycle and will include the payment request in the agenda materials for the next public meeting. At that meeting, the Board will review and approve or

deny the payment request. Payments made by District staff prior to Board consideration of compensation requests are expressly subject to reconciliation following Board action thereon.

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 eligible expenses incurred on behalf of the District in the performance of official duties. The expense reports shall document that said expenses meet the policy reflected in this Resolution for expenditure of public resources. Board members shall submit such expense reports to the District's General Manager, and the reports shall be accompanied by the receipts documenting each expense. Thereafter, the District's General Manager will issue payment to the Board member in the amount requested



in the expense report consistent with the District’s regular payroll cycle and will include the reimbursement request in the agenda materials for the next public meeting. At that meeting, the Board will review and approve or deny the reimbursement request. Payments made by District staff prior to Board consideration of expense reimbursement requests are expressly subject to reconciliation following Board action thereon. 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. 202~~23~~-1~~20~~ adopted by the Board on ~~June 16~~April 20, 202~~23~~, and shall take effect immediately upon its adoption.

ADOPTED this 204<sup>th</sup> day of ~~April~~May, 2023

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Henry Spiller, President

ATTEST:

\_\_\_\_\_  
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  
VWRA

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

Farmers Market

Mojave Water Agency Tours

Concerts-in-the-Park if carrying out a function or helping with the event



# Helendale Community Services District

Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #8  
Discussion and Possible Action Regarding Adoption of Resolution 2023-11: A Resolution of the Board of Directors of the Helendale Community Services District Initiating Procedures to Continue Collection of Water and Sewer Standby Charges for Fiscal Year 2024

---

## **STAFF RECOMMENDATION:**

Staff requests approval for this item.

## **STAFF REPORT:**

This is a procedural item that comes before the Board on an annual basis. The Collection of Standby Fees is a two-part process which includes the initiation of the process and then in July culminates in a public hearing and possible adoption of second resolution approving the continuation of collection of the standby fees. Once approved by the Board Staff prepares and submits the final list to the County Tax Collector typically by August 10<sup>th</sup>.

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

In 2014, the District completed an engineering report that provided appropriate substantiation for the Standby Fees. In fact, the engineer's report acknowledged that the appropriate amount for the standby fees should be over \$300 each year. However, the Honorable Board of Directors elected to continue the Standby Fee as a minimum of \$30 for up to a one-acre parcel and increased by \$30 for every additional acre.

The total amount of standby fees the District has received as of 5/1/2023, for fiscal year 2023 is \$13,743.34 for Water and \$19,802.76 for Wastewater including penalties and interest.

The amount of Standby Fees owed for FY24 is \$22,580.10 for water (601 properties) and \$18,930 for wastewater (590 properties). Staff will continue to refine this list prior to the submittal to the County by the deadline of on or about August 10, 2023.

A public protest hearing is scheduled for July 20, 2023, at 6:00 p.m. regarding the imposition of the Water and Sewer Standby Fees. At the hearing, the Board will hear and consider any and all objections or protests to the proposed charges.

**FISCAL IMPACT:** Potential revenue of approximately \$41,510.

**REQUESTED ACTION:** Adopt Resolution 2023-11

**ATTACHMENTS:** Resolution 2023-11  
Engineer's Report for Water and Sewer Standby Charges (FY2015)



## **RESOLUTION NO. 2023-11**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT INITIATING PROCEDURES TO CONTINUE COLLECTION OF WATER AND SEWER STANDBY CHARGES FOR FISCAL YEAR 2024**

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

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

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

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

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

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

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

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

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

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

1. The public interest and necessity requires the Board to adopt this Resolution initiating proceedings to fix, levy, and collect water standby and availability charges on all properties within the District’s jurisdictional boundaries where water service is available pursuant to applicable law, including but not limited to the pertinent provisions of the Act, Condition No. 10 of LAFCO Resolution No. 2951, and/or Government Code Section 56886(t).

2. The public interest and necessity requires the Board to adopt this Resolution initiating proceedings to fix, levy, and collect sewer standby and availability charges on all properties within the District’s jurisdictional boundaries where sewer service is available pursuant to applicable law, including but not limited to the pertinent provisions of the Act, Condition No. 10 of LAFCO Resolution No. 2951, and/or Government Code Section 56886(t).

3. The standby charges proposed to be adopted by the Board are based upon the report of a qualified engineer, Bartle Wells Associates, which is attached hereto and incorporated herein by this reference. The content of said report includes, but is not limited to, any and all statements and determinations specifically relating to each of the following:

- a. A description of the charge and the method by which it is proposed to be imposed;
- b. A compilation of the amount of the charge proposed for each parcel subject to the charge;
- c. A statement of the methodology and rationale followed in determining the degree of benefit conferred by the service for which the proposed charge is made;
- d. The District’s legal ability to fix and adjust a standby charge, the amount of the proposed charge, and the properties affected thereby;
- e. A description of the lands upon which the charge is proposed to be imposed; and
- f. The amount of the proposed charge for each of the lands so described.

4. On July 20, 2020, at 6:00 p.m., at the District offices located at 26540 Vista Road, Suite C,



Helendale, California, the Board will hold a public protest hearing regarding the imposition of the charge, which hearing shall be conducted in the manner set forth in the Act. At the hearing, the Board may also consider whether to provide that if any charge so adopted becomes delinquent, the amount of the delinquency, together with any interest and penalties thereon, should constitute a lien on the affected property upon the filing of a certificate in the Office of the County Recorder, which lien may have the same force, effect, and priority as a judgment lien. At the hearing, the Board will hear and consider any and all objections or protests to the proposed charges pursuant to the requirements of the Act.

5. The District's General Manager is hereby authorized and directed to cause notice of the date, time, and place of the public hearing on the proposed charges to be duly published prior thereto as may be required by the Act.

**APPROVED AND ADOPTED this 4th day of May, 2023, by the following vote:**

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

By: \_\_\_\_\_  
Ron Clark, Vice President

Attest: \_\_\_\_\_  
Sandy Haas, Secretary



# HELENDALE COMMUNITY SERVICES DISTRICT

**ENGINEER'S REPORT  
FOR FISCAL YEAR 2014-15  
STANDBY CHARGE**

**FINAL DRAFT: OCTOBER 2014**



## BARTLE WELLS ASSOCIATES



Independent Public Finance Advisors  
1889 Alcatraz Avenue  
Berkeley, CA 94703-2714  
Tel: 510.653.3399  
Fax: 510.653.1769  
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**AFFIDAVIT FOR THE ENGINEER'S REPORT: HELENDALE  
COMMUNITY SERVICES DISTRICT WATER STANDBY CHARGE**

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This Report describes the annual Standby Charge of the Helendale Community Services District (the CSD), which was initially formed by the County of San Bernardino as County Service Areas 70 B & C and assumed by the CSD as part of the reorganization pursuant to Condition 10 of LAFCO Resolution No. 2996, adopted June 21, 2006. This Report outlines the assessment methodology, affected parcels, and assessments to be levied for Fiscal Year 2014-2015. Reference is hereby made to the San Bernardino County Assessor's Maps for a detailed description of the lines and dimensions of parcels that are subject to the Standby Charge. The undersigned respectfully submits the enclosed Report as directed by the District's Board of Directors.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

By: \_\_\_\_\_  
Kimberly Cox, General Manager

By: \_\_\_\_\_  
Douglas Dove, PE, CIPFA  
President/Principal

## OVERVIEW

---

Pursuant to the provisions the Uniform Standby Charge Procedures Act (Gov. Code, §§ 54984-54984.9; "Act"), public agencies may set a water and/or sewer standby charge each year for making infrastructure available to property whether the services are used or not. (§ 54984.2.) On November 5, 1996, the electorate adopted an initiative measure ("Proposition 218"), amending the California Constitution by adding articles XIII C and XIII D. Under article XIII D, new limitations and procedural requirements for assessments on real property were established and Section 6.b.4 of Article XIII D specifically states:

*"Standby Charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with Section 4."*

However, notwithstanding the following, any assessment/standby charge that was in effect prior to the effective date of Proposition 218 that was imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewer, water, flood control, drainage systems or vector control shall be exempt from the procedures and approval process set forth in Section 4. Therefore, the CSD's existing standby charge is not required to re-notice and undergo a Proposition 218 Majority Protest Balloting, unless the CSD wishes to increase the standby charge above its current rate.

Accordingly, the CSD is authorized by law to provide water and sewer service, and may fix, before August 10 of any given year, a water and/or sewer standby charge, on land within the jurisdiction of the CSD to which water and/or sewer services are made available for any purpose by the CSD, whether the water or sewer service is actually used or not.

Upon approval and adoption of the annual standby charge by the CSD Board of Directors, the standby charges for Fiscal Year 2014-2015 shall be submitted to the San Bernardino County Auditor/Controller for inclusion on the property tax roll for each parcel.

For the purposes of this Report, the word "parcel" refers to an individual property assigned its own Assessor Parcel Number by the San Bernardino County Assessor's Office.

## HISTORICAL BACKGROUND AND CURRENT LEGISLATION

In November 1996, California voters approved Proposition 218 that established specific requirements for the ongoing imposition of taxes, assessments and fees. The provisions of the Proposition are now contained in the California Constitutional Articles XIII C and XIII D. All assessments described in this Report and approved by the District Board of Directors are prepared in accordance with Uniform Standby Charge Procedures Act (the "Act"), LAFCO Resolution No. 2996 and in compliance with the provisions of the Constitution.

Pursuant to the Article XIII D Section 5 of the Constitution, certain existing assessments and, in this case, standby charges, were exempt from the substantive and procedural requirements of the Article XIII D Section 4. Therefore, a property owner balloting is not required until such time that a new or increased standby charge is proposed. At this time, the CSD does not intend to increase the existing standby charge and this Engineer's Report is in connection with the continued collection of the current standby charge for Fiscal Year 2014-2015.

The standby charge of the CSD may be used for any purpose pursuant to the Act, commencing with Government Code Section 54984.2, whether the water and/or sewer service is actually used or not. The standby charge may also vary according to land uses, benefit derived or to be derived from the use or availability of facilities to provide water, or the degree of availability or quantity of the use of the water to the affected lands. The charge may be imposed on an area, frontage, or parcel basis, or a combination thereof.

*The existing standby charge methodology is employed throughout the CSD service area and is only levied against undeveloped parcels to provide equity between existing ratepayers and future customers that are not currently connected to the system by charging a portion of the cost to maintain the water and sewer system to undeveloped parcels that have the potential to develop in the future.*

Based on the FY2014-15 budget the existing standby charge for water is estimated to generate \$30,500 annually in comparison to an annual budget for the Water Enterprise Fund in excess of \$1.8 Million. The existing standby charge for wastewater generates \$24,000 annually in comparison to an annual budget for the Wastewater Enterprise Fund in excess of \$1.3 Million.

## WATER AND SEWER SERVICES

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### DESCRIPTION OF CSD

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The CSD is located in the High Desert area of San Bernardino County between Barstow and Victorville and has an estimated population of 6,000. The CSD's existing water and sewer service area is approximately five square miles while the District's boundary encompasses more than 100 square miles. The CSD provides water and sewer service to over 2,800 service connections. Over 90 percent of water and sewer connections service single-family residences. The CSD has not experienced much growth in recent years; however, the area has a potential for growth as there are approximately 728<sup>1</sup> undeveloped water parcels and 720<sup>1</sup> undeveloped sewer parcels that may be developed in the future in addition there is significant developer interest in the area as evidenced by the draft Specific Plan that was completed by San Bernardino County Land Use Services in January 2011. This potential development at build-out could generate up to 756<sup>2</sup> new water and 737<sup>2</sup> new sewer connections.

In general, the CSD provides for the continued delivery of water and wastewater service to its service area, including the operation, maintenance, servicing, repair and rehabilitation, and expansion of water and sewer facilities. These services are required and provide a special benefit to parcels that are not currently developed and connected to the water and sewer systems as facilities must be available for the orderly development of such properties. Therefore, many public agencies impose a water and sewer standby charge against undeveloped parcels until such time that the property is developed and connected to the existing infrastructure as a ratepayer. Standby charges provide a means to charge undeveloped parcels a proportional share of the cost of the utility that provides a special benefit to undeveloped parcels, including, but not limited to, water and sewer service, repair and replacement of existing facilities, new capital improvements, and operations.

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<sup>1</sup> Undeveloped water and sewer parcel information provided in e-mail from Kimberly Cox, 10/2/2014

<sup>2</sup> New water and sewer connections estimated by the ratio of current connections to current built properties

## METHOD OF APPORTIONMENT

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### BENEFIT ANALYSIS

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Similar to many other public water and sewer entities in the State, standby charges provide a means to charge undeveloped parcels a proportional share of the cost of the water utility as a means to spread water and sewer service costs between existing ratepayers and undeveloped parcels, which will generate future customers as parcels are developed. Water and sewer services not only provide a direct benefit to existing customers, but it also provides a special benefit to undeveloped parcels as the CSD continues to provide service now and into the future through the ongoing operations of sewer collection and treatment, water resource management, water production, water quality, and the repair, replacement and expansion of related capital improvements. Most importantly, a standby charge reserves capacity in the existing system for the perspective development.

As previously referenced under the earlier Section of the Engineer's Report entitled: "Overview," a standby charge is considered an assessment under the provisions of Article XIII D of the State Constitution. Therefore, all parcels which will have a special benefit conferred upon them and upon which the standby charge will be imposed must be identified (the Assessment Roll). The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the costs of the capital water improvement, the maintenance and operation expenses of such improvement, and the cost of the property-related service being provided. In addition, no standby charge shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. In addition to the elements identified above, the standby charge of the CSD may also be used for any purpose pursuant to the Act, commencing with Government Code Section 54984.2. Therefore, the CSD may use standby charge revenue to fund any portion of its annual water and sewer budget. However, as the standby charge is only levied against undeveloped property and has not been increased since the original formation, the CSD's annual expenses for water and sewer services far exceeds revenue generated by the Standby Charge.

### ASSESSMENT METHODOLOGY

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The current standby charge was originally established by the County of San Bernardino and transferred to the CSD through the LAFCO proceedings that created the CSD. More specifically, Condition 10 of LAFCO Resolution No. 2996 specifically states: "All previously authorized charges, fees, assessments, and/or taxes ..... in effect shall be continued and assumed by the Helendale Community Services District as the successor agency in the same manner as provided in the original authorization pursuant to the provisions of Government Code Section 56886(t)." The CSD does not intend to change the assessment methodology nor increase the existing standby charge; therefore, the continued collection of the current standby charge is in compliance with the Act and Article XIII D of the State



Constitution.

The benefit formula used for apportioning cost over affected parcels reflects the composition of the parcels and the water and sewer services provided. Therefore, as undeveloped parcels are the only parcels subject to the existing standby charge, the most appropriate allocation basis to use to fairly apportion the costs based on the special benefits to each assessable parcel is by assigning Equivalent Benefit Units (EBU's) to each parcel based on the lot size of such parcel. Only undeveloped parcels with water and sewer service readily available to the parcel are assessed. In determining access, the original criterion established for determining development potential is property within 660 feet of a water main. In addition, billable acreage excludes territory of a parcel that cannot access water or sewer services due to unique circumstances, such as, railroad or road impediments, pressure breaks, and drainage easements or other types of easements that restrict the parcel's access to water and sewer services.

#### EQUIVALENT BENEFIT UNITS

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of all other properties that are subject to the Standby Charge. The method of apportionment most commonly used for assessments/standby charges is based on a weighted method of apportionment known as an Equivalent Benefit Unit (EBU) methodology. This proportional weighting may be based on several factors that may include, but are not limited to: the type and status of development (land use), size of the property, location of the property, parcel frontage, or other property related factors. In the case of the Helendale Community Services District, 1 EBU is equal to one acre and the standby charge is assessed only against unimproved property.

The assessable land area of a parcel reflects the development potential of a parcel and the special benefit that the parcel would receive from the water and sewer services. The total number of EBUs assigned to each parcel equals 1 EBU per lot up to one acre in size plus 0.5 EBUs per acre for each fraction of an acre, with a minimum assignment of 1 EBU to assessable parcel.

The following formulas are used to calculate each parcel's EBUs and the total EBUs that are assessed the standby charge:

Parcel's EBUs = 1 EBU minimum up to one Billable Acre and 0.5 EBUs x fractional Billable Acreage

**EXAMPLE:**

5.6 Acres = 5 EBUs for the first five acres + 0.5 times the remaining fractional acreage of 0.6 =  $(0.5 \times 0.6) = 0.3$  EBUs Total EBUs = 5.3 EBUs

The total number of EBUs equals the sum of all EBUs assigned to Undeveloped Parcels. The existing Standby Charge, equal to \$30 per EBU, is then applied to each parcel's individual EBUs to determine the parcel's proportionate benefit and total obligation. The following formulas are used to calculate each parcel's annual Levy Amount.

Standby Charge per EBU x Parcel's EBUs = Parcel's Levy

**EXAMPLE:**

5.6 Acres =  $\$30 \times 5.3\text{EBUs} = \$159$

.5 Acres =  $\$30 \times 1\text{EBU} = \$30$

1 Acre =  $\$30 \times 1\text{EBU} = \$30$

## DISTRICT BUDGET FISCAL YEAR 2014-2015

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The following provides the preliminary proposed budget of the Water and Sewer Enterprise Fund for Fiscal Year 2014-2015. The budget includes the District's estimate of anticipated expenditures associated with the water utility. Pursuant to Section 54984.2 of the Act, the Standby Charge may fund any expenditure type of the proposed budget.

**Table 1**  
**Helendale Community Services District**  
**Preliminary Fiscal Year 2014-2015 Budget**

Operating Expenses	Water	Sewer
Water Purchases	70,000	NA
Salaries & Benefits	414,984	286,612
Board Compensation	0	0
Professional Fees	33,500	72,500
Service and Supplies	221,900	142,250
Utilities	152,500	104,500
<b>Sub-Total</b>	<b>892,884</b>	<b>605,862</b>
<b>Non-Operating Expenses</b>		
Debt	395,252	54,374
Administration, taxes, etc.	265,582	324,601
<b>Sub-Total</b>	<b>660,834</b>	<b>378,975</b>
<b>Depreciation Expenses</b>		
Depreciation/Amortization	247,677	382,924
<b>TOTAL</b>	<b>\$1,801,395</b>	<b>1,367,761</b>

In determining the portion of the budget that may be funded by the standby charge, Bartle Wells Associates reviewed the CSD's Capital Improvement Program and the CSD's 2012 Water and Sewer Fee Study. Based on the total growth potential of the CSD<sup>3</sup>, it is projected that the CSD will add approximately 756 new water connections (1017 New EBUs) and 737 new sewer connections (800 New EBUs) through buildout. This growth potential will represent 20.94% (756 new water connections/3612 total water connections) of the CSD's total water service demand and 20.89% (737 new sewer connections/ 3529 total sewer connections) of the CSD's sewer service demand. Therefore, the portion of the CSD's budget that is authorized to be funded by the Standby Charge and represents the special benefit conferred on undeveloped water property and sewer property is \$377,169 (20.94% x \$1,801,395) and \$285,777 (20.89% x \$1,367,761) the special benefit conferred by undeveloped sewer property. The 20.94% of total water demand and 20.89% of total sewer demand at buildout that is expected to be generated from future customers shall be updated at least every five years or at the same time that the CSD's Connection Fee Study is updated.

<sup>3</sup> Future Connections estimated by Helendale Community Services District. Estimated EBUs are based on annual assessment tax revenues divided by annual assessments (\$30 per water EBU and \$30 per sewer EBU).

Based on the allocated expenses for the water and sewer enterprise funds of \$377,169 and \$285,777 respectively, the maximum standby charge per water and sewer EBU would be equal to \$370.98 and \$357.22 for Fiscal Year 2014-2015 ( $\$377,169 / 1016.67 \text{ EBUs}^3 = \$370.98$  per EBU) and ( $\$285,777 / 800 \text{ EBUs}^3 = \$357.22$  per EBU). However, the current rate of \$30 per EBU may not be increased without a majority protest ballot proceeding pursuant to Article XIII D Section 4(d) of the State Constitution. The CSD does not intend to increase the existing standby charge at this time and will continue to levy and collect the current standby charge for Fiscal Year 2013-2014.

## **DISTRICT BOUNDARY DIAGRAMS**

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The boundaries subject to the standby charge are equivalent to the existing water and sewer service area of the CSD and, by reference are hereby made part of this Engineer's Report. However, only undeveloped parcels within 66 feet of existing water and sewer infrastructure are subject to the Standby Charge. For more detailed specifications on the CSD's service area, diagrams are available for inspection at the administration office during normal business hours.

## **2014-2015 ASSESSMENT ROLL**

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Parcel identification, for each lot or parcel subject to the standby charge, shall be the parcel as shown on the San Bernardino County Assessor Parcel Maps and/or the San Bernardino County Secured Tax Roll for the year in which this Report is prepared. The proposed standby charge for each parcel has been prepared in accordance with the original rate established as part of the original formation and the method of apportionment described in this report and has been presented to the Board of Directors.

The standby charge information for each parcel as outlined in this Engineer's Report and confirmed by the District Board, shall be submitted to the County Auditor/Controller, and included on the property tax roll for Fiscal Year 2014-2015. If the parcels referenced by this Engineer's Report are renumbered, reapportioned or changed by the County Assessor's Office after approval of the Report, the new parcel(s) with the appropriate standby charge amount will be submitted to the County Auditor/Controller.

The Assessment roll includes parcels for the water standby fee and parcels for the sewer standby fee. The Assessment Roll has been provided to the Board under separate cover and is on file at the District Office and is made part of this Engineer's Report by reference.



# Helendale Community Services District

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Date: May 4, 2023  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #9  
Discussion Only Regarding Community Center Improvements

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## **STAFF RECOMMENDATION:**

Staff seeks input regarding this item.

## **STAFF REPORT:**

The Community Center is an increasingly active facility. As such, this agenda item discusses previous considerations by the Board related to improvements as well as new maintenance and improvements for the Board's consideration. Based upon the discussion the Park Capital Improvement Plan may be modified to incorporate the direction.

### **Necessary maintenance**

#### Seal Coat:

The new asphalt needs to have a seal coat completed which will also require new striping. In addition, there are cracks in the asphalts due to normal expansion and contraction per the District's consulting engineer. The seal coat and striping will cost approximately \$18,000-\$22,000, however, the crack seal will increase the costs. This has not previously been discussed with the Board and may still be under the General Manager's signing authority with the crack seal added.

#### Asphalt Repair:

The front of the Community Center is in need of an asphalt overlay or grind and replace as determined by the District's consulting engineer. The asphalt had not been maintained prior to the District purchasing the property and has continued to degrade in the year since. Staff does not have an estimate on this work but will proceed at the direction of the Board. This item is scheduled in the Capital Improvement Plan for FY24 in the amount of \$40,000. Staff will have the District engineer prepare the bid specifications for this work.

### **Improvements**

#### Card Lock Door System for the Community Center:

This item has not previously been discussed with the Board. Staff has secured several quotes for a card lock system for the community center. This will enhance access for the growing uses of Units C & D as well as simplify issuance of keys. Cards can be deactivated when the use is over. A deposit for the keycard can be charged which will cover the replacement costs if lost. Appropriate

Staff would be issued an access card in place of a key. This option for the front doors of the Community Center is between \$11,000 - \$18,000. This item was added to FY23 CIP for \$20,000 but has not been discussed in detail at the Board level. Staff seeks input from the Board as to whether this option should be pursued or not.

ADA Door for Unit C:

The Senior Center asked if the front door could be equipped with a push button opener for ADA access. Staff received quotes of up to \$4,000 - \$8,000 but none includes the electrical work that will be required. Electronic doors are maintenance intensive and will require regular servicing. The building is grandfathered in and the upgrade is not required. Staff seeks input from the Board regarding this item.

Doorway from Kitchen to Unit D:

A previous vendor was to install a doorway between Units C & D to allow the use of the kitchen facility for either unit. That option was not completed and the vendor has since relocated. Staff believes that this option would increase the usability of Unit D for a minimal cost. Unless there are objections from the Board regarding this item, Staff will proceed with completing the work.

Front office enclosure:

During COVID staff installed a makeshift sanitary separation between the public side of the front counter and the staff side. Over time, Staff has come to appreciate this barrier for sanitary reasons and would like to keep it. Secondly, there is a half door that accesses the front office that Staff would like to replace with a full-size secure glass door. Currently anyone can reach over the half door and unlock it and access the admin area. From time to time there have been challenging situations involving angry customers that has caused the front office staff to feel unsafe due to the threats and aggression exhibited towards them. For safety and sanitary reasons staff has secured quotes for a front office enclosure that would install permanent glass in the customer service area and a glass entry door to access the office area. The quotes for a glass enclosure and secure door range from \$7,500 - \$9,611.

**FISCAL IMPACT:** Various

**ACTION:** None

**ATTACHMENTS:** None