



# Helendale Community Services District

## BOARD OF DIRECTORS MEETING

February 15, 2018 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: February 1, 2018 Regular Board Meeting
- Bills Paid and Presented for Approval

#### 4. Reports

- Directors' Reports
- General Manager's Report

### Discussion Items

- Discussion and Possible Action Regarding Action Regarding Modification of Contract Terms Related to the Exclusive Franchise Agreement Between Helendale Community Services District and Burrtec Waste Industries for Solid Waste Handling and Recycling Services
- Discussion and Possible Action Regarding Adoption of Resolution 2018-05: A Resolution of the board of Directors of the Helendale Community Services District Establishing Policies For Its Relations Among Directors and With Staff and Rescinding Resolution 2011-07
- Discussion and Possible Action Regarding Adoption of Ordinance 2018-03: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities
- Discussion and Possible Action Regarding Approval of a Revised Returned Check and Non-Sufficient Funds Policy

### 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 public meeting should be directed to the District's General Manager's office at (760) 951-0006 at least 24 hours prior to said meeting. The regular session of the Board meeting will be recorded. Recordings of the Board meetings are kept for the Clerk of the Board's convenience. These recordings are not the official minutes of the Board meetings.*

### Providing:

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

### OFFICE HOURS:

Monday-Friday  
8:00 – 5:30 p.m.

### PHONE:

760-951-0006

### FAX:

760-951-0046

### ADDRESS:

26540 Vista Road  
Suite B  
Helendale, CA  
92342

### MAILING

#### ADDRESS:

PO BOX 359  
Helendale, CA  
92342

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at:

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





Minutes of the Helendale Community Services District Board of  
Directors Meeting for February 1, 2018 at 6:30 PM  
26540 Vista Road, Suite C, Helendale, CA 92342

**Board Members Present:**

President Ron Clark; Vice President Tim Smith; Director Craig Schneider; Director Henry Spiller

**Absent:**

Secretary Sandy Haas

**Staff:**

General Manager Kimberly Cox  
Program Coordinator Cheryl Vermette  
Water Operations Manager Craig Carlson  
Wastewater Manager Alex Aviles  
Customer Service Rep. Shavon Aviles

**Consultants**

Legal Counsel Steve Kennedy

**Audience:**

There were nine (9) members of the public present.

**Call to Order and Pledge of Allegiance** – The meeting was called to order at 6:33 pm by President Clark after which the Pledge of Allegiance was recited.

**1. Approval of Agenda**

**Action:** Vice President Smith made the motion to approve the Agenda as amended. Director Spiller seconded the motion.

**Vote:** Motion carried. 4 Yes; 0 No; 1 Absent

**2. Public Participation**

Lieutenant Newton announced that Deputy Chris Haas has been reassigned to SWAT, and introduced the new Deputy for Helendale, Josh Escolera.

Dillon Lesovsky, Field Representative for Supervisor Lovingood discussed the chip seal project and starting a neighborhood watch program in Helendale.

**3. Consent Items**

a. Approval of Minutes: January 18, 2018 Regular Board Meeting

b. Bills Paid and Presented for Approval

**Action:** Director Schneider made the motion to approve the Consent Items as presented. Vice President Smith seconded the motion.

**Vote:** Motion carried. 4 Yes; 0 No; 1 Absent

**4. Reports**

a. Directors' Reports

- Director Schneider reported that he and Director Spiller have been coaching basketball.

- Director Spiller reported that he attended workshop hosted by the Institute for Local Government, sponsored by LAFCO, where they talked about the Brown Act, the California Public Records Act, and the Maddy Act regarding public transparency.
- b. General Manager Cox gave a brief update:
  - The snow pack is currently at 14% of average
  - We may be facing another drought
- Wastewater Operations Manager Alex Aviles gave the Wastewater Report
  - Staff performed a sewer bypass on Silver Lakes Parkway
  - Made a confined space entry to repair pump at station which had been down for several months awaiting parts. The pumps are now back on.
  - Staff pulled apart the bar screen and have the parts for repair. The repairs will be charged to EEC for damage caused by their technician.
  - A leaking air compressor was causing loss of pressure in line and affected sludge pump efficiencies.
  - Staff performed a confined space entry at Smithson Lift Station. The new OIT assisted operator Keith Vance.
  - Blower #1 was making an odd sound, staff changed the oil and and repaired the plugged air filter.
  - Installed a fence on the west contact chamber, which will keep tumble weeds from blowing into the channel, which was causing false high readings on the final effluent meter.
- General Manager Kimberly Cox gave the General Manager Report
  - Update on County Road repair. County performed some chip seal on the North side of Silver Lakes last year and installed a leveling course on the south side. The cul-de-sacs will be chip sealed this year.
  - County road work will begin on April 2nd and is scheduled through April 25. They will be doing 25.35 miles of chip seal.
  - County will begin working on the manholes they covered during last year's chip seal project in April.
  - Thrift Store Supervisor, Alana Pratt's, last day was 1/31/18. She was the District's first retiree. Under her tenure, the store sales have increased from \$228,563 in FY 13 to \$312,295 in FY16.
  - Supervisor Lovingood's staff has been organizing neighborhood watch meetings in the unincorporated areas. Tentative dates for Helendale are either March 27<sup>th</sup> or 28<sup>th</sup>, from 4 to 5:30 at the Community Center.
- Water Operations Manager Craig Carlson gave the Water Report
  - Completed all monthly well site, tank and generator inspections for the month of January.
  - Completed meter maintenance for the month of January (20 re-reads)
  - Repaired broken pulley on the target board at the South Tank.
  - Completed the first quarter Water Master Report
  - Staff has completed about 50% of the first implementation of the new AMI meters.
- Program Coordinator Cheryl Vermette announced the Baseball Volunteer Day on February 24<sup>th</sup> at 8:00 am. Volunteers will be helping install the irrigation system for the new fields.

### **Public Hearing Items**

5. Discussion and Possible Action Regarding Adoption of Ordinance 2018-01: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing a Park Development Impact Fee Applicable to New Development.

**Discussion:** The Development Impact Fee (DIF) is a proposed fee based upon projected development in Helendale by 2040. The fees will cover a projected 28% of the estimated \$6,33,600 to build the park. The estimated total fee of \$1,816,684 by 2040 was based upon 874 single family residential units and

246 multi-family residential units. Fees would apply to development inside and outside of the HOA, but would not impact current residents.

**Public Hearing:** President Clark opened the public hearing at 7:07 pm. Hearing no public comments  
President Clark closed the public hearing at 7:07 pm.

**Action:** Director Spiller made the motion to adopt Ordinance 2018-01 establishing a Park Development Impact Fee for New Development; Vice President Smith seconded the motion.

**Vote:** Motion carried. 4 Yes; 0 No; 1 absent

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

**Absent:** Director Haas

6. Discussion and Possible Action Regarding Adoption of Ordinance 2018-02: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Regulations for Enforcement of Exclusive Franchise for Solid Waste Handling and Recycling Services.

**Discussion:** The proposed ordinance provides certain assurances for Burrtec that the District will support their exclusive franchise. District Counsel provided additional details as to the content of the ordinance.

**Public Hearing:** President Clark opened the public hearing at 7:17 pm. Hearing no public comments  
President Clark closed the public hearing at 7:17 pm.

**Action:** Director Schneider made the motion to adopt Ordinance 2018-02 establishing regulations for enforcement of exclusive franchise agreement for solid waste handling and recycling services. Vice President Smith seconded the motion.

**Vote:** Motion carried, 4 Yes; 0 No; 1 absent

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

**Absent:** Director Haas

#### **Discussion Items**

7. Discussion and Possible Action Regarding Adoption of Resolution 2018-03: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Amount of Park Development Impact Fee Applicable to New Development.

**Discussion:** Legal Counsel Kennedy discussed the fees, \$1,720 per single family unit and \$1,274 per multi-family unit, to be collected at the time other District Fees are paid upon application for service. Upon Board adoption, the effective date would be April 1, 2018.

**Action:** Director Schneider made the motion to adopt Resolution 2018-03, A Resolution of the Board of Directors of the Helendale Community Services District Establish Amount of the Park Development Impact Fee Applicable to new Development. Vice President Smith seconded the motion.

**Vote:** Motion carried, 4 Yes; 0 No; 1 absent

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

**Absent:** Director Haas

8. Discussion and Possible Action Regarding Adoption of Resolution 2018-04: A Resolution of the District Board of Directors of the Helendale Community Services District Recertifying the 2010 Sanitary Sewer Management Plan (SSMP) as Required by the State Water Resources Control Board Order No. 2006-0003 – Statewide General Waste Discharge Requirements (WDR) for Sanitary Sewer Systems.

**Discussion:** Compliance with the General Waste Discharge Requirements is required. Three components of the General Waste Discharge Requirements are overflow emergency response plan,

operation and maintenance plan, and system evaluation and capacity assurance plan. Recertification by the Board completes the mandatory compliance. The overriding goal of the SSMP is to ensure that a system is appropriately maintained so the SSO's do not occur and public health is not jeopardized.

**Action:** Vice President Smith made the motion to adopt Resolution 2018-04 recertifying the 2010 SSMP. Director Spiller seconded the motion.

**Vote:** Motion carried, 4 Yes; 0 No; 1 absent

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

**Absent:** Director Haas

9. Discussion Only Regarding Wastewater Plant Tertiary Upgrade Report

**Discussion:** Over the past 10 years the District and SLA have had many conversations regarding tertiary water. Project costs have been unknown and needed further clarity. SLA contracted with IEC to perform a plant audit. The District paid for the third-party engineer to review and validate the numbers. Staff is confident that the numbers presented in the report provide a good foundation for future discussions. Four treatment technologies were evaluated. Some would use existing infrastructure and others would abandon the existing infrastructure. Operating costs were provided for each alternative. Staff provided a chart showing the costs for each of the four options. Engineering costs range from \$2.8 to \$3.3 million dollars based upon the selected process.

**Other Business**

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

11. Adjournment

President Clark adjourned the meeting at 7:45 pm

Submitted by:

Attest:

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Ron Clark, President

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Tim Smith, Vice President

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: February 15, 2018  
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

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**STAFF RECOMMENDATION:**

Report Only. Receive and File

**STAFF REPORT:**

Staff issued 57 checks for the period of January 29, 2018 through February 07, 2018 totaling \$72,118.72.

|                       |                 |                 |
|-----------------------|-----------------|-----------------|
| Total cash available: | <u>2/12/18</u>  | <u>1/29/18</u>  |
| Cash                  | \$ 4,656,474.05 | \$ 4,672,921.25 |
| Checks Issued         | \$ 72,118.72    | \$ 242,638.64   |

Investment Report

The Investment Report shows the status of invested District funds. The current interest rate is 1.54% for CalTRUST Short-Term and 1.60% for Medium-Term Investments, 1.350% for LAIF, and 0.25% for the CBB Sweep Account for December 2017. Interest earned in January 2018 on the CalTRUST investments and the CBB Sweep Account is \$4,593.89.



Helendale CSD

# Bills Paid and Presented for Approval

## Transaction Detail

Issued Date Range: 01/29/2018 - 02/12/2018

Cleared Date Range: -

| Issued Date                                   | Number                | Description                         | Amount     | Type  | Module           |
|---|-----------------------|-------------------------------------|------------|-------|------------------|
| <b>Bank Account: 251229590 - CBB Checking</b> |                       |                                     |            |       |                  |
| 01/29/2018                                    | <a href="#">20213</a> | GHASSAN NASSAR                      | -33.65     | Check | Utility Billing  |
| 01/30/2018                                    | <a href="#">20214</a> | Layne Christensen Company           | -34,317.07 | Check | Accounts Payable |
| 01/31/2018                                    | <a href="#">20215</a> | Site One Landscaping Supply         | -3,490.95  | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20216</a> | A Step Above Capet & Tile Cleaning  | -350.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20217</a> | Aqua-Metric Sales Co.               | -746.90    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20218</a> | Burrtec Waste Industries            | -112.91    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20219</a> | Clemmer Services, Inc.              | -190.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20220</a> | Craig Schneider                     | -750.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20221</a> | Daily Press                         | -1,462.36  | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20222</a> | Dept. of Forestry & Fire Protection | -228.40    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20223</a> | Frontier Communications             | -77.82     | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20224</a> | G.A. Osborne Pipe & Supply Inc.     | -1,739.44  | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20225</a> | Harbor Freight Tools                | -21.54     | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20226</a> | Hartford Life                       | -553.23    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20227</a> | HDMWA                               | -20.00     | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20228</a> | HDMWA                               | -45.00     | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20229</a> | Henry Spiller                       | -767.44    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20230</a> | Infosend                            | -500.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20231</a> | Inland Water Works Supply Co.       | -103.44    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20232</a> | Larry Walker Associates             | -317.43    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20233</a> | National Pen Co, LLC                | -1,524.72  | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20234</a> | Rebecca Gonzalez                    | -330.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20235</a> | Sandy Haas                          | -771.15    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20236</a> | SB County Office of the Assessor    | -5.00      | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20237</a> | Southwest Gas Company               | -1,511.45  | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20238</a> | Staples Office Supplies             | -185.62    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20239</a> | Tim Smith                           | -750.00    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20240</a> | Uline                               | -802.54    | Check | Accounts Payable |
| 02/01/2018                                    | <a href="#">20241</a> | USA Blue Book                       | -107.93    | Check | Accounts Payable |
| 02/02/2018                                    | <a href="#">20242</a> | CYNTHIA ALEXANDER                   | -63.16     | Check | Utility Billing  |
| 02/02/2018                                    | <a href="#">20243</a> | YILONG SONG                         | -302.59    | Check | Utility Billing  |
| 02/02/2018                                    | <a href="#">20244</a> | JENNIFER LONG                       | -265.00    | Check | Utility Billing  |
| 02/07/2018                                    | <a href="#">20246</a> | ABC Glass & Screens, Inc.           | -235.00    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20247</a> | Alana Pratt                         | -1,299.77  | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20248</a> | Apple Valley Communications         | -130.00    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20249</a> | AVCOM Services Inc.                 | -115.50    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20250</a> | Bank of America                     | -5,285.46  | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20251</a> | Cazcom, Inc.                        | -175.00    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20252</a> | County of San Bernardino            | -384.00    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20253</a> | Employment Development Department   | -4,001.00  | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20254</a> | FILARSKY & WATT LLP                 | -1,895.00  | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20255</a> | Graham Equipment                    | -484.88    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20256</a> | Grainger                            | -332.56    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20257</a> | Infrastructure Engineering Corp     | -2,648.00  | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20258</a> | Inland Water Works Supply Co.       | -67.58     | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20259</a> | Mobile Occupational Services, Inc.  | -90.00     | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20260</a> | O'Reilly Auto Parts                 | -265.65    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20261</a> | Print Mart                          | -252.42    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20262</a> | Ron Clark                           | -500.00    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20263</a> | Southern California Edison          | -361.58    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20264</a> | Southern California Edison          | -198.94    | Check | Accounts Payable |
| 02/07/2018                                    | <a href="#">20265</a> | Southern California Edison          | -86.29     | Check | Accounts Payable |

**Bank Transaction Report**

Issued Date Range: -

| Issued Date                        | Number                | Description                | Amount     | Type  | Module           |
|------------------------------------|-----------------------|----------------------------|------------|-------|------------------|
| 02/07/2018                         | <a href="#">20266</a> | Southern California Edison | -205.91    | Check | Accounts Payable |
| 02/07/2018                         | <a href="#">20267</a> | United Site Services       | -181.17    | Check | Accounts Payable |
| 02/07/2018                         | <a href="#">20268</a> | USA of So. California      | -69.40     | Check | Accounts Payable |
| 02/07/2018                         | <a href="#">20269</a> | USPS                       | -196.00    | Check | Accounts Payable |
| 02/02/2018                         | <a href="#">20270</a> | JARED MAUCK                | -210.87    | Check | Utility Billing  |
| Bank Account 251229590 Total: (57) |                       |                            | -72,118.72 |       |                  |
| Report Total: (57)                 |                       |                            | -72,118.72 |       |                  |



**Bank Transaction Report**

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

|                      | <b>Count</b> | <b>Amount</b>     |
|----------------------|--------------|-------------------|
|                      | 57           | -72,118.72        |
| <b>Report Total:</b> | <u>57</u>    | <u>-72,118.72</u> |

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

**Report Total:**

|  | <b>Count</b> | <b>Amount</b>     |
|--|--------------|-------------------|
|  | 57           | -72,118.72        |
|  | <u>57</u>    | <u>-72,118.72</u> |

**Transaction Type**

Check

|                      | <b>Count</b> | <b>Amount</b>     |
|----------------------|--------------|-------------------|
|                      | 57           | -72,118.72        |
| <b>Report Total:</b> | <u>57</u>    | <u>-72,118.72</u> |



# Helendale Community Services District

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**Date:** February 15, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Agenda item #5  
Discussion and Possible Action Regarding Modification of Contract Terms Related to the Exclusive Franchise Agreement Between Helendale Community Services District and Burrtec Waste Industries for Solid Waste Handling and Recycling Services

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**STAFF RECOMMENDATION:**

Staff requests input from the Board regarding this matter.

**STAFF REPORT:**

The contract revision was reviewed and approved by the Board of Directors on December 7, 2016. This approval included an extension in term from a five-year contract to a ten-year contract. At that time the Board asked Burrtec to provide a proposal for the park related to a fifteen-year contract. If the Board desires to approve the sponsorship offer and related term modification, the Contract will be brought back at the next meeting on for approval.

Burrtec had previously offered the following incentives for an extended contract:

7-year = \$17,500  
10-year = \$27,500

The proposal received from Burrtec in exchange for a fifteen-year contract is a donation of \$33,000 to the park paid at \$5,500 per year for six years. This adds one more year to the current five-year payment schedule.

As a breakdown the seven-year contract was valued at \$2500 per contract year; the ten-year contract at \$2750 per contract year and the fifteen-year contract was valued at \$2200 per contract year.

**FISCAL IMPACT:** Increase in park sponsorship of \$5,500



# Helendale Community Services District

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**Date:** February 15 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Agenda item #6  
Discussion and Possible Action Regarding Adoption of Resolution 2018-05: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies For Its Relations Among Directors and With Staff and Rescinding Resolution 2011-07

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**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed resolution.

**STAFF REPORT:**

This resolution has been reviewed several times with the Board. It was initially adopted in 2007 and was modified in 2009, 2010 and 2011. No modifications have been made in the last several years. In 2011, the Board adopted Resolution 2011-07 which was last reviewed on December 15, 2016, and no changes were recommended at that time.

The Resolution states that it should be reviewed annually. As part of the annual review, Staff has identified some minor revisions to be considered by the Board. The proposed revisions are minor and provide the proper reference to a companion ordinance that has previously been amended.

District General Counsel will take this opportunity to review the resolution with the Board.

**FISCAL IMPACT:**

Unknown



**RESOLUTION NO. 20181-057**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING POLICIES FOR ITS RELATIONS AMONG DIRECTORS AND WITH STAFF**

**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 (“Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”), pursuant to California Government Code Section 61044.

C. The Board adopted Ordinance No. ~~2010-01~~2015-01 on ~~March 18, 2010~~November 5, 2015, establishing revised guidelines for the conduct of its public meetings and activities and imposing requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this Resolution is to supplement Ordinance No. ~~2011-01~~2015-01 and to ensure that the Board’s deliberations are conducted honorably and that its activities are performed in a manner that reflects a dedication to the highest standards of integrity so as to continue to earn the trust and confidence of the public served by the District.

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

Section 1. **RELATIONS BETWEEN DIRECTORS.**

1.1. **Duties.** The Board shall govern the District. The Board shall establish policies for the operation of the District. The Board shall provide for the implementation of those policies which is the responsibility of the District’s General Manager. All members of the Board shall exercise their independent judgment on behalf of the entire District, including the residents, property owners, and the public as a whole to further the purposes and intent of the District.

1.2. **Officers.**

1.2.1. Within 45 days after each general district or unopposed election, the Board shall meet and elect the officers of the Board. In a year in which there is no general

election the Board shall hold an election at the first meeting in December.

1.2.2 The officers of the Board are the President, Vice-President and Secretary. The President shall preside over meetings of the Board and the Vice-President shall serve in the President's absence or inability to serve.

1.2.3 No other special duties, actions, tasks, or privileges are bestowed to the above positions. The President and Vice President (or any member of the Board) will not take unilateral actions binding the rest of the Board, without prior approval or authorization of the Board - including the issuance of letters, reports, documents or contracts, implied or otherwise, to outside parties. No Board Officer (or Member) shall appear as the Board Representative at any private or public functions.

1.2.4 The Board may create additional offices and elect members to those offices, provided no members of the Board shall hold more than one office.

1.3. **Parliamentary Procedure.**

1.3.1. A majority of the total membership of the Board shall constitute a quorum for the transaction of District business. Except as otherwise specifically provided by law, a majority of the total membership of the Board is required for the Board to take action. The Board shall act only by ordinance, resolution, or motion. The minutes of the Board shall record the aye-yes and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions. The Board shall keep a record of all its actions, including financial transactions.

1.3.2. Meetings of the Board shall be subject to the Brown Act and Ordinance No. 2011-012015-01 (as may be amended from time to time). Robert's Rules of Order shall provide general guidance for the conduct of the Board's business, except where otherwise provided by law, ordinance, resolution, or motion of the District, or otherwise inconsistent with the intent of the Board. The Board President (or committee chair) will rule on all matters of procedure, with the advice of Legal Counsel.

1.4. **Personal Conduct.** The business of the District is a team effort. All Board members commit to working together in a collaborative manner, assisting each other in conducting the affairs of the District. Directors commit to conducting themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings. Directors shall defer to the President concerning the conduct of Board meetings, but shall be free to question and discuss items on the agenda. In turn, the Board President shall not exercise the privileges of the office in such a manner as to unfairly advance his or her own agenda / personal opinions or unduly prejudice the positions of other Board members. When responding to requests and concerns from the public and other District customers, Board members commit to be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel. Board members commit to develop a working relationship with the District's General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly. Board members should function as a part of the whole. All issues must be brought to the attention of the entire Board, rather than to individual members selectively; unilateral actions by a Board Officer or any Director, binding the entire Board, must be avoided and shall be subject to possible Board discipline. Board members are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

**1.5. Communication of Views and Positions.** The Board is committed to providing excellence in legislative leadership necessary to furnish the highest quality of government services to the public and to the District's customers. In order to achieve this goal, cooperative interaction between and among Board members is encouraged. As such, the following rules shall be observed:

1.5.1. The dignity, style, values, and opinions of each Board member shall be respected. Responsiveness and attentive listening in communication is encouraged.

1.5.2. The needs of the public and the District's customers should be the priority of the Board.

1.5.3. Board members commit themselves to emphasizing the positive, avoiding double talk, hidden agendas and negative forms of interaction.

1.5.4. Board members commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues will be avoided.

1.5.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions in a constructive and forthright manner. However, once the Board has taken action, individual Board members commit to support said action and not create barriers to the implementation thereof or pursue defeated issues independently.

1.5.6 The Presiding Director will not undermine the Board Agenda; further, he/she will not make opening statements on an agenda item in an attempt to shape or frame the debate. The Director initiating the Agenda item will be allowed to speak first and make a motion, to be seconded and opened for discussion. All Board discussion will proceed with no time frame attached. All Board comments will start to the immediate right of the Director forming the motion and will proceed orderly, Director to Director, until comment ceases, at which time a call will be made to cast votes.

**1.6. Board Discipline.** In the exercise of its discretion, the Board, by affirmative vote of four (4) of its members, may censure any of its members for a period of time deemed appropriate by said supermajority of the Board. Unless otherwise prohibited by law, the maximum penalty that may be imposed upon the censured member by said supermajority of the Board during the period of such censure shall be the following:

1.6.1. The suspension of all spending of District funds by the censured Board member and of all reimbursement from District funds of any costs incurred by the censured Board member, unless otherwise allowed by the Board.

1.6.2. The removal of the censured Board member from service as an officer of the Board, and/or on all committees and other assignments on behalf of the District and/or the Board, unless subsequently authorized by the Board.

1.6.3 The withholding of all compensation by the District to the censured Board member except as otherwise allowed for attending meetings of the Board and other meetings subsequently authorized by the Board.

Section 2. **RELATIONS WITH STAFF.**

2.1 **General Manager.**

2.1.1. The Board shall appoint a General Manager for the District. The General Manager shall serve at the pleasure of the Board. The Board shall set the compensation for the General Manager. The Board may require that the General Manager be bonded. The District shall pay the cost of the bonds.

2.1.2. The General Manager shall be responsible for all of the following:

- a. The implementation of the policies established by the Board for the operation of the District;
- b. The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board;
- c. The supervision of the District's facilities and services; and
- d. The supervision of the District's finances.

2.1.3 The General Manager is the Board's primary link to operational achievement and conduct of the District, so that all authority and accountability of staff, as far as the Board is concerned, is considered the authority and accountability of the General Manager.

2.1.4 No individual Board Member, including any Officer, shall dictate policies to the General Manager, interfere with or disrupt his/her work (or the work of any District staff or contract employee). Board Member visit/discussion hours or appointment schedules designated by the General Manager shall be strictly adhered to.

2.2. **Treasurer.** The Board shall appoint a District Treasurer for the District. The Board may appoint the same person to be the General Manager and the District Treasurer. The District Treasurer, shall serve at the pleasure of the Board. The Board shall set the compensation of the District Treasurer. The Board shall require the District Treasurer, to be bonded. The District shall pay the cost of the bonds.

Section 3. **ANNUAL REVIEW.**

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 4. **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 5. **EFFECTIVE DATE.**

The provisions of this Resolution shall supersede and rescind Resolution No. 20110-074 adopted by the District's Board of Directors on ~~March 18, 2010~~, July 21, 2016, and shall take effect immediately upon adoption.

Approved and Adopted this 15th day of February, 2018.

AYES: 50  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

\_\_\_\_\_  
~~President~~ Ron Clark, President, Board of  
Directors

ATTEST:

\_\_\_\_\_  
Sandy Haas, Secretary, Board of Directors





# Helendale Community Services District

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**Date:** January 18, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Agenda item #7  
Discussion and Possible Action Regarding Adoption of Ordinance 2018-03: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities

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## **STAFF RECOMMENDATION**

Staff seeks input from the Board regarding the modified Ordinance.

## **STAFF REPORT**

This Ordinance was one of the first adopted by the Board in 2006 upon the District's formation. It has provided the foundational guidance since that time with only minor modifications. The ordinance is to be reviewed annually.

The Sunshine Ordinance was discussed in 2016 on four separate occasions primarily as it related to the start time of the meetings. A meeting date/time was contemplated during the course of those discussions, the last of which occurred on September 15, 2016 where changing the time from 6:30 to 6:00 p.m. was contemplated. No changes were made.

Staff suggests one minor change in Section 2.3.2 Public comment to remove the three seconds.

District General Counsel will provide a view of the Ordinance.

## **FISCAL IMPACT:**

None.



**ORDINANCE NO. 20168-031**

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

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

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

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

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

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

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

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

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

Section 2. **ADDITIONAL REQUIREMENTS.**

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

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

2.3. **Agendas.**

2.3.1. **Descriptions.**

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

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

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

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

Section 3. **ANNUAL REVIEW.**

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

Ordinance No. 2016-01

any action it deems appropriate concerning this ordinance. Nothing herein shall preclude the Board from taking action on the ordinance at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY.**

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

Section 5. **EFFECTIVE DATE.**

The provisions of this ordinance shall supersede and rescind Ordinance No. 2015-01 adopted by the District's Board of Directors on November 5, 2015, and shall take effect immediately upon adoption.

Adopted this 15th day of ~~February~~October, 2018~~6~~.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

Ron Clark, President, Board of Directors

ATTEST:

Sandy Haas, Secretary, Board of Directors

## EXHIBIT A

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

- LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

Applicant(s): (Specify number of applicants)

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

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

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

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

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

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

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

or

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

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

- **LIABILITY CLAIMS (Government Code Section 54956.95)**  
 Claimant: (Specify name unless unspecified pursuant to Section 54961)  
 Agency claimed against: (Specify name)
  
- **THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code Section 54957)**  
 Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable District representative and title)
  
- **PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)**  
 Title: (Specify description of position to be filled)
  
- **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)**  
 Title: (Specify position title of employee being reviewed)
  
- **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)**  
 (No additional information is required in connection with a closed session to consider discipline, dismissal, or release.)
  
- **CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**  
 District designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)  
  
 Employee organization: (Specify name of organization representing employee or employees in question)  
  
 or  
  
 Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)
  
- **CASE REVIEW/PLANNING (Government Code Section 54957.8)**  
 (No additional information is required in connection with a closed session to consider case review or planning.)



# Helendale Community Services District

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**Date:** January 18, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Agenda item #8  
Discussion and Possible Action Regarding Approval of a Revised Returned Check and Non-Sufficient Funds Policy

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**STAFF RECOMMENDATION:**

Staff requests that the Board adopt the proposed administrative policy

**STAFF REPORT:**

Staff was recently reviewing the matter of checks that are presented for payment which are later returned by the bank for insufficient funds. During the course of the review it was identified that the policy should address ACH drafts that are not completed due to non-sufficient funds. Attached for the Board's review is a copy of the existing policy and a copy of the proposed policy.

Because this policy relates to how the District receives and processes payments, Staff feels the Board should have the opportunity to review and approve the proposed changes to the policy. If approved, this will become part of the Administrative policies for the customer service activities. The policy will also be posted on the District's website.

**FISCAL IMPACT:**

None.

**HELENDALE COMMUNITY SERVICES DISTRICT**  
**Returned Check and Non-Sufficient Funds Policies and Procedures**

**Section 1. Purpose**

The purpose of this policy is to establish the procedures for processing non-sufficient funds and returned checks received by the District. This policy sets forth the duties and responsibilities of the General Manager and District staff regarding payments returned for non-sufficient funds and/or closed accounts resulting in non-payment for services.

**Section 2. Returned Check**

- 1. The District receives a payment in the form of a check or ACH and that payment is returned (for non-sufficient funds, account closed, or other reason the payment is returned).
- 2. The charge for a returned item is \$24 + bank fee. This amount is subject to change.

**Section 3. Processing a Returned Check**

- 1. Customer is notified of returned item and has 48 hours to make good on payment. Form of payment must be Money Order, Cashier’s Check, Debit or Credit Card and must include the returned check fee.

**Section 4. ACH Automatic Payment Program**

- 1. Customers enrolled in the ACH (Automatic Payment Program) can only have two (2) occurrences of Non-Sufficient Funds, or any other returned item reason within a twelve-month period. After the second returned item the District shall have the option of canceling the customer’s participation in the ACH Payment Plan.
- 2. See Section 3.1 for processing a returned ACH.

**Section 5. Payment Status**

- 1. After two (2) occurrences of Non-Sufficient Funds, or any other returned item within a twelve-month period the account will be placed on No Checks/ACH status.

**Section 6. Length of “No Checks/ACH status”**

- 1. The account will remain on No Checks/ACH status until such time as the customer makes twelve (12) consecutive on-time monthly payments.



**HELENDALE COMMUNITY SERVICES DISTRICT**  
**Returned Check Policy & Procedures**

**Section 1. Purpose**

These procedures are intended to outline the steps that are to be taken in the event of a returned check, and multiple returned checks from a customer.

**Section 2. Returned Check**

- 1) A customer makes payment in the form of a check and that payment is returned (for non-sufficient funds, bank account is closed, etc.)

**Section 3. Processing a Returned Check**

- 1) Customer is notified of returned item and has 48 hours to make good on payment. Form of payment must be money order and must include a returned check fee.

**Section 4. Money Order Only Status**

- 1) When the customer has presented more than one check that resulted in non-sufficient funds within a 12-month period, their account is flagged to not accept checks.

**Section 5. Length of "No Checks Accepted" Status**

- 1) Customer must make all future payments in the form of a money order, cashier's check, credit card, or debit card.
- 2) After customer has 12 on-time payments, the customer can begin presenting payment in the form of a check, or continue with the forms of payments listed in Section 5.1.

8/4/16