

**GARBERVILLE SANITARY DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA**

**There will be a regular meeting held by the Garberville Sanitary District Board of Directors at the
GSD District Office
919 Redwood DR. Garberville, CA**

**Date of Meeting:
5:00 p.m. – Open Public Session**

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District Office located at 919 Redwood Dr. during normal business hours.

I. REGULAR MEETING CALLED TO ORDER

II. ESTABLISHMENT OF QUORUM

Rio Anderson___, Linda Brodersen___, Doug Bryan___, Richard Thompson___, Julie Lyon_____

III. APPROVAL OF AGENDA - Action to add or delete items from any portion of the agenda or to discuss any consent agenda items must be taken prior to adoption of the agenda.

IV. THE BOARD WILL ENTER CLOSED SESSION AT END OF MEETING

V. OPEN SESSION

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

Up to fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board on items not listed on the agenda and within the jurisdiction of the GSD Board. Speakers are limited to 3 minutes. The GSD Board is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the GSD Board does not respond to public comment at this time.

General Public / Community Groups

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS – Routine report of activities, operations, meetings / conferences held and/or attended by Board members, Staff, and General Manager

Operations Staff-

Office Staff-

Board Members-

Correspondence- PG&E Bankruptcy Documents---Waterless Toilets Pg. 4-16

General Manager—Ralph Emerson Pg. 17

Government Code Section 54954.3 provides that the public will have an opportunity to address the Board on any item described on a regular or special meeting either before or during the consideration of that item. The Board reserves the right to limit the time of presentation by individuals and groups

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

Notice to the Public

All matters listed under Consent Agenda are considered to be routine and all will be enacted by one motion and voice vote. There will be no separate discussion of these items unless the Board of Directors requests items to be removed from the Consent Agenda for separate action. Any items will be considered after the motion to approve the Consent Agenda.

- A.1 Approve Financials Date December 2018 – Pg. 18-29
- A.2 Approve Date: January 29th, 2019 Regular Meeting Minutes - Pg. 30-31
- A.3 Operations Safety Report- Pg. 32-33

Motion: **Second:** **Vote:**

A. GENERAL BUSINESS – Action items

Notice to the Public

The Board of Directors will allow public comment on agenda items although any person who wishes to speak on an agenda item must submit a request prior to the meeting being called to order. You will be given 5 minutes on each agenda item that you wish to comment and then the Board of Directors will discuss the item amongst themselves with no other public comment.

- B.1 RRHC Renovation-Services, Plan and Time Line pg. 34-35
(update--presentation)

- B.2 Rate Proposal and Process Report pg. 36-49
(discussion—no action required)

- B.3 State Water Board Annual Inspection pg. 50-53
(discussion-possible action)
Motion: **Second:** **Vote:**

- B.4 Form 700 Conflict of Interest and Training pg. 54-62
(discussion-no action required)

- B.5 Southern Humboldt Search and Rescue Building pg.63
(discussion-possible action)
Motion: **Second:** **Vote:**

- B.6 Measure Z Application pg. 64-69
(update-no action required)

- B.7 Bank Building Renovation Project
(information Only) update

- B.8 Chlorine Contact Chamber Update pg. 70-84
(information only)

B.9 Video Monitoring and Retention Procedures pg. 85-87
(discussion-possible action)
Motion: **Second:** **Vote:**

C. POLICY REVISION / ADOPTION

C.1 Non-Harassment Policy Sec; 7.4 Pg. 88-90
(discussion possible action) 1st reading
Motion: **Second:** **Vote:**

IX. CLOSED SESSION

A. Public Employee Performance Evaluation: State Code, Section (54957)
(Evaluation of the General Manager, Ralph Emerson)

X. RETURN TO OPEN SESSION

Report of any actions taken in Closed Session

XI. ITEMS FOR NEXT BOARD MEETING

1. Rate Proposal Update
2. Eel River Data Comparisons
3. Conflict of Interest Policy
- 4.

XII. ADJOURNMENT

Posting of Notice at the District Office no later than Date: February 22, 2019, Agenda is emailed to the local newspapers and those who have requested an agenda in writing or e-mail.

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Garberville Sanitary District Office at (707)923-9566 at least 48 hours in advance.

CHAPTER 5 WATERLESS TOILET SYSTEMS

Sections:

- § 615-1. Purpose.
- § 615-2. Definitions.
- § 615-3. General Requirements.
- § 615-4. Construction Permits.
- § 615-5. Operational Permits and Reporting.
- § 615-6. Revocation of Operation Permits.
- § 615-7. Abatement.
- § 615-8. Operation and Maintenance Manual.
- § 615-9. End Product Testing.
- § 615-10. End Product Reuse and Disposal.
- § 615-11. Inspections.

615-1.

Purpose.

These regulations provide the requirements for the design and operation of Waterless Toilets used in combination with approved onsite wastewater treatment systems (OWTS) while protecting public health and water quality. (Ord. ____, §__, __/__/2019)

615-2.

Definitions

- (a) Composting Toilet. “Composting Toilet” means a system designed to safely collect and process excreta and compost additives into Humus through aerobic decomposition. (Ord. ____, §__, __/__/2019)
- (b) Composting Processor. “Composting Processor” means the site of aerobic decomposition transforming excreta and compost additives into Humus. (Ord. ____, §__, __/__/2019)

- (c) Commode. “Commode” means the part of a Composting Toilet fixture for collecting, containing, or transporting excreta to the Compost Processor. (Ord. ____, §__, __/__/2019)
- (d) Department. “Department” means the Department of Health and Human Services, Division of Environment Health. (Ord. ____, §__, __/__/2019)
- (e) Diverted Urine. “Diverted urine” means urine that is collected and has not made contact with feces. (Ord. ____, §__, __/__/2019)
- (f) Humus. “Humus” means the biologically decomposed, soil-like end product of the compost processor. (Ord. ____, §__, __/__/2019)
- (g) Leachate. “Leachate” means liquid in contact with human excrement or sewage. (Ord. ____, §__, __/__/2019)
- (h) NSF. “NSF” means National Sanitation Foundation. (Ord. ____, §__, __/__/2019)
- (i) Owner. “Owner” means the Owner of record of the affected Property whose name and address appears on the lasted equalized secured property tax assessment roll, or in the case of any public entity, the representative thereof. (Ord. ____, §__, __/__/2019)
- (j) OWTS. “OWTS” means onsite wastewater treatment systems. (Ord. ____, §__, __/__/2019)
- (k) RTM. “RTM” means Humboldt County Onsite Wastewater Treatment Regulations and Technical Manual. (Ord. ____, §__, __/__/2019)
- (l) Secondary Composting. “Secondary Composting” means additional retention and continued decomposition of Humus. (Ord. ____, §__, __/__/2019)
- (m) Tier 0. “Tier 0” means an existing OWTS that is functioning properly and does not meet the conditions of failing systems or otherwise require corrective action (see California State Water Resources Control Board Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems June 19,2012, Tier 0- Existing OWTS). (Ord. ____, §__, __/__/2019)

- (n) Waterless Toilet. "Waterless Toilet" includes composting and incinerating toilets.
(Ord. ____, §__, __/__/2019)

615-3.

General Requirements.

(a) Waterless Toilet systems will be permitted for Owner-occupied single family dwellings, agricultural field settings, and academic research organizations that have entered into an agreement with the Department to install and operate a Waterless Toilet system(s) to evaluate their performance. In addition, one of the following conditions shall be present on the site: (Ord. ____, §__, __/__/2019)

(1) The site on which the Waterless Toilet system is proposed to be installed has an existing, permitted OWTS with reserve area, and the Waterless Toilet system would be an accessory thereto. (Ord. ____, §__, __/__/2019)

(2) The site on which the Waterless Toilet system is proposed has an OWTS Failure that correction is not feasible due to local conditions, including but not limited to, soil percolation value, high groundwater, and insufficient area and the Waterless Toilet system as a repair will reduce the flow to the existing OWTS and reduce the negative impact to the environment. (Ord. ____, §__, __/__/2019)

(3) The site is beyond the reasonably projected availability of community services and an approved OWTS, with designated reserve area, will be installed. (Ord. ____, §__, __/__/2019)

(4) The site is within a specially created maintenance district designed to monitor and maintain all sewage treatment systems, including but not limited to, Waterless Toilet system, within the district. (Ord. ____, §__, __/__/2019)

(5) A Waterless Toilet and Graywater system existing prior to January 1, 1984, where testing can demonstrate a Tier 0 status for the primary and reserve OWTS, may be approved under this section. (Ord. ____, §__, __/__/2019)

(b) The approval of a Waterless Toilet system may provide for a reduced OWTS installation capacity requirement in accordance with section 615-4(k). (Ord. ____, §__, __/__/2019)

(c) Waterless Toilet systems will be an accessory to and not a replacement for an approved OWTS. All other wastewater generated must be discharged to an approved system. (Ord. ____, §__, __/__/2019)

(d) Waterless Toilet system configurations will include a Commode(s) paired with a Composting Processor, and, or the use of a secondary Composting Processor. A Waterless Toilet system not addressed by the provisions of this chapter may be proposed for consideration by the Department for approval on a case by case basis. (Ord. ____, §__, __/__/2019)

615-4.

Construction Permits.

(a) Permit Required. No person shall construct, modify, repair, replace, abandon, or excavate for any kind of Waterless Toilet system or any portion thereof without first having obtained a permit to do so from the Health Officer. (Ord. ____, §__, __/__/2019)

(b) The construction or installation of a Waterless Toilet system may also require approval by the local building official and shall meet all applicable zoning, structural, mechanical, electrical, and/or plumbing requirements. (Ord. ____, §__, __/__/2019)

(c) Applications. Each application for a permit to construct, modify, repair, replace, or remove any type of Waterless Toilet system shall be made on a form provided by the Health Officer. The submittal and review of the application and supporting documentation shall meet the requirements of Chapter 2 of this Division. The application shall also include the following: (Ord. ____, §__, __/__/2019)

(1) Site map demonstrating compliance with the siting requirements, setbacks, and end product reuse or disposal areas. (Ord. ____, §__, __/__/2019)

(2) Documentation on the sizing of the Waterless Toilet system demonstrating it will be appropriate for the number of users and intended demand. In support of the calculated sizing, applicant will provide the reference or the manufacturer's specifications, or public domain information supporting the design, construction, operation and maintenance. (Ord. ____, §__, __/__/2019)

(3) Plans and specifications for the proposed Waterless Toilet system and Dispersal System(s) for the treatment and disposal of the remaining wastewater. (Ord. ____, §__, __/__/2019)

(4) Operation and Maintenance Manual as required by section 615-8, including any manufacturer's Owner's manual. (Ord. ____, §__, __/__/2019)

(5) A description for end product testing as required by section 615-9. (Ord. ____, §__, __/__/2019)

(6) A description for end product reuse or disposal as required by section 615-10. (Ord. _____, §____, ___/___/2019)

(d) Structural Requirements. The Waterless Toilet system shall be designed to accept, hold and adequately treat liquid and solid human waste by microbial digestion. The design and installation shall meet all of the following: (Ord. _____, §____, ___/___/2019)

(1) Waterless Toilet system will exclude disease vectors, including but not limited to, insects and rodents, and will prevent the spread of communicable disease. (Ord. _____, §____, ___/___/2019)

(2) Provide ventilation to eliminate odors and prevent the escape of gases in the dwelling or occupied space. (Ord. _____, §____, ___/___/2019)

(3) Materials and construction practices shall be structurally sound, reinforced, watertight, and be able to withstand the loading weight. (Ord. _____, §____, ___/___/2019)

(4) All contact materials and components shall comply with applicable standards and shall be constructed of corrosion resistant materials. (Ord. _____, §____, ___/___/2019)

(5) Waste materials, intermediate products, will not contaminate or pollute surface or groundwater, or otherwise significantly degrade the environment. Human contact with raw materials shall be minimized. (Ord. _____, §____, ___/___/2019)

(e) Setbacks. Setbacks for Waterless Toilet systems, Compost Processors and end product disposal/reuse sites shall be the same as Septic Tanks and Dispersal Fields as described in Appendix E of the RTM. (Ord. _____, §____, ___/___/2019)

(1) Contained Compost Processors shall meet the setbacks for Septic Tanks. (Ord. _____, §____, ___/___/2019)

(2) Compost Processors without a watertight vessel containing intermediate and finished end product shall meet the setbacks for Dispersal Fields. (Ord. _____, §____, ___/___/2019)

(3) End product disposal/reuse sites shall meet the setbacks for Dispersal Fields. (Ord. _____, §____, ___/___/2019)

(f) Leachate. Any excess liquid waste or accumulated Leachate from a Compost Processor shall be recirculated within the processor or drained to the approved OWTS. (Ord. _____, §____, ___/___/2019)

(g) Premanufactured Waterless Toilet systems shall be certified and listed by the NSF under NSF/ANSI Standard 41, unless otherwise approved by the Department. (Ord. _____, §____, ___/___/2019)

(h) Custom site built Waterless Toilet systems with supporting public domain documentation on design and operation, may be accepted after approval by the local building official and the Department. (Ord. ____, §__, __/__/2019)

(i) Incinerating Toilets

(1) Incinerating toilets will be designed and installed in accordance with all applicable federal, state, and local air pollution requirements and manufacturer's instructions. (Ord. ____, §__, __/__/2019)

(2) Incinerating toilets will meet the requirements of NSF Protocol P157 and bear the seal of approval of NSF or an equivalent third-party testing and certification program and will be operated according to the manufacturer's specifications. (Ord. ____, §__, __/__/2019)

(j) Urine Diverting Toilets

(1) Plumbing and components of diversion will meet current applicable California Plumbing Code standards. (Ord. ____, §__, __/__/2019)

(2) Discharge of Diverted Urine will be contained in an approved tank or discharge to an approved OWTS. (Ord. ____, §__, __/__/2019)

(3) A maintenance plan will address a pump out schedule or planned onsite treatment and dispersal. (Ord. ____, §__, __/__/2019)

(4) Onsite reuse of Diverted Urine shall be treated using one of the following methods: (Ord. ____, §__, __/__/2019)

i. Retention without addition for six months before dispersal. (Ord. ____, §__, __/__/2019)

ii. Treatment through the Compost Processor. (Ord. ____, §__, __/__/2019)

iii. Other method approved by the Department. (Ord. ____, §__, __/__/2019)

(k) Use of a Waterless Toilet system may allow a thirty percent (30%) reduction in the initial Dispersal Field of the OWTS. However, the total capacity of the initial and replacement Dispersal Field shall remain at two hundred percent (200%) as described in the RTM. (Ord. ____, §__, __/__/2019)

(l) Upon issuance of final construction approval for a Waterless Toilet system, the Department shall cause a notice to be recorded on the property title indicating that a Waterless Toilet system has

been installed on the parcel and that an operational permit is required. The cost for staff time for recordation and recordation fees shall be borne by the Owner and will be included in the construction permit fee. This notice is intended to alert subsequent property Owners of the existence of the Waterless Toilet system. New Owners shall contact the Department for assistance with the requirements of this chapter. (Ord. ____, §__, ___/___/2019)

(m) If the Waterless Toilet system is no longer in use, the Owner is required, after obtaining an approved permit from the Department, to upgrade the OWTS for any reduction in capacity of the initial Dispersal Field. (Ord. ____, §__, ___/___/2019)

615-5.

Operational Permit and Reporting.

The operational permit and reporting requirements outlined below shall demonstrate the safe operation of the Waterless Toilet system. (Ord. ____, §__, ___/___/2019)

(a) Operational Permit. No person, firm, corporation or other entity shall use, or cause or allow the use of any Waterless Toilet system within the unincorporated area of Humboldt County without first obtaining a valid operational permit for that system. This permit shall be applied for and issued on an application form provided by the Department. Use of a Waterless Toilet system without a valid permit is a violation of this chapter, and subject to all the remedies authorized by law including, but not limited to, Chapter 2 Administrative Civil Penalties of Division 5 of Title III of the Humboldt County Code. (Ord. ____, §__, ___/___/2019)

(b) Operational Permits are non-transferable and may only be issued to the Owner. (Ord. ____, §__, ___/___/2019)

(c) The Board of Supervisors shall establish a fee or schedule of fees for Operational Permits to be collected by the Department. (Ord. ____, §__, ___/___/2019)

(d) Upon payment of all fees and submission of an application which demonstrates to the Department's satisfaction that the system will not have an adverse effect on ground or surface waters or upon public health, an Operational Permit may be issued. (Ord. ____, §__, ___/___/2019)

(1) Operational Permits are valid for a period of three years from the date of issuance unless revoked by the Department. (Ord. ____, §__, ___/___/2019)

(2) Operational Permits may be renewed in accordance with the terms of the permit, upon submittal of a complete application, payment of the required fee(s), and submittal of

Operational Report demonstrating continued proper maintenance and operation of the system as designed and constructed. (Ord. ____, §__, ___/___/2019)

(3) Operational Permits will be renewed at the time of any property transfer or change of use. (Ord. ____, §__, ___/___/2019)

(4) Operation of a Waterless Toilet system prior to issuance of an Operational Permit, or without a currently valid Operational Permit, or after revocation of Operational Permit, shall be deemed a violation of the provisions of this chapter. (Ord. ____, §__, ___/___/2019)

(e) The Owner of a parcel on which a Waterless Toilet system has been installed shall provide access, during business hours, to inspect the property to assure compliance with the provisions of this chapter. The Owner shall make all components of the system, manuals, and any records, including test results, accessible during the inspection. (Ord. ____, §__, ___/___/2019)

(f) Operational Report. At the end of each three year cycle, the Owner that obtains an Operational Permit shall provide the Department with a summary of his or her findings on the effectiveness of the system. This summary shall include, but not be limited to, the following: (Ord. ____, §__, ___/___/2019)

(1) Self certification by the Owner that the Waterless Toilet system remains in use and is operating safely, in accordance with the Operations and Maintenance Manual and the requirements of this chapter. (Ord. ____, §__, ___/___/2019)

(2) Occupancy load of habitation served the Waterless Toilet system. (Ord. ____, §__, ___/___/2019)

(3) The result of any physical and biological testing conducted for the system. (Ord. ____, §__, ___/___/2019)

(4) Methods of disposal, or reuse of end product from the system, including a clear record of the quantity, location, and date of placement. (Ord. ____, §__, ___/___/2019)

(5) Any operational or maintenance problems which were encountered and the methods which were used to resolve the problems. (Ord. ____, §__, ___/___/2019)

(6) Planned activities for operation of the system during the ensuing three year cycle. (Ord. ____, §__, ___/___/2019)

(7) Any other information requested by the Department. (Ord. ____, §__, ___/___/2019)

(g) The Health Officer is authorized to inspect the Waterless Toilet system for compliance with this section, should the Owner fail to provide the required self-certification, laboratory testing or Operational Report. (Ord. ____, §__, __/__/2019)

615-6.

Revocation of Operational Permit.

(a) Conditions for revocation. If the Department determines that a permitted Waterless Toilet system may have an adverse effect upon water quality, public health, or the environment, then the permits granted pursuant to the provisions of this chapter may be revoked. Examples of conditions that may lead to permit revocation include, but are not limited to, any of the following: (Ord. ____, §__, __/__/2019)

- (1) The system causes an unsanitary condition. (Ord. ____, §__, __/__/2019)
- (2) There is improper use or disposal of the system end product. (Ord. ____, §__, __/__/2019)
- (3) The system is no longer being used, or maintained by the person to whom the permit is issued or the property changes ownership. (Ord. ____, §__, __/__/2019)
- (4) The system is being operated in a manner resulting in groundwater or surface water contamination. (Ord. ____, §__, __/__/2019)
- (5) The system is being operated in violation of conditions for approval of the Operational Permit. (Ord. ____, §__, __/__/2019)

(b) An Operational Permit may be revoked by the Department after notice of the proposed action has been personally served or sent by first class and certified mail to the Owner, and the Owner has been given 15 days to request a hearing before a hearing officer to respond to the matter upon which the revocation is based, at a time and place specified by the Department. The notice of the hearing will be personally served or sent by first class and certified mail to Owner. (Ord. ____, §__, __/__/2019)

(c) The hearing shall be heard by the Health Officer or his/her designee. Any determination of the hearing officer may be appealed to the Board of Supervisors within thirty (30) days of such determination by giving written notice to the Department. (Ord. ____, §__, __/__/2019)

(d) Upon a determination by the Department that immediate action is required to prevent an adverse effect upon public health or upon surface or ground waters, the Operational Permit may be summarily revoked. Summary revocation shall be followed within seven (7) days by notice of the action mailed to the Owner, setting a time and place for response within ten (10) days of the date of mailing. The notice of the hearing will be personally served or sent by first class and certified mail to Owner. (Ord. _____, §__, __/__/2019)

(e) A revoked permit may be reinstated if the Department determines that a plan has been established for adequate repair, alteration and/or maintenance of the system, and all costs of enforcement, including attorney fees, violation reinspection fees and any of the costs described in section [615-7](#) have been paid. (Ord. _____, §__, __/__/2019)

615-7.

Abatement.

In any action, judicial or administrative, to enforce any provision of this Code relating to the provisions of this chapter, the County may recover all of its costs of enforcement, including, but not limited to, sewage treatment system repair, replacement, and/or maintenance, any administrative overhead, salaries, and expenses incurred by the following departments: Department of Health and Human Services, Planning and Building Department, County Counsel, Code Enforcement, District Attorney, and/or Public Works Department. Cost recovery shall be pursuant to all the remedies authorized by law including, but not limited, to Chapter 1 Public Nuisance Abatement Procedures of Division 5 of Title III of the Humboldt County Code. (Ord. _____, §__, __/__/2019)

615-8.

Operations and Maintenance Manual

Owners of Waterless Toilet systems shall be knowledgeable of best management practices in methods for pathogen reduction/elimination and composting processes to prevent potential adverse impact to public health or the environment. An approved Operation and Maintenance Manual shall be maintained and available for reference on the premises.

(a) The Operation and Maintenance Manual shall at a minimum contain all the following information: (Ord. _____, §__, __/__/2019)

(1) Potential health risks from improper use of maintenance of the Waterless Toilet system.
(Ord. _____, §__, __/__/2019)

(2) Schedule for addition of necessary compost additives. (Ord. _____, §__, __/__/2019)

- (3) Source or provider of necessary compost additives. (Ord. ____, §__, ___/___/2019)
- (4) Schedule and instructions for all regular maintenance tasks. (Ord. ____, §__, ___/___/2019)
- (5) Description for container transfer and cleaning where used. (Ord. ____, §__, ___/___/2019)
- (6) Expected schedule for removing end product - Humus from Composting Processors. (Ord. ____, §__, ___/___/2019)
- (7) Description for onsite disposal, reuse, or professional removal as required by section 615-10. (Ord. ____, §__, ___/___/2019)
- (8) Description for managing Leachate as required by section 615-4(f). (Ord. ____, §__, ___/___/2019)
- (9) Description for microbial and physical testing as required by section 615-9. (Ord. ____, §__, ___/___/2019)
- (10) Specifications, information, and manufacturer's manual, if using a premanufactured Waterless Toilet system. (Ord. ____, §__, ___/___/2019)
- (11) Description for the storage, treatment and reuse or disposal of Diverted Urine, if using a urine diverting toilet, as required by section 615-4(j). (Ord. ____, §__, ___/___/2019)
- (12) Other information as requested by the Department. (Ord. ____, §__, ___/___/2019)

615-9.

End Product Testing

Owners of Waterless Toilet systems shall verify adequate pathogen reduction through testing. The test samples shall be from the first treatment period of biologically active conditions after a minimum of one year before removal of the Humus – end product from the Composting Processor. Testing must be completed by a certified laboratory. Where multistage composting is in use, the sample shall be collected from the Secondary Composting processor. (Ord. ____, §__, ___/___/2019)

(a) The sample shall be collected and tested in accordance with EPA/625/R-92/013, Appendix F, Section 1.2. (Ord. ____, §__, ___/___/2019)

(b) Results from physical and biological testing are to be included in the Operational Report and Self-certification provided to the Department, as required in section 615-5(g). (Ord. ____, §__, ___/___/2019)

(c) Test results shall not have a moisture content exceeding seventy five percent (75%) by weight and shall not exceed two hundred (200) fecal coliforms/gram. (Ord. _____, § __, ___/___/2019)

615-10.

End Product Reuse and Disposal

Waterless Toilet systems have been shown to be capable of deactivating and/or killing pathogens through the internal processes. Due to external conditions or operational irregularities, the conditions in the system may not always be optimal for pathogen destruction. Improper handling and disposal of the end product could adversely impact public health by allowing transmission of a variety of enteric disease and parasitic illnesses. The end product of composting, must therefore, be transported and disposed or reused in a manner that does not create a public health nuisance, and is in accordance with the requirements of the Operation and Maintenance Manual and the following requirements. (Ord. _____, § __, ___/___/2019)

(a) Onsite disposal of the end product from a Waterless Toilet system shall be prohibited in the following areas: (Ord. _____, § __, ___/___/2019)

(1) Shallow subsurface disposal in present or planned food crop growing areas or dairy pasture. (Ord. _____, § __, ___/___/2019)

(2) Area subject to seasonal runoff or areas seasonally inundated by water. (Ord. _____, § __, ___/___/2019)

(3) Areas within fifty feet (50 ft.) of ephemeral streams or one hundred feet (100 ft.) of perennial streams. (Ord. _____, § __, ___/___/2019)

(b) The following methods of end product disposal/reuse are acceptable: (Ord. _____, § __, ___/___/2019)

(1) Direct burial onsite with a minimum of eighteen inches (18 in) of compacted soil with a five feet (5 ft.) separation to seasonal high ground water. (Ord. _____, § __, ___/___/2019)

(2) Disposal into an approved OWTS. (Ord. _____, § __, ___/___/2019)

(3) Transportation by a licensed Septage Hauler to an approved wastewater treatment facility capable of accepting human waste. (Ord. _____, § __, ___/___/2019)

(4) End product may be permitted to be used onsite around ornamental shrubs, flowers, trees, or fruit trees and shall be mixed with soil, mulch or cover material. Depositing end product from

a Waterless Toilet system around any edible vegetable or vegetation is prohibited. (Ord. ____, §__, ___/___/2019)

(5) End product disposal shall be carried out by methods 1, 2, or 3 above whenever an individual using a Waterless Toilet system has a communicable disease which can be transmitted by human waste contamination of food or water. (Ord. ____, §__, ___/___/2019)

(c) All the above reuse methods except section 615-10(b) (3) shall be limited to the site on which the Humus is generated and processed. (Ord. ____, §__, ___/___/2019)

615-11.Inspections.

All Waterless Toilet systems shall be made available for inspection by the Department, upon request and with reasonable notice. (Ord. ____, §__, ___/___/2019)

(a) The cost of all inspections shall be paid by the holder of a Waterless Toilet Operation Permit. (Ord. ____, §__, ___/___/2019)

(b) An inspection by the Department may be required for the following: (Ord. ____, §__, ___/___/2019)

(1) The Owner did not submit the Operational Report and/or self-certification as required in section 615-5(g). (Ord. ____, §__, ___/___/2019)

(2) To investigate a nuisance complaint, communicable illness, or documented failure resulting from the operation of a Waterless Toilet system. (Ord. ____, §__, ___/___/2019)

**Garberville Sanitary District
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GENERAL MANAGER REPORT

Date: February 26, 2019

I have been contacted by members of the public who are looking for ideas about how to fund ongoing costs for the Town Square Restroom, which include paper products, maintenance and cleaning. I was asked if we would be interested in facilitating the maintenance and upkeep of the restroom if we received funds from other sources such as a trust or endowment. I told them that we were unable to use customer money for projects not benefiting GSD and that we would be unable to facilitate cleaning and maintenance of this project. I informed them that this item would be presented to the Board and if you were interested in a presentation, I would put it on the agenda for a future meeting.

The recent snow, cold temps and power outages were a good test of our ability to operate in difficult conditions while maintaining water quality and customer service. Brian was on call and did a great job meeting the demands of the water treatment plant and distribution system while Dan was available as needed.

We had a water meter leak on Riverview drive which resulted in replacing the meter and in the process of turning off the water to do the replacement, we discovered additional valves which do not work and had to turn off the water on Redwood dr which affected more customers including those from Sprowel Creek rd to the west side of Redwood dr.

Calicos was unable to operate with no water so I took them 24 gallons of bottled water which allowed them to continue operating.

These infrastructure and failing valves continue to surface, while verifying the need to begin a very aggressive replacement plan so that we can isolate streets and repair leaks which affect water loss efficiency and staff time.

I am committing to developing this plan with costs during the next six months as we complete our capital improvement plan.

With the recent heavy rains we had a tree fall across a 3” aerial pipe which feeds upper Maple Lane. This happened on a weekend but through communication and planning, Dan & Brian repaired the broken pipes and got the water back on before dark. We are installing new supports and restraints to assist in stopping further damage.

We also had a ditch failure above the water treatment facility which created a drainage over the bank to a lower ditch which quickly filled in. We are placing sand bags at the drainage location which failed so as to keep the runoff water in the channel.

Respectfully Submitted:
Ralph Emerson



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

BOARD AGENDA MEMORANDUM

Meeting Date: February 26, 2019
 To: Garberville Sanitary District Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: December 2018 Financial Statements

GENERAL OVERVIEW AND FINANCIAL CONSIDERATIONS

The attached Financial Statements are for December 2018. The audit is complete and the previous fiscal year's balances have been finalized.

Table 1. Overview of the "Combined Revenue & Expense Report for Board"

Description	Annual Budget	YTD spent	YTD Budget	YTD Difference	☺
Total Revenue	1,052,485.00	485,681.37	495,919.60	(10,238.23)	☹
Total Expenses	1,298,062.59	642,400.37	652,469.29	(10,068.92)	☺
Net Income (excluding Depreciation)	279,422.41	94,833.04	105,950.31	(11,117.27)	☹
Payroll	375,271.63	192,878.48	186,635.77	6,242.71	☹
Repair & Maintenance	66,000.00	21,528.00	35,250.04	(13,495.14)	☺

The current year to date revenue shortfall is not anticipated to be overcome before the end of the year. If the repairs and maintenance expenses continue to be less than budgeted, the final net income excluding depreciation will likely catch up with the budgeted amount.

In December the first installment of property tax revenue was deposited into our Sewer account with the Humboldt County Treasury. This deposit resulted in the sum of the 3 "reserve" accounts is \$712,652.20, which exceeds the \$700,000 goal that the Board set several years ago. Because of this, the overage should be transferred from this sewer account into the operations account so that it is available for operating expenses this year. Board action is required for transfer of funds from either of the account at Humboldt County Treasury. The amount that should be transferred is \$12,652.20. When the 2nd installment is deposited at the end of the fiscal year, we will again recommend transferring the overage into the operations account.

As can be seen on the "Statement of Cash Flows Report for Board - December 2018" and the "Balance Sheet Report for Board As of December 2018":

- Net cash **INCREASE** for December is \$ 81,363.51 and the year to date cash **DECREASE** is \$ (102,646.32).
- Expenditures for fixed asset acquisition so far this year total \$ 294,404.69 which was for the replacement of the chlorine contact chamber at \$ 255,894.69 and \$38,510 for the

Maple Lane sewer line replacement (this was an unbudgeted expenditure which will be partially offset by Wallen Road and Arthur Road tie-ins being undertaken in June 2018 instead of this fiscal year).

- As of December 31, 2018, the total reimbursement from the insurance company for the CCC replacement so far is \$314,607.42. An additional \$15,067.25 was received in January for a total reimbursement from SDRMA of **\$329,674.67**.
- Total payments on long term debt so far this year total **\$ 86,117.34** of an expected year-end total of **\$135,461.31**.

The outlook for the final year end projections doesn't vary much from last month.

RECOMMENDED BOARD ACTIONS

Authorize transfer of **\$12,652.20** from Humboldt County Treasury account for sewer to the Umpqua Bank Operating Checking Account.

ATTACHMENTS

1. Statement of Cash Flows - Current Month and Fiscal Year to Date
2. Balance Sheet with Comparison between Current month and Fiscal Year ending June 30, 2018
3. Revenue and Expense Report - Combined Report for Water & Sewer containing current month actual, fiscal year to date actual, and annual budget
4. Check Register Report for all checks issued in December 2018

GARBERVILLE SANITARY DISTRICT Statement of Cash Flows Report for Board

July through December 2018

	Dec 18	Jul - Dec 18
OPERATING ACTIVITIES		
Net Income	(25,355.50)	(156,719.00)
Adjustments to reconcile Net Income to net cash provided by operations:		
11000 · Accounts Receivable - Other	(4,716.00)	(3,756.00)
1100 · Accounts Receivable	(226.03)	1,182.24
1110 · Accts Receivable Over Payments	(311.77)	(732.16)
1450 · Prepaid Rent	0.00	835.00
1500 · Prepaid Insurance	(1,135.91)	(11,311.77)
1501 · Prepaid Workers Comp	680.14	(3,692.69)
1502 · Prepaid Expenses	556.04	310.84
1510 · Prepaid Licenses and Permits	1,826.63	(10,917.68)
1111 · Insurance Proceeds Receivable	136,715.48	233,078.67
2000 · Accounts Payable	(26,286.59)	(12,966.86)
20000 · Accounts Payable	0.00	2,520.00
2210 · Accrued Federal PR Taxes	0.00	(0.07)
2002 · Accounts Payable Audit Entry	0.00	(14,006.85)
2300 · Service Deposits	200.00	2,500.00
Net cash provided by Operating Activities	81,946.49	26,323.67
INVESTING ACTIVITIES		
SEWER:Collection	0.00	(38,510.00)
Accumulated Depreciation-Water	27,202.63	163,215.78
Accumulated Depreciation-Sewer	14,722.71	88,336.26
CIP-CL2 Contact Chamber Replace	(15,162.24)	(255,894.69)
Net cash provided by Investing Activities	26,763.10	(42,852.65)
FINANCING ACTIVITIES		
2500 · N/P - SWRCB	0.00	(23,167.43)
2605 · RCAC Loan #6200-GSD-02	(4,269.74)	(25,354.15)
2655 · Lease Payable - Copier	(85.16)	(504.82)
2700 · SRF Loan - Water	(22,991.18)	(22,991.18)
2660 · Lease Payable - Ford Motor Cred	0.00	(14,099.76)
Net cash provided by Financing Activities	(27,346.08)	(86,117.34)
Net cash increase for period	81,363.51	(102,646.32)
Cash at beginning of period	766,951.63	950,961.46
Cash at end of period	848,315.14	848,315.14

Garberville Sanitary District
Balance Sheet Report for Board
As of December 31, 2018

	Jun 30, 18	Dec 31, 18	Difference	Notes
ASSETS				
Current Assets				
Checking/Savings				
1005 · Umpqua Checking - Operating	145,539.98	78,500.46	(67,039.52)	
1006 · Umpqua System Reserve - Water	53,000.76	25,693.62	(27,307.14)	
1007 · Umpqua System Reserve - Sewer	58,427.31	31,129.76	(27,297.55)	
1011 · Water Enterprise Fund	46,517.25	46,599.38	82.13	
1030 · County Treasury - Sewer Reserve	405,174.27	422,140.91	16,966.64	
1031 · County Treasury - Water Reserve	242,088.40	243,911.91	1,823.51	
1040 · Petty Cash	39.51	39.51	0.00	
1050 · Cash Drawer	173.98	299.59	125.61	
Total Checking/Savings	950,961.46	848,315.14	(102,646.32)	
Accounts Receivable				
11000 · Accounts Receivable - Other	2,951.00	6,707.00	3,756.00	
Total Accounts Receivable	2,951.00	6,707.00	3,756.00	
Other Current Assets				
1111 · Insurance Proceeds Receivable	145,649.00	13,095.00	(132,554.00)	
1100 · Accounts Receivable				
1110 · Accts Receivable Over Payments	(1,757.04)	(1,024.88)	732.16	
1100 · Accounts Receivable - Other	94,498.02	93,315.78	(1,182.24)	
Total 1100 · Accounts Receivable	92,740.98	92,290.90	(450.08)	
1120 · A/R - Employee		0.00		
1450 · Prepaid Rent	835.00		(835.00)	
1500 · Prepaid Insurance	3,257.77	14,569.54	11,311.77	
1501 · Prepaid Workers Comp	89.30	3,781.99	3,692.69	
1502 · Prepaid Expenses	3,647.00	3,336.16	(310.84)	
1510 · Prepaid Licenses and Permits	42.06	10,959.74	10,917.68	
1550 · Allowance for Doubtful Accounts	(5,000.00)	(5,000.00)	0.00	
Total Other Current Assets	241,261.11	32,508.66	(108,227.78)	
Total Current Assets	1,195,173.57	887,530.80	(207,118.10)	
Fixed Assets				
CIP - CCC Replace - Insurance	(250,000.00)	(350,524.67)	(100,524.67)	Reflects 12/31/18 SDRMA Bill Amt
CIP-Meas-Z-Fire Hydrant Replace	70,000.00	70,000.00	0.00	
CIP-CL2 Contact Chamber Replace	70,250.57	326,145.26	255,894.69	Tank + Wahlund
CIP - SWTP Coag Project	4,806.26	4,806.26	0.00	
CIP - Leino Ln	585.00	585.00	0.00	
CIP - Bear Canyon Aerial	2,766.06	2,766.06	0.00	
WATER				
Land - Water	88,698.62	88,698.62	0.00	
Water Easements & Intangibles	177,397.11	177,397.11	0.00	
Treatment	65,382.17	65,382.17	0.00	
Distribution	2,712,614.17	2,712,614.17	0.00	
Pumps	2,909.87	2,909.87	0.00	
DWTP (Water) 2015	4,968,104.88	4,968,104.88	0.00	
Total WATER	8,015,106.82	8,015,106.82	0.00	
Water System	142,474.97	142,474.97	0.00	
SEWER				
Land - Sewer	129,810.68	129,810.68	0.00	

Garberville Sanitary District
Balance Sheet Report for Board
As of December 31, 2018

	Jun 30, 18	Dec 31, 18	Difference	Notes
Collection	2,334,001.02	2,372,511.02	38,510.00	Upper Maple Sewer
Treatment	507,552.59	507,552.59	0.00	
Pumps	13,908.96	13,908.96	0.00	
Sewer Project - 2011	2,792,451.91	2,792,451.91	0.00	
Total SEWER	5,777,725.16	5,816,235.16	38,510.00	
CIP - Wallan Road Tank	13,789.78	13,789.78	0.00	
Office Equipment	32,004.40	32,004.40	0.00	
Equipment	158,306.60	158,306.60	0.00	
Vehicles	81,171.66	81,171.66	0.00	
MSR/SOI and Annexation Project	157,367.08	157,367.08	0.00	
Accumulated Depreciation-Water	(1,532,391.26)	(1,695,607.04)	(163,215.78)	
Accumulated Depreciation-Sewer	(1,813,420.06)	(1,901,756.32)	(88,336.26)	
Total Fixed Assets	10,930,543.04	10,973,395.69	(57,672.02)	
TOTAL ASSETS	12,125,716.61	11,860,926.49	(264,790.12)	
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2000 · Accounts Payable	32,592.27	19,625.41	(12,966.86)	
Total Accounts Payable	32,592.27	19,625.41	(12,966.86)	
Other Current Liabilities				
2002 · Accounts Payable Audit Entry	14,006.85	0.00	(14,006.85)	
2300 · Service Deposits	700.00	3,200.00	2,500.00	
20000 · Accounts Payable	0.00	2,520.00	2,520.00	
2205 · Accrued Simple	(41.46)	(41.46)	0.00	
2210 · Accrued Federal PR Taxes	0.07		(0.07)	
2220 · Accrued State PR Taxes	0.00		0.00	
2225 · Accrued Workers Comp	0.00		0.00	
2230 · Accrued Vacation	20,836.33	20,836.33	0.00	
2250 · Loans Payable - Current Portion	112,631.76	112,631.76	0.00	
Total Other Current Liabilities	148,133.55	139,146.63	(8,986.92)	
Total Current Liabilities	180,725.82	158,772.04	(21,953.78)	
Long Term Liabilities				
2500 · N/P - SWRCB	146,142.06	122,974.63	(23,167.43)	1 of 1 payment
2605 · RCAC Loan #6200-GSD-02	128,621.61	103,267.46	(25,354.15)	6 of 12 pmts
2655 · Lease Payable - Copier	1,559.75	1,054.93	(504.82)	6 of 12 pmts
2660 · Lease Payable - Ford Motor Cred	14,099.76	0.00	(14,099.76)	Final Payment
2700 · SRF Loan - Water	1,264,515.10	1,241,523.92	(22,991.18)	1 of 2 payments
2900 · Less Current Portion	(112,631.76)	(112,631.76)	0.00	
Total Long Term Liabilities	1,442,306.52	1,356,189.18	(86,117.34)	
Total Liabilities	1,623,032.34	1,514,961.22	(108,071.12)	
Equity				
3000 · Contributed Capital	6,129,491.75	6,129,491.75	0.00	
3100 · Retained Earnings	4,562,718.96	4,373,192.52	(189,526.44)	
Net Income	(189,526.44)	(156,719.00)	32,807.44	
Total Equity	10,502,684.27	10,345,965.27	(156,719.00)	
TOTAL LIABILITIES & EQUITY	12,125,716.61	11,860,926.49	(264,790.12)	

GARBERVILLE SANITARY DISTRICT
Combined Revenue Expense Report for Board
December 2018

	Current Month Dec 2018	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
Ordinary Income/Expense					
Income					
Water Charges					
4100 · Residential	21,556.94	156,999.33	158,356.97	308,000.00	(1,357.64)
4110 · Commercial	17,346.03	113,961.10	118,002.23	235,000.00	(4,041.13)
4150 · Bulk Water Sales	3,216.00	10,716.00	13,000.00	20,000.00	(2,284.00)
Total Water Charges	42,118.97	281,676.43	289,359.20	563,000.00	(7,682.77)
4200 · Sewer Charges	28,886.11	173,811.19	184,317.93	365,000.00	(10,506.74)
4300 · Connection Fees	0.00	0.00	0.00	80,000.00	0.00
4650 · Late Charges	0.00	5,155.00	3,250.01	6,500.00	1,904.99
4700 · Other Operating Revenue	700.00	2,880.00	3,499.96	7,000.00	(619.96)
49900 · Uncategorized Income	1,500.00	1,500.00			1,500.00
Total Income	73,205.08	465,022.62	480,427.10	1,021,500.00	(15,404.48)
Gross Profit	73,205.08	465,022.62	480,427.10	1,021,500.00	(15,404.48)
Expense					
Administrative and General					
5000 · Advertising	0.00	0.00	175.00	350.00	(175.00)
5005 · Bad Debts	1,476.44	1,777.16	1,750.00	3,500.00	27.16
5010 · Bank Charges					
5012 · Merchant Account Fees	206.18	1,222.48	1,150.04	2,300.00	72.44
5010 · Bank Charges - Other	127.06	792.30	700.04	1,400.00	92.26
Total 5010 · Bank Charges	333.24	2,014.78	1,850.08	3,700.00	164.70
5020 · Directors Fees	0.00	0.00	900.00	1,800.00	(900.00)
5030 · Dues and Memberships	0.00	4,036.00	2,200.04	4,400.00	1,835.96
5035 · Education and Training	525.00	2,552.95	1,000.04	2,000.00	1,552.91
5036 · Education and Training - B.O.D.	0.00	0.00	150.00	300.00	(150.00)
Insurance					
5040 · Liability	1,871.16	11,226.96	11,227.00	22,453.96	(0.04)
5050 · Workers' Comp	680.14	4,352.94	4,022.87	8,045.63	330.07
5055 · Health					
5055.1 · Employee Portion	(607.62)	(3,645.72)	(3,900.00)	(7,800.00)	254.28
5055 · Health - Other	3,257.77	19,546.62	21,180.00	42,360.00	(1,633.38)
Total 5055 · Health	2,650.15	15,900.90	17,280.00	34,560.00	(1,379.10)
Total Insurance	5,201.45	31,480.80	32,529.87	65,059.59	(1,049.07)
5060 · Licenses, Permits, and Fees	2,206.68	12,105.63	11,750.02	23,500.00	355.61
5065 · Auto	0.00	1,231.66	1,600.04	3,200.00	(368.38)
5070 · Miscellaneous	0.00	66.08	49.96	100.00	16.12
5080 · Office Expense	261.25	2,846.75	2,800.04	5,600.00	46.71
5085 · Outside Services	300.00	3,277.04	4,249.96	8,500.00	(972.92)
5090 · Payroll Taxes	2,318.50	12,364.64	13,417.96	26,836.00	(1,053.32)
5100 · Postage	91.58	1,089.16	1,399.96	2,800.00	(310.80)
5110 · Professional Fees	10,935.16	43,316.89	38,700.00	77,400.00	4,616.89
5120 · Property Taxes	0.00	30.42	6.00	12.00	24.42
5125 · Repairs and Maintenance	0.00	23.14	250.04	500.00	(226.90)

GARBERVILLE SANITARY DISTRICT
Combined Revenue Expense Report for Board
December 2018

	Current Month Dec 2018	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
5130 · Rents	835.00	5,010.00	6,000.00	12,000.00	(990.00)
5135 · Retirement	785.14	3,944.39	3,825.00	7,650.00	119.39
5137 · Supplies	0.00	1,438.76	600.00	1,200.00	838.76
5140 · Telephone	989.09	5,472.34	3,799.96	7,600.00	1,672.38
5145 · Tools	0.00	0.00	1,999.96	4,000.00	(1,999.96)
5150 · Travel and Meetings	0.00	115.19	750.00	1,500.00	(634.81)
5155 · Utilities	159.46	1,302.92	1,380.00	2,760.00	(77.08)
5160 · Wages					
5165 · Wages - Overtime	457.65	1,487.55	499.96	1,000.00	987.59
5160 · Wages - Other	16,901.12	69,771.88	80,152.04	160,304.00	(10,380.16)
Total 5160 · Wages	17,358.77	71,259.43	80,652.00	161,304.00	(9,392.57)
Total Administrative and General	43,776.76	206,756.13	213,785.93	427,571.59	(7,029.80)
Sewage Collection					
6010 · Fuel	505.63	1,674.14	1,610.02	3,220.00	64.12
6030 · Repairs and Maintenance	12.88	(190.25)	12,000.00	20,000.00	(12,190.25)
6040 · Supplies	213.22	2,960.35	999.98	2,000.00	1,960.37
6050 · Utilities	354.48	1,913.04	2,874.98	5,750.00	(961.94)
6060 · Wages					
6065 · Wages - Overtime Sewer Colle	148.50	739.50	500.00	2,000.00	239.50
6060 · Wages - Other	2,386.75	15,736.89	14,454.52	28,909.00	1,282.37
Total 6060 · Wages	2,535.25	16,476.39	14,954.52	30,909.00	1,521.87
Total Sewage Collection	3,621.46	22,833.67	32,439.50	61,879.00	(9,605.83)
Sewage Treatment					
6075 · Fuel	505.63	1,674.15	1,494.98	2,990.00	179.17
6080 · Monitoring	430.00	1,165.00	6,999.98	14,000.00	(5,834.98)
6085 · Outside Services	800.00	800.00	0.00	0.00	800.00
6100 · Repairs and Maintenance	0.00	4,736.24	6,500.00	12,500.00	(1,763.76)
6110 · Supplies	1,552.50	3,486.69	3,800.02	7,600.00	(313.33)
6120 · Utilities	726.87	3,891.33	6,900.00	13,800.00	(3,008.67)
6130 · Wages					
6135 · Wages - Overtime Sewer Trea	0.00	481.50	500.00	2,000.00	(18.50)
6130 · Wages - Other	2,606.23	17,732.41	11,906.48	23,813.00	5,825.93
Total 6130 · Wages	2,606.23	18,213.91	12,406.48	25,813.00	5,807.43
Total Sewage Treatment	6,621.23	33,967.32	38,101.46	76,703.00	(4,134.14)
Water Trans and Distribution					
7075 · Fuel	505.65	1,674.23	1,437.52	2,875.00	236.71
7090 · Repairs and Maintenance	17.81	8,240.85	9,999.98	20,000.00	(1,759.13)
7100 · Supplies	0.00	12,481.35	2,000.02	4,000.00	10,481.33
7110 · Utilities	489.64	3,747.18	5,175.00	10,350.00	(1,427.82)
7120 · Wages					
7125 · Wages - Overtime Water Tran	144.00	1,299.50	2,499.98	5,000.00	(1,200.48)
7120 · Wages - Other	2,981.05	19,038.79	15,026.48	30,053.00	4,012.31
Total 7120 · Wages	3,125.05	20,338.29	17,526.46	35,053.00	2,811.83
Total Water Trans and Distribution	4,138.15	46,481.90	36,138.98	72,278.00	10,342.92

GARBERVILLE SANITARY DISTRICT
Combined Revenue Expense Report for Board
December 2018

	Current Month Dec 2018	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
Water Treatment					
7020 · Fuel	0.00	0.00	1,100.02	2,200.00	(1,100.02)
7010 · Monitoring	410.00	2,363.03	2,499.98	5,000.00	(136.95)
7015 · Outside Services	825.00	1,625.00			1,625.00
7030 · Repairs and Maintenance	2,654.75	8,718.02	6,500.02	13,000.00	2,218.00
7040 · Supplies	1,578.08	6,362.30	6,999.98	14,000.00	(637.68)
7050 · Utilities	3,342.16	22,924.17	23,000.02	46,000.00	(75.85)
7060 · Wages					
7065 · Wages - Overtime Water Trea	672.00	4,971.75	3,000.00	6,000.00	1,971.75
7060 · Wages - Other	3,750.52	25,055.84	19,550.48	39,101.00	5,505.36
Total 7060 · Wages	4,422.52	30,027.59	22,550.48	45,101.00	7,477.11
Total Water Treatment	13,232.51	72,020.11	62,650.50	125,301.00	9,369.61
Total Expense	71,390.11	382,059.13	383,116.37	763,732.59	(1,057.24)
Net Ordinary Income	1,814.97	82,963.49	97,310.73	257,767.41	(14,347.24)
Other Income/Expense					
Other Income					
Property Tax Revenue					
8010 · Secured	12,769.74	12,779.05	11,750.00	23,500.00	1,029.05
8020 · Unsecured	0.00	969.42	425.00	850.00	544.42
8025 · Prior Years	5.55	5.55	12.50	25.00	(6.95)
8030 · Supplemental - Current	124.80	124.80	125.00	250.00	(0.20)
8035 · Supplemental - Prior Years	0.00	0.00	25.00	50.00	(25.00)
Total Property Tax Revenue	12,900.09	13,878.82	12,337.50	24,675.00	1,541.32
8060 · Interest Income	2,261.53	5,081.05	3,000.00	6,000.00	2,081.05
8070 · Other Non-Operating Revenue	0.00	1,652.21			1,652.21
9030 · Homeowners' Tax Relief	46.67	46.67	155.00	310.00	(108.33)
Total Other Income	15,208.29	20,658.75	15,492.50	30,985.00	5,166.25
Other Expense					
9040 · Depreciation	41,925.34	251,552.04	262,500.00	525,000.00	(10,947.96)
9050 · Interest Expense	453.42	6,817.95	6,852.92	9,330.00	(34.97)
9999 · Suspense	0.00	1,971.25			1,971.25
Total Other Expense	42,378.76	260,341.24	269,352.92	534,330.00	(9,011.68)
Net Other Income	(27,170.47)	(239,682.49)	(253,860.42)	(503,345.00)	14,177.93
Net Income	(25,355.50)	(156,719.00)	(156,549.69)	(245,577.59)	(169.31)
9040 · Depreciation	41,925.34	251,552.04	262,500.00	525,000.00	(10,947.96)
Net Income excluding Depreciation	16,569.84	94,833.04	105,950.31	279,422.41	(11,117.27)

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 December 2018

Date	Num	Memo	Amount
Amazon.com			
12/12/2018	DBT		-93.95
12/12/2018	DBT		-72.30
Total Amazon.com			-166.25
Anderson, Lucas, Somerville & Borges			
12/11/2018	9670		-3,500.00
Total Anderson, Lucas, Somerville & Borges			-3,500.00
Candor Rock, LLP			
12/11/2018	9671		-332.50
Total Candor Rock, LLP			-332.50
Capital Bank & Trust			
12/03/2018	EFT	025158148	-340.62
12/03/2018	EFT	557880519	-802.65
12/18/2018	EFT	557880519	-732.04
12/18/2018	EFT	025158148	-308.02
12/18/2018	EFT	025158148	-136.50
12/18/2018	EFT	557880519	-244.99
Total Capital Bank & Trust			-2,564.82
Cash			
12/17/2018	9693		-100.00
Total Cash			-100.00
Crystal Springs Bottled Water			
12/11/2018	9672		-23.50
Total Crystal Springs Bottled Water			-23.50
CSDA			
12/05/2018	9660		-3,016.00
12/11/2018	9673		-525.00
Total CSDA			-3,541.00
Dazey's Building Center			
12/11/2018	9674		-147.26
Total Dazey's Building Center			-147.26
EDD			
12/03/2018	EFT	499-0538-3	-728.65
12/03/2018	EFT	499-0538-3	-10.70
12/18/2018	EFT	499-0538-3	-601.14
12/18/2018	EFT	499-0538-3	-9.14
12/18/2018	EFT	499-0538-3	-152.96
Total EDD			-1,502.59
Fluentstream Tech			
12/11/2018	9675		-109.43
Total Fluentstream Tech			-109.43
Frontier Communications			
12/05/2018	9661		-407.35
12/18/2018	9702		-137.83
Total Frontier Communications			-545.18
Humboldt Fence Co. Inc			
12/18/2018	9703		-6,985.00
Total Humboldt Fence Co. Inc			-6,985.00
IRS			

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
December 2018

Date	Num	Memo	Amount
12/03/2018	EFT	68-0296323	-3,282.50
12/18/2018	EFT	68-0296323	-2,860.68
12/18/2018	EFT	68-0296323	-1,009.14
Total IRS			-7,152.32
Jennie Short			
12/05/2018	9662		-5,197.96
12/12/2018	9686		-3,317.65
Total Jennie Short			-8,515.61
Lori Ruiz			
12/18/2018	9704		-200.00
Total Lori Ruiz			-200.00
Micah Bigelow			
12/18/2018	9705		-825.00
Total Micah Bigelow			-825.00
MILT'S SAW SHOP			
12/11/2018	9676		-6.47
12/18/2018	9706		-12.88
Total MILT'S SAW SHOP			-19.35
Mitchell, Brisso, Delaney & Vrieze			
12/11/2018	9677		-294.50
Total Mitchell, Brisso, Delaney & Vrieze			-294.50
North Coast Laboratories Ltd.			
12/11/2018	9678		-95.00
Total North Coast Laboratories Ltd.			-95.00
Owsley Electric			
12/11/2018	9679		-2,089.62
Total Owsley Electric			-2,089.62
PG&E			
12/11/2018	9680		-5,044.86
Total PG&E			-5,044.86
Pitney Bowes Purchase Power			
12/11/2018	9681		-91.58
Total Pitney Bowes Purchase Power			-91.58
Ralph Emerson			
12/05/2018	9663		-50.00
Total Ralph Emerson			-50.00
Rays Food Place			
12/12/2018	DBT		-3.18
Total Rays Food Place			-3.18
Recology Humboldt County			
12/11/2018	9682		-16.29
Total Recology Humboldt County			-16.29
Redway Tire Service Inc			
12/12/2018	9687		-1,231.66
Total Redway Tire Service Inc			-1,231.66

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 December 2018

Date	Num	Memo	Amount
Redwood Merchant Services			
12/03/2018	09779		-102.21
12/31/2018			-129.21
Total Redwood Merchant Services			-231.42
RENNER			
12/10/2018	DBT		-1,516.91
Total RENNER			-1,516.91
Rural Community Assistance Program			
12/01/2018	DBT		-4,717.81
Total Rural Community Assistance Program			-4,717.81
SDRMA			
12/05/2018	9664		-335.47
12/13/2018	9689		-2,922.30
12/13/2018	9690		-3,010.02
Total SDRMA			-6,267.79
Sentry III Center			
12/05/2018	9665		-835.00
Total Sentry III Center			-835.00
Staples Credit Plan			
12/05/2018	9666		-26.95
Total Staples Credit Plan			-26.95
Streamline Inc			
12/11/2018	9683		-100.00
Total Streamline Inc			-100.00
SWRCB			
12/06/2018	9668		-16,347.00
12/06/2018	9669		-2,286.00
Total SWRCB			-18,633.00
SWRCB - 2013CX103			
12/13/2018	9691		-22,991.18
Total SWRCB - 2013CX103			-22,991.18
The Paper Mill			
12/12/2018	9688		-50.90
Total The Paper Mill			-50.90
Umpqua Bank			
12/20/2018	09780		-119.96
Total Umpqua Bank			-119.96
US Cellular			
12/05/2018	9667		-288.69
Total US Cellular			-288.69
Van Meter Construction			
12/18/2018	9707		-4,523.00
Total Van Meter Construction			-4,523.00
Wahlund Construction, Inc.			
12/18/2018	9708		-7,574.75

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
December 2018

Date	Num	Memo	Amount
Total Wahlund Construction, Inc.			-7,574.75
Wells Fargo			
12/11/2018	9684		-90.51
Total Wells Fargo			-90.51
Wyatt & Whitchurch, E.A. Inc.			
12/14/2018	9692		-2,850.00
Total Wyatt & Whitchurch, E.A. Inc.			-2,850.00
WYCKOFF'S Inc			
12/11/2018	9685		-46.62
Total WYCKOFF'S Inc			-46.62
Arreguin, Daniel J			
12/03/2018	9654		-2,631.33
12/18/2018	9694		-2,248.81
12/18/2018	9700		-2,403.00
Total Arreguin, Daniel J			-7,283.14
Emerson, Ralph K			
12/03/2018	9655		-3,094.00
12/18/2018	9695		-3,111.83
Total Emerson, Ralph K			-6,205.83
LaFond, Jamie L			
12/03/2018	9656		-157.58
12/18/2018	9696		-134.69
Total LaFond, Jamie L			-292.27
Miller, Brian A			
12/03/2018	9657		-1,927.43
12/18/2018	9697		-1,641.01
12/18/2018	9701		-1,087.90
Total Miller, Brian A			-4,656.34
Nieto, Mary			
12/03/2018	9658		-1,233.64
12/18/2018	9698		-1,036.28
Total Nieto, Mary			-2,269.92
Ruiz, Ricardo			
12/03/2018	9659		-328.86
12/18/2018	9699		-287.75
Total Ruiz, Ricardo			-616.61
TOTAL			-137,335.10

**GARBERVILLE SANITARY DISTRICT
BOARD OF DIRECTORS MEETING
MINUTES**

January 29th 2019

5:00 p.m. – Open Public Session

I. REGULAR MEETING CALLED TO ORDER

@ 5:02 p.m

II. ESTABLISHMENT OF QUORUM

Rio Anderson-Arrived @ 5:32 p.m.

Linda Brodersen-Present

Doug Bryan

Richard Thompson

Julie Lyon

III. APPROVAL OF AMENDED AGENDA

Motion: Richard Thompson

Second: Julie Lyon

Vote: 4-0

IV. THE BOARD WILL ENTER CLOSED SESSION AT END OF MEETING

No closed session

V. OPEN SESSION

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

Correspondence—Letters

Linda Brodersen presented an SDRMA Board of Directors Nomination Letter

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS –

Operations Staff- 0

Office Staff- 0

Board Members-

General Manager—Ralph Emerson Pg. 4

Ralph received training on how to handle 700 forms, and will provide training for Staff and Board Members. The GSD is in the process of turning in any missing 700 Forms.

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

A.1 Approve Financials Date – Will include in Budget Update Discussion

A.2 Approve Date: December 18, 2018 Regular Meeting Minutes - pg. 5-7

A.3 Operations Safety Report- pg. 8-9

Motion: Julie Lyon

Second: Richard Thompson

Vote: 4-0

A. **GENERAL BUSINESS** – *Action items*

- B.1 Budget update 2018/2019—Jennie Short Report **pg. 10-21**
(discussion-possible action)
Financials- Motion: Julie Lyon Second: Doug Bryan Vote: 4-0

The District hopes to break even this year.

- B.2 Water Balance – Capacity - Efficiency Report **Pg. 22-44**

Handout at the meeting. Jennie Short gave the presentation.

- B.3 Bank Building Renovation Project **pg. 45-75**
(discussion-possible action)
Motion: Richard Thompson Second: Julie Lyon Vote: 5-0

- B.4 Humboldt Planning & Building Department- Development of a Parcel
(Amended Agenda Item)
The deadline on this project referral was February 2nd. Ralph wanted to get the Boards direction before responding. The Board is requesting more information. The application for a new connection be filled out and connection fees be paid.

- B.5 Rate Structure Presentation **pg. 76-88**
Authorize the Preparation of the Cost of Service Analysis
Motion: Doug Bryan Second: Rio Anderson Vote: 5-0 Motion Carried

Adopt Resolution 2019-001- Motion: Julie Lyon Second: Doug Bryan Roll Call Vote: 5-0

- B.6 Chlorine Contact Chamber Update **pg. 89-91**
The chlorine contact chamber was short circuiting in the middle. Highland Tank sent someone out locally to install missing parts. The District is having one more tracer study completed. Next meeting the District will have the tracer study results.

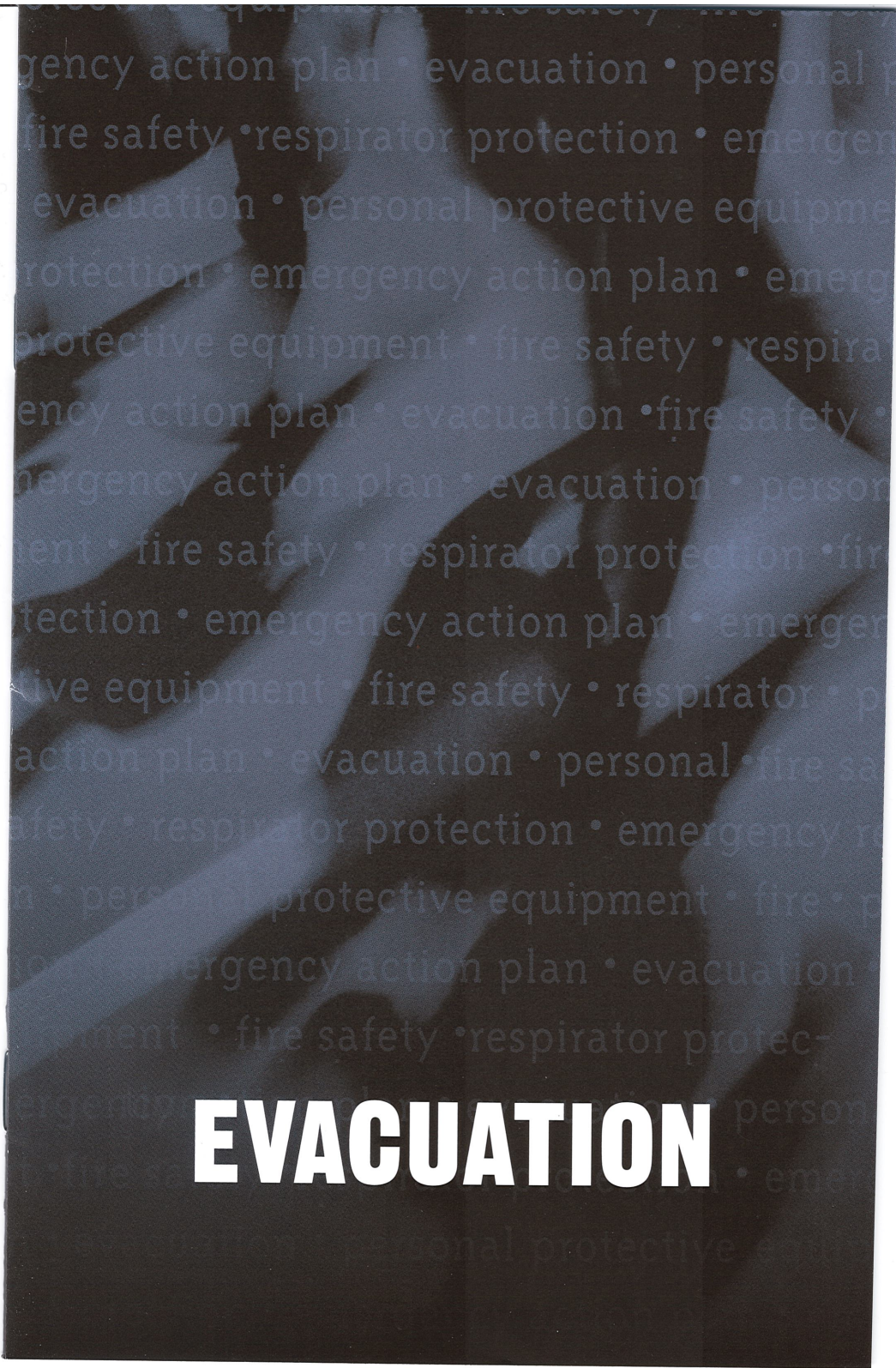
- B.7 Project Completion Update **pg. 92**

XI. ITEMS FOR NEXT BOARD MEETING

1. Rate Structure Process
2. Eel River Data
3. Southern Humboldt Community Health Care District Presentation
4. Form 700 Conflict of Interest Forms

XII. ADJOURNMENT

@ 8:00 p.m



EVACUATION

FEB 01 2019



ATTENDANCE ROSTER

Safety Meeting

Date of Meeting: 2/6/19 Leader Name: Ralph Emerson

Instructions:

- a. Fill in the date of the meeting and the name of the safety meeting leader.
b. Have all safety meeting participants sign this roster.
c. File this roster and the associated documents as outlined in the Leader Discussion Guide.

Name (print)

Name (signature)

Table with 2 columns: Name (print) and Name (signature). Rows 1-4 contain handwritten entries: Ralph Emerson, Daniel Arreguin, Brini Hall, Mary Nieto and their corresponding signatures.

Attachments: 1. Leader Discussion Guide 2. Safety Meeting Booklet



NEW REDWOODS RURAL SUBOXONE PROGRAM

Humboldt County has one of the highest opioid overdose rates in California, which means it has one of the highest rates in the United States. In response to this crisis, Redwoods Rural Health Center has recently introduced its **NEW Suboxone Program**.

Learn how this program can benefit you or someone you know.

To make an appointment, contact **Amber Wallan**
RRHC Back Office Supervisor: **(707) 923-2783**

CONTACT

101 West Coast Road
Redway, CA 95560
MEDICAL
(707) 923-2783
DENTAL
(707) 923-4313
www.rrhc.org



NEWSLETTER OF REDWOODS RURAL HEALTH CENTER

WINTER 2019

MISSION & VISION & VALUES

- ❖ The purpose of Redwoods Rural Health Center is to provide responsive, preventive, high quality primary health care services, through a variety of healing disciplines, to all people without regard to social or economic status.
- ❖ We emphasize the client's right and responsibility to participate in his or her own health care decisions.
- ❖ It is our hope that the clinic be a place where the needs of the whole person are met—body, mind, and spirit.

MARCH IS COLON CANCER AWARENESS MONTH

In February 2000, President Clinton officially dedicated March as **National Colorectal Cancer Awareness Month**. Since then, it has

grown to be a rallying point for the colon cancer community where thousands of patients, survivors, caregivers and advocates throughout the country join together to spread colorectal cancer awareness by wearing blue, holding fundraising and education events, talking to friends and family about screening and so much more.

Colorectal cancer (cancer that starts in the colon or rectum) is the **third most commonly diagnosed cancer** and the second leading cause of cancer death in men and women combined in the United States. Colorectal cancer affects people in all racial and ethnic groups and is most often found in people age 50 and older.

Since the mid-1980s, the colorectal cancer survival rate has been increasing, due in part to increased awareness and screening. By finding polyps and cancer in the earlier stages, it is easier to treat. Improved treatment options have also contributed to a rise in survival rates.

There are currently more than one million colorectal cancer survivors alive in the US.

PREVENTING COLON CANCER

Did you know?

When caught early, colon cancer is **90% curable!** To help our patients get screened with the most modern, convenient option, Redwoods Rural is offering Cologuard.



Cologuard is the easy, noninvasive colon cancer screening test you can use at home. It's the only FDA-approved test based on stool DNA science and **finds 92% of colon cancers**. If you're 50 years of age or older at average risk of colon cancer, or if you've been avoiding screening, you should know there is a non-invasive option.



Cologuard is covered by Medicare and most major insurers. Talk to your medical provider to order your Cologuard test today.

FEBRUARY IS HEART HEALTH MONTH



Heart disease is the leading cause of death for both men and women in the US. Every year, **1 in 4** deaths are caused by

heart disease. **The good news?** Heart disease can often be prevented when people make healthy choices and manage their health conditions. Communities, health professionals, and families can work together to create opportunities for people to make healthier choices.

To prevent heart disease and increase awareness of its effects, RRHC is proudly participating in American Heart Month

You can make healthy changes to lower your risk of developing heart disease. Controlling and preventing risk factors is also important for people who already have heart disease. To lower your risk:

- Watch your weight
- Quit smoking & avoid secondhand smoke
- Control your cholesterol & blood pressure
- Get active and eat healthy
- If you drink alcohol, drink only in moderation

Make a difference in your community:

Spread the word about strategies to prevent heart disease & encourage people to live heart healthy lives.

PERINATAL SERVICES NOW AVAILABLE IN SOUTHERN HUMBOLDT!



Redwoods Rural Health Center
Bloom & Blossom
Perinatal Program



The new **RRHC perinatal program** is taking patients. It is important for newly pregnant women to establish perinatal care in the **first trimester** of their pregnancy. Early prenatal care can improve pregnancy outcomes, ensure a healthier pregnancy and reduce complications. Two of the most significant benefits of early and ongoing prenatal care are improved birth weight and decreased risk of preterm delivery. In the early stage of pregnancy, RRHC provides educational information, support, and referrals appropriate to the patient. Expectant mothers first meet with RRHC nurses and then with Dr. Nicely from **With Open Arms** or Carolyn Eldridge, LM. At 36 weeks, patients will be seen on a weekly basis at the provider of their choice until delivery. If the patient desires to deliver at **Redwood Memorial Hospital** in Fortuna, their care can be transferred to **Redwood Women's Center** in Fortuna at 32-36 weeks.

In the coming months, RRHC will also offer **monthly parenting classes** (breastfeeding, pregnancy, parenting, and postpartum information/subjects) as well as a **pregnancy support group**. Stay tuned for more updates.

Arts in Healthcare

Studies have shown that integrating the arts into healthcare settings helps to cultivate a healing environment, and support the physical, mental, and emotional recovery of patients. Thank you to local artists Nate Smith and Sarah Starck for displaying their paintings at Redwoods Rural Health Center this winter.

Art can ignite the mind and the healing process, we appreciate their work inspiring our community! 🎨



COMING SOON... NEW & EXPANDED SERVICES



Redwoods Rural Health Center is very excited to announce the purchase of a brand NEW 2019 Mobile Dental Van!

RRHC has had a mobile dental program for the last four years. We have loved servicing the needs of the community in a new and effective way. This program has allowed us to reach out to **eight different schools** and children in very remote areas. The program has been so successful that we are looking forward to our new 39ft Winnebago, with **two full operatories** to better meet the needs of the community.



The van is due to arrive late summer of 2019.

Stay tuned for the lovely Redwoods Rural logo coming soon to a town near you!

NON EMERGENCY MEDICAL TRANSPORT (NEMT) SERVICE

RRHC is excited to develop a new Non Emergency Medical Transport (NEMT) Service *providing rides from your home to health care appointments*

Watch for more information about the future launch of this program

We are gearing up to open Redwoods Rural Health Center's **acupuncture clinic** in McKinleyville with **Michiah Tobin**, licensed acupuncturist. The office is located at **2620 Central Avenue**

Starting in March 2019, our new McKinleyville office will be open on Mondays from 8:30am to 3:30pm and Thursdays from 12:30pm to 6:30pm and will accept Blue Cross, Blue Shield and Partnership Health Plan insurance.

Redwoods Rural services opening soon in McKinleyville!



REDWOODS RURAL WILL SOON PROVIDE MORE CONTRACEPTIVE SERVICES

RRHC will soon provide **vasectomies** in the clinic. Vasectomy consults can be scheduled with Dr. Nicely once a month. Following the consult, patients can schedule their procedure at With Open Arms in Eureka, until RRHC begins offering vasectomies in-house.

RRHC also plans to offer **family planning services** such as IUD and Nexplanon placements. In addition, at this time, any **well women exams** or other GYN services are to be scheduled with Redwoods Rural providers unless determined otherwise.

This is such an exciting program to finally be offering to the families of Southern Humboldt!

Call to get more information or to schedule a visit today!
(707) 923-2783





**California Special
Districts Association**

Districts Stronger Together

Proposition 218 Guide for Special Districts



A GUIDE TO UNDERSTANDING THE IMPACTS OF PROPOSITION 218 ON SPECIAL DISTRICTS.



Property-Related Fees and Charges (Article XIII D, Section 6)

Any special district proposing to adopt a new, or increase an existing, property-related fee or charge must therefore comply with both the substantive and procedural requirements of Article XIII D, section 6.

No property-related fee or charge may be extended,¹⁰⁷ imposed, or increased by a special district without first complying with the provisions of Article XIII D, section 6. Article XIII D, section 2(e) defines “fee” or “charge” as “any levy other than an ad valorem tax, special tax or assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including user fees or charges for a property related service.” Collectively, these are referred to as “property-related fees and charges.” Water, wastewater, solid waste disposal, and stormwater service fees have been determined to be property-related fees and charges within the meaning of Article XIII D, and are therefore subject to the substantive limitations and procedural requirements related thereto.¹⁰⁸ Any special district proposing to adopt a new, or increase¹⁰⁹ an existing, property-related fee or charge must therefore comply with both the substantive and procedural requirements of Article XIII D, section 6.

Compliance with the Substantive Provisions of Article XIII D, Section 6

The substantive provisions of Article XIII D appear in sections 6(b)(1)-(5). In accordance with these provisions, a property-related fee must meet all of the following requirements:

- revenues derived from the fee must not exceed the funds required to provide the property-related service;
- revenues derived from the fee must not be used for any purpose other than that for which the fee is imposed;
- the amount of a fee imposed upon any parcel or person as an incident of property ownership must not exceed the proportional cost of the service attributable to the parcel;

Property-related fees and charges continued

- the fee may not be imposed for a service unless the service is actually used by, or immediately available to, the owner of the property subject to the fee. Fees based on potential or future use of a service are not permitted, and stand-by charges must be classified as assessments subject to the ballot protest and proportionality requirements for assessments; and
- no fee or charge may be imposed for general governmental services, such as police, fire, ambulance, or libraries, where the service is available to the public in substantially the same manner as it is to property owners.¹¹⁰

In order for a special district to adopt rate increases to its water, wastewater, solid waste, and stormwater service fees, it must comply with the substantive requirements of Article XIII D. The five substantive requirements in Article XIII D, section 6(b) outlined above are structured to place limitations on (1) the use of the revenue collected from property-related fees and charges; and (2) the allocation of the fee or charge, to ensure that it is proportionally allocated in accordance with the cost of providing the service attributable to each parcel. The five substantive requirements imposed upon property-related fees and charges are similar to existing requirements contained in the California Constitution and state statutes.¹¹¹ Since these constitutional and statutory provisions were adopted, the courts have carefully examined the administrative records and actions of legislative bodies to determine whether

certain fees reasonably allocate the costs necessary to provide the service for which they were imposed, or whether they constitute a special tax requiring a two-thirds voter approval. These cases demonstrate the actions a special district must take in order to ensure that the proposed rate structures for its water, wastewater, solid waste disposal, and stormwater service fees comply with the substantive provisions of Article XIII D, section 6(b). A review of these constitutional and statutory provisions and the cases interpreting them follows.

Proposition 13 added article XIII A, section 4 to the California Constitution (“Article XIII A”). Article XIII A provides that cities may impose special taxes approved by a two-thirds vote of the electorate.¹¹² To implement the authorizations granted to cities, counties, and districts in Article XIII A, the Legislature enacted California Government Code sections 50075 and 50076.¹¹³ California Government Code section 50075 provides that it is the intent of the Legislature to provide all cities, counties and districts with the authority to impose special taxes pursuant to the provisions of Article XIII A.¹¹⁴ In language similar to that provided in Article XIII D, section 6(b), California Government Code section 50076 excludes from the definition of special tax “any fee which does not exceed the *reasonable cost of providing the service* or regulatory activity for which the fee is charged and which is not levied for general revenue purposes.”¹¹⁵ In effect, if a special district’s property-related

fees exceed the costs of providing the services for which the fees are imposed, those fees may be deemed to be a special tax and therefore subject to a two-thirds vote of the electorate.¹¹⁶

In *Beaumont Investors v. Beaumont-Cherry Valley Water District*,¹¹⁷ a real estate developer challenged a facilities fee imposed by a water district, claiming, among other things, that the fee was a special tax imposed without voter approval as required pursuant to Article XIII A. The water district sought to impose the facilities fee on the developer before it could connect to the district's water system. The Court of Appeal analyzed the record of the adoption of the facilities fee and concluded that the water district failed to make a sufficient showing that the facilities fee was reasonably related to the cost of providing the service. At a minimum, the court concluded, the water district should have introduced reports or other

evidence of (1) the estimated construction costs of the proposed water system improvements, and (2) the District's basis for determining the amount of the fee allocated to plaintiff, i.e., the manner in which defendant apportioned the contemplated construction costs among the new users, such that the charge allocated to plaintiff bore a fair or reasonable relation to plaintiff's burden on, and benefits from, the system.¹¹⁸

Article XIII D, section 6(b) expands upon the criteria established in California Government Code section 50076 to ensure that a property-related fee or charge does not exceed the costs of providing the service and is proportionally allocated. This additional criteria suggests that a more rigorous documentation of expenses being paid for with the fee and a more rigorous documented nexus between the fee and the parcel-specific allocation of costs are required. Additionally, Article XIII D, section 6(b)(5) places the burden on the agency to "demonstrate compliance with this article."

Building upon the cases analyzing Proposition 13 and its progeny, in *Howard Jarvis Taxpayers Association v. City of Roseville*¹¹⁹ and *Howard Jarvis Taxpayers Association v. City of Fresno*¹²⁰ the courts addressed what documentation is required of a public agency to ensure compliance with the substantive provisions of Article XIII D, section 6(b) when adopting fees and charges. In each case, the city had adopted an in lieu fee imposed upon its enterprise utilities to compensate the city for expenses related to the utilities.

The courts concluded in each case that under Article XIII D, section 6(b), the city could collect a fee to recover costs attributable to its water, wastewater, and solid waste disposal utilities based upon an analysis of actual costs, but in each case the court determined that the fee violated the provisions of Article XIII D, section 6(b) because neither city had

Property-related fees and charges continued

analyzed or documented the actual costs required for the city to provide the services for which it charged the in lieu fee. The court in *City of Roseville* articulated the requirement as follows:

The theme of these sections is that fee or charge revenues may not exceed what it costs to provide fee or charge services. Of course, what it costs to provide such services includes all the required costs of providing service, short-term and long-term, including operation, maintenance, financial, and capital expenditures. The key is that the revenues derived from the fee or charge are required to provide the service, and may be used only for that service. In short, the section 6(b) fee or charge must reasonably represent the cost of providing service.

In line with this theme, Roseville may charge its water, sewer, and refuse utilities for the street, alley and right-of-way costs attributable to the utilities; and Roseville may transfer those revenues to its general fund to pay for such costs...Here, however there has been no showing that the in lieu fee reasonably represents these costs.¹²¹

In *City of Fresno*, the court articulated the requirement as follows:

Cities are entitled to recover all of their costs of utility services through user fees. The manner in which they do so, however, is restricted by another portion of Proposition 218: "The amount of the fee or charge imposed...shall not exceed the proportional cost of the service attributable to the parcel."

Together, subdivision (b)(1) and (3) of article XIII D, section 6, make it necessary—if Fresno wishes to recover all of its utilities' costs from user fees—that it reasonably determine the unbudgeted costs of utilities enterprises and that those costs be recovered through rates proportional to the cost of providing service to each parcel. Undoubtedly this is a more complex process than the assessment of the in lieu fee and the blending of that fee into the rate structure. Nevertheless, such a process is now required by the California Constitution.¹²²

Prior to the adoption of Proposition 218, courts gave great deference to the determinations of the legislative bodies that approved property-related fees. In *Brydon v. East Bay Municipal Water District*, the court articulated this standard of review, stating that "[g]iven the quasi-legislative nature of [a public agency's] enactment of the rate structure design, review is appropriate only by means of ordinary mandate where the court is limited to a determination of whether [the public agency's] actions were arbitrary, capricious or entirely lacking in evidentiary support."¹²³ In *City of Palmdale v. Palmdale Water District*, however,

the court determined that, with the adoption of Proposition 218, the validity of property-related fees has become a constitutional question that the courts are obligated to enforce.¹²⁴ Consequently, courts should exercise their independent judgment in reviewing local agency decisions on property-related fee matters.¹²⁵

Based on the foregoing case analyses, and as a consequence of the requirement that a public agency has the burden of demonstrating compliance with Article XIII D, section 6, when establishing rates for property-related fees, a special district must fairly allocate in a fair and reasonable manner the costs of providing the property-related services among all of the parcels served by those services, and must document the methodology used and the justification for the allocation of costs among the various types of properties and users located within the special district. The procedural requirements for adopting new or increasing existing rates for property-related fees follows.

Compliance with the Procedural Requirements of Article XIII D, Section 6

Written Notice of the Public Hearing

Article XIII D, section 6(a)(1) requires that the public agency proposing to impose a new or increase an existing property-related fee or charge provide written notice by mail¹²⁶ to the record owner¹²⁷ of each parcel upon which the fee or charge will be imposed. The notice must contain the following information:

- the amount of the fees or charges proposed to be imposed;
- the basis upon which the fees or charges were calculated;
- a statement regarding the reason for the imposition of the new, or increases to the existing, fees or charges; and
- the date, time, and location of the public hearing at which the legislative body will consider the new fees or charges or proposed increases to the existing fees or charges.¹²⁸

Article XIII D, section 6(a)(2) further requires that the public hearing to consider adoption of the rate increases be held not less than forty-five calendar days after the mailing of the notice.¹²⁹

Article XIII D, section 6(a)(2) provides that a property-related fee or charge may not be imposed or increased if a majority of “owners of identified parcels” submit written protests. However, these sections, when read with the definitional provisions of Article XIII D, section 2, make clear that the procedural and substantive provisions of Article XIII D, section 6 were intended to apply to more than just the “record owner” of a parcel upon which the fee or charge is proposed to be imposed, and include any tenants who are directly liable for the payment of the fee or charge (i.e., customers of record).¹³⁰ Notwithstanding the foregoing requirements, if a special district collects a property-related fee or charge on the tax roll, or allows only property owners to be customers of record,

Property-related fees and charges continued

the special district need only send notice of proposed rate increases to the property owners of the parcels upon which the fees or charges will be imposed.

Government Code section 53755 was adopted to clarify the provisions of Article XIII D that govern the notice, protest, and hearing procedures for imposing new or increasing existing property-related fees or charges. Specifically section 53755 was intended to address how notice may be mailed, rather than determine who should receive notice pursuant to Article XIII D, section 6(a). Accordingly, section 53755 provides that if a public agency is currently providing an existing property-related service, the agency may give the notice required pursuant to Article XIII D, section 6(a)(1) of an increase to an existing fee or charge by including the notice in (1) the agency's regular billing statement for the fee or charge; or (2) any other mailing by the agency to the address to which the billing statement for the fee or charge is customarily mailed.¹³¹ If a public agency is proposing to impose a new fee or charge, notice may be provided in the same manner as for an increase to an existing fee or charge if the public agency is currently providing a property-related service at that same address.¹³²

It is important to note that an additional mailing may still be required when a special district chooses to include a notice in its billing statement or any other mailing that it regularly sends to its customers. Although the provisions of Government Code section 53755 are intended to address

how to mail the written notice, section 53755's requirements indirectly impact who receives, or more importantly does not receive, the written notice required by Article XIII D, section 6(a)(1). Article XIII D, section 6(a)(1) explicitly requires that notice must be provided to the "record owner."¹³³ In some instances, the record owner may not reside at the address to which the billing statement for a property-related service or other mailer is customarily mailed. In that situation, if notice is sent only to the service address, the public agency will have failed to provide the required notice to the record owner. Thus, in order to ensure that the property owner of record receives written notice,¹³⁴ the notice may be mailed in the billing statement or other mailer as authorized by California Government Code section 53755(a), *and* should also be mailed to the property owner of record at the address identified for such property owner on the last equalized secured property tax assessment roll, if that address is different from the service address.¹³⁵

Multi-Year Rate Increases and Pass Through Charges

California Government Code section 53756 provides that a public agency adopting an increase to a property-related fee or charge may adopt a schedule of fees or charges authorizing automatic adjustments that pass through increases in wholesale charges for water, sewage treatment, or wastewater treatment or adjustments for inflation if the schedule complies with all of the following:



The schedule of inflationary adjustments and any pass-through increases must be included in the notice of the public hearing and may only be authorized for five years.

- the schedule of fees or charges for a property-related service may not exceed five years;¹³⁶
- the schedule of fees or charges may include a schedule of adjustments, including a clearly defined formula for adjusting for inflation, provided that the property-related fee or charge, as adjusted for inflation, does not exceed the cost of providing the service;¹³⁷ and
- if an agency purchases wholesale water, sewage treatment, or wastewater treatment from a public agency, the schedule of fees or charges may provide for automatic adjustments that pass through any increases or decreases in the wholesale water charges adopted by the other agency.¹³⁸

The schedule of inflationary adjustments and any pass-through increases must be included in the notice of the public hearing and may only be authorized for five years. After the five years has elapsed, a public agency must comply with the procedural requirements of Article XIII D, section 6(a) for any additional rate increases.

An agency is not required to follow the forty-five day notice provisions of California Constitution article XIII D, section 6(a) when implementing any adjustment made pursuant to a schedule of fees or charges as authorized pursuant to California Government Code section 53756. However, the agency must provide written notice of the adjustment *not less than thirty calendar*

days prior to the effective date of the adjustment. The agency may provide the required notice, as provided in California Government Code section 53755(a), by including the notice in the agency's regular billing statement for the fee or charge (if there is one), or by any other mailing by the agency to the address to which the agency customarily mails the billing statement for the fee or charge.¹³⁹

Public Hearing and Majority Protest

The next step in the process is the public hearing and determination of whether there is a majority protest against the property-related fee or charge. The public hearing must be conducted on the date and time stated in the notice, but in any event shall not be less than forty-five days after the notice of the proposed fees or charges and public hearing is mailed.¹⁴⁰ At the public hearing, the agency must hear and consider all public comments regarding the fees,¹⁴¹ but only written protests submitted prior to the close of the public hearing should be considered when determining whether a majority protest against the imposition of the fees exists. Upon the conclusion of the public hearing, if written protests against proposed new, or increases to the existing, property-related fees or charges are not presented by a majority of property owners of the identified parcels upon which the rates and charges are proposed to be imposed and any tenants directly liable for the payment of the fees, the legislative body may proceed with imposing the fees or charges.¹⁴²

Property-related fees and charges continued

This provision of Article XIII D does not, however, provide public agencies with direction regarding how to determine what constitutes a majority protest. That calculation may be impacted by multiple ownership interests in property, and is further complicated if tenants are provided the opportunity to protest in addition to the record owner(s) of affected parcels.

California Government Code section 53755(b) simplifies the process for determining whether a majority protest exists. It provides that one protest per parcel, filed by an owner or a tenant of a parcel subject to the fee or charge, “shall be counted in calculating a majority protest to a proposed new or increased fee or charge subject to the requirements of” Article XIII D, section 6.”¹⁴³

Voter Approval of New or Increased Property-Related Fees and Charges Other Than for Water, Sewer, and Solid Waste Disposal

Water, sewer, and solid waste disposal service fees are required to comply with the notice and majority protest hearing and procedures described above only for the imposition of a new service fee or an increase to an existing service fee. All other property-related fees, including stormwater service fees, must comply with an additional voter approval process, which Article XIII D, section 6(c) refers to as an “election.”¹⁴⁴ The election is held only if, after mailing notice and conducting the majority protest hearing as discussed above, there is not a majority protest. The election must be conducted not

less than forty-five days after the majority protest hearing.¹⁴⁵

Article XIII D provides a limited description of the process for conducting property-related fee and charge elections. It requires that the fee or charge must be submitted to and approved by (1) a majority vote of the property owners of the property subject to the fee; or, *at the option of the agency*, by (2) a two-thirds vote of the electorate residing in the affected area.¹⁴⁶ In the conduct of elections to approve rates for property-related fees and charges, an agency may adopt procedures similar to those for increasing assessments.¹⁴⁷ The procedures for increasing assessments are outlined in California Constitution article XIII D, section 4 and California Government Code section 53753 and are more particularly described above.¹⁴⁸ These procedures include, among others, mailing a ballot to the affected property owners.¹⁴⁹

Although the approval process for the adoption of property-related fees and charges under Article XIII D, section 6(c) is called an “election,” the proceedings for the adoption of assessments fee elections do not constitute an election or voting for purposes of California Constitution article II or the California Elections Code.¹⁵⁰ Any procedures adopted by a special district for the adoption of property-related fees and charges are therefore not required to comply with the voter secrecy requirements of California Constitution article II or other election requirements established under the California Elections Code.

In *Greene v. Marin County Flood Control and Water Conservation District*,¹⁵¹ the California Supreme Court considered what it means in a property-related fee or charge election to adopt procedures similar to those for increases in assessments. To answer that question, the court identified the kinds of election or balloting procedures set forth in Article XIII D, section 4, governing approval of assessment increases to determine which of these procedures may have been incorporated into Article XIII D, section 6 elections. The court noted that the procedures in Article XIII D, section 4 pertaining to the conduct of voting on assessments may be separated into three categories:

- (1) Procedures specifying the manner in which the affected property owners will be notified of the assessment (Article XIII D, section 4(c)).
- (2) Procedures prescribing the basic content of the ballot and requiring voter self-identification (Article XIII D, section 4(d)).
- (3) Procedures prescribing the manner in which a public hearing should be conducted, during which the ballots are tabulated (Article XIII D, section 4(e)).

The notice provisions of Article XIII D, section 4(c) are similar to those provided in Article XIII D, section 6(a)(1). The court acknowledged that Article XIII D, section 6(a)(2) has rules for conducting a public hearing at which protests will be considered before an election that are similar to those set forth in Article XIII D, section 4(e). But Article XIII D, section 6 does not contain any provision regarding the composition of the ballot to be

sent to property owners in the event of an election. The court therefore concluded that the plain language of the article provides the reasonable inference that procedures similar to those for increases in assessments in the conduct of elections under Article XIII D, section 6(c) include the use of a ballot for property owner fee elections that is similar to the ballot used to register assessment protests, as set forth in Article XIII D, section 4(d), including identification of both the voter's name and the property.¹⁵²

Notably, the court rejected the argument that "procedures similar to those for increases in assessments in the conduct of elections" for property-related fees refers only to the procedures to conduct the election exclusively by mail, and not the contents or features of the ballot.¹⁵³ Consequently, property owners submitting ballots in an election to approve property-related fees or charges may be required to indicate their names, provide reasonable identification of their parcels, and sign the ballot.¹⁵⁴ That information is important for purposes of verifying whether the person submitting a ballot is a property owner authorized to submit a ballot.

One open question the court did not resolve is how the ballots should be tabulated for a property-related fee election. Article XIII D, section 6(c) refers to the fees being submitted to and approved by a majority vote of the affected property owners, thereby suggesting one-parcel, one-vote and that only property

Property-related fees and charges continued

owners may participate in such an election. “On the other hand, the reference in [Article XIII D, section 6(c)] to ‘procedures similar to those for increases in assessments in the conduct of elections’... may arguably include weighted voting procedures.”¹⁵⁵ The weighted voting procedures of Article XIII D, section 4 provide that the ballots submitted are weighted according to the proportional financial obligation of the affected property.¹⁵⁶ Under this scenario, and by way of example, if Property Owner A had an annual stormwater service fee of \$200 and Property Owner B had an annual stormwater service fee of \$100, Property Owner A’s ballot would be accorded twice the weight of Property Owner B’s ballot. The district in *Greene*, however, did not use a weighted ballot procedure in tabulating the ballots. It is reasonable to conclude, therefore, that one-person, one-vote is a reasonable means for tabulating ballots in a property-related fee election, but as noted below, a weighted ballot procedure may also be followed.

Beginning July 1, 2014, additional procedures are required for conducting property-related fee elections. Senate Bill 553 added section 53755.5 to the Government Code. This section provides that where a special district opts to submit a proposed fee to the registered voters residing in the affected area for approval, the election shall be conducted by the special district’s elections official or its designee.¹⁵⁷ If the special district opts to submit the proposed property-related fee for approval by a majority vote of property owners who will be subject to the fee, then in addition

to the procedures required under Article XIII D, section 6, the following procedures must be followed:

- the face of the envelope mailed to the property owner with the ballot and notice must contain, in at least sixteen-point type, the following statement in substantially the following form: “OFFICIAL BALLOT ENCLOSED” and may be repeated in a language other than English;
- the ballot shall include the special district’s address for return of the ballot, the date and location where the ballots will be tabulated, and a place where the person returning it may indicate his or her name, a reasonable identification of the parcel, and his or her support or opposition to the proposed fee;
- the ballots must be tabulated in a location accessible to the public;
- the ballot must be in a form that conceals its content once it is sealed by the person submitting it;
- the ballot must remain sealed until the ballot tabulation commences.¹⁵⁸

At the conclusion of the public hearing, an impartial person designated by the agency—someone who does not have a vested interest in the outcome of the proposed assessment—must tabulate the ballots that were submitted. An impartial person includes the clerk or secretary of the agency. If the agency uses its personnel to tabulate the ballots, or if it contracted with a vendor for the tabulation and the vendor or its affiliates



A special district must preserve the ballots for a minimum of two years, after which they may be destroyed.

participated in the research, design, engineering, public education, or promotion of the fee, the ballots must be unsealed and tabulated in public view.¹⁵⁹

The ballot tabulation may be continued to a different time or location accessible to the public, provided that the time and location are announced at the location at which the tabulation commenced and posted by the agency in a location accessible to the public. Additionally, the impartial person may use technological methods to tabulate the ballots, including, but not limited to, punchcard or optically readable (bar-coded) ballots. This section also provides that during and after the tabulation, the ballots and, if applicable, the information used to determine the weight of each ballot, are public records, subject to public disclosure and must be made available for inspection by any interested person. With the reference to a “weighted ballot,” this section confirms that a special district may use a weighted ballot procedure for property-related fee elections similar to that used for assessments. A special district must preserve the ballots for a minimum of two years, after which they may be destroyed.¹⁶⁰

There is a separate authorization in the Government Code governing inflationary adjustments and multi-year rate increases for property-related fees that are subject to voter approval.¹⁶¹ Government Code section 53739 provides that an ordinance or resolution presented for voter approval of a property-related fee or charge pursuant to Article XIII D, section 6 may state a range of rates or amounts.¹⁶² If the ordinance or resolution is approved by the voters, a legislative body may thereafter impose the fee or charge at any rate or amount that is *less* than or equal to the *maximum* amount authorized by the voter-approved ordinance or resolution.¹⁶³ Section 53739 further provides that the voter-approved ordinance or resolution may provide that the property-related fees and charges may be adjusted for inflation pursuant to a clearly defined formula stated in the ordinance or resolution.¹⁶⁴ Once approved by the voters, the legislative body may impose the property-related fee or charge at any rate or amount that is *less* than or equal to the inflation-adjusted *maximum* amount authorized by the voter approved ordinance or resolution.¹⁶⁵ However, if the amount or rate of the property-related fee or charge is determined by using a percentage calculation, the ordinance imposing the fee or charge *may not* provide that the percentage will be adjusted for inflation.¹⁶⁶

Because the authorization under Government Code section 53739 provides that inflationary adjustments and increases based on percentages may only be increased by an amount that is less than or equal to the *maximum* amount authorized in the voter-approved ordinance or resolution, the ordinance or resolution submitted to the voters should include a cap or establish a not-to-exceed amount for any automatic adjustments to its rates. It is important to note that Government Code section 53739, unlike Government Code section 53755, does not require a public agency to mail notice thirty days in advance of any authorized inflationary adjustment, nor does it limit the automatic adjustments to five years.

Property-related fees and charges continued

Table 3

Property-related Fees and Charges		
Type of Fee or Charge	Procedural Requirements	Approval
Water, Sewer, and Trash	<p>(1) Hold noticed public hearing.</p> <p>(2) Notice of public hearing must be mailed to property owners of record and tenants directly responsible for the fee at least 45 days prior to the public hearing.</p> <p>(3) Notice must contain (a) the amount of the fee or charge proposed to be imposed; (b) the basis upon which it was calculated; (c) the reason for the fee or charge; (d) the date, time, and location of the public hearing.</p> <p>(4) May adopt a schedule of fees with automatic adjustments that pass through increases in wholesale charges for water, sewer treatment, and wastewater treatment from another public agency or adjustments for inflation; provided, (a) the adjustments are for a period not to exceed 5 years; (b) adjustments for inflation must have a clearly defined formula and any adjustment must not exceed the cost of providing the service; (c) notice of any adjustment pursuant to the schedule shall be given not less than 30 days before the effective date of the adjustment.</p>	<p>(1) If a majority of the affected property owners submit written protests prior to the close of the public hearing to the increase to the property-related fee or charge, it may not be increased. (2) Only one written protest per parcel, filed by an owner or a tenant of the parcel, shall be counted in calculating a majority protest.</p>
All other property-related fees and charges other than water, sewer and trash, e.g., stormwater service fees and charges	<p>(1) Hold noticed public hearing.</p> <p>(2) Notice of public hearing must be mailed to property owners of record and tenants directly responsible for the fee at least 45 days prior to the public hearing.</p> <p>(3) If there is not a majority protest, then must conduct an election of either the affected property owners or the electorate residing in the affected area. Election shall be conducted not less than 45 days after the majority protest public hearing.</p>	<p>(1) If a majority of the affected property owners submit written protests prior to the close of the public hearing to the increase to the property-related fee or charge, it may not be increased. (2) Only one written protest per parcel, filed by an owner or a tenant of the parcel, shall be counted in calculating a majority protest. If there is no majority protest, then the fee or charge must be approved by:</p> <p>(1) a majority vote of the property owners of the property subject to the fee; or, at the option of the special district,</p> <p>(2) a 2/3 vote of the electorate residing in the affected area.</p>

California

PROPERTY TAX INFORMATION

Proposition 218 gave taxpayers the right to vote on all local taxes, and requires taxpayer approval of property related assessments and fees.

www.californiataxdata.com

100 Pacifica, Suite 470
Irvine, California 92618
Tel 949-789-0660
Fax 949-788-0280

What is Proposition 218?

Background

In November 1996, California voters passed Proposition 218, the "Right to Vote on Taxes Act". This constitutional amendment protects taxpayers by limiting the methods by which local governments can create or increase taxes, fees and charges without taxpayer consent. Proposition 218 requires voter approval prior to imposition or increase of general taxes, assessments, and certain user fees.

The Environment Prior to Proposition 218

Proposition 13 dramatically changed the California property tax landscape after its passage in 1978. The result was a severe limitation on ad valorem property taxes (property taxes based on assessed value of property). Consequently, local governments had to look elsewhere to find money to fund public services and improvements. These agencies turned to benefit-based assessments, special taxes and user fees, which were not subject to Prop. 13 limitations. However, this resulted in increasing property tax bills, the main concern that Prop. 13 attempted to control.

Proposition 218 Tax Reform

Prop. 218 radically changes the way in which local governments raise revenues by ensuring taxpayer approval of charges and increases to existing charges. Voters are also given the ability to repeal or reduce charges by voter initiative.

Specific Features of Proposition 218

The primary changes put in place by Proposition 218 are explained below.

1. **Voter Approval on Taxes.** Prop. 218 requires all local governments, including charter cities, to get majority voter approval for new or increased general taxes.
2. **Limits on Use of "General Taxes".** Proposition 218 restricts the use of general taxes, which require majority voter approval, to general purpose governments (i.e. cities and counties). School districts are specifically precluded from levying a general tax.
3. **Stricter Rules on Benefit Assessments.** Benefit assessments by definition must be calculated based on the benefit received by the parcel as a result of the project financed. Prop. 218 created stricter rules for initiating or increasing benefit assessments. Now, an agency must determine the specific benefit the project will have on individual parcels. A general enhancement to property values can no longer serve as the benefit.
4. **Increased Notification and Protest Requirements.** Proposition 218 will require that agencies put all assessments, charges and user fees out to a vote prior to creation or increase. In most cases, the vote will require individual notices be mailed to affected property owners. A formal protest hearing is also required to move forward with the charge or increase.
5. **Restrictions on Use of Fees.** Proposition 218 prohibits local governments from imposing fees on property owners for services that are available to the public at large (like garbage collection and sewer service). In any case, fees charged to property owners may not exceed the cost of providing the service.
6. **Government Owned Property No Longer Exempt.** Proposition 218 requires government agencies to pay their fair share of a benefit assessment, if the property receives benefit from the project or service financed.
7. **Initiative Power To Repeal.** Prop. 218 gives voters the power to reduce or repeal any existing local tax, assessment, or charge through the initiative process.

State Water Resources Control Board

Division of Drinking Water

February 6, 2019

Garberville Sanitary District
P.O. Box 211
Garberville, CA 95542

Attention: Ralph Emerson, General Manager

**Subject: Inspection of Garberville Sanitary District
Public Water System # 1210008**

On January 15, 2019, I conducted an inspection of the Garberville SD public water system. Please find the enclosed Inspection Report, Water System Record, Data Sheets, Emergency Notification Plan, and other pertinent documents. During the inspection and subsequent file review, several system deficiencies, issues and concerns were noted. Some of these are discussed in more detail, below.

Replace Old Tanks – It is highly recommended that the Hurlbutt and Robertson concrete tanks be replaced with new welded steel or bolted steel tanks. Both tanks are old and in poor condition and each has a wood roof. Wood roof coverings tend to be more vulnerable to intrusion by rodents, birds, insects, or other animals. They are also prone to damage by fire and do not typically comply with the provisions in the Title 22, Article 6, Sec. 64585(a)(2), “***Vents and other openings shall be constructed and designed to prevent the entry of rainwater or runoff, and birds, insects, rodents, or other animals;***”

Until the tanks can be replaced, please consider the following:

- Each tank’s interior should be thoroughly inspected by qualified divers or drained and then inspected by qualified individuals. A report of the inspection should be sent to this office when completed. I recommend that the interior inspections be completed within the next three months.
- Replace the roof hatches with sealed, shoe-box type lids, having a neat-fit when closed. All roof hatches should be lockable.
- Remove all vegetation within five ft. of each tank and, if possible pave the perimeter around each tank (at least 36” in width) to prevent new plant growth. All paving should be sloped such that all rainwater will drain away from the tank walls.
- Inspect each tank at least once per week. The date of the inspection and findings of each inspection should be documented and kept for future reference.
- Install security fencing with a lockable gate around all tanks.

- Pursue funding opportunities using the SWRCB's Financial Assistance Application Submittal Tool: <https://faast.waterboards.ca.gov/>

Tobin Well Raw Water Monitoring –By March 1, 2019, at least one unchlorinated/raw water coliform sample must be taken each month that the Tobin Well is in use. Since it is used seasonally, at least one sample must also be taken prior pumping water for human consumption. All coliform results must be reported to reported to the Division of Drinking Water (Division) office in Redding by the tenth day of the following month in which they are taken. If E.coli is detected, you must report the finding to the Division within 24 hours of learning of the result.

Tobin Well Deck Lid/Well Head – Though some improvements have been made to the Tobin Well deck lid, it is highly recommended that the deck lid be completely rebuilt.

Report Chlorine Contact Time (CT) on separate monitoring form –

By March 1, 2019, please record and report all CT related parameters and calculations on a separate form, labeled “***Chlorine Contact Time Monitoring***”. It should include columns for daily $CT_{available}$, $CT_{required}$, and the CT_{ratio} of both as well as a typical example calculation. The CT tank's baffling factor should be noted as 0.45 on the new form and the diameter and length of pipe to the first customer should be noted as well as other parameters. Please contact Ronnean Lund of this office for assistance.

Data Sheets - Please complete and return the attached data sheets for each essential feature of your water system: Filters, Tanks, Tobin Well, etc.

Guard Rail on Retaining Wall – The retaining wall at the water treatment plant stabilizes and protects the site from erosion and slides. It is highly recommended that a guard rail be installed along the top of the retaining wall so that it can be safely inspected, maintained, and repaired as needed.

Review System Record – By March 1, 2019, please carefully review the deficiencies noted in the Water System Record and provide to this office, a plan and schedule addressing each deficiency listed. E-mail transmittal is acceptable and can be sent to:

ronnean.lund@waterboards.ca.gov

If you have any questions regarding this matter, please contact Ronnean Lund at (530) 224-6505 or Barry Sutter at (530) 224-4875.

Sincerely,



Franklin M. Saylor, P.E., Associate Civil Engineer
Division of Drinking Water
STATE WATER RESOURCES CONTROL BOARD

WATER SYSTEM RECORD

Name of System Garberville Sanitary District System Number 1210008

Date Noted	Description of Defect or Hazard	Dead line	Reported Corrected	Confirmed Corrected
8-19-11	Alderpoint Tank: Roof hatch cover needs complete replacement	---	Entirely new tank: 9-10-15	9-10-15
1-29-14	Other defects-WTP inadequacy, Alderpoint tank leakage, etc., will be replaced with new, compliant facilities within the next year	---	1-1-2016	1-1-2016
2-13-17	Tobin Well: Steel cover plate needs 3 openings sealed	---	1-23-19	1-23-19
2-13-17	Main (Hurlbutt) Tank: seal openings beneath roof-2 locations	---	1-19-19	1-19-19
2-13-17	Alderpoint Road Tank: Screen or otherwise protect overflow outlet	---	1-19-19	1-19-19
5-2-06	Need to adopt a cross-connection control ordinance	---	3-22-16	3-22-16
2-13-17	Per CCR Title 22 Section 64432.2(a), must sample distribution system water for Asbestos at least once every nine years.	12-31-17 OVERDUE		
1-15-19	Update Emergency Notification Plan; provide signed & dated copy to DDW	2-28-19		
1-15-19	Revise treatment monitoring records to include daily CT calculations	3-31-19		
2-13-17	Provide DDW copy of Operations plan for new WTP. If none, District to write it and give copy to DDW.	5-31-19		
2-13-17	Do filter inspection for 2019; send DDW a copy of the report.	6-30-19		
1-15-19	Complete and return system facility data sheets	6-30-19		
1-15-19	Need one annual TTHM and HAA5 sample from distribution system during June-September 2019	9-30-19		
1-15-19	Routine distribution system Lead & Copper sampling due; 10 sites required.	9-30-19		
1-15-19	Need routine raw water chemical monitoring	12-31-19		
1-15-19	Recommend repairing leaking check valve at Arthur Road booster pump station.	R		
1-15-19	Recommend replacing Hurlbutt and Robertson Tanks; recommend interim measures prior to tank replacements	R		
1-15-19	Recommend rebuilding Tobin Well cover to improve seal & accessibility	R		
1-15-19	Reminder: Take monthly raw coliform sample with MPN analysis when Tobin Well used for domestic supply	R		
1-15-19	Recommend installing guard rail at top of retaining wall at Water Filtration Plant	R		

State Water Resources Control Board

WATER QUALITY EMERGENCY NOTIFICATION PLAN	System No. 1210022
Name of Utility: Garberville Sanitary District	
P.O. Box 211, Garberville CA 95542 Mailing Address:	FAX No: (707) 923-3130
Street Address: (if different than mailing address) 919 Redwood Drive, Garberville, CA 95542	E-mail address: ops@garbervillesd.org

The following persons have been designated to implement the plan upon notification by the State Water Resources Control Board, Division of Drinking Water, that an imminent danger to the health of water users exists:

WATER SYSTEM PERSONNEL OR SYSTEM CONTACT

NAME	TITLE	DAY PHONE	CELL PHONE	EVENING PHONE	Email Address
1.Dan Arreguin	Chief Water Operator	707-223-4569	707-223-4569	Same	As above
2.Mary Nieto	Business Manager	707-923-9566	----	----	"
3.Ralph Emerson	General Manager	707-923-9566	209-743-0125	Same	"

The implementation of the plan will be carried out with the following Division of Drinking Water Personnel

STATE PUBLIC HEALTH DEPARTMENT PERSONNEL

NAME	TITLE	DAY PHONE	EVENING PHONE
Ronnean Lund	Staff Engineer	(530) 224-6505	(707) 616-5500
Barry Sutter	District Engineer	(530) 224-4875	(530) 949-1127
Scott Gilbreath	Staff Engineer	(530) 224-4876	(831) 566-7490
Frank Saylor	Associate Engineer	(530) 224-4874	(530) 242-0727

If the above personnel cannot be reached, contact:

Office of Emergency Services Warning Center (24 hrs) (800) 852-7550 or (916) 845-8911

When reporting a water quality emergency to the Warning Center, please ask for the State Water Resources Control Board, Division of Drinking Water Program Duty Officer

NOTIFICATION PLAN

Plan Prepared by: _____ Title: _____
Signature: _____ Date: _____

Free Online Drinking Water Workshops

Board Roles & Responsibilities

Tuesday, March 5, 2019 | Online

2 contact hours

10:00 am:[Register Here](#)

Public Notification

Wednesday, March 6, 2019 | Online

2 contact hours

10:00 am:[Register Here](#) | 2:00 pm:[Register Here](#)

Operation Certification Math

Thursday, March 7, 2019 | Online

2 contact hours

10:00 am:[Register Here](#) | 2:00 pm:[Register Here](#)

Consumer Confidence Reports

Tuesday, March 26, 2019 | Online

2 contact hours

10:00 am:[Register Here](#) | 2:00 pm:[Register Here](#)

For registration information, Contact:

Training Department

(916) 447-9832 ext 1429 • registration@rcac.org

*Sponsored By - State Water Resources Control Board
and Rural Community Assistance Corporation.*

©2019. This document was prepared using funds under Agreement 18-019-550 with the California State Water Resources Control Board; the total Agreement is for \$3,971,380 and will produce multiple documents and training events over the span of the multi-year contract.

Rural Community Assistance Corporation
3120 Freeboard Drive, Suite 201, West Sacramento, CA 95691 . (916) 447-2854 . Fax: (916) 372-5636

APPENDIX “D”

CONFLICT OF INTEREST CODE

Section I Introduction

In compliance with the Political Reform Act of 1974, California Government Code Sections

81000, et seq., and specifically with Sections 87300 et seq., the GARBERVILLE SANITARY DISTRICT (GSD) hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the agency. The requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

Section 2 Definition of Terms

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

Section 3 Designated Employees

The Board Chair, all Board Members, District Administrator and the Chief Operator are persons holding positions that are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foresee-ably have a material affect on financial interests.

Section 4 Disclosure Statements

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interest which he or she foreseeable can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

Section 5 Place of Filing

All designated employees required to submit a statement of economic interest shall file the original with the District Administrator of GSD, who shall be the filing officer for all designated employees and officers. Upon receipt of the statement of economic interest the District Administrator of GSD shall make and retain a copy and forward the originals of these statements to the Humboldt County Board of Supervisors, who shall be the filing officer, within five days of the filing deadline or five days of the receipt in the case of statements filed late.

Section 6 Time of Filing

- A) Initial Statements. All designated employees employed by the District on the effective date of this Code shall file statements within thirty days after the effective date of this Code.
- B) Assuming Office Statements. All persons assuming designated positions after the effective date of this Code which are elected or appointed positions, shall file statements within thirty days after assuming the designated positions.
- C) Annual Statements. All designated employees shall file statements no later than January 31.
- D) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

Section 7 Contents of Statements

- A) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property (and management positions) held on the effective date of the Code.
- B) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property and management positions held on the date of assuming office (or on the date of nomination, whichever is earlier).
- C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, and income (and management positions) held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office, whichever is later.
- D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property and income or management positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 8 Manner of Reporting

Disclosure statements shall be made on Standard Form 700, and shall contain the following information:

- A) Contents of Investment and Real Property Reports. When an investment or interest in real property is required to be reported, (For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer). The statement shall contain the following:
 - 1) A statement of the nature of the investment or interest;
 - 2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
 - 3) The address or other precise location of the real property;
 - 4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).
- B) Contents of Personal Income Reports. When personal income is required to be reported, the statement shall contain:
 - 1) The name and address of each source of income aggregating to two hundred and fifty dollars (\$250) or more in value, or twenty-five (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source.
 - 2) A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater from one thousand dollars, or greater than ten thousand dollars (\$10,000);

- 3) A description of the consideration if any, for which the income was received;
 - 4) In the case of a gift the name and address of the donor: a description of the gift, the amount or value of the gift, and the date on which the gift was received.
- C) Contents of Business Entity Income Reports. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:
- 1.) The name, address, and general description of the business activity of the business entity.
 - 2) In the case of a business entity which provides legal or brokerage services, the name of every person who paid fees to the business entity if the filer's pro rata. Share of fees from such person was equal to or greater than one thousand dollars (\$1,000);
 - 3) In the case of a business entity not covered by paragraph 2), the name of every person from whom the share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).
- D) Contents of Management Position Reports
- 1) When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged and the designated employee's position with the business entity.
 - 2) Investments and interests in real property which have a fair market value of less than \$1,000 are not investments and interest in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investments or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10% or greater.
 - 3) A designated employee's income includes his or her community property interest in the income of his or her spouse.
 - 4) Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer, spouse and dependent children in the business entity aggregates a 10% or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the source is with in one of the disclosure categories of the filer.
- E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 9 Disqualification

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeable have a material financial effect, distinguishable from its effect on the public generally, on:

- A) Any business entity in which the designated employee has a direct or indirect investment worth more than one thousand dollars (\$1,000) ;
- B) Any real property in which the designated employee has a direct or indirect interest worth more than one thousand dollars (\$1,000);

- C) Any source of income other than loans by a commercial lending institution in the regular course of business aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or,
- D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

Section 10 Manner of Disqualification

A designated employee required to disqualify him or herself shall notify his or her supervisor in writing. This notice shall be forwarded to the District Administrator who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee. In the case of a designated employee who is a Board Member, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the Board.

Conflict of Interest Designated Employees - Appendix A

Any and all employees in supervisory, or management capacity; Specifically the District Administrator, Chief Operator, Fiscal Officers, Board Chair, Board Members, and Consultants.*

*The Board may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination is a public inspection in the same manner and location as this conflict of interest code.

Disclosure Categories - Appendix B

All designated employees shall complete the same Form 700 -Statement of Economic Interests, as provided by the Fair Political Practices Commission.

EMPLOYEE:

Signed _____ Dated _____

Print _____

DISTRICT:

Signed _____ Dated _____

Print _____

Title _____

Conflict of Interest Codes for State & Local Agencies

Why Government Agencies Must Adopt a Conflict of Interest Code

The Political Reform Act (Act) prohibits a public official from using his or her official position to influence a governmental decision in which he or she has a financial interest. Every state and local agency must adopt a conflict of interest code that identifies all officials and employees within the agency who make governmental decisions based on the positions they hold. The individuals in the designed positions must disclose their financial interests as specified in the agency's conflict of interest code.

To help identify potential conflicts of interest, the law requires public officials and employees in designated positions in a conflict of interest code to report their financial interests on a form called Statement of Economic Interests ([Form 700](#)). The conflict of interest codes and the Form 700s are fundamental tools in ensuring that officials are acting in the public's best interest and not their own.

The Fundamentals of a Conflict of Interest Code

A conflict of interest code must:

- Provide reasonable assurance that all foreseeable potential conflict of interest situations will be disclosed or prevented;
- Provide to each affected person a clear and specific statement of his or her duties under the conflict of interest code; and
- Adequately differentiate between designated employees with different powers and responsibilities.

The Three Components of a Conflict of Interest Code

1. **Incorporation Section (Terms of the Code)** - This section designates where the Form 700s are filed and retained (i.e., the agency or the FPPC). This section also must reference [Regulation 18730](#), which provides the rules for disqualification procedures, reporting financial interests, and references the current gift limit. A sample is available [here](#).

2. **List of Designated Positions** - The code must list all agency positions that involve the making or participation in making of decisions that “may foreseeably have a material effect on any financial interest.” This covers agency members, officers and employees, and it may include volunteers on a committee if the members make or participate in making government decisions.
3. **Detailed Disclosure Categories** - A disclosure category is a description of the types of financial interests officials in one or more job classifications must disclose on their Form 700s. The categories must be tailored to the financial interests affected, and must not require public officials to disclose private financial information that does not relate to their public employment.

The Codes Must be Regularly Updated

It is essential and legally required that an agency’s conflict of interest code reflects the current structure of the agency and properly identifies all officials and employees who should be filing a Form 700. To ensure the codes remain current and accurate, each agency is required to review its conflict of interest code at least every other year - state agencies in odd-numbered years and local agencies in even-numbered years.

Form 700 Filing Officer Duties

The Political Reform Act prohibits a public official from participating in governmental decisions in which he or she has a financial interest that may be materially affected. To help identify potential conflicts of interest, the law requires officials to file [Statements of Economic Interests \(Form 700\)](#). Agencies must ensure that their public officials (designated board and commission members, employees, and consultants) file the forms and disclose their interests on or before the statutory deadline.

The fact sheets below provide important information for filing officers about Form 700 filing procedures, filing deadlines, when and how to submit statements to the FPPC, and answers to common filing questions.

-
- [City and County Filing Officers](#)
 - [Multi-County Filing Officers](#)
 - [State Agency Filing Officers](#)
 - [Court Filing Officers](#)

Filing officers must supply a Form 700 to those officials who have assuming, annual, and leaving office filing obligations, and notify filers who fail to file. In order to determine if an individual is required to file, agencies should carefully review the list of designated positions in their conflict of interest codes; update their conflict of interest codes to comply with existing law; and know the list of filers covered under Government Code section 87200. An enforcement referral must be made if a statement is not filed. The link below provides suggested timelines for notifications to individuals who must file an annual Form 700, as well as when to notify non-filers and to make enforcement referrals.

-
- [Form 700 Notification Guidelines](#)

Providing Public Access and Reproduction Charges

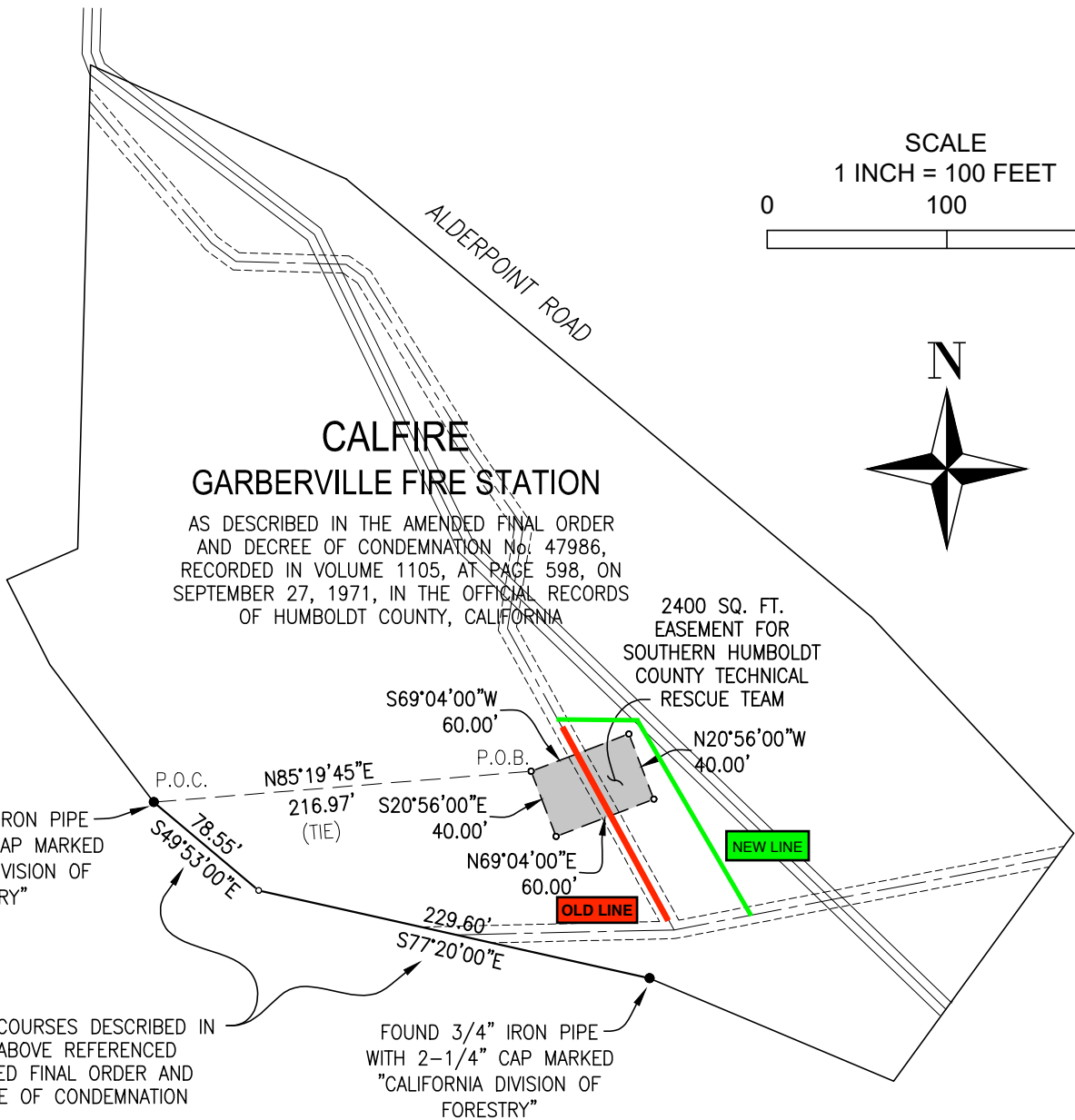
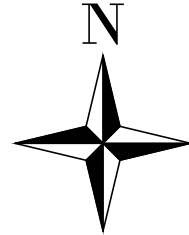
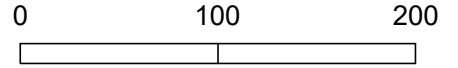
All statements required to be filed by the Act are public documents and must be available for public inspection and reproduction during regular business hours no later than the second business day after they are received.

No conditions may be imposed on persons desiring to inspect or reproduce statements, and no information or identification may be required from such persons. A filing officer should provide copies of statements for viewing purposes rather than the originals. When a copy of a statement is requested, an unredacted copy must be provided.

Copies must be provided at a charge not to exceed 10 cents per page. In addition, filing officers may charge a retrieval fee of up to \$5 per request for copies of statements that are five years or older. A single request for more than one report or statement is subject to one retrieval fee. Copies may be provided free of charge.

EXHIBIT 'B'

SCALE
1 INCH = 100 FEET



DRAFT



- INDICATES FOUND 3/4" IRON PIPE WITH 2-1/4" CAP MARKED "CA. DIV. OF FORESTRY"
- INDICATES CALCULATED POINT, NOT FOUND OR SET





CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

(Advisory Committee will make recommendations to the Humboldt County Board of Supervisors as to expenditure of funds derived from Measure Z.)

APPLICATION FOR FUNDING

Agency Name: Garberville Sanitary District

Mailing Address: P.O.Box 211, Garberville, CA. 95542

Contact Person: Ralph Emerson

Title: General Manager

Telephone: (707)923-9566

E-mail address: remerson@garbervillesd.org

- 1. AMOUNT OF MEASURE Z FUNDING REQUESTED FOR FY 2019-20: \$ 200,000
- 2. ENTITY TYPE -- Please check appropriate box.

- a. Humboldt County Department
- b. Contract Service Provider to Humboldt County
- c. Local Government Entity
- d. Private Service Provider
- e. Non-Profit Service Provider
- f. Other

3. Please provide brief description of proposal for which you are seeking funding.
Garberville Sanitary District is responsible for maintaining the fire hydrants used by Cal-Trans, The Road Department, Cal-Fire and local Fire Departments for emergency road repairs and fire suppression. Fire hydrant testing with the local fire department has identified 17 hydrants that did not work or were failing which creates a very real health and safety hazard which puts lives and property at risk. We want to ensure the safety of all people and property within the service area of Garberville which is why we have replaced 7 of the 17 failed hydrants and need to replace the remaining 10 so that we can provide the life saving water necessary to fight fires

4. How are you developing a plan for sustainability, including diversification of funding sources, in order for your proposal to carry on without reliance on future Measure Z funds?
Our proposal requests a fixed one-time construction expense that our existing budget cannot afford. GSD has acquired an old and failing private water system in 2004 so that Garberville could continue providing safe affordable water service. GSD has been working toward replacing the failing 75 year old infrastructure but the first step was to build a new water treatment facility that can produce sufficient water for customer consumption and fire protection. The next step in our improvement process was to increase water storage capacity so we have added additional storage in 2016. We are now in need of replacing the failing fire hydrants so they can be used for fighting fires to protect Garberville and the people who reside or work here.

5. If this request is for the continuation, or expansion, of an existing program/service, what is the current source of funding for that program/service?

This request is not for continuation of an existing program.

6. If you are awarded *Measure Z* funds, how will you use them to leverage additional grants, contributions, or community support? We will notify the public that *Measure Z* funds were used to replace the the failing fire hydrants in Garberville for the health and safety of the residents through fire protection and medical access through emergency road repairs. Garberville Sanitary District will provide all funding required for permits, administration, testing and associated services beyond the cost of materials and installation.

7. Will this proposal require new or expanded activity on the part of another entity to be fully functional and effective? If so, please describe.

No other entity will be involved

8. Are there recurring expenses associated to this application, such as personnel costs? Please check yes or no and if so, please detail those expenses. Yes No

ATTACHMENTS—Please include the following with your application

Proposal Narrative: Brief description of your request for *Measure Z* funds – Please explain how it is an essential service or for public safety. (one page maximum)

Prior Year Results: If your request is a continuation of a program funded with *Measure Z* in prior fiscal years, please provide the results of implementation. (one page maximum)

Program Budget

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: 2/7/19

SIGNATURE: 

SUBMIT THIS APPLICATION TO:

Humboldt County Citizens' Advisory Committee on *Measure Z* Expenditures
c/o County Administrative Office
825 Fifth Street, Room 112
Eureka, CA 95501-1153



Attachment #1

**Garberville Sanitary District
PO Box 211
919 Redwood dr.
Garberville, CA. 95542
Office(707)923-9566 Fax(707)923-3130**

Measure Z Committee,

January 30, 2019

Garberville Sanitary District provides water and sewer service to residents and businesses within the boundaries of the District and are responsible for the installation and maintenance of all fire hydrants. Over the years many fire hydrants have been neglected and either do not work or do not work properly.

The Governing Board has authorized me to insure all fire hydrants are operable and able to protect the Garberville community in the event of a fire while being able to provide water for Emergency Service Agencies for road repairs and ensuring medical personnel are able to assist those living in the Garberville area.

Budget limitations have been a factor in not making these improvements and providing reliable fire suppression which is why we adopted a long term plan of budgeting money each year for hydrant repairs or replacement but we do not have the additional money to replace these failing hydrants in a timely manner.

My concern is that in light of all the devastating fires in California and the crippling road damage which restricted emergency services to access the affected areas, we will not be able to adequately provide water for the potential emergencies that can devastate any area.

Garberville Sanitary District thanks you in advance for considering us eligible for Measure Z funding to insure our community's protection from fire.

Respectfully,

Ralph Emerson

**General Manager
Garberville Sanitary District**

ATTACHMENT II - EXHIBIT F

Measure Z - Invoice

**GARBERVILLE SANITARY DISTRICT
RALPH EMERSON
P.O. BOX 211, GARBERVILLE, CA 95542
(707)923-9566**

Invoice Date: Application

Invoice # MZ- _____

Invoice Period: _____

Description	Cost	Total Amount Due
Personnel Costs (Wages and Benefits)	\$0.00	
Operational Costs (Rent, Utilites, Phones, etc.)	\$0.00	
Consumables/Supplies (Supplies and Consumables should be separate)	\$0.00	
Transportation/Travel (Local and out of county should be separate)	\$0.00	
Other (Indirect Costs, Contracts, etc.)		
Fixed Assets - Hydrants	\$200,000.00	
		\$200,000.00

I certify that the information provided above is, to the best of my knowledge, complete and accurate; the expenditures are in accordance with the approved Agreement cited for services provided under the provision of that agreement. Full justification and backup records for the expenditures are maintained in our office at the address indicated.

Signature and date: *Ralph Emerson* 7-Feb-19

Print Name and Title: Ralph Emerson, General Manager

Send invoice to:

COUNTY OF HUMBOLDT
County Administrative Office
825 Fifth Street, Room 112
Eureka Ca 95501



(707) 445-7266

_____ Date

_____ Date

ATTACHMENT II - EXHIBIT E
Budget
Garberville Sanitary District

Invoice Date: Application Feb 2019

Invoice # MZ- _____

FINAL INVOICE

Invoice Period: July 1 2019 - June 30, 2020

Descriptions	Amounts	Approved Budget	Remaining Balance
A. Personnel Costs			
Title: _____			
Salary and Benefits			0.00
Duties Description: _____			
Title: _____			
Salary and Benefits			0.00
Duties Description: _____			
Total Personnel:	0.00	0.00	0.00
B. Operational Costs (Rent, Utilities, Phones, etc.)			
Title: _____			
Description: _____			
Title: _____			
Description: _____			
Total Operating Costs:	0.00	0.00	0.00
C. Consumables/Supplies (Supplies and Consumables should be separate)			
Title: _____			
Description: _____			
Title: _____			
Description: _____			
Title: _____			
Description: _____			
Total Consumable/Supplies:	0.00	0.00	0.00
D. Transportation/Travel (Local and Out-of-County should be separate)			
Title: _____			
Description: _____			
Title: _____			
Description: _____			
Total Transportation/Travel Costs:	0.00	0.00	0.00
E. Fixed Assets			
Title: HYDRANTS	80,000.00		
Description: MATERIALS COST OF \$8,000 PER HYDRANT FOR 10 HYDRANTS		80,000.00	80,000.00
Title: HYDRANT INSTALLATION	120,000.00		
Description: CONTRACT FOR INSTALLATION AT \$12,000 PER HYDRANT FOR 10 HYDRANTS		120,000.00	120,000.00
Total Other Costs:	200,000.00	200,000.00	200,000.00
Invoice Total:	200,000.00		

PRIOR YEAR RESULTS

The District applied for \$120,000 for critically deficient hydrant replacement in FY2017-18 Measure Z funds. The funding allotted was only \$60,000, so the project scope had to be reduced. The activities completed for fiscal year 2017-18 were:

1. GSD prepared the Request for Bids for the hydrant replacement public works project
2. Bids were received and opened for the hydrant replacement public works project and the contract was awarded to Wahlund Construction.
3. Wahlund Construction installed all of the hydrants as of March 31, 2018



Alderpoint Rd @ Tank



Sprovel Creek Rd & Riverview Dr.



South Redwood Drive



Redwood Drive @ Maple Lane



Garberville Sanitary District
CA1210008
Tracer Study
February 4, 2019

- Tracer Study:
- Reactor: Pressure Vessel
- Volume: 20,000 Gallons
- Diameter: 10 ft
- Length: 36 ft
- Baffled Tank (over/under)
- Inlet/Outlet Full Perforated Baffles

- Performed by:
- Guy Schott, P.E.
- CA Division of Drinking Water

Summary of Tracer Results

Reactor Design

Tracer Sample Locations

Graph 1: Modified Step-Dose Curve

Graph 2: Normalized Modified Step-Dose Curve to F-Curve

Purpose of a Tracer Test

Disinfection Exposure Time of Fluid in Vessel for Determining Ct_{10}

Ct_{10} Value

Baffling Factor (BF)

Tracer Test Method

Method of Analysis and Equipment

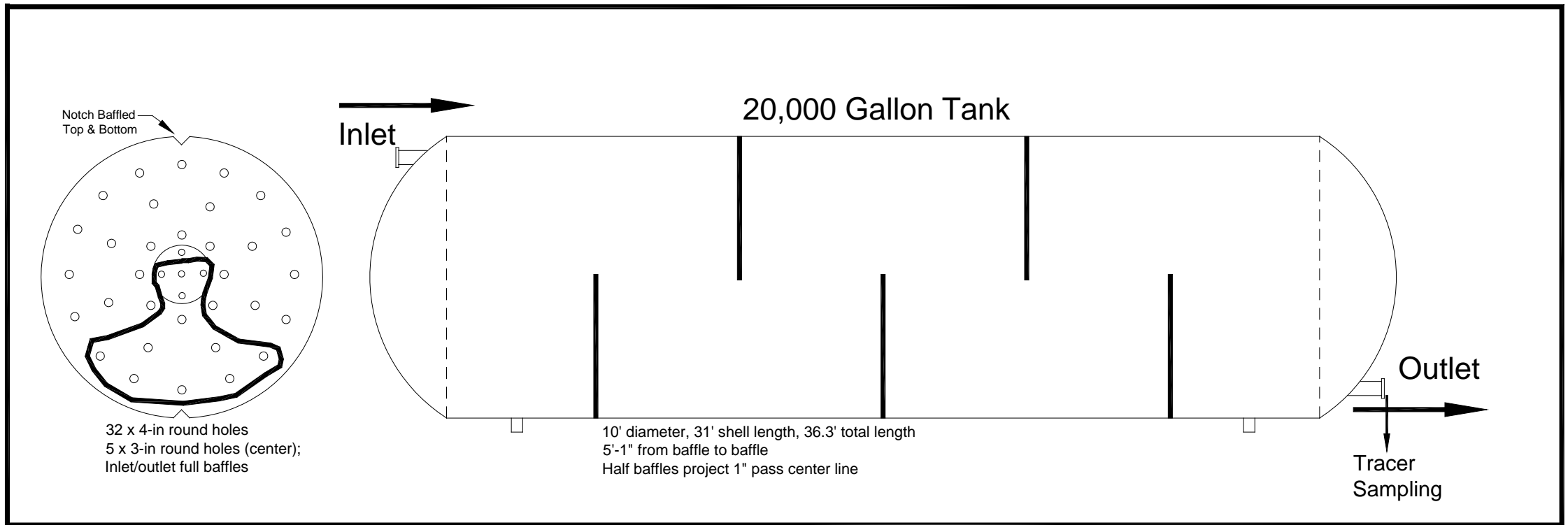
Table of Content



Garberville SD Tracer Test Results

- **Modified Step-Dose**
- Test Date: 2/4/19
- **Baffling Factor (t_{10}/HRT): 0.54**
- Average Flow: 204 gpm
- HRT: 98 minutes
- t_{10} : 53 minutes
- Tracer: Fluoride (2.55 mg/L)
- Inlet Sample Frequency:
 - 5 gallon bucket (fill duration 4 -5 min)
 - 12 samples (6 – 59 min range)
- Outlet Sample Frequency:
 - 0 – 40 min (4 min)
 - 40 – 69 min (1 min)

Horizontal Pressure Clearwell Design



The inlet baffled holes were plugged off except the 12 holes within the highlighted boundary.

Inlet Tracer Sample Location

- The applied tracer dosage is determined by grab sampling downstream of the tracer injection point before the tank inlet. Sample water is allowed to flow into a 5 gallon bucket for 4-5 minutes then sample is taken from bucket. This provides an average tracer dosage concentration. Samples are taken throughout the tracer study.

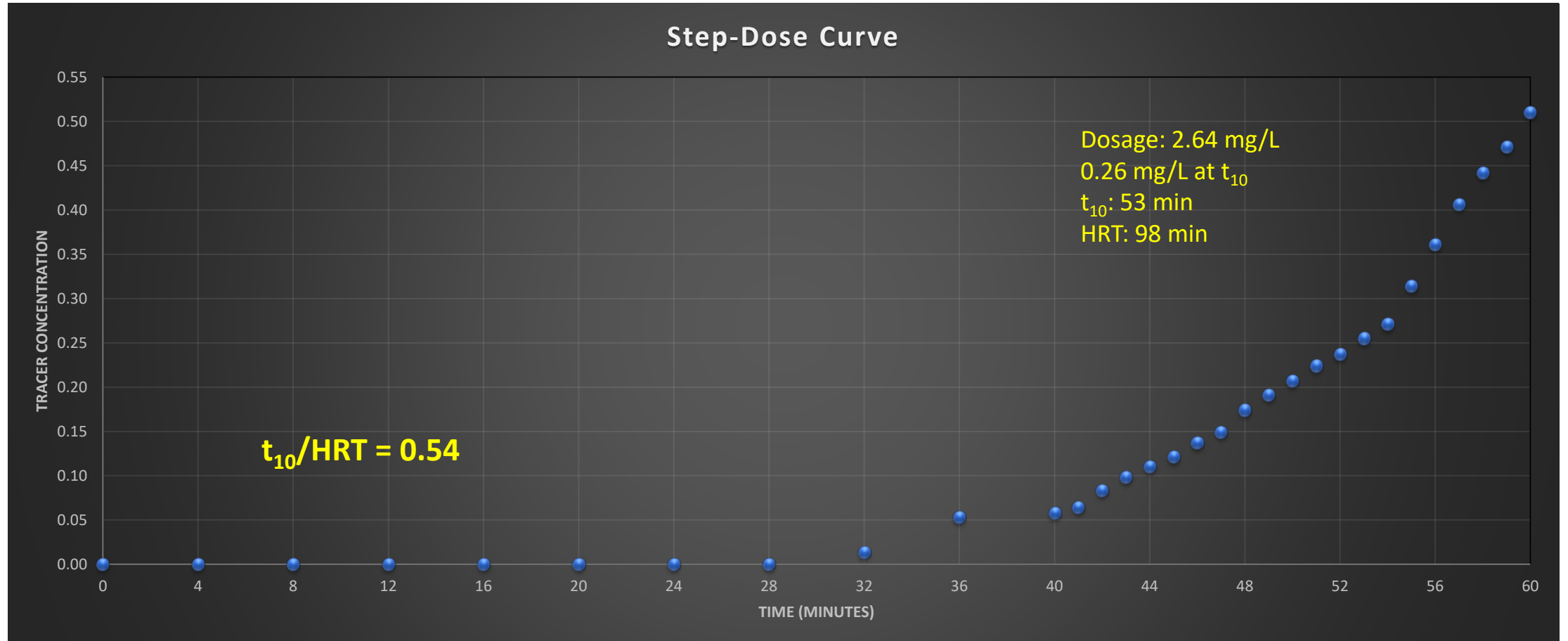


Outlet Tracer Sample Location

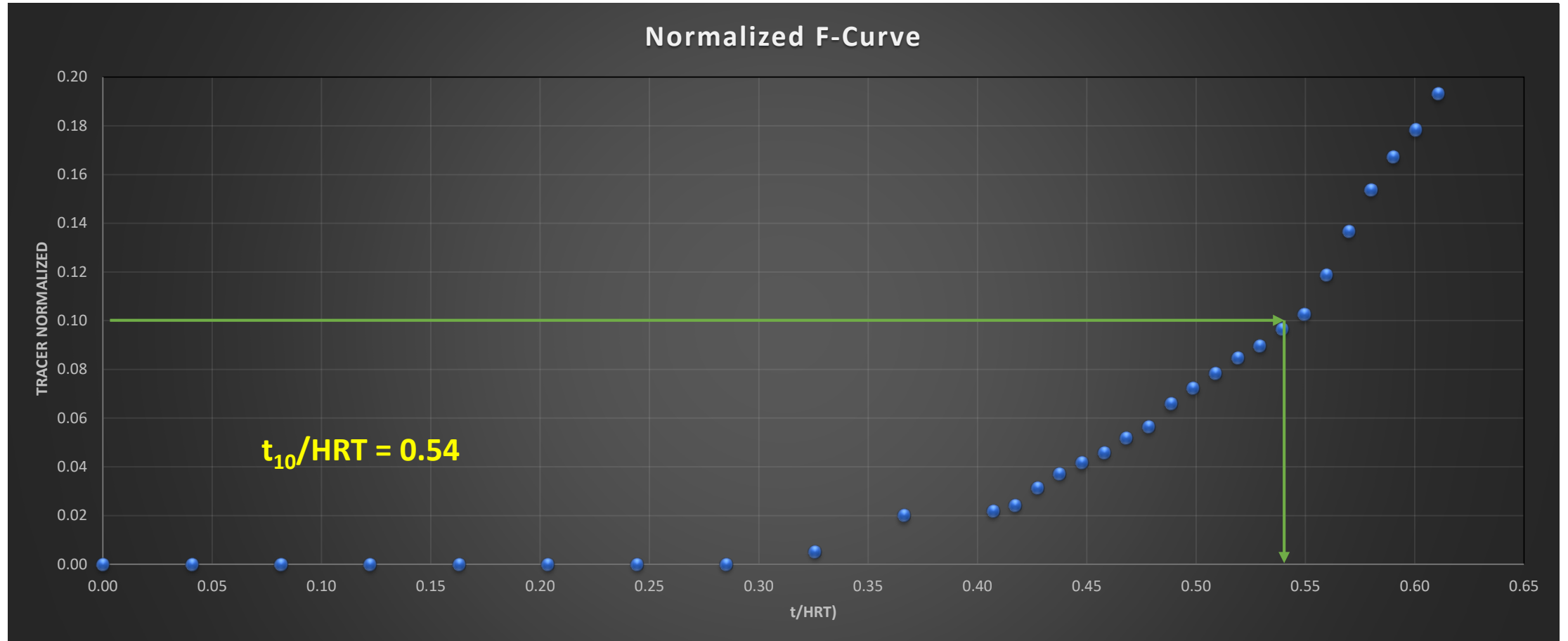
- Samples are taken from the outlet to determine the time it takes for 10% of the applied tracer dosage to exit the tank. Sample frequency is increased in the time range of the expected 10% dosage mass.
- Sample Frequency for this test:
0 – 40 minutes (4 minute intervals)
40 – 69 minutes (1 minute intervals)



Garberville SD – Modified Step-Dose Curve



Garberville SD – Modified Step-Dose Curve Normalized to F-Curve



Purpose of a Tracer Study

- To determine the hydraulic efficiency or disinfectant exposure time of water through one or more reactors.
- The addition of known quantities of a nonreactive chemical (tracer) is added in the form of a pulse (slug) or step-input.
- The time of travel or disinfectant exposure time through the reactor is related to:
 - Flow rate
 - Reactor water volume
 - Water Depth
 - Reactor configuration

Disinfection
Exposure
Time of
Fluid in
Vessel for
Determining
 Ct_{10}

“**C**” is the disinfectant residual (mg/L) at the point of inactivation compliance.

The disinfection exposure time of water used for Ct_{10} calculation is the time (t_{10}) it takes for 10 percent of the water entering the reactor to exit the reactor.

To determine this, a marker (nonreactive tracer) is introduced into the water and is monitored leaving the reactor.

Example: 1.0 Kg of tracer is slug-dose; t_{10} is that time when 0.1 Kg of tracer material (10%) has exit the reactor.

Ct₁₀ Value

- Log inactivation is based on the Delivered Dose, “Ct₁₀”

“C” is the disinfectant residual (mg/L)

“t₁₀” is the exposure or contact time (minutes)

Multiply them:

$$C \cdot t_{10} = \text{mg/L} \cdot \text{min (delivered dose)}$$

The calculated Ct₁₀ value is looked up in **EPA Ct** tables to determine the log inactivation based on specific monitoring parameters (pH, disinfectant residual and/or temperature).

Baffling Factor (BF)

- Baffling factor or short-circuiting factor:
 - Determined from tracer study or estimated
 - **BF** = t_{10} / **HRT** from tracer study
 - **HRT** (hydraulic residence time) = reactor volume divided by reactor flow
- Once the BF is determined, then it is applied to the operations of the reactor for determining the disinfectant exposure time.

Example:

- Clearwell operating volume: 20,000 gallons
- Exit flow: 200 gpm
- **BF**: 0.50, from tracer study
- Calculated contact or disinfection exposure time:
 - $20,000 \text{ gal} \div 200 \text{ gpm} \times 0.50 = 50 \text{ minutes} = t_{10}$

Test Method

Modified Step-Dose Method

- It is a continue feed of tracer at constant rate and plant flow throughout the duration of the test. The “Step-Dose” test is run to 3-4 HRT to achieve reactor outlet steady-state tracer concentration. The time “ t_{10} ” is determined when 10% of the tracer dose concentration has exist the reactor. The “Modified Step-Dose” test allows the test to be completed in less than 1 HRT by physical measurements of the tracer inlet flow concentration to verify dosage.

Method of Analysis and Equipment

- Intellical™ ISEF121 Fluoride (F⁻) Ion Selective Electrode (ISE)
- HQ40d Portable ISE Multi-Parameter Meter
- Fluoride Ionic Strength Adjustor (ISA)
- Fluoride Standards (0.2/2.0 & 0.5/ 5.0 mg/L)
- 50 mL graduated cylinder
- Finnpiquette F2 variable volume pipette, capacity 0.5 - 5 mL
- Electrode stirrer stand
- 50 mL beakers
- Stir Bar, Magnetic, Polygon



Contact



- Guy Schott, P.E.
- State Water Resources Control Board
- Division of Drinking Water
- Santa Rosa, CA
- Guy.Schott@waterboards.ca.gov
- 707-576-2732

AB 510 (Cooley)

Video Monitoring Records Retention Modernization

Bill Summary

AB 510 modernizes the Government Code to allow local public agencies to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. This legislation does not affect video monitoring or retention policies related to law enforcement activities or open and public meetings.

Problem

Since 1998, public agencies have been required to retain routine video monitoring for one year. The legislative history shows the original intent was to store videotapes. However, since that time, technology has advanced significantly while the law has remained unchanged, and the vast majority of video monitoring is now done using digital cameras that record onto DVRs, agency servers, and cloud-based servers.

Public agencies are installing an ever-increasing number of cameras and the cameras are recording in significantly higher resolution, 4k in some instances, making the recordings increasingly more useful and effective. However, with the increased number of cameras and picture quality, the amount of data that must be stored to comply with the current mandated retention requirements is astronomical and is costing local public agencies enormous sums of taxpayer dollars.

As one example, starting in January of 2018, one utility began migrating from analog cameras with a DVR server to Internet Protocol (IP) cameras and a Network Video Recorder (NVR). This conversion will be complete in 2021. In the next few years, the utility expects to have about 300 surveillance cameras. Without changes in law, retaining the recordings will cost the utility approximately \$800,000 annually to retain cloud

services for the associated 25,500 terabytes of data 300 cameras would collect in one year.

Additionally, while the higher picture quality of digital cameras is more useful than video tape, most of the routine video monitoring is of no value to the public because it is simply filming nothing happening. For example, 24-hour footage from a camera facing the back entrance to an office building where zero incidents have occurred must still be maintained for one year.

Solution

AB 510 modernizes existing law to catch up with the technology of today and allows flexibility for public agencies to adapt to future technological advances.

The bill requires public agencies to maintain routine monitoring records where incidents may have occurred until the incident is fully resolved. The bill also allows agencies to diligently manage their financial and equipment resources by setting their own records retention policies based on the needs and the use of their cameras, radios, and telephones.

Furthermore, in the absence of an agency adopting their own records retention policies in a public forum, the current one-year and 100-day retention policies would remain in effect.

This change in law allows agencies to retain important records while deleting useless ones, thus saving a significant amount of taxpayer dollars on unnecessary data storage costs.

Background

In 1998, AB 1980 (Brewer) added Government Code section 26202.3, which requires public agencies to retain routine video monitoring for

AB 510 (Cooley)
Video Monitoring Records Retention Modernization

one year. The legislative history shows the intent was to store videotapes. In 2003, AB 839 (Salinas) repealed this section and moved the same language to Government Code sections 53160 (special districts), 26202.6(a) (counties), and 34090.6(a) (cities).

Support

- California Special Districts Association
- League of California Cities
- California State Association of Counties

For More Information

Amanda Kirchner
Legislative Director
916-319-2008
Amanda.Kirchner@asm.ca.gov

DRAFT

[Letterhead]

[Date]

The Honorable Ken Cooley
California State Assembly
State Capitol, Room 3013
Sacramento, CA 95814

RE: Assembly Bill 510 (Cooley) – Support [As Introduce February 13, 2019]

Dear Assembly Member Cooley:

The [District Name], is pleased to support Assembly Bill 510, which allows public agencies to diligently manage their financial and equipment resources by setting their own records retention policies for recordings related to routine video monitoring, radios, and telephones. [Brief description of your district and services provided]

AB 510 modernizes the Government Code to allow local public agencies, including special districts, to adopt records retention policies designed for modern digital recording technologies, while ensuring the proper retention of any records in which an incident may have occurred. This change in law will allow agencies to retain important records while deleting useless ones, thus saving a significant amount of taxpayer dollars on unnecessary data storage costs.

[If possible, describe the type of routine video monitoring your district does, the number of cameras you have, and the current cost to store the data for a year]

AB 510 modernizes existing law to catch up with the technology of today and will allow flexibility for our district to adapt to future technological advances, allowing our district to diligently manage our financial and equipment resources by setting our own records retention policies based on the needs and the use of our cameras, radios, and telephones.

For these reasons, [District name] is pleased to support Assembly Bill 510. Please feel free to contact me if you have any questions.

Sincerely,

[Name]

[Title]

cc: Dillon Gibbons, Senior Legislative Representative, California Special Districts Association
{advocacy@cdda.net}

7.4 Non-Harassment Policy

GSD is committed to providing a work environment free of unlawful harassment. GSD's policies prohibit sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation or harassment or any other basis protected by federal, state or local law, ordinance or regulation. GSD's anti-harassment policies apply to all persons involved in the operation of the organization and prohibit unlawful harassment by any employee, including supervisors and co-workers.

By way of example, prohibited unlawful harassment may include, but is not limited to, the following behavior:

- a. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.
- b. Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings or gestures.
- c. Physical conduct such as assault, unwanted touching (including unwanted hugging), or blocking normal movement or interfering with work for reasons motivated by sex, race or any other protected status.
- d. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors.
- e. Retaliation for having reported or threatened to report harassment. If you believe that you have been unlawfully harassed, provide a written complaint to your own or any other GSD Management personnel or Chairperson or Member of the Board of

Directors. To the extent permitted by law, due process, and fairness, written or oral complaints shall remain confidential. In the event a written complaint can not be prepared, it shall be made orally and then reduced to writing and signed by the complainant. A complaint should be specific and for each occurrence should include the date(s), time(s), location(s), names of the individuals involved and the names of any witnesses. An immediate, thorough and objective investigation of the harassment allegations shall be initiated by the appropriate manager or by the Chairperson of the Board of Directors.

- f. If GSD determines that unlawful harassment has occurred; effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by GSD to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. A GSD representative will advise all parties concerned of the results of the investigation. GSD will not retaliate against anyone for filing a complaint and will not knowingly tolerate or permit retaliation by management, employees or co-workers. GSD encourages all employees to report any incidents of harassment immediately so that complaints can be quickly and fairly resolved.

ANTI HARASSMENT AND DISCRIMINATION POLICY

Section 1. Introduction. The Garberville Sanitary District is dedicated to providing a work environment for its employees that is free of harassment and discrimination. The District prohibits harassment and discrimination because of race, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, genetic information or any other basis protected by federal, state or local law, ordinance or regulation. Such harassment and discrimination is unlawful and will not be tolerated. This policy prohibits unlawful harassment or discrimination of or by any employee of the District, including supervisors and co-workers. It also extends to vendors, independent contractors and others doing business with the District.

Section 2. Definition and Examples of Harassment. Harassment because of race, religion, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sex, sexual orientation, genetic information or any other protected basis is prohibited, including, but not limited to the

following behavior and circumstances:

- a) Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- b) Visual conduct such as derogatory and/or sexual oriented posters, photography, cartoons, drawings or gestures;
- c) Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis; and,
- d) Retaliation for having reported or threatened to report harassment.
- e) Harassment can occur between any individuals associated with the District. Such individuals may include: Board members, supervisors, coworkers, agents, customers, vendors, contractors, or members of the general public.
- f) The victim of harassment may not be the person that is the recipient of inappropriate comments, actions, images, etc. Anyone who is affected by offensive conduct may be considered the victim of harassment.

Sexual harassment is a form of harassment. Sexual harassment is defined by the Fair Employment and Housing Commission as “unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature.”

Section 3. Complaint Process. If an employee thinks he or she is being harassed or discriminated against on the job because of gender, race, or other protected basis, or if an employee observes behavior he or she believes to be in violation of this policy, the employee should immediately contact his or her immediate supervisor, the Administrative Assistant to the General Manager, the General Manager, the President of the Board of Directors, or any other supervisor with whom the employee feels comfortable. The complaint should include all details of the incident (s), the names of all individuals involved, and the names of any witnesses. Every complaint that is reported will be taken seriously and investigated thoroughly. If harassment or discrimination is not reported, it cannot be investigated. The District will not retaliate against anyone for reporting any incidents of harassment, for making any complaints of harassment, or for participating in any investigation. Every employee’s cooperation is crucial.

Section 4. Complaint Response Process.

- a) Staff receiving harassment complaints will refer them immediately to the General Manager, or to the President of the Board of Directors if the General Manager is unavailable or personally involved in the complaint. Supervisors must refer all harassment complaints to the General Manager, or to the President of the Board of Directors if the General Manager is unavailable or personally involved in the complaint.
- b) The General Manager will call a special meeting, within one (1) week from the date of the complaint or as soon thereafter as is practicable, in order to notify the Board of Directors that a claim of harassment has been made against an employee, a staff member, or other person doing business with the District.

- c) The General Manager, or his/her designee, upon receiving direction from the Board of Directors, will ensure that an immediate, effective, thorough, and objective investigation of the allegation(s) is undertaken. Any information obtained through the investigation will be kept confidential to the extent possible to conduct an effective investigation into the allegations.

Section 5. Findings and Retaliation. If it is determined that harassment has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined to be responsible for harassment will be subject to appropriate disciplinary action, up to and including termination. After the investigation and findings have been concluded, the District may communicate its findings to the complainant, the alleged harasser, and any other concerned party. Employees complaining of harassment, or otherwise participating in the District’s investigation of such conduct, shall be protected from any form of reprisal and/or retaliation.

Section 6. Immediate Reporting. All employees should report any incidents immediately so that complaints can be quickly and fairly resolved. The California Department of Fair Employment and Housing (“DFEH”) investigates and may prosecute complaints of harassment. An employee may have a claim of harassment even if he or she has not lost a job related or economic benefit. Whenever an employee thinks he or she has been harassed or that he or she has been retaliated against for resisting or complaining, that employee may file a complaint with the DFEH.

Section 7. Romantic Relationships. In addition, the District desires to avoid misunderstandings, complaints of favoritism, claims of sexual harassment and employee dissension that may result from personal or social relationships amongst employees. Therefore, the District asks that if employees become romantically involved with one another they disclose their relationship to the General Manager or Board President if General Manager is involved.

Section 8. Employee Acknowledgement. By signing below, Employee represents that he or she has read, understands, and agrees to the District’s Anti-Harassment and Discrimination Policy.

-
-

Date

Signature

Name

Print