

**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: April 28, 2020

**Closed Session: 5:00 P.M.
Regular (Open) Session: 5:45 P.M.**

IMPORTANT MEETING PARTICIPATION NOTICE:

TELECONFERENCE MEETING

Following the Direction of Governor Newsom in stopping the spread of the COVID-19 virus, the Board Meeting referenced in this Agenda will be conducted through teleconference. Members of the public are encouraged to participate. In order to participate, please call the following teleconference phone number: **(916) 588-9668** at/prior to the meeting start time. When prompted, please enter **2451** (then press #), the password is **1234** (then press #). You are encouraged to join the conference line prior to the meeting start time in the event of conferencing difficulties. Please remain on the line quietly until public comment is called.

If you are unable to access the teleconference line, please call the District main line: (707) 923-9566, and the District will assist you.

CLOSED SESSION AGENDA

5:00 P.M.

I. CALL TO ORDER

A.1 **ESTABLISHMENT OF QUORUM:**

Rio Anderson___, Linda Brodersen___, Doug Bryan___, Julie Lyon_____, Dan Thomas_____

A.2 **PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:**

Any person may address the Board at this time upon any subject not identified on this Agenda but within the jurisdiction of the Garberville Sanitary District; however, any matter that requires action will be referred to staff for a report of action at a subsequent Committee or Board meeting. As to matters on the Agenda, an opportunity will be given to address the Board when the matter is considered. **Comments are limited to 3 minutes.** Letters should be used for complex issues.

A.3 **CLOSED SESSION DISCUSSION ANNOUNCEMENT:**

At any time during the regular session, the Board may adjourn to closed session to consider existing or anticipated litigation, liability claims, real property negotiations, and license and permit determinations, threats to security, public employee appointments, personnel matters, evaluations and discipline, labor negotiations, or to discuss with legal counsel matters within the attorney-client privilege.

- a. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2):
(1 potential case) Claimant California State Water Resources Control Board, Bulk
Water Sales

A.4 RECESS INTO CLOSED SESSION: (Private Call-In Line Will Be Used by Board and Legal Counsel).

A.5 REPORT OUT OF CLOSED SESSION.

REGULAR MEETING AGENDA

5:45 P.M.

(Use Call-In Number Stated in Notice)

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. 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

II. REGULAR MEETING CALLED TO ORDER

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. COMMENTS AND QUESTIONS FROM THE AUDIENCE

This portion of the meeting is 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

V. **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-

General Manager—Ralph Emerson Pg. 6

VI. **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—February 2020-financials - pg. 7-18

A.2 Approve Date: March 24, 2020 Regular Meeting Minutes – pg. 19-21

A.3 Operations Safety Report – pg. 22-23

Motion:

Second:

Vote:

B. **GENERAL BUSINESS** – *Action items*

Notice to the Public

The Board of Directors will allow public comment on agenda items. You will be given 5 minutes on each agenda item that you wish to comment prior to Board of Directors action on the item.

B.1 Proposition 218 Public Hearing: Proposed Water and Sewer Rate Adjustments and Changes to the District's Water and Sewer Rate Calculation Methodology - Continuance of Public Hearing pg. 24-27

(Discussion—Action requested): Resolution #20-005, Continuing Hearing

Motion:

Second:

Vote:

(Roll Call vote)

B.2 Replace Copier-Printer pg.28-29
(Report from Mary—information only)

B.3 Project—Grant Funding Update
(Discussion-possible action)

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

B.4 SHCP Water Service Update pg. 30-47
(Discussion-possible action)

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

B.5 Request for Water Service—Emerald Holdings, LLC pg. 48-49
(Discussion-possible action)

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

C. POLICY REVISION/ADOPTION

C.1 Sec 9.5 Payment of Bills—Discontinuance of Service Ordinance. pg. 50-60
(Discussion—No action) 2nd reading—Resolution #20-002

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

C.2 Sec 4.9 Service Connections pg. 61
(Discussion—No action) 2nd reading

C.3 Drought Contingency Plan-- pg. 62-66
(Discussion—No action) 1st reading

C.4 Personnel Policy-Employee vacation, personal and sick days Policy
(Discussion—No action) 1st reading--information at meeting

VII. ITEMS FOR NEXT BOARD MEETING

1. 2020-2021 Budget
2. Public Hearing for Rate changes
3. Service Connection Ordinance Sec4.9
4. Drought Contingency Plan

VIII. ADJOURNMENT

Posting of Notice at the District Office no later than Date: April 24, 2020. 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.

Garberville Sanitary District

PO Box 211

Garberville, CA. 95542

(707)923-9566

remerson@garbervillesd.org

GENERAL MANAGER REPORT

Date: April 28, 2020

This has been an unusually complicated month with the “shelter in place” order that closes many businesses while requiring us to continue providing water/wastewater service and unable or difficult to find necessary businesses open during this event.

We are in the middle of the prop 218 rate process, while having the COVID-19 shut down, making it difficult to proceed with the process.

We are working with the State Water Board on updating operating procedures and staying in compliance with new regulations and mandates which has been time consuming.

There have been statements made in the media and throughout the community which are inaccurate or false which we have had to correct with customer inquiries but are working on a press release which will address these inaccuracies while reporting on tonight’s meeting.

We have been working hard on a plan in preparation for hot weather and the possibility of drought conditions which will require a modified operational plan to meet the water consumption needs of our customers.

Respectfully Submitted:

Ralph Emerson



GARBERVILLE SANITARY DISTRICT

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

BOARD AGENDA MEMORANDUM

Meeting Date: April 28, 2020
 To: Garberville Sanitary District Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: February 2020 Financial Statements

GENERAL OVERVIEW AND FINANCIAL CONSIDERATIONS

The attached Financial Statements are for February 2020.

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

Description	Annual Budget	YTD Actual	YTD Budget	YTD Difference	☺
Total Revenue	976,520.00	635,853.71	626,231.62	9,622.09	☺
Total Expenses	1,269,091.00	901,293.80	845,528.50	55,765.30	☹
Net Income (excluding Depreciation)	(292,571.00)	(265,440.09)	(219,296.88)	(46,143.21)	☹
Payroll	383,338.00	275,391.39	255,558.56	19,832.83	☹
Repair & Maintenance	48,500.00	64,667.35	32,333.28	32,334.07	☹

As can be seen on the “Statement of Cash Flows Report for Board - February 2020” and the “Balance Sheet Report for Board As of February 2020”:

- Operational revenues are above the budgeted amount by \$4,885.36. Expenses are over budget, and the purchase of the truck has resulted in a significant negative cash flow.
- Net cash **DECREASE** for February is **\$6,329.60**, and the year to date cash **DECREASE** is **\$79,795.40**. The budgeted negative cash flow was **\$46,474**.
- The projected net cash **DECREASE** for this fiscal year is about **\$135,000**.
- Total payments on loans so far this year total **\$82,931.21** of a budgetted year-end total of \$164,903. The projected year-end total loan payments is **\$122,815**.
- Total payroll costs are **\$19,832.83** higher than the YTD budgeted amount.
- The overtime wages are **\$10,675.56** higher than the YTD budgeted amount and are growing.
- Utilities and Fuel are both within tolerance for the budget.

- Expenditures for fixed asset acquisition so far this year total **\$49,056.23**. The projects anticipated were:

Asset Description	Amount Budgeted	Amount Spent
Robertson + Wallen Tank Replacement - SRF Grant App	10,000	3,756.20
Meadows Aerial (Bear Canyon) SRF Grant App & Prelim	10,000	2,605.70
Meadows Sewer Aerial Preliminary Design	5,000	0
Utility Truck	0	40,034.33
Waterline Replacement	0	21,870.00
Utility Trailer	7,000	0
Backhoe (\$150,000) - pmt	30,000	0
Sunnybank Telemetry	10,000	0
Redwood Dr Sewer line Prelim Design (SCR-Calicos + Melville - Cecil's)	10,000	0
CCC SDRMA Claim Payment	-25,000	-20,375.00
CCC Expenses	25,000	1,165.00
Total:	82,000	49,056.23

- The repair and maintenance expenses are \$32,334.07 over the YTD budgeted amount. The overage is because of a water leak at Conger & Redwood that needed to be fixed and the installation of water valves at the location. As of the end of February, \$16,167.35 has been spent above and beyond the entire year's budget for repairs and maintenance. All further spending for this category will be beyond the budget amount.

RECOMMENDED BOARD ACTIONS

Review the reports and approve them with the consent agenda.

ATTACHMENTS

- Statement of Cash Flows - Current Month and Fiscal Year to Date
- Balance Sheet with Comparison between Current month and Fiscal Year ending June 30, 2018
- Revenue and Expense Report - Combined Report for Water & Sewer containing current month actual, fiscal year to date actual, and annual budget
- Check Register Report for all checks issued in February 2020

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2020

	Current Month Feb. 2020	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
Ordinary Income/Expense					
Income					
Water Charges					
4100 · Residential	20,863.04	197,609.38	198,618.28	300,000.00	(1,008.90)
4110 · Commercial	17,514.24	146,726.03	145,653.42	220,000.00	1,072.61
4150 · Bulk Water Sales	0.00	24.00	0.00	0.00	24.00
Total Water Charges	38,377.28	344,359.41	344,271.70	520,000.00	87.71
4200 · Sewer Charges	30,226.76	246,504.70	243,333.36	365,000.00	3,171.34
4300 · Connection Fees	0.00	8,000.00	8,000.00	40,000.00	0.00
4650 · Late Charges	1,035.00	9,795.00	6,333.28	9,500.00	3,461.72
4700 · Other Operating Revenue	240.00	1,497.87	3,333.28	5,000.00	(1,835.41)
Total Income	69,879.04	610,156.98	605,271.62	939,500.00	4,885.36
Gross Profit	69,879.04	610,156.98	605,271.62	939,500.00	4,885.36
Expense					
Administrative and General					
5000 · Advertising	0.00	0.00	233.28	350.00	(233.28)
5005 · Bad Debts	281.58	1,942.47	2,333.28	3,500.00	(390.81)
5010 · Bank Charges					
5012 · Merchant Account Fees	338.91	2,068.92	1,733.28	2,600.00	335.64
5010 · Bank Charges - Other	156.70	1,266.07	1,266.72	1,900.00	(0.65)
Total 5010 · Bank Charges	495.61	3,334.99	3,000.00	4,500.00	334.99
5020 · Directors Fees	0.00	1,100.00	1,333.28	2,000.00	(233.28)
5030 · Dues and Memberships	0.00	3,728.22	2,566.72	3,850.00	1,161.50
5035 · Education and Training	0.00	2,514.32	2,000.00	3,000.00	514.32
5036 · Education and Training - B.O.D.	0.00	0.00	200.00	300.00	(200.00)
Insurance					
5040 · Liability	2,401.01	19,053.31	17,969.92	26,954.96	1,083.39
5050 · Workers' Comp	771.13	6,509.26	5,366.64	8,050.00	1,142.62
5055 · Health					
5055.1 · Employee Portion	(607.62)	(4,860.96)	(5,200.00)	(7,800.00)	339.04
5055 · Health - Other	3,439.66	26,934.52	29,200.00	43,800.00	(2,265.48)
Total 5055 · Health	2,832.04	22,073.56	24,000.00	36,000.00	(1,926.44)
Total Insurance	6,004.18	47,636.13	47,336.56	71,004.96	299.57
5060 · Licenses, Permits, and Fees	2,119.01	17,835.06	13,333.36	20,000.00	4,501.70
5065 · Auto	269.00	959.54	1,666.72	2,500.00	(707.18)
5070 · Miscellaneous	0.00	0.00	66.72	100.00	(66.72)
5080 · Office Expense	113.34	4,487.65	4,666.72	7,000.00	(179.07)
5085 · Outside Services	660.49	4,886.20	5,766.30	8,650.00	(880.10)
5090 · Payroll Taxes	2,358.85	19,089.42	19,478.64	29,218.00	(389.22)
5100 · Postage	208.99	1,865.44	1,866.72	2,800.00	(1.28)
5110 · Professional Fees					
SWRCB Complaint	1,715.37	8,034.93			8,034.93
5110 · Professional Fees - Other	4,712.05	51,022.75	50,133.28	75,200.00	889.47
Total 5110 · Professional Fees	6,427.42	59,057.68	50,133.28	75,200.00	8,924.40
5120 · Property Taxes	0.00	40.89	0.00	50.00	40.89
5125 · Repairs and Maintenance	0.00	29.49	333.28	500.00	(303.79)
5130 · Rents	1,670.00	7,515.00	7,515.00	10,020.00	0.00

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2020

	Current Month Feb. 2020	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
5135 · Retirement	668.46	5,512.82	5,100.00	7,650.00	412.82
5137 · Supplies	3.59	1,067.45	800.00	1,200.00	267.45
5140 · Telephone	875.87	6,946.02	7,416.64	11,125.00	(470.62)
5145 · Tools	0.00	26.93	1,333.28	2,000.00	(1,306.35)
5150 · Travel and Meetings	0.00	766.13	666.72	1,000.00	99.41
5155 · Utilities	221.66	3,363.09	2,000.00	3,000.00	1,363.09
5160 · Wages					
5165 · Wages - Overtime	658.88	3,739.20	1,333.28	2,000.00	2,405.92
5160 · Wages - Other	9,979.01	95,218.65	107,480.00	161,220.00	(12,261.35)
Total 5160 · Wages	10,637.89	98,957.85	108,813.28	163,220.00	(9,855.43)
5170 · Vacation Accrual Adjustment	0.00	0.00	0.00	2,000.00	0.00
Total Administrative and General	33,015.94	292,662.79	289,959.78	435,737.96	2,703.01
Sewage Collection					
6010 · Fuel	374.31	2,069.72	1,880.80	2,821.25	188.92
6030 · Repairs and Maintenance	410.01	9,069.30	5,333.36	8,000.00	3,735.94
6040 · Supplies	2.41	944.31	2,000.00	3,000.00	(1,055.69)
6050 · Utilities	342.21	1,924.08	3,333.36	5,000.00	(1,409.28)
6060 · Wages					
6065 · Wages - Overtime Sewer Collecti	750.00	4,017.00	1,333.36	2,000.00	2,683.64
6060 · Wages - Other	3,383.46	20,475.30	20,000.00	30,000.00	475.30
Total 6060 · Wages	4,133.46	24,492.30	21,333.36	32,000.00	3,158.94
Total Sewage Collection	5,262.40	38,499.71	33,880.88	50,821.25	4,618.83
Sewage Treatment					
6075 · Fuel	374.31	2,069.72	1,880.80	2,821.25	188.92
6080 · Monitoring	525.00	2,692.50	4,666.64	7,000.00	(1,974.14)
6100 · Repairs and Maintenance	827.86	6,545.11	6,666.64	10,000.00	(121.53)
6110 · Supplies	0.00	5,170.41	6,333.36	9,500.00	(1,162.95)
6120 · Utilities	954.89	6,581.86	6,133.36	9,200.00	448.50
6130 · Wages					
6135 · Wages - Overtime Sewer Treatme	0.00	528.00	666.64	1,000.00	(138.64)
6130 · Wages - Other	3,333.69	32,950.51	16,666.64	25,000.00	16,283.87
Total 6130 · Wages	3,333.69	33,478.51	17,333.28	26,000.00	16,145.23
Total Sewage Treatment	6,015.75	56,538.11	43,014.08	64,521.25	13,524.03
Water Trans and Distribution					
7075 · Fuel	374.31	2,069.72	1,880.80	2,821.25	188.92
7090 · Repairs and Maintenance	1,841.52	42,931.16	10,000.00	15,000.00	32,931.16
7100 · Supplies	7.62	3,613.16	8,000.00	12,000.00	(4,386.84)
7110 · Utilities	431.22	3,844.92	6,133.36	9,200.00	(2,288.44)
7120 · Wages					
7125 · Wages - Overtime Water Trans &	333.00	8,246.00	3,333.36	5,000.00	4,912.64
7120 · Wages - Other	4,243.47	29,355.16	20,000.00	30,000.00	9,355.16
Total 7120 · Wages	4,576.47	37,601.16	23,333.36	35,000.00	14,267.80
Total Water Trans and Distribution	7,231.14	90,060.12	49,347.52	74,021.25	40,712.60
Water Treatment					
7020 · Fuel	374.31	2,069.87	1,880.80	2,821.25	189.07
7010 · Monitoring	325.00	2,677.50	2,333.36	3,500.00	344.14
7030 · Repairs and Maintenance	1,110.16	6,092.29	10,000.00	15,000.00	(3,907.71)

GARBERVILLE SANITARY DISTRICT
Combined Revenue & Expense Report for Board
February 2020

	Current Month Feb. 2020	YTD Actual	YTD Budget	Annual Budget	Δ YTD Actual vs. Budget
7040 · Supplies	0.00	7,860.95	9,333.36	14,000.00	(1,472.41)
7050 · Utilities	3,554.53	31,102.68	30,666.64	46,000.00	436.04
7060 · Wages					
7065 · Wages - Overtime Water Treatment	1,491.00	4,812.00	4,000.00	6,000.00	812.00
7060 · Wages - Other	3,166.62	22,864.51	26,800.00	40,200.00	(3,935.49)
Total 7060 · Wages	4,657.62	27,676.51	30,800.00	46,200.00	(3,123.49)
Total Water Treatment	10,021.62	77,479.80	85,014.16	127,521.25	(7,534.36)
Total Expense	61,546.85	555,240.53	501,216.42	752,622.96	54,024.11
Net Ordinary Income	8,332.19	54,916.45	104,055.20	186,877.04	(49,138.75)
Other Income/Expense					
Other Income					
Property Tax Revenue					
8010 · Secured	13,494.39	13,494.39	12,750.00	25,500.00	744.39
8020 · Unsecured	0.00	1,028.56	1,900.00	1,900.00	(871.44)
8025 · Prior Years	0.00	0.00	5.00	10.00	(5.00)
8030 · Supplemental - Current	222.39	222.39	125.00	250.00	97.39
8035 · Supplemental - Prior Years	53.49	53.49	25.00	50.00	28.49
Total Property Tax Revenue	13,770.27	14,798.83	14,805.00	27,710.00	(6.17)
8060 · Interest Income	3,179.97	3,393.75	6,000.00	9,000.00	(2,606.25)
8070 · Other Non-Operating Revenue	150.00	7,350.83			7,350.83
9030 · Homeowners' Tax Relief	153.32	153.32	155.00	310.00	(1.68)
Total Other Income	17,253.56	25,696.73	20,960.00	37,020.00	4,736.73
Other Expense					
9010 · Other Expenses	1,008.63	12,932.11			12,932.11
9040 · Depreciation	41,063.42	328,507.36	336,666.64	505,000.00	(8,159.28)
9050 · Interest Expense	192.14	4,613.80	7,645.44	11,468.04	(3,031.64)
Total Other Expense	42,264.19	346,053.27	344,312.08	516,468.04	1,741.19
Net Other Income	(25,010.63)	(320,356.54)	(323,352.08)	(479,448.04)	2,995.54
Net Income	(16,678.44)	(265,440.09)	(219,296.88)	(292,571.00)	(46,143.21)
9040 · Depreciation	41,063.42	328,507.36	336,666.64	505,000.00	(8,159.28)
Net Income excluding Depreciation	24,384.98	63,067.27	117,369.76	212,429.00	(54,302.49)

GARBERVILLE SANITARY DISTRICT
Balance Sheet Report for Board
As of February 29, 2020

	Jun 30, 19	Feb 29, 20	Difference	Notes
ASSETS				
Current Assets				
Checking/Savings				
1005 · Umpqua Checking - Operating	135,036.46	36,702.00	(98,334.46)	
1006 · Umpqua System Reserve - Water	25,738.24	25,798.53	60.29	
1007 · Umpqua System Reserve - Sewer	31,183.83	31,256.87	73.04	
1011 · Water Enterprise Fund	46,680.32	46,789.65	109.33	
1030 · County Treasury - Sewer Reserve	440,039.31	457,007.93	16,968.62	
1031 · County Treasury - Water Reserve	246,071.74	247,206.36	1,134.62	
1040 · Petty Cash	39.51	39.51	0.00	
1050 · Cash Drawer	198.54	391.70	193.16	
Total Checking/Savings	924,987.95	845,192.55	(79,795.40)	
Accounts Receivable				
11000 · Accounts Receivable - Other	1,415.00	4,743.48	3,328.48	
Total Accounts Receivable	1,415.00	4,743.48	3,328.48	
Other Current Assets				
1100 · Accounts Receivable				
1110 · Accts Receivable Over Payments	(1,208.29)	(2,067.16)	(858.87)	
1100 · Accounts Receivable - Other	97,849.33	91,216.98	(6,632.35)	
Total 1100 · Accounts Receivable	96,641.04	89,149.82	(7,491.22)	
1121 · Payroll Tax Overpayment		201.93	201.93	
1500 · Prepaid Insurance	3,342.54	13,198.59	9,856.05	
1501 · Prepaid Workers Comp	0.00	2,216.63	2,216.63	
1502 · Prepaid Expenses	0.00	0.00	0.00	
1510 · Prepaid Licenses and Permits	0.00	8,475.96	8,475.96	
1550 · Allowance for Doubtful Accounts	(5,000.00)	(5,000.00)	0.00	
Total Other Current Assets	94,983.58	108,242.93	13,259.35	
Total Current Assets	1,021,386.53	958,178.96	(63,207.57)	
Fixed Assets				
CIP - Wallan Road Tank	13,789.78	17,545.98	3,756.20	Grant App.
CIP - Bear Canyon Aerial	2,766.06	5,371.76	2,605.70	Grant App.
Total PreApp CIP	16,555.84	22,917.74	6,361.90	
CIP - CCC Replace - Insurance	0.00	(20,375.00)	(20,375.00)	SDRMA Pmt for FWP
CIP-CL2 Contact Chamber Replace	0.00	1,165.00	1,165.00	
WATER				
Fire Hydrants (Measure Z)	70,000.00	70,000.00	0.00	
Land - Water	88,698.62	88,698.62	0.00	
Water Easements & Intangibles	177,397.11	177,397.11	0.00	
Treatment	70,773.43	70,773.43	0.00	
Distribution	2,712,614.17	2,734,484.17	21,870.00	Church St
Pumps	2,909.87	2,909.87	0.00	
DWTP (Water) 2015	4,968,104.88	4,968,104.88	0.00	
Total WATER	8,090,498.08	8,112,368.08	21,870.00	
Water System	142,474.97	142,474.97	0.00	

GARBERVILLE SANITARY DISTRICT
Balance Sheet Report for Board
As of February 29, 2020

	Jun 30, 19	Feb 29, 20	Difference	Notes
SEWER				
Land - Sewer	129,810.68	129,810.68	0.00	
Collection	2,387,355.88	2,387,355.88	0.00	
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	5,831,080.02	5,831,080.02	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	121,205.99	40,034.33	Purch. Utility Truck
MSR/SOI and Annexation Project	157,367.08	157,367.08	0.00	
Accumulated Depreciation-Water	(1,866,415.30)	(2,075,778.98)	(209,363.68)	
Accumulated Depreciation-Sewer	(1,990,685.10)	(2,109,828.78)	(119,143.68)	
Total Fixed Assets	10,652,358.25	10,372,907.12	(279,451.13)	
TOTAL ASSETS	11,673,744.78	11,331,086.08	(342,658.70)	
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2000 · Accounts Payable	13,511.11	15,783.71	2,272.60	
Total Accounts Payable	13,511.11	15,783.71	2,272.60	
Other Current Liabilities				
2300 · Service Deposits	5,100.00	6,500.00	1,400.00	
20000 · Accounts Payable	0.00	2,100.00	2,100.00	
2205 · Accrued Simple	(41.46)	(101.46)	(60.00)	
2230 · Accrued Vacation	25,652.28	25,652.28	0.00	
2250 · Loans Payable - Current Portion	124,124.09	124,124.09	0.00	
Total Other Current Liabilities	154,834.91	158,274.91	3,440.00	
Total Current Liabilities	168,346.02	174,058.62	5,712.60	
Long Term Liabilities				
2500 · N/P - SWRCB	122,974.63	99,343.91	(23,630.72)	1 of 1 pmts
2605 · RCAC Loan #6200-GSD-02	77,272.82	41,588.94	(35,683.88)	8 of 12 pmts
2655 · Lease Payable - Copier	535.15	(90.28)	(625.43)	8 of 12 pmts
2700 · SRF Loan - Water	1,218,532.74	1,195,541.56	(22,991.18)	1 of 2 pmts
2900 · Less Current Portion	(124,124.09)	(124,124.09)	0.00	
Total Long Term Liabilities	1,295,191.25	1,212,260.04	(82,931.21)	
Total Liabilities	1,463,537.27	1,386,318.66	(77,218.61)	
Equity				
3000 · Contributed Capital	6,129,491.75	6,129,491.75	0.00	
3100 · Retained Earnings	4,373,192.52	4,080,715.76	(292,476.76)	
Net Income	(292,476.76)	(265,440.09)	27,036.67	
Total Equity	10,210,207.51	9,944,767.42	(265,440.09)	
TOTAL LIABILITIES & EQUITY	11,673,744.78	11,331,086.08	(342,658.70)	

GARBERVILLE SANITARY DISTRICT Statement of Cash Flows Report for Board

July 2019 through February 2020

	Current Month Feb 20	Year To Date Jul '19 - Feb 20
OPERATING ACTIVITIES		
Net Income	(16,678.44)	(265,440.09)
Adjustments to reconcile Net Income to net cash provided by operations:		
11000 · Accounts Receivable - Other	221.25	(3,328.48)
1100 · Accounts Receivable	(1,003.48)	6,632.35
1110 · Accts Receivable Over Payments	199.45	858.87
1500 · Prepaid Insurance	2,401.01	(9,856.05)
1501 · Prepaid Workers Comp	771.13	(2,216.63)
1510 · Prepaid Licenses and Permits	2,119.01	(8,475.96)
1121 · Payroll Tax Overpayment	542.00	(201.93)
2000 · Accounts Payable	(31,374.28)	2,272.60
20000 · Accounts Payable		2,100.00
2205 · Accrued Simple		(60.00)
2300 · Service Deposits	100.00	1,400.00
Net cash provided by Operating Activities	<u>(42,702.35)</u>	<u>(276,315.32)</u>
INVESTING ACTIVITIES		
Vehicles		(40,034.33)
Accumulated Depreciation-Water	26,170.46	209,363.68
Accumulated Depreciation-Sewer	14,892.96	119,143.68
CIP:CIP - Wallan Road Tank		(3,756.20)
CIP:CIP - Bear Canyon Aerial		(2,605.70)
CIP - CCC Replace - Insurance		20,375.00
CIP-CL2 Contact Chamber Replace	(165.00)	(1,165.00)
WATER:Distribution		(21,870.00)
Net cash provided by Investing Activities	<u>40,898.42</u>	<u>279,451.13</u>
FINANCING ACTIVITIES		
2500 · N/P - SWRCB		(23,630.72)
2605 · RCAC Loan #6200-GSD-02	(4,525.67)	(35,683.88)
2655 · Lease Payable - Copier		(625.43)
2700 · SRF Loan - Water		(22,991.18)
Net cash provided by Financing Activities	<u>(4,525.67)</u>	<u>(82,931.21)</u>
Net cash increase for period	<u>(6,329.60)</u>	<u>(79,795.40)</u>
Cash at beginning of period	851,522.15	924,987.95
Cash at end of period	<u><u>845,192.55</u></u>	<u><u>845,192.55</u></u>

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
February 2020

Date	Num	Memo	Amount
101 Netlink			
02/03/2020	10317		-193.00
02/26/2020	10358		-196.00
Total 101 Netlink			-389.00
Amazon.com			
02/03/2020	DBT		-57.08
Total Amazon.com			-57.08
Blue Star Gas			
02/24/2020	10353		-78.83
Total Blue Star Gas			-78.83
Brenntag Pacific, Inc.			
02/12/2020	10332		-3,099.16
Total Brenntag Pacific, Inc.			-3,099.16
Candor Rock, LLP			
02/12/2020	10336		-165.00
Total Candor Rock, LLP			-165.00
Capital Bank & Trust			
02/05/2020	EFT	557880519	-880.00
02/05/2020	EFT	025158148	-360.39
02/20/2020	EFT	557880519	-706.50
02/20/2020	EFT	025158148	-308.07
Total Capital Bank & Trust			-2,254.96
Dazey's Building Center			
02/27/2020	10364		-70.08
Total Dazey's Building Center			-70.08
Del Rey Penetrating Radar, LLC			
02/24/2020	10354		-650.00
Total Del Rey Penetrating Radar, LLC			-650.00
EDD			
02/05/2020	EFT	499-0538-3	-792.28
02/05/2020	EFT	499-0538-3	-211.43
02/20/2020	EFT	499-0538-3	-583.41
02/20/2020	EFT	499-0538-3	-55.99
Total EDD			-1,643.11
Eureka Oxygen Company			
02/26/2020	10359		-302.20
Total Eureka Oxygen Company			-302.20
Fluentstream Tech			
02/06/2020	10333		-111.69
Total Fluentstream Tech			-111.69
Frontier Communications			
02/03/2020	10318		-374.69
02/27/2020	10365		-74.53
Total Frontier Communications			-449.22
G.R. Wilcox Enterprises, Inc			
02/19/2020	10348		-800.00
Total G.R. Wilcox Enterprises, Inc			-800.00

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 February 2020

Date	Num	Memo	Amount
HughesNet			
02/13/2020	DBT		-104.29
Total HughesNet			-104.29
IRS			
02/05/2020	EFT	68-0296323	-3,719.16
02/20/2020	EFT	68-0296323	-2,926.70
Total IRS			-6,645.86
Jamie Corsetti, CPA, Inc			
02/19/2020	10349		-770.00
Total Jamie Corsetti, CPA, Inc			-770.00
Jennie Short			
02/25/2020	10329		-8,679.40
Total Jennie Short			-8,679.40
Lori Ruiz			
02/03/2020	10319		-100.00
02/24/2020	10355		-200.00
Total Lori Ruiz			-300.00
North Coast Laboratories Ltd.			
02/03/2020	10320		-945.00
02/27/2020	10366		-520.00
Total North Coast Laboratories Ltd.			-1,465.00
Owsley Electric			
02/12/2020	10337		-1,491.11
Total Owsley Electric			-1,491.11
PACE Supply			
02/26/2020	10360		-1,247.86
Total PACE Supply			-1,247.86
PAPER MILL			
02/26/2020	10361		-95.25
Total PAPER MILL			-95.25
PG&E			
02/06/2020	10330		-2,922.52
02/19/2020	10350		-2,350.89
Total PG&E			-5,273.41
Pitney Bowes Purchase Power			
02/26/2020	10362		-208.99
Total Pitney Bowes Purchase Power			-208.99
Ralph Emerson			
02/26/2020	10363		-50.00
Total Ralph Emerson			-50.00
Recology Humboldt County			
02/03/2020	10321		-14.48
02/12/2020	10338		-12.67
Total Recology Humboldt County			-27.15

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
 February 2020

Date	Num	Memo	Amount
Redway True Value			
02/12/2020	10339		-19.38
Total Redway True Value			-19.38
Redwood Merchant Services			
02/03/2020	10431		-126.88
02/29/2020			-142.97
Total Redwood Merchant Services			-269.85
Redwood Towing Service & Repair, Inc			
02/19/2020	10351		-269.00
Total Redwood Towing Service & Repair, Inc			-269.00
RENNER			
02/10/2020	DBT		-1,497.24
Total RENNER			-1,497.24
Rural Community Assistance Program			
02/01/2020	DBT		-4,717.81
Total Rural Community Assistance Program			-4,717.81
SDRMA			
02/03/2020	10322		-328.66
02/06/2020	10331		-3,111.00
Total SDRMA			-3,439.66
Sentry III Center			
02/06/2020	10334		-835.00
Total Sentry III Center			-835.00
Shop Smart			
02/12/2020	DBT		-22.83
Total Shop Smart			-22.83
Streamline Inc			
02/06/2020	10335		-100.00
Total Streamline Inc			-100.00
SWRCB			
02/19/2020	10352		-862.40
Total SWRCB			-862.40
SWRCB-DWOCP			
02/12/2020	10340		-55.00
Total SWRCB-DWOCP			-55.00
The Mitchell Law Firm, LLP			
02/12/2020	10341		-1,723.25
Total The Mitchell Law Firm, LLP			-1,723.25
Umpqua Bank			
02/15/2020	10430		-164.61
Total Umpqua Bank			-164.61
US Cellular			
02/03/2020	10323		-267.25
Total US Cellular			-267.25

GARBERVILLE SANITARY DISTRICT
Check Register Report for Board
February 2020

Date	Num	Memo	Amount
Van Meter Construction			
02/19/2020	10316		-21,870.00
Total Van Meter Construction			-21,870.00
Wells Fargo			
02/24/2020	10356		-90.51
Total Wells Fargo			-90.51
Wyatt & Whitchurch, E.A. Inc.			
02/24/2020	10357		-1,225.00
Total Wyatt & Whitchurch, E.A. Inc.			-1,225.00
WYCKOFF'S Inc			
02/12/2020	10342		-167.51
Total WYCKOFF'S Inc			-167.51
Arreguin, Daniel J			
02/05/2020	10324		-3,525.36
02/20/2020	10343		-2,869.70
Total Arreguin, Daniel J			-6,395.06
Emerson, Ralph K			
02/05/2020	10325		-2,455.81
02/20/2020	10344		-2,455.81
Total Emerson, Ralph K			-4,911.62
Miller, Brian A			
02/05/2020	10326		-2,150.58
02/20/2020	10345		-1,775.19
Total Miller, Brian A			-3,925.77
Nieto, Mary			
02/05/2020	10327		-1,747.41
02/20/2020	10346		-1,337.83
Total Nieto, Mary			-3,085.24
Ruiz, Ricardo			
02/05/2020	10328		-546.42
02/20/2020	10347		-350.78
Total Ruiz, Ricardo			-897.20
TOTAL			-93,239.84

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

Date of Meeting: March 24, 2020

5:00 p.m. – Open Public Session

IMPORTANT MEETING PARTICIPATION NOTICE:

Following the Direction of Governor Newsom in stopping the spread of the COVID-19 virus, the Board Meeting referenced in this Agenda will be conducted through teleconference. Members of the public are encouraged to participate. In order to participate, please call the following teleconference phone number: (916) 588-9668 at/prior to the meeting start time. When prompted, please enter 2451 (then press #), the password is 1234 (then press #). You are encouraged to join the conference line prior to the meeting start time in the event of conferencing difficulties.

I. REGULAR MEETING CALLED TO ORDER

5:02 p.m.

II. ESTABLISHMENT OF QUORUM

**Rio Anderson-Present
Linda Brodersen
Doug Bryan
Julie Lyon**

Dan Thomas-Took oath of office during Agenda Item B.1

III. APPROVAL OF AGENDA

Motion: Rio Anderson Second: Julie Lyon Roll Call Vote: 4-0

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

No Closed Session

V. OPEN SESSION

VI. COMMENTS AND QUESTIONS FROM THE AUDIENCE

General Public / Community Groups

Teleconference Audience:

**Keith Easthouse
Ed Voice
Jennie Short**

VII. ANNOUNCEMENTS AND COMMUNICATIONS

REPORTS AND PRESENTATIONS

Operations Staff- 0

Office Staff- 0

Board Members- Linda Brodersen attended a webinar with CSDA.

Correspondence- 0

General Manager—Ralph Emerson Pg. 4 Agenda Packet

No additional comments.

VIII. REGULAR AGENDA ITEMS

A. CONSENT AGENDA

A.1 Approve Financials Date: January 2020

A.2 Approve Regular Meeting Minutes-Date: February 25, 2020

A.3 Operations Safety Report

Motion: Julie Lyon

Second: Doug Bryan

Roll Call Vote: 4-0

B. GENERAL BUSINESS – *Action items*

B.1 GSD Board Appointment (Dan Thomas)

(Action Requested) (Oath of Office)

Motion: Doug Bryan

Second: Rio Anderson

Roll Call Vote: 5-0

B.2 Corona Virus Precautions and Pandemic Planning

(discussion--possible only)

B.3 Robertson Tank Contract-Easement Agreement

(discussion-possible action)

The Board Approves Resolution 20-004

Motion: Rio Anderson

Second: Julie Lyon

Roll Call Vote: 5-0

The Board authorized the Board Chair to sign on behalf of the District the necessary documents for the purchase of this property.

Motion: Doug Bryan

Second: Julie Lyon

Roll Call Vote: 5-0

B.4 Water Balance and Capacity Report

(discussion--possible action)

B.6 Replace Copier/Printer

(discussion—possible action) report by Mary

Motion: Rio Anderson

Second: Julie Lyon

Roll Call Vote: 5-0

B.7 Rate Study Update

(Information Only)

The proposed rate change notices went out in the mail on time. The District is on schedule for the public hearing April 28th, 2020. Changes may occur due to the Coronavirus.

C. POLICY REVISION / ADOPTION

No Items

IX. CLOSED SESSION

No items for Closed Session

X. RETURN TO OPEN SESSION

Report of any actions taken in Closed Session

XI. ITEMS FOR NEXT BOARD MEETING

1. Personnel Policy-Vacation Days-Personal Days-Sick Leave
2. Water Source Capacity Report
3. Rate Study
4. Projects update
5. Water Disconnection Ordinance
6. Drought Contingency Plan

XII. ADJOURNMENT

5:41 p.m.

RECEIVED
MAR 30 2020

ATTENDANCE ROSTER



Safety Meeting

Date of Meeting: 04/23/20 Leader Name: Ralph Emerson

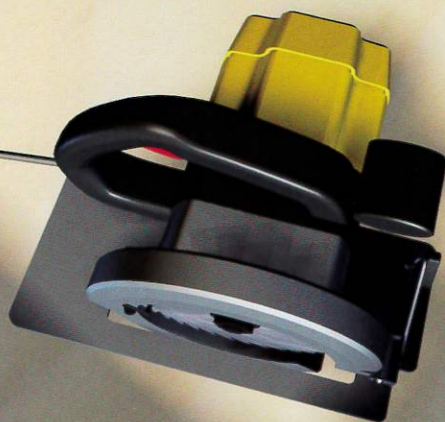
Instructions:

- 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.
(Copy this form if more pages are needed.)
- c. File this roster and the associated documents as outlined in the Leader Discussion Guide.

Name (print)	Name (signature)
1. <u>Mary Nieto</u>	<u>[Signature]</u>
2. <u>Ralph Emerson</u>	<u>[Signature]</u>
3. <u>Brian Miller</u>	<u>BRIAN MILLER</u>
4. <u>Don Arreguin</u>	<u>[Signature]</u>
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____
16. _____	_____
17. _____	_____
18. _____	_____
19. _____	_____
20. _____	_____

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

POWERED HAND TOOL SAFETY



Handle with Care



GARBERVILLE SANITARY DISTRICT

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

BOARD OF DIRECTORS MEETING MEMORANDUM

Meeting Date: April 28, 2020
 To: Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: 2020 Water and Sewer Rate Study - Prop 218 Public Hearing

GENERAL OVERVIEW

At the January 2020 Board meeting, before any indication that a shelter-in-place order would be instituted, the Board scheduled the Public Hearing at the April 28, 2020 Board Meeting for receiving protests and determining if the proposed fees should be imposed. Due to the current limitations on public meetings, this public hearing will need to be continued. The Board will accept oral comments during the April 28th meeting via the teleconference access is a member of the public would like to comment, but receipt of written protests and counting the protests cannot occur until a public meeting may be held.

Resolution 20-005 has been prepared to continue the public hearing. Since the date of the public hearing can't be certain, the effect on the schedule can't be known. The following table summarizes the remaining steps, their target date, and the status.

Description	Target Date	Status
Board adopts resolution approving prop 218 notice of rate change and sets public hearing date	01/28/20	Completed
Prepare database for Prop 218 Notice (tenants & owners of record)	03/12/20	Completed
Distribute Prop 218 notice of proposed rate change	03/13/20	Completed
Answer questions from the public and ratepayers		Ongoing
Open Public Hearing at Board Meeting, and continue Public Hearing	04/28/20	Continued
Hold Continued Public Hearing, receive protests, and determining if the proposed fees should be imposed	05/19/20	Upcoming
Implementation of new rates - needs JUS programming		Upcoming
First billing with new rates		Upcoming

RECOMMENDED ACTIONS

1. Open Public Hearing
2. Receive any oral comments via teleconference call on proposed water and sewer rate increases and change in calculation methodology
3. Continue the Public Hearing and adopt Resolution 20-005

ATTACHMENTS

Resolution 20-005



GARBERVILLE SANITARY DISTRICT

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

RESOLUTION NO. 20-005

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT CONTINUING THE PUBLIC HEARING ON PROPOSED WATER AND SEWER RATE INCREASES

WHEREAS, the Garberville Sanitary District (“District”) set a public hearing on proposed water and sewer rate increases and change in calculation methodology at its regularly scheduled Board Meeting on April 28, 2020;

WHEREAS, GSD sent Notice of the public hearing to all residents and property owners affected by the proposed increase in water and sewer rates;

WHEREAS, the Notice included instructions on how occupants and/or property owners could submit written protests by mail or in person to the Garberville Sanitary District offices prior to the hearing to protest the proposed rate increases and also permitted affected persons to attend the meeting to provide input or register their written protests at the meeting;

WHEREAS, on or about March 4, 2020, Governor Gavin Newsom proclaimed a state of emergency to exist in California as a result of COVID-19;

WHEREAS, on or about March 12, 2020, the Governor issued Executive Order N-25-20, authorizing local legislative bodies to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all member of the public seeking to attend and to address the local legislative body, during the period in which state or local public officials impose or recommend measures to promote social distancing;

WHEREAS, Executive Order N-25-20 waived all requirements in the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body or of the public as a condition of participation in or quorum for a public meeting;

WHEREAS, on or about March 19, 2020, the Governor issued Executive Order N-33-20 requiring residents to shelter-in-place in order to preserve health and public safety and to ensure the healthcare delivery system is capable of serving all, and prioritizing those at the highest risk and vulnerability;

WHEREAS, Government Code § 53753(d) allows an agency to continue a public hearing on a proposed rate increase from time to time, and, likewise, Government Code § 57355 does not preclude the continuance of proceedings related to increases of property-related fees;

WHEREAS, in order to protect the health and safety of Board Members, staff and the public, GSD intends to hold its regular Board Meeting on April 28, 2020, by teleconference in compliance with the Governor’s Orders;

WHEREAS, GSD desires to ensure the water and wastewater customers are given the full opportunity to address the Board orally or in writing and submit any protests to the proposed rate increases during the public hearing;

NOW THEREFORE, The Board of Directors of the Garberville Sanitary District does resolve as follows:

The public hearing on the proposed water and wastewater rate increases shall be continued to the next regularly scheduled meeting of the Board of Directors to be held on May 19, 2020. Should shelter in place restrictions remain in place at the time the continued hearing is called on May 19, 2020, said hearing may be continued further at the discretion of the Board of Directors.

PASSED AND ADOPTED on the 28th day of April, 2020 by the following vote:

AYES:	Directors	_____
NOES:	Directors	_____
ABSENT:	Directors	_____
ABSTAIN:	Directors	_____

_____, Chair of the Board

ATTEST:

_____,
Ralph Emerson
Clerk of Board of Directors



**COASTAL
BUSINESS
SYSTEMS**

Imagine the Possibilities

SHARP



Lexmark™

Branches
Chico
Redding
Eureka

DATE	SALESPERSON	BRANCH
4/9/2020	Khampha	Eureka

B I L L T O	COMPANY Garberville Sanitary District		
	ADDRESS P.O. Box 211		
	CITY Garberville	STATE CA	ZIP 95542
	ATTENTION Mary Nieto		PHONE NO. 707-923-9566

S H I P T O	COMPANY		
	ADDRESS 919 Redwood Drive		
	CITY Garberville	STATE CA	ZIP 95542
	ATTENTION:		PHONE NO.

TERMS OF INVOICE: LEASE NET 10 COD TERMS Check on Delivery

ITEM	QUANTITY			UNIT PRICE	TOTAL PRICE
	ORD'D	SHIP'D	B.O.		
Sharp MX-3051 Full Color MFP	1				\$5,791.08
Center Exit Tray	1				
x3 Paper Drawers	1				
Fax Kit	1				

Terms of Order:
To be paid on delivery.

Unit comes with 90-day all parts and labor warranty or 12,000 pages, whichever come first. After warranty, an All-inclusive maintenance program will be offered at a rate of \$.01 per monochrome page and \$.085 per color page. All-inclusive maintenance includes all supplies (except paper) and service (parts & labor).

SUBTOTAL	\$5,791.08
TAX	\$448.81
FREIGHT	N/C
TOTAL	\$6,239.89
Buyer Signature X	<i>Mary Nieto</i>
Acceptance	
<p>WITH SIGNATURE, BUYER AGREES THEY HAVE RECEIVED A FRONT AND BACK COPY OF THIS AGREEMENT</p> <p>THIS ORDER IS SUBJECT TO THE TERMS AND CONDITIONS ON THE REVERSE SIDE</p> <p>THIS IS NOT AN INVOICE</p>	

SALES ORDER
THIS ORDER IS SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS

1. This order shall not be binding on Coastal Business Systems, Inc. until approved at Coastal Business Systems, Inc.'s home office.
2. Delivery of goods to common carrier or licensed trucker shall constitute delivery to Buyer and all risk of loss or damage in transit shall be borne by Buyer.
3. Coastal Business Systems, Inc. reserves the right to make delivery in installments. All such installments shall be separately invoiced and paid for when due, without regard to subsequent deliveries. Delay in delivery of any installment shall not relieve Buyer of its obligation to accept remaining installments.
4. Coastal Business Systems, Inc. reserves the right at any time to revoke any credit extended to Buyer because of Buyer's failure to pay for any goods when due or for any other reason deemed good and sufficient by Coastal Business Systems, Inc.
5. Coastal Business Systems, Inc. shall not be liable for failure to deliver or delays in delivery occasioned by causes beyond Coastal Business Systems, Inc.'s control, including without limitations, strikes, lockouts, fires, embargoes, war or other outbreak of hostilities, inability to obtain materials or shipping space, machinery breakdowns, delays of carrier or suppliers, governmental acts and regulations, other causes beyond Coastal Business Systems, Inc.'s control and receipt of orders from all sources in excess of Coastal Business Systems, Inc.'s then scheduled production capacity.
6. This order shall not be cancelable by the Buyer for delays in delivery or other cause until ten days after written notice of such intention shall have been actually received by Coastal Business Systems, Inc., and Buyer shall be obligated to accept any portion of the goods shipped or delivered by Coastal Business Systems, Inc. during such period.
7. Coastal Business Systems, Inc. warrants that the goods covered by this order when delivered to Buyer are of merchantable quality and will be free from defects in workmanship and material for a period as stated on the face hereof and not to exceed 90 days from the date of delivery by Coastal Business Systems, Inc. under ordinary use and conditions. Coastal Business Systems, Inc.'s obligation hereunder is expressly limited to the repair or replacement (at Coastal Business Systems, Inc.'s election) of such defects, as are returned to Coastal Business Systems, Inc. freight prepaid within the warranty period and upon inspection by Coastal Business Systems, Inc. is proven to be defective. If not repaired or replaced by Coastal Business Systems, Inc. liability shall be limited to the stated selling price of such defects. Other repairs not under warranty will be at such costs as Coastal Business Systems, Inc. may from time to time generally establish. In no event shall Coastal Business Systems, Inc. be liable for resulting or consequential damages. **THERE ARE NO OTHER WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE HEREOF, ALL WARRANTIES, EXPRESS OR IMPLIED, ARE EXCLUDED.**
8. All claims for goods or delay in delivery shall be deemed waived unless made in writing delivered to Coastal Business Systems, Inc. within 10 days after receipt of goods by Buyer.
9. This contract shall be governed by and construed according to the laws of the State in which this agreement is entered into.
10. This contract constitutes the entire agreement between the parties and may not be modified or terminated except in writing signed by an officer of Coastal Business Systems, Inc.
11. **PAYMENT:** All payments shall be made in accordance with the terms specified in Coastal Business Systems, Inc.'s invoice. Payments by check or other instrument of payment, other than actual cash, shall not constitute payment until Coastal Business Systems, Inc. shall have collected actual cash in full amount thereof. Buyer shall pay all collection charges, attorney's fees and court costs incurred in collecting any outstanding amounts owed by Buyer to Coastal Business Systems, Inc. In the event payment is not made by Buyer to Coastal Business Systems, Inc. in accordance with the terms specified by Coastal Business Systems, Inc., Buyer agrees to pay Coastal Business Systems, Inc. interest at the rate of one and one-half percent (1½%) per month or the maximum interest rate permitted by law, which ever is less, on any such overdue and outstanding balances.
12. **TITLE:** Title to said equipment shall remain in Coastal Business Systems, Inc. herein after called the Company, until the agreed purchase price therefore is paid in full in cash, at the time specified therefore, and thereupon, the title to said equipment shall, without any further action on the part of the Company be transferred to and vested in the Buyer.
13. **TAXES:** Any taxes, with respect to such purchase price, shall be paid by the Buyer unless otherwise expressly prescribed by law.
14. **REMEDIES UPON DEFAULT:** If the Buyer fails to pay the agreed net purchase price in full in cash, or if a receiver shall be appointed for the buyer or if the Buyer shall make an assignment for the benefit of creditors, or if a petition in bankruptcy shall be filed by or against the Buyer then the Company may declare the entire sum remaining unpaid to immediately due and payable and may enter, with or without legal process and using such force as may be necessary, into or upon the premises where said equipment, or any part thereof, may be located and repossess the same, and thereafter hold the same absolutely free from all claim of the buyer, and retain all payments made by the Buyer as and for the agreed purchase price of said equipment and for the use, wear and tear thereof, or as much thereof as may be permitted by law; and the Buyer for himself and his successors in interest hereby waives all claim and right of action for trespass or damages by reason of such entry, taking possession of and removal, and also waives, so far as is consistent with public policy, the benefits of any statutes of this State that may conflict with the conditions of this order; or with any cause of action hereby given.



GARBERVILLE SANITARY DISTRICT

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

BOARD AGENDA MEMORANDUM

Meeting Date: April 28, 2020
 To: Garberville Sanitary District Board of Directors
 From: Jennie Short, Consultant Project Manager
 Subject: SHCP Water Service Update

GENERAL OVERVIEW

There are a number of steps that will need to be completed before water service can be turned on to the Southern Humboldt Community Park. They are generally:

Table 1. Steps for Implementation of Water Service to SHCP

Description of Step	Anticipated Date for Completion
GSD Application to HLAFCo for out of agency water service	06/19/19
CEQA Document: ADDENDUM to CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION circulated for public comment	08/12/19
CEQA Public Hearing & Approval by HLAFCo for out of agency water service Res. 19-05: AUTHORIZING GSD TO PROVIDE WATER SERVICES OUTSIDE THE DISTRICT BOUNDARY TO APN 222-091-015 (SOUTHERN HUMBOLDT COMMUNITY PARK)	Completed 09/18/19
LAFCo Notice of Determination for Addendum Filed	09/23/19
Submit petition the State Water Resources Control Board-Division of Water Rights (SWRCB-DWR) for a change in place of use for GSD water diversion permit and license	Completed 09/30/19
SWRCB-DWR Noticed the Petition for Change	11/05/19
Deadline for Protests of Petition for Change	Due 12/05/19
Four protest applications were received and 27 letter of support for the change in POU.	Completed 12/05/19
GSD Response to Protests Due 02/18/20	Completed 02/13/20
Protestant supplies protest dismissal conditions for any remaining issue	Received 04/20/20
SWRCB Deadline for Protest Resolution	06/02/20
SWRCB to file Notice of Determination	
SWRCB to Issue Order for Amended Permit and License	

Documents listed above can be viewed on the GSD Website at:
<https://www.garberillesd.org/southern-humboldt-community-park-water-service-update>

CURRENT STEPS

The District applied to the SWRCB-DWR to change the Place of Use for the District's License and Permit to divert raw water from the SF Eel River. SWRCB noticed the project and protests were received, which began a one-hundred and eighty day protest resolution process. The goal is to resolve the specific issue(s) presented by the applicant in the main protest letter. The instructions provided to the protestant were, *"The protestant and the petitioner shall make a good faith effort to resolve the protest. Both the petitioner and the protestant are directed to send a response letter to the Division within 180 days from the date on which the protest period expired (by June 2, 2020) and advise the Division whether the protest has been resolved. The steps that have been taken to address the protest shall be clearly set forth in the response letters, together with a schedule for protest negotiations if the protest remains unresolved."*

We received three letters that outline the protestant's dismissal conditions. To summarize the conditions in each letter:

Redway Community Services District

- 1) The Southern Humboldt Community Park shall hold public meetings regulated by the Brown Act and all future development on Park property will be referred by the County, to all downstream users of the South Fork of the Eel River before permitting.*
- 2) The Garberville Sanitary District will be required to publish the monthly meter reads of the Park Connection to the Board Meeting Agenda so that members of the general public can see that usage is within the allocated volumes. If usage exceeds allocated volumes, the discontinuation of service will be enforced by GSD. If the discontinuation of service is not enforced by GSD, GSD will receive enforcement action by the State Water Resources Control Board.*
- 3) If any portion of the Park property that is served by GSD is sold or changes hands, the connection to the GSD will be terminated.*

Kristin Vogel

Because I reject the addition of commercial public drinking fountains into the SHCP Park without full annexation and consider the service unapproved future development, my condition of dismissal is: If GSD and SHCP will replace the current OAS application with the original offer, exactly as written, that GSD extended to SHCP in 2013 and which is printed out in full on Pages 4-6 in the GSD May 2013 I/S MND, then I will consider my protest resolved.

I followed up with Ms. Vogel to verify what verbiage on pages 4-6 she was specifically referring to, and she indicated that the page numbers from the 2013 IS/MND she meant were 25-26.

Ed Voice

With that being said, I stand by my protest, unless the language used in the original concession or sop, that was included in the GSD 2013 Annexation IS/MND (page 25-26), between GSD and the SHCP as stated is used:

"4. The one new ¾" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department."

This is my protest dismissal condition, that this wording and language be used, nothing more, nothing less.

Linda Sutton

Ms. Sutton contact Michael Meza of the SWRCB to inform him that she did not supply the protest dismissal letter to GSD but instead mailed it only to the SWRCB. With the existing shelter-in-place order and the policies associated with handling mail at SWRCB, Ms. Sutton's letter is not in GSD's possession at this time. Should it be received prior to the April 28th Board meeting, it will be supplied at that time.

These protest dismissal conditions are being supplied to the Board as an informational item at this time. At a future Board meeting, recommendations may be supplied for possible Board action. The District must provide a response letter to the SWRCB by June 2nd summarizing our efforts to resolve the protests and whether we are accepting any of the protest resolution conditions provided by the protestants.

FINANCIAL CONSIDERATIONS

Table 2. Financial Amounts as of 03/31/2020

Expenditures	\$15,155.98
SHCP Outstanding Balance	\$5,048.48
SHCP Payments made so far	\$5,107.50
Current Amount Due	\$504.85

The next sizeable expenditure will be for the time it takes to prepare the response letter to the SWRCB by June 2nd and coordination with SWRCB staff as the process progresses.

RECOMMENDED BOARD ACTIONS

No action by the Board is recommended at this time.

ATTACHMENTS

Protest Dismissal Condition Letters:

Redway Community Services District
Kristin Vogel
Ed Voice

Pages 23-26 from the 2013 IS/MND

Redlined 2013 IS/MND Conditions



Redway Community Services District
P.O. Box 40
Redway, CA 95560
(707) 923-3101

State Water Resources Control Board
Division of Water Rights
Attn: Michael Meza
P.O. Box 2000
Sacramento, CA 95812-2000

April 15, 2020

RE: PROTEST OF PETITIONS FOR CHANGE FOR WATER RIGHT LICENSE 3404 AND PERMIT 20789 (APPLICATIONS 9686 and 29981) OF GARBERVILLE SANITARY DISTRICT, SOUTH FORK EEL RIVER IN HUMBOLDT COUNTY (MAM: A009686 and A029981)

Dear Mr. Meza:

This letter is to follow up to the response letter from the Garberville Sanitary District (GSD) for a Protest filed by Redway Community Services District (Redway CSD) for out of district service to the Southern Humboldt Community Park (Park). In the response letter, the GSD quotes each paragraph in the protest letter and then makes remarks regarding those paragraphs without addressing the main point of the letter. The letter indicates that this out of district connection is not in the public interest.

Black's Legal Dictionary defines public interest as:

"The welfare of the public as compared to the welfare of a private individual or company. All of society has a stake in this interest and the government recognizes the promotion of and protection of the general public."

The protest letter indicates that the Park is a private corporation and that the Park serves private interests. To that end, the Park holds private meetings and has made private business deals that benefit these special interests that are not in the public interest. This connection to the Park by GSD will enable the Park to develop property and expand uses in an area that is currently undeveloped. As discussed in Section 4.17, Utilities and Service Systems, of the Environmental Impact Report, the project would have adequate supplies of potable water; thus, annexation to GSD is not necessary. This statement indicates that the Park does not require potable water from GSD. The Park has since determined that a connection to GSD will be beneficial and is requesting potable water from GSD.

There are volumetric restrictions placed on this connection. Enforcement of these restrictions is left to GSD. The opinion of the Redway CSD Board of Directors is that GSD will not enforce these restrictions and will allow the Park to use more water than allocated. This water will be used for development within the Park and, eventually, the Park will subdivide the property and sell off residential and commercial developments with connections to GSD. At that point demand will be established and this will be used to motivate an application for additional water allocation for these properties.

From an outside perspective this appears to be a foot in the door tactic that will be used to enable unchecked development of water resources to the expansive Park property holdings. Once this property is developed and demand is established, it will be difficult to reverse. This is especially true if the property changes hands away from the Park.

According to the State Water Resources Control Board, the South Fork of the Eel River has the following existing and potential beneficial uses:

MUN Municipal and Domestic Supply
AGR Agricultural Supply
IND Industrial Service Supply
PRO Industrial Process Supply
GWR Groundwater Recharge
FRSH Freshwater Replenishment
NAV Navigation
POW Hydropower Generation
REC-1 Water Contact Recreation
REC-2 Non-Contact Water Recreation
COMM Commercial and Sport Fishing
WARM Warm Freshwater Habitat
COLD Cold Freshwater Habitat
WILD Wildlife Habitat
RARE Rare, Threatened, or Endangered Species
MIGR Migration of Aquatic Organisms
SPWN Spawning, Reproduction, and/or Early Development
AQUA Aquaculture

These beneficial uses are only available if there is high quality flow in the river. From experience, the South Fork of the Eel River experiences subterranean flow over certain reaches during drought years. Logic indicates that the more water that is allocated to be drawn from the upstream reaches, the less flow is available to downstream users to enjoy these beneficial uses.

The South Fork of the Eel River has been protected as a National Wild and Scenic River System since January 19, 1981 with outstandingly remarkable fisheries values for steelhead, chinook, coho and sea-run cutthroat trout. Additionally, according to the North Coast Regional Water Board's website, the South Fork Eel River Watershed is listed on the 303(d) List due to impairment and/or threat of impairment to water quality by sediment and temperature. Reduced flows obviously exacerbate this condition.

The Redway CSD Board of Directors is requesting the following Dismissal Conditions:

- 1) The Southern Humboldt Community Park shall hold public meetings regulated by the Brown Act and all future development on Park property will be referred by the County, to all downstream users of the South Fork of the Eel River before permitting.
- 2) The Garberville Sanitary District will be required to publish the monthly meter reads of the Park Connection to the Board Meeting Agenda so that members of the general public can see that usage is within the allocated volumes. If usage exceeds allocated volumes, the discontinuation of service will be enforced by GSD. If the discontinuation of service is not enforced by GSD, GSD will receive enforcement action by the State Water Resources Control Board.
- 3) If any portion of the Park property that is served by GSD is sold or changes hands, the connection to the GSD will be terminated.

Thank you for taking time to review this situation and consider our request.

Sincerely,

Terrence Williams
General Manager

On Behalf of the Redway CSD Board of Directors

CC: Jenni Short, Garberville Sanitary District
Ralph Emerson, Garberville Sanitary District

To: State Water Resources Control Board, Division of Water Rights

Attn: Michael Meza
P. O. Box 2000
Sacramento, CA 95812-2000

To: Garberville Sanitary District

Attn: Jennie Short
P.O Box 211
Garberville, CA 95542

Subject: PROTEST OF PETITIONS FOR CHANGE FOR WATER RIGHT LICENSE 3404 AND PERMIT 20789, GARBERVILLE SANITARY DISTRICT, SOUTH FORK EEL RIVER IN HUMBOLDT COUNTY

The issues of my protest letter that were not satisfactorily addressed by Jennie Short, Consultant for GSD are written below selected sentences in my original protest letter submitted to GSD and the SWRCB on November 30th, 2019. Since I am not a CEQA lawyer nor an expert in the field of water service disputes, I have written the best I can about which issues I think were not adequately resolved by GSD.

I attended GSD meetings for the last 12 years and was on their SOI committee when they were doing their first Municipal Service Review as a new drinking water provider. I am 71 years old and have lived a few miles from Garberville for the last 32 years. Initially I was a volunteer at the SHCP Park with farm and garden projects on the property but I stopped when the Park board staged extremely loud unpermitted amplified events. They continued them despite their neighbors' requests for relief. The County finally stopped them but here we are today seeing renewed efforts to ramp up again, with the introduction of commercial water service in the form of drinking fountains, the first step in the door to the return of noise, traffic and litter.

1. “My concern about this request by GSD to serve water to the Southern Humboldt Community Park(SHCP) is that it is not about people discarding plastic water bottles on public property.”

- This issue was not addressed. It turned out that the real reason for the Park's request is to install drinking fountains in the commercially zoned areas of the Park. In other words this is cover story for creating new future water infrastructure in the Park. Plastic bottles do not constitute an emergency. A lack of drinking fountains does not constitute a crisis. SHCP's letter requesting drinking fountains is a cover story for another agenda. **Drinking fountains are future development.** This fact was not addressed. They qualify to be in the category of future development because they are new infrastructure, because they are to be added after April 25, 2017, the day the Park's EIR was certified by Humboldt County Planning Department.

2. “This Petition for change in the GSD Place of Use requests a significantly larger “island of service” than the one described in 2012-13 GSD Annexation.”

- This issue was not addressed The 2013 GSD Annexation's “island of service” annexation is five acres in size. The 2020 Out of Agency service is more than three times larger at 18 acres. Since when does a drinking fountain require over four acres of land? This was not addressed.

.3. “My concern is that piping GSD water out to all these areas of the Park creates the opportunity to use it for PF purposes without any CEQA review or mitigations to significant impacts.”

- This issue was not addressed. The use of the new drinking fountains by vendors did come up at the Sept. 18th, 2019 Humboldt LAFCo meeting when the Addendum was approved. During the meeting Jennie Short answered yes to a question from a Humboldt LAFCo board member who wanted to know if the drinking fountains would be used by vendors at events. (I have a sound recording of this) So, since events such as wine tastings, food festivals, electric bike festival, Easter egg hunts, rodeo, all with amplified music features, are already being held in the Park these new water fountains are probably going to be used at the least for filling water containers, washing dishes, washing food containers, pots and pans, which could entail dumping contaminated gray water on delicate wetland areas or species habitat. Are these areas in the Public Facility Zone exempt from CEQA? Are the pipes that will be laid out to these locations going to be passing through sensitive habitat areas? This OAS needs a normal annexation with a valid, not piecemealed CEQA that covers environmental impacts specific to this project.

4. “Strict legal enforcement wording that will hold up in court is needed to support the limits placed on the (3000 cubic ft. per month) connection.”

- GSD responded to this by providing a copy of section 5.1 of the Water Service Agreement between GSD and SHCP. The issue of how much water can be freely used was not accurately addressed. Section 5.1 states that “Any water usage on the SHCP property may not exceed two thousand (2000) cubic feet per month.”

As it turns out if you read further, it becomes clear that the real monthly allowance is (3000) cubic feet per month. *“The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*

Why is this loophole here? Please explain its purpose. It certainly sheds doubt on the credibility of this Agreement. The amount stated as the yearly consumption rate is based on 2000 cubic ft. per month figure when 3000 cubic ft. per month is allowed without consequences. The claim by GSD that the WSA clearly details the monthly quantity of water allowed to be used at the SHCP before the water service is turned off is not so clear. It could create legal problems and therefore fail to protect the South Fork Eel River.

5. The Application from GSD now before you contains Resolution 19-02. This is a Resolution that seems like the one that GSD offered to the Park in 2012. But it is significantly different. GSD has changed the wording in Resolution 19-02 and it does not match the original 2012 “island of service” offer which designated that the GSD water connection be for “residential use only”. The new wording blurs the boundary between residential use and commercial use of GSD water on the SHCP property. It opens the door to possibly significant impacts to the South Fork Eel River, its wildlife, its threatened aquatic species, and its stability and dependability as a drinking water source for the communities of Garberville and Redway. And yet, to

date, these impacts have not been analyzed under CEQA. The (OAS) out-of-area service connection that GSD is specifically requesting does not address these concerns.

- These issues were not addressed. The SHCP already takes over seven million gallons out of the river for agricultural use and now wants to get on track to use a lot more, using drinking fountains as a ploy to open the door to commercial development.

6. Other projects in GSD's pipeline include many more legal marijuana growers, the renovated Six Rivers Bank building on Redwood Drive, the bubble hash processing plant going in on Redwood Drive, and a lifestyle spa motel next to the Highway 101 at the north end of Garberville. These businesses are lining up for water service at a time that the Garberville Sanitary District is already using over 70 million of the 80 million gallons it is allocated yearly from the State. A complete GSD capacity study and a proper, (not a "piecemealed" addendum) CEQA is needed that accounts for all of the upcoming projects and their impacts on the South Fork Eel river before a decision is made on this change in place of use.

The fact that piecemealed Addendums are considered to be no good was never addressed or acknowledged by GSD. Banning Ranch Conservancy v. City of Newport Beach (12/12/12), "CEQA forbids 'piecemeal' review of the significant environmental impacts of a project.

HLAFCo and GSD approved a piecemealed Addendum. Neither document, GSD's I/S MND EIR or the SHCP's EIR were originally written to specifically analyze and mitigate the environmental effects of GSD's water service to the SHCP property.

Because I reject the addition of commercial public drinking fountains into the SHCP Park without full annexation and consider the service unapproved future development, my condition of dismissal is:

If GSD and SHCP will replace the current OAS application with the original offer, exactly as written, that GSD extended to SHCP in 2013 and which is printed out in full on Pages 4-6 in the GSD May 2013 I/S MND, then I will consider my protest resolved.

Kristin Vogel, PO Box 453, Garberville, CA 95542

Tuesday, April 14, 2020

To: State Water Resources Control Board, Division of Water Rights, Petition and Licensing Unit
Division of Water Rights, Attn Michael Meza - Michael.Meza@waterboards.ca.gov.

And: Garberville Sanitary District c/o Jennie Short - jmshort@garbervillesd.org

From: Ed Voice & Voice Family - evoice@mchsi.com

Re: PROTEST OF PETITIONS FOR CHANGE FOR WATER RIGHT LICENSE 3404 AND PERMIT 20789
(APPLICATIONS 9686 and 29981) OF GARBERVILLE SANITARY DISTRICT, SOUTH FORK EEL RIVER
IN HUMBOLDT COUNTY

To whom it may concern;

As stated in the letter sent to me from SWRCB-DWR dated February 19, 2020, it states in part:

"By letter dated February 10, 2020, Garberville Sanitary District (GSD) responded to your protest of GSD's petition to change its water right License 3404 (Application 9686) and Permit 20789 (Application 29981). Please review GSD's response to determine whether it adequately addresses your concerns and resolves the protest. If there are outstanding protest issues, the Division of Water Rights requests that you provide protest dismissal conditions for each remaining issue."

And as stated, I cannot find one response by GSD that either adequately addresses my concerns or resolves my protest. If I may, I would like to explain why.

In GSD's opening response to my protest, they stated:

"For environmental protests: Any protest based on an allegation that the proposed appropriation would not be in the public interest, would adversely affect public trust uses, or would have adverse environmental impact must be accompanied by a statement of facts supporting the allegation. No such statement of fact was provided in the protest that identified or documented specific impacts on issues such as plants, animals or fish affected, erosion, pollution, or aesthetics, etc. from the proposed action of changing GSD's place of use to include a small portion of the Southern Humboldt Community Park (SHCP). The only complaint appears to be that the extensive CEQA analysis was completed "piecemeal". There seems to be no specific environmental issue identified or any impact, the comments appear to only address the environmental process used as opposed to the outcome of the process."

And

"The deadlines for filing a challenge to the actions have expired for these Notices of Determination. Public comments were received and considered numerous times throughout

these CEQA processes prior to each lead or responsible agency's action. There were no challenges filed for any of these CEQA actions. You provided public comments into each of those public environmental review processes and had the opportunity to challenge the lead agency's decision at that time."

So lets discuss the last one first.

1. As to GSD's claim I did not challenge any of the CEQA document they listed, I would beg to differ. My public comments were my challenge. In fact, as to my public comments I submitted to the GSD 2013 Annexation IS/MND, the GSD Board felt my public comments were a threat of litigation and obtained legal counsel to advise them on what action to take, while having closed session meetings concerning my public comments not open to the public, To that end, the SHCP was left out of the GSD Annexation, just ask Jennie Short.

2. Not everyone who has submitted public comments has \$20,000 to \$30,000 just lying around to challenge every project being analyzed under CEQA whom you disagreed with. Its the point of public comments, to allow the lead agency to consider your point of view.

And as for the first comment, I was accused of not including a statement of facts supporting the allegation. nor did my protest include specific impacts on issues such as plants, animals or fish affected, erosion, pollution, or aesthetics, etc.

This one is easy to address, GSD should have read the 62 pages of attachments I included in my protest, which support my facts and make very specific statements and claims on issues concerning, i.e. plants, animals or fish affected, erosion, pollution, or aesthetics, etc.

However, in GSD's response to my protest, not once did they ever include a statement of facts supporting their own allegations!

In response #1, GSD included a partial email from Michael Richardson. What GSD neglected to include was the following first paragraph included in his email:

"The County's Environmental Impact Report for the General Plan Amendment, Zone Reclassification, Conditional Use Permit and Special Permit for the Southern Humboldt Community Park (SHCP) project (Planning Application #6111) did not consider provision for a water connection to Garberville Sanitary District (GSD). Should the water service extension be approved, the County will need to evaluate the potential environmental impacts any new discretionary project at the SHCP site in light of this change to the project description evaluated in the EIR. The EIR for the SHCP (SCH #2010092037) documents that as of 2014, the existing demand at the SHCP site was between 20,000 and 400,000 gallons per month which was provided from a combination of on-site and diversionary sources."

Now, as you can see, it makes my point and addresses one of the main issues in my protest. For

example, if it was no big deal, why did Mr. Richardson include all that pertinent information?

And at the end of GSD's response #1, they stated:

"GSD, the County Planning Department, and HLAFCo all agree that the existing CEQA analysis is sufficient and that there are no major issues that need to be resolved prior to GSD extending water service to SHCP."

So, I emailed Mr. Richardson and asked him if that was true, that the County Planning Department agreed that the existing CEQA analysis is sufficient and that there are no major issues that need to be resolved...

Mr. Richardson replied back to my email and stated, *"The Director speaks for the Planning Department"*. So I guess GSD was wrong, they should have stated Michael Richardson agreed, not the County Planning Department!

And so that's how the rest of their responses went, from #2 through #11. using baseless accusations and allegations, with no statement of fact identified. documented or referenced.

With that being said, I stand by my protest, unless the language used in the original concession or sop, that was included in the GSD 2013 Annexation IS/MND (page 25-26), between GSD and the SHCP as stated is used:

"4. The one new ¾" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department."

This is my protest dismissal condition, that this wording and language be used, nothing more, nothing less.

Thank you,

Ed Voice & Voice Family

General Plan.” For GSD planning purposes, the Planning Commission-approved land use designations have been included in Table 3 (within the development potential) and Attachment 2. See Figure 10 in Attachment 1.

Other Projects in the Garberville Area

The SHCP parcel (APNs 222-091-014 and 222-241-009) are zoned Agricultural Exclusive with a very small amount of Heavy Industrial, Qualified Combining Zone. The SHCP has approval from the Humboldt County Planning and Building Department to use the property for “low-impact passive activities that have occurred on park property; for example, walking, hiking, bicycling, horseback riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups” (Girard, undated). The Humboldt County Planning and Building Department communication states “the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agricultural Exclusive Zone.” The SHCP parcel has a caretaker residence at the Tooby Memorial Park, a caretaker residence for the large park, and a second residential dwelling on the park property as well as various outbuildings and barns consistent with an operational ranch.

As described in the notice of preparation (NOP) circulated for a public comment period in 2010 by the County, the project at that time consisted of the following (SCH No. 2010092037):

First, a General Plan Amendment is proposed to change the General Plan designations on portions of the 430 acre property from Agricultural Lands (AL20) and Agricultural Rural (AR5-20) to allow recreation open to the public, multifamily housing, and community assembly uses. Most of the property (305 acres) is proposed for continued agricultural use. The 38 acres of the property currently used for a gravel mining operation would also continue with that use. The 3 - 5 acres proposed for multifamily housing will have an RM - Residential Multifamily Plan designation. The 96 acres proposed for public recreation, the agricultural areas, and the gravel mining areas are proposed to be assigned a PR-Public Recreation designation, a new Plan designation which allows agriculture, playing fields, special events and other recreational uses open to the public.

The second part of this project is rezoning portions of the property consistent with the new Plan designations.

The third part of the project is the proposed Conditional Use Permit and Special Permit to allow specific activities within the PR areas. Portions of the PR designated areas are proposed to be used for small picnics, day use parking, portable restrooms, public access, a labyrinth, nature study, outdoor education and staff access along existing dirt roads during large events.

Portions of the PR areas are proposed to be used for small events of 500 persons or less, such as weddings, birthdays and memorials. Up to five (5) times per year, medium sized events for up to 1,200 persons would be allowed. And one time per year an event is proposed for up to 5,000 persons similar to the Benbow Summer Arts Fair. Amplified music would be allowed at all these events.

Other portions of the PR areas will be used as playing fields and accessory uses, such as bleachers, and concession stands, a disc golf course, camping areas, a skate park, a group picnic area, public restrooms, a playground, and multi use trails. The parcel is served by community water and on-site sewer.

Since the time of the NOP and during the process of the preparing the EIR, a revised project description was submitted to Humboldt LAFCo and GSD staff in February 2013. See Attachment 4 for figures associated with the SHCP that are referenced below. The following describes the proposed activities:

The SHCP proposes to amend the Humboldt County General Plan land use designation to allow for the phased development of the Southern Humboldt Community Park (Park) within the 405.7-acre SHCP property (a portion of the former Tooby Ranch, including Tooby Memorial Park) on Sprowel Creek Road in Garberville, CA (see Figure 1). In order to allow to a mix of public, private, and non-profit uses, the project would require: amending the land use designation and zoning of park property (APN No. 222-241-009 and 222-091-014); the maintenance and development of park infrastructure; and approval of a County conditional use permit and special permit for certain park uses, as detailed below:

- 1. General Plan Amendment - Add to the Framework Plan and the 1986 Garberville, Redway, Benbow, Alderpoint Community Plan a Public Recreation (PR) land use designation, which would allow natural resource uses, resource production uses, recreation uses, and education and research uses. Change the land use designation on the 405.7-acre Park property to the new Public Recreation (PR) designation. The current land use designation is a combination of Agricultural Lands with a 20 acre minimum (AL-20) on approximately 124.51 acres, and Agricultural Rural with a 5-20 acre minimum parcel size (AR 5-20) on the remaining approximately 281.19 acres. Land use and zoning setting and impacts are further described and analyzed in the Land Use Section of this EIR. The Park will maintain development credits relative to the current land use designations that are transferable to other properties.*
- 2. Re-Zoning - Change the zoning of 93.7 acres from Agriculture Exclusive (AE) to Public Facilities (PF) to allow the proposed public and civic uses on the site. Approximately 312 acres of the property would retain AE zoning. Add a Qualified (Q) zone throughout the property to allow agricultural activities in PF areas, and recreational activities in the AE areas. Figure 2 identifies the proposed zoning boundaries on the property.*
- 3. Physical Site Development - Retention, alteration, and maintenance of existing infrastructure, in addition to the development of new or expanded infrastructure including: sports fields, playgrounds, picnic areas, trails, equestrian facilities, agricultural facilities, camping facilities, and event facilities among other improvements described in detail in Section 3.3.3 to 3.3.4, below.*
- 4. County Conditional Use and Special Permits - Obtain a conditional use permit (CUP) and special permit to allow specific activities within the PF areas of the Park. Portions of the PF designated areas would be used*

for a variety of events as further described below. The Park would predominantly serve the communities of Garberville, Redway and surrounding areas (approximately 15,000 residents), in addition to visitors from across Humboldt and Mendocino Counties (a total population of approximately 261,000), California residents, interstate, and international visitors to the area. The project would provide the location and infrastructure to create public/community facilities for recreation, agriculture, education and enrichment, cultural experiences, civic purposes, celebrations, events, and gatherings.

The SHCP project is being analyzed in a separate EIR being prepared by Humboldt County as the lead agency. This project area is within the boundaries of the existing SOI, but the specific impacts of any changes to zoning and land uses will be included in the SHCP EIR and are not addressed in the GSD project. The SHCP application documents identify other sources of water for the property and the EIR will identify which areas would require public water service and which will be served by these other water sources (Richardson, 2013b).

The Draft EIR is expected to be circulated by the Humboldt County Planning and Building Department sometime in the summer of 2013 (Richardson, 2013a). On July 19, 2013, the schedule of the Draft EIR and project description was confirmed with Humboldt County Planning and Building Supervising Planner, Michael Richardson. According to Michael Richardson, the project as stated in the Notice of Preparation (NOP) is the project that will be analyzed in the Draft EIR. Any modifications to the project description described in the NOP will be addressed in the alternative analysis. The Draft EIR is currently scheduled for September 2013, rather than summer 2013 as included in the IS/MND.

Once the Draft EIR has been circulated for public comment, a final EIR will be prepared that addresses all comments received. After the final EIR has been prepared, the project EIR will be subject to a public hearing and recommendation for certification by the Humboldt County Planning Commission. If the Planning Commission recommends certification and project approval, then another public hearing and final approval will be conducted at a Board of Supervisors meeting.

The following conditions, as approved by the GSD Board of Directors during the October 9, 2012, Board meeting will applied to any future annexation application:

1. SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.

2. The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:

a. On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.

b. On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.

c. On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.

3. No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.

4. The one new ¾" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.

5. The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.

6. As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.

At such time as the SHCP completed the Draft EIR, the GSD as a responsible agency will review the proposed water consumption that is dependent upon future water service from the GSD utilizing this basis. Water service to the SHCP is also subject to approval from Humboldt LAFCo and SWRCB DWR.

Below is the section from the 2013 IS/MND with the differences between what was adopted in Resolution 19-02 and what was included in the IS/MND. Underlined BLUE text represents language that has been added to the Conditions; text in ~~RED~~ ~~strikeout~~ is to be deleted from the Conditions. Most changes are updates because it has been seven years since the conditions were prepared: the waterline in Tooby Ranch Road exists and the County's GPA and EIR processes are completed instead of being in progress. The only other change is the addition of public recreation drinking fountains.

1. The GSD Board adopted the following conditions on October 9, 2012 for this new connection:

- a. "SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.
- b. ~~The SHCP will make application for this new service connection from The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:~~
 - ~~i. On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property. (not recommended by GSD)~~
 - ii. On Tooby Ranch Road off the 8" waterline that was constructed as part of the Drinking Water Improvement Project. A new meter would be set here for SHCP service.
 - ~~iii. On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval of the connection to the Kimtu waterline.~~
- c. No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.
- d. The one new 3/4" meter is for residential and public recreation drinking fountain uses only and is not intended to be used to serve future development on the Property contemplated by SHCP or shown in the Final EIR as adopted by Humboldt County, in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.
- e. The usage for the connection is limited to **2,000 cubic feet per month (20 units)**. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.
- f. As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods."

Comment [JMS1]: The meter location will be off the new waterline in Tooby Ranch Road. Other options are no longer being considered.

Comment [JMS2]: This change is needed to update the conditions to correctly reference existing County documents. It has been 7 years, so the application and EIR process are now complete.

2. The Final IS/MND prepared for the Annexation Project (State Clearinghouse No. 2012032025) identifies the circumstances described above and listed these conditions. As part of the impact analysis to determine sufficient water supplies, the CEQA document accounts for a future consumption quantity of up to 2,000 cubic feet per month (approximately 180,000 gallons per year) for APN ~~222-091-015 s 222-091-014 and 222-241-009~~.
3. Since ~~if~~ the new SHCP connection is to be made at Tooby Ranch Road, the Park would be responsible for constructing the waterlines within Park property to bring the potable water to all locations that are to be served with potable water. This will mean constructing an extensive and expensive network of new waterlines to keep the potable water separate from the various other untreated water sources that the Park uses on their property. The County Public Health Department will determine which locations need potable water.
4. Any proposed uses other than the 2,000 cubic feet per month for the public drinking fountains, two residences and the existing outbuildings are not ~~currently~~ being approved by the District and will be evaluated based upon the District's available water supply at the time that the Park requests any expanded water uses. The SHCP will need to be specific about these additional uses so that GSD can determine if we have sufficient water capacity to supply those levels of use.
5. The District has limited water sources and many not have water available for any expanded uses at the Park.

Comment [JMS3]: The County changed the APN even though the property boundary did not change.



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

CONDITIONAL WILL SERVE AGREEMENT
FOR AGRICULTURAL WATER USE

DATE: 12/01/2019

CUSTOMER NAME: Brett Todoroff - Emerald Holdings, LLC

CONTACT INFORMATION:

PHYSICAL ADDRESS: 649 Bear Creek Rd, Garberville, CA 95542

MAILING ADDRESS: 460 Valle Vista, Oakland, CA 94610

Email: brett4kicks@gmail.com

Phone #(Home) _____ **(Business)** _____

Cell Phone# 925-872-1469

Do you prefer calls or texts? BOTH

EMERGENCY CONTACT PERSON: BRETT TODOROFF

Phone # 925-872-1469

DESCRIBE COMMERCIAL ACTIVITY

Commercial Cannabis Distribution and Retail Dispensary & WILL SERVE REQUESTED BY COUNTY

BUSINESS NAME: Emerald Holdings, LLC

BUSINESS ADDRESS: 649 Bear Creek Rd, Garberville, CA 95542

PRODUCTS TO BE CULTIVATED, MANUFACTURED OR DISPENSED:

No Cultivation. Distribution will do re-packing and pre-rolls. Dispensary will retail Commercial Cannabis Final Product

TOTAL SQUARE FOOTAGE OF "IRRIGABLE" LAND UNDER CULTIVATION:

THERE IS NO CULTIVATION ON SITE.

ESTIMATED WATER USE DEMANDS IN GALLONS PER MONTH AND YEAR:

3 EMPLOYEE ~ 20 GPD/EMPLOYEE, ~1260 SF, EST DAILY USAGE = 200 GPD

6000 GAL/MO, 72,000 GAL/YR

GARBERVILLE SANITARY DISTRICT AGREEMENT

Garberville Sanitary District agrees to provide water for commercial agricultural, manufacturing, research or distribution at (ADDRESS) 649 Bear Creek Rd, Garberville, CA 95542 (APN#) 032-012-012-000 as long as water is monitored monthly through a separate Garberville Sanitary District approved water meter.

REQUIREMENTS NOW AND IN THE FUTURE:

1. Customer pays a new connection fee for agricultural water meter.
2. Install an agricultural water meter approved by GSD Manager or designee.
3. Provide a site plan.
4. Provide an operational plan.
5. Provide a copy of your County application or permit.
6. Fill out annual GSD application for reporting and monitoring.
7. Include \$150 with annual application for handling and site visit from GSD management.
8. Comply with all water ordinance conditions and requirements now and in the future.
9. Provide annual reconciliation report for water use efficiency.
10. Notify Garberville Sanitary District of any changes in agreement or water use demands.

If the above requirements and conditions are not met, this "Will Serve" letter will be revoked and the commercial agricultural water meter will be turned off and locked out until compliance is achieved and approved by the General Manager or designee.

CHECK EVERY BOX THAT APPLIES:

- I am providing accurate information.
- I will only use GSD water as stated in this agreement.
- I have read this agreement and agree to the terms, conditions and requirements.
- I understand that violation of this agreement will result in termination of water service.
- I have a County approved permit or have a permit pending.

******Please contact Garberville Sanitary District for questions or clarification******

APPROVED BY:

Ralph Emerson

**General Manager
Garberville Sanitary District**

Owner-Applicant Signature:

Date:


 12/5/19

Exhibit 1

Garberville Sanitary District Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges

In accordance with California law, this policy is also available Spanish, Chinese, Tagalog, Vietnamese, and Korean. Please contact the District to obtain a copy in a desired language.

I. Scope and Purpose.

Under existing law, the District reserves the right to discontinue (shut-off) water service to residential and commercial properties in the event of nonpayment for water service. The purpose of this Policy is to (i) provide regulations for the manner in which residential water service may be disconnected in the event of nonpayment; (ii) to provide adequate safeguards to ensure residential customers and occupants are provided adequate notice and a fair opportunity to contest the water bill before water service is disconnected; and (iii) to provide potential alternative payment arrangements for residential customers who qualify.

This Policy does not apply or otherwise affect the District's ability to discontinue water service to nonresidential customers or to discontinue water service to residential customers for reasons other than nonpayment of rates and charges.

The District reserves the right to amend this Policy by resolution at a properly noticed meeting. Other than as may be required by the Ralph M. Brown Act, no further notice, including but not limited to individual written notice to customers, is required to amend this Policy.

This Policy is intended to be consistent with California law governing the disconnection of residential water service. To the extent there is any inconsistency between this Policy and California law, California law will control.

II. Discontinuation of Water Service to Residential Units.

The District reserves the right to discontinue water service to residential units, including, but not limited to, single-family dwellings, multi-unit residential structures, and mobile home parks, in the event a water bill remains unpaid for a period of sixty (60) calendar days after it becomes delinquent. A water bill becomes delinquent if it is not paid, in full, within _____ days of the date printed on the water bill.

Before water service is actually discontinued, the District will attempt to contact customers and occupants by mail at least fifteen (15) calendar days before the date water service is discontinued to provide notice of the intended date water service will be discontinued, among other important information. If the mailing is returned as undeliverable, the District will make a good faith effort to post the notice in a conspicuous place on the property where service is provided. It is the customer's obligation to ensure the District has a current mailing address on file.

The written notice will provide customers and, if applicable, occupants with the following information (among other information):

- The name and address of the customer whose account is delinquent;
- The amount of the delinquency;
- The date by which payment or other arrangement for payment is required to avoid discontinuation of service;
- The date service will be discontinued if payment or other arrangement for payment is not in place;
- A description of the process to apply for an extension of time to pay the delinquent charges;
- A description of the procedure to petition for bill review and appeal;
- A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule including an amortization of the delinquent charges;
- The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable;
- The telephone number of a representative of the district who can provide additional information or institute arrangements for payment;
- Information on how to restore water service after discontinuation; and
- For certain tenant occupied units in which the landlord is the customer, that the tenants' have the option to avoid service disconnection without being required to pay the amount due on the delinquent account by becoming a direct customer of the District.

In addition to the written notice provided for above, the District shall make a reasonable, good faith effort to contact an adult person residing at the premises of the customer by telephone or in person at least 48 hours prior to any discontinuance of service. If telephone or personal contact cannot be accomplished, the District shall give, by mail or by posting in a conspicuous location at the premises, a notice of discontinuance of service, at least 48 hours prior to discontinuance.

No water service shall be discontinued to any residential customer by reason of delinquency in payment on any Saturday, Sunday, legal holiday or at any time during which the business office of the District is not open to the public.

III. Right to Appeal the Delinquent Water Bill.

Residential customers who dispute their water bill have the right to appeal (contest) the amount due. An appeal must be submitted in writing and received by the District no later than the fourth (4th) day before the date described in the notice as the intended water disconnection date, unless the fourth day falls on a weekend or federal holiday, in which case the written notice of appeal must be received on the next business day following the weekend or holiday.

To be valid, a notice of appeal must, at minimum, provide the following information: (i) name of customer, (ii) phone number, (iii) address where notices can be mailed, (iv) the particular water bill(s) appealed, (v) a brief statement of the ground for the appeal.

The District will contact you at the phone number provided on the notice of appeal to provide notice of the date, time, and location for the appeal hearing. The hearing will normally

take place within three to five business days, subject to the General Manager's availability, following receipt of the notice of appeal. Customers may request one continuance for a period not to exceed three business days upon a showing of good cause.

The General Manager will hear the appeal and render a final decision at the conclusion of the hearing in writing. At the hearing, customers have the right, but not the obligation, to present documents, call witnesses, and have counsel. For purposes of the appeal, the water bill is presumed valid and the burden of proof rests with the customer to demonstrate otherwise. Except as may be expressly provided by law, the decision of the General Manager shall be final and there shall be no right to appeal to the District Board of Directors.

Water service will not be discontinued while the appeal is pending. In the event the appeal is denied, water service may be discontinued, without further written notice, no sooner than three days after the hearing if payment is not made in full.

IV. Alternative Payment Arrangements for Qualifying Customers.

Under certain qualifying conditions, customers who are facing a residential water service disconnection may be eligible to participate in alternative payment arrangements.

--Who may qualify?

Customers who are able to demonstrate all of the following are eligible to participate in an alternative payment arrangement:

First requirement: the customer, or a tenant of the customer, must submit to the District a certification of a primary care provider, licensed physician or surgeon that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where service is provided. For purposes of this requirement, a "primary care provider" means either of the following: (i) any internist, general practitioner, obstetrician-gynecologist, pediatrician, family practice physician, nonphysician medical practitioner, or any primary care clinic, rural health clinic, community clinic or hospital outpatient clinic currently enrolled in the Medi-Cal program, which agrees to provide case management to Medi-Cal beneficiaries.

Second requirement: the customer demonstrates to the satisfaction of the District a financial inability to pay for water service within the normal billing cycle. A customer is deemed financially unable to pay if any member of the household is a current recipient of CalWORKS, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Woman, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

Third requirement: the customer agrees in writing on a form provided by the District to comply with the alternative payment arrangement proposed by the District.

--How to request an alternative payment plan?

If a customer believes he or she qualifies to participate in an alternative payment plan, the customer must contact the District as soon as possible at the phone number below, but in no event after the time to appeal the water bill has expired, to inform the District that the customer intends to submit information to establish eligibility to participate in an alternative payment arrangement. After such notice is provided, the customer must submit documentation demonstrating he or she meets the first two requirements described above no later than five (5) calendar days after the date set for the intended service disconnection.

It is the customer's obligation to ensure the timely submission of complete and satisfactory documentation demonstrating eligibility. If the information is not submitted in a timely manner or if the information is incomplete, the District will provide notice of a new intended disconnection date no earlier than five (5) calendar days after mailing. In such a circumstance, the only way to avoid the disconnection of service is the payment, in full, of all delinquent charges.

Customers who are approved for an alternative payment plan for a delinquent amount must still keep current with ongoing water service billing or water service may be disconnected.

--What alternative payment options are available?

Alternative payment plans. At its election, District may offer you one of the following alternative payment plans for the delinquent amount.

Temporary deferral of payment. For delinquencies less than \$300, the District may offer customers the opportunity to temporarily defer payment of the delinquent amount to a certain date in the future. The deferment applies only to the delinquent amount and customers must still pay, when due, all current charges for water service.

Amortization of unpaid amount. The District may offer customers the opportunity to amortize the delinquent amount over a period not to exceed twelve (12) months at the District's election.

--What happens if a customer does not comply with the alternative payment plan, amortization agreement or deferral or reduction payment plan?

In the event a customer either (i) fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction payment plan for delinquent charges for 60 days or more; or (ii) fails to pay his or her current residential service charges for 60 days or more while undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan the residential service may be discontinued no sooner than five (5) business days after the District posts a final notice of intent to disconnect service containing the conditions the customer is required to meet to avoid termination in a prominent and conspicuous location at the property.

V. Contacting the District and Additional Information.

If you have questions or to provide notice to the District under this Policy, please direct your inquiry or notice to:

Sec 9.5 Payment of Bills. Bills are due and payable by 4:30 P.M. on the 25th of each month and if not paid a \$15 late charge will be applied.

- a. Customer Bills:
Bills will be mailed by the first of each month.

- b. Late Payments Procedure:
Nonresidential:
 - Bills past due – Courtesy Call
 - 35 days past due – Shut off notice – Hand delivered to service address.
Owner or property manager notified.
 - 7 days after shut off notice is delivered – Water will be turned off. Owner will be notified. There will be a \$100 reconnection fee due, prior to water reconnected.
 - 60 days One Year** past due – Lien on building/property – **File** small Claims **against owner/customer for service charges owed with Associated fees and late charges plus \$500 for staff time and legal expenses.**
 - 120 days Two Years** past due – Turn over to collection agency.
 - Two years of non-payment, meter will be removed and owner and Property manager notified that a new water and sewer connection fee Will be due before water reconnected.**Residential:
 - Bills past due – Courtesy Call
 - 60 Days past due – Service subject to disconnection pursuant to Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-002)
 - 60 days One year** past due – Lien on building/property – **File** Small claims **against owner/customer for service charges owed with associated fees and late charges plus \$500 for staff time and legal expenses.**
 - 120 days Two years** past due – Turn over to collection agency.
 - **Two years of non-payment, meter will be removed and owner and property manager notified that a new water and sewer connection fee will be due before water reconnected.**

- c. Adjustments to bills – Payment Plans:
The General Manager or designee will be the only person authorized to make adjustments to a bill or enter into a payment plan. For residential customers, alternative payment arrangements may be offered in accordance with the District’s Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-004).

- d. NSF (non-sufficient funds) from any payment source will require the customer pay all bank charges and a \$35 handling fee.

- e. Upon 2 NSF (non-sufficient funds), within a 12-month period automatic payment will be denied until an agreement can be reached with the General Manager or designee.

- f. Tampering with water meters or turning meters on after being turned off for non-payment may result in a customer fine of \$200 and a reconnection fee of \$100 which must be paid with all outstanding service charges before water will be turned on unless an agreement is made with the General Manager or Designee.
- g. Service Charge Discount may be available for any customer that verifies they are over the age of 62 and have a combined income of less than \$24,000 annually. Customers who qualify may receive a \$15 credit which can be used to decrease their monthly service charge. Any service credit will require (10) units (7,500 gallons) in a given month, the service charge discount will be voided for that month.

Adopted 10/23/2018

ARTICLE 10 - DISCONTINUANCE OF SERVICE

Sec 10.1 Disconnection for Non-Payment. For nonresidential customers, service may be discontinued for non-payment of bills after (30) days late. For residential customers, service be discontinued for non-payment of bills after sixty (60) days of delinquency pursuant to the District's Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-002)

Adopted 06/27/2017

Sec 10.2 Reconnection Charge. A nonrefundable reconnection charge of **\$100** will be made and collected prior to renewing service following disconnection.

Adopted 06/27/2017

(a) Water service will be reconnected during normal work hours or there will be an additional \$100 charge for employee overtime.

Sec 10.3 Unsafe Apparatus. Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service of other customers.

Sec 10.4 Cross-Connection. Water service may be refused or discontinued to any premises where exists a cross-connection in violation of State or Federal laws.

Sec 10.5 Fraud or Abuse. Service may be discontinued if necessary to protect the District against fraud or abuse.

Sec 10.6 Non-Compliance with Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the water service.

Sec 10.7 Upon Vacating Premises. Customers desiring to discontinue service shall notify the District two (2) or more days prior to the date of disconnect. Customers who fail to notify the District as provided in this section shall be liable for regular water service charges whether or not any water is used.

Sec 10.8 Abandonment Charge. Any person abandons service to a building from the District's water system or to abandon service to a property, shall pay to the District an Abandonment Charge. When no abandonment fee is received by the District, legal action may be taken to collect the abandonment fee. If the fee is not received from the renter, the property owner will be responsible for payment and service charges, including late fees and if payment is not received from the owner, all charges will be paid by the new owner along with a new connection fee before service will be provided.

The Abandonment Charge shall consist of:

- a. All costs incurred by the District in disconnecting the system at the property line and plugging and sealing the line, including the cost of surveying, if any, and
- b. The sum of five hundred dollars (\$500.00), to recover District costs.
- c. Owner must fill out the District Discontinuance application. (Appendix A)
 1. Item (b) of the Abandonment Charge shall not apply to any person who desires to disconnect a building from the District's Water or Sewer system but who intends to keep other buildings on the property connected to the system or to disconnect from one building while connecting to another on the same property.

Adopted 12/18/2018

Sec 10.9 Annual Fee for Discontinuance of Service. Any person requesting discontinuance of service will pay an annual fee of \$500 to keep service active and not be charged a re-connection fee when service continues. A new connection fee will be required before service is reinstated if discontinuance exceeds two years.

- a. Any person requesting discontinued service is required to fill out the District discontinued service application and be responsible for any associated costs, including service charges and associated fees along with a nonrefundable \$500 discontinued service fee.
- b. When a discontinued service wants reconnection and has not paid the annual \$500 inactive service fee, they will be required to pay current connection fees prior to service.
- c. An extension beyond two years will only be granted if approved by the General Manager or designee.

Adopted 4/26/16

RESOLUTION 20-002

THIS RESOLUTION AUTHORIZES THE GARBERVILLE SANITARY DISTRICT TO CHANGE WATER ORDINANCE, SEC. 9.5 PAYMENT OF BILLS AND SEC. 10.1 DISCONTINUANCE OF SERVICE

A. **WHEREAS,** It has been determined that the Garberville Sanitary District will change Water Ordinance Sec. 9.5 Payment of Bills and Sec. 10.1 Discontinuance of Service.

B. **WHEREAS,** Resolution 20-002 will allow the Board to make appropriate changes to this Ordinance and give clear direction to customers and staff, what the billing and discontinuance of service procedures are.

C. **WHEREAS,** This Resolution will explain each step of the billing procedures while providing time lines and specific days for each step of the process.

D. **WHEREAS,** The adaption of Resolution 20-002 will take effect immediately and will describe the billing requirements and discontinuance of service procedures.

E. **WHEREAS,** The new Water Ordinance, Sec. 9.5, A to G, Payment of Bills, will replace the existing ordinance and will address the time line for actions which will be followed by staff to collect service charges.

F. **WHEREAS,** The new water Ordinance, Sec. 10.1, Discontinuance of Service will replace the existing ordinance and discontinuance of service procedures.

G. **WHEREAS,** Senate Bill 998, signed into law on September 28, 2018, requires an urban and community water system, that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment.

H. WHEREAS, by way of resolution, the Board of Directors desires to adopt the Discontinuance of Service policy attached hereto as Exhibit 1.

WATER ORDINANCE, SECTION 9.5 PAYMENT OF BILLS AND SECTION 10.1 DISCONTINUANCE OF SERVICE

Sec 9.5 Payment of Bills. Bills are due and payable by 4:30 P.M. on the 25th of each month and if not paid a \$15 late charge will be applied.

a. Customer Bills:

Bills will be mailed by the first of each month.

b. Late Payments Procedure:

-Nonresidential:

-Bills past due – Courtesy Call

-35 days past due – Shut off notice – Hand delivered to service address. Owner or property manager notified.

-7 days after shut off notice is delivered – Water will be turned off. Owner will be notified. There will be a \$100 reconnection fee due, prior to water reconnected.

One Year past due – Lien on building/property – File small Claims against owner/customer for service charges owed with Associated fees and late charges plus \$500 for staff time and legal expenses.

- Two Years past due – Turn over to collection agency.

-Two years of non-payment, meter will be removed and owner and Property manager notified that a new water and sewer connection fee Will be due before water reconnected.

-Residential:

-Bills past due – Courtesy Call

-60 Days past due – Service subject to disconnection pursuant to Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-002)

-One year past due – Lien on building/property – File Small claims against owner/customer for service charges owed with associated fees and late charges plus \$500 for staff time and legal expenses.

-Two years past due – Turn over to collection agency.

- Two years of non-payment, meter will be removed and owner and property manager notified that a new water and sewer connection fee will be due before water reconnected.

c. Adjustments to bills – Payment Plans:

The General Manager or designee will be the only person authorized to make adjustments to a bill or enter into a payment plan. For residential customers, alternative payment arrangements may be offered in accordance with the District’s Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-004).

- d. NSF (non-sufficient funds) from any payment source will require the customer pay all bank charges and a \$35 handling fee.
- e. Upon 2 NSF (non-sufficient funds), within a 12-month period automatic payment will be denied until an agreement can be reached with the General Manager or designee.
- f. Tampering with water meters or turning meters on after being turned off for non-payment may result in a customer fine of \$200 and a reconnection fee of \$100 which must be paid with all outstanding service charges before water will be turned on unless an agreement is made with the General Manager or Designee.
- g. Service Charge Discount may be available for any customer that verifies they are over the age of 62 and have a combined income of less than \$24,000 annually. Customers who qualify may receive a \$15 credit which can be used to decrease their monthly service charge. Any service credit will require (10) units (7,500 gallons) in a given month, the service charge discount will be voided for that month.

ARTICLE 10 - DISCONTINUANCE OF SERVICE

Sec 10.1 Disconnection for Non-Payment. For nonresidential customers, service may be discontinued for non-payment of bills after (30) days late. For residential customers, service be discontinued for non-payment of bills after sixty (60) days of delinquency pursuant to the District's Policy Governing the Disconnection of Residential Water Service for Nonpayment of Water Rates and Charges (Resolution No. 20-002)

NOW, THEREFORE LET IT BE KNOWN THAT, THE BOARD OF DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT APPROVES CHANGING THE WATER ORDINANCE, SEC. 9.5, PAYMENT OF BILLS AND 10.1, DISCONTINUANCE OF SERVICE.

RESOLUTION 20-002 WAS PASSED, APPROVED AND ADOPTED THIS 28th DAY OF APRIL 2020 BY THE FOLLOWING ROLL CALL VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda Brodersen, Board President

ATTEST:

Ralph Emerson, General Manager

Sec 4.9 Service Connection. It shall violates District Ordinance be unlawful to install a well without GSD approval, or to use a water connection that does not conform maintain a connection excepting in conformity with the following rules:

- a. Multiple service connections for single parcel are allowed under these conditions, if approved by General Manager or designee:
 1. Each building under separate ownership must be provided with a separate service connection and meter. Two or more buildings under same ownership and on the same lot or parcel may be supplied through the same service connection and meter if approved by the General Manager or designee.
 2. A master meter is installed at the property line.
 3. Metered service connections are provided for each sub unit or single family residence. Meters and valves will be supplied and remain property of GSD.
 4. Supply line from master meter to each of the units shall be installed and maintained by owner.
 5. Owner will be responsible for usage on master meter, determined by deducting each sub unit from master meter.
 6. Owner will be responsible for notifying the District of any changes to property or buildings at such time the General Manager or designee will inspect property for compliance of District service connection ordinances.
 7. Failure to notify the District when making improvements to the property or buildings may result in inspection costs and reimbursement of staff time, meters and construction expenses along with applicable connection fees.
 8. **Wells or alternative water sources are prohibited unless approved by the GSD Board.**
 9. **Customers with wells must conform with GSD requirements, which include (a) site inspection by General Manager or designee (b) installation of approved back-flow device (c) connection to GSD water if a residence is constructed or if sewer service is required.**
- b. Different Owner. A service connection shall not be used to supply adjoining property of a different owner or to supply property of the same owner across a street or alley.
- c. Divided Property. When property with a service connection is divided, each parcel will have a separate service connection. Change to exiting services is also subject to but not limited to Sections 2.6 and 4.4.

Adopted 03/28/2017

Sec 14.5 Drought Contingency Plan.

During drought conditions as identified by the State of California, Humboldt County or Garberville Sanitary District, the Drought Contingency Plan will go into effect immediately.

This plan will be implemented and enforced by Garberville Sanitary District and the public will be made aware of this plan through customer outreach by the media, phone call, letter and the GSD website.

Customers will be required to conserve water including but not limited to gallons per day water usage and if they don't comply, may be fined for gallons of water used above the maximum allowed.

1. 1st phase of drought conservation plan will require all customers to voluntarily reduce Water consumption.
2nd phase will require all customers to reduce their water usage by half
3rd phase will be to stop all outdoor watering for everything except animals, vegetables or fruit.
4th phase will require only using water on specific days, designated by GSD.
5th phase will require customers use water for personal health and safety only with no allowance for outside watering.
6th phase will be enforcement and if you have been given a final notice to comply and still violate this water ordinance, you will be fined a minimum of \$100 monthly, with continual disregard resulting in water discontinuance and reconnection fees.
2. Continual updates to customers will educate and inform of conditions
3. Ongoing: develop alternative water sources including, wells, springs, shared water with neighboring water districts including water hauling.
4. Ongoing: gray water education for irrigation
5. Ongoing: educate customers on personal water storage opportunities and conservation measures
6. Ongoing: leak monitoring and repairs
7. Ongoing: build additional water storage tanks or ponds
8. Identify all diversions from the river or GSD distribution system and report to law enforcement.

Ongoing: Participate in all drought planning forums to share ideas and planning strategies while developing partnerships on collaborative water projects and funding opportunities



Save Water Every Day

California is facing severe water challenges. Water supplies for many cities, farms and businesses are being significantly reduced due to dry conditions, restrictions to protect fish species, and growing pressure on the state's water storage and delivery system. Climate change is compounding the problem.

With water shortages a reality in many parts of the state, your efforts to save water can make a difference. Rethinking the way you use water – both indoors and outdoors – will help stretch our limited supplies and ensure water is there when we need it.

**“When I brush my teeth,
I turn the water off.”**

Save 8 gallons a day

Contact your local water agency or visit www.saveourH2O.org for tips on saving water and rebates on water-efficient appliances in your area.

The Save Our Water program is jointly sponsored by the Association of California Water Agencies and the California Department of Water Resources.

www.acwa.com www.water.ca.gov

Easy Ways to Save Water

Little leaks can add up to a lot of wasted water. A small drip can waste 70 gallons of water in a day, while a steady leak just one-sixteenth of an inch in size can send more than 1,000 gallons a day down the drain. Fix leaky faucets and toilets right away.

Pipe Leaks

To detect unseen leaks:

- 1 Read your water meter.
- 2 Turn off all water-using appliances and faucets and wait an hour.
- 3 Read the meter again. If the meter has moved, you probably have a leak.

Toilet Leaks

To see if you have a leak:

- 1 Put food coloring in your toilet tank and wait for 20 minutes.
- 2 If color seeps into the toilet bowl, you have a leak.

Many toilet leaks can be fixed with simple tools and a do-it-yourself manual.

Faucet Leaks

Aside from toilet leaks, faucets are the most common source of leaks. Worn washers are usually the culprit. To see if you have a leak:

- 1 Listen for running water when plumbing fixtures are closed and water-using appliances are off.
- 2 Check your taps a couple of times a year to make sure all faucets are working properly.



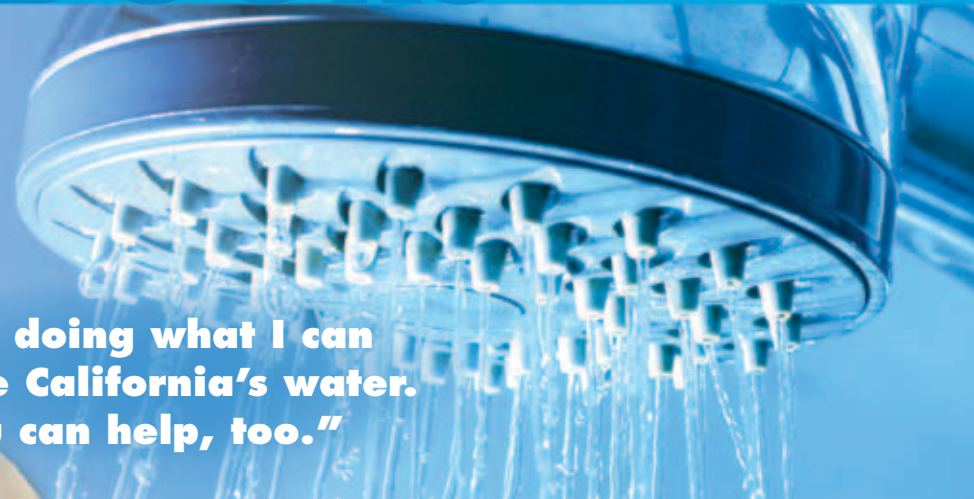
Sponsored by the Association of California Water Agencies and the California Department of Water Resources

saveourH2O.org

INDOORS



"I'm doing what I can to save California's water. You can help, too."



Water is essential to each of us every day. But it's a limited resource, so we all need to rethink the way we use water on a daily basis. By following these water-saving tips inside your home, you can help save water every day, whether or not California is in a drought:

LAUNDRY ROOM

Use the washing machine for full loads only to save water and energy. Install a water-efficient clothes washer.

- ★ **Save: 16 gallons/load.**
(Find out about rebates at www.saveourH2O.org)

KITCHEN

Run the dishwasher only when full to save water and energy. Install a water-and energy-efficient dishwasher.

- ★ **Save: 3 to 8 gallons/load.**
(Find out about rebates at www.saveourH2O.org)
- Install aerators on the kitchen faucet to reduce flows to less than one gallon per minute.

BATHROOM

Install low-flow shower heads.

- ★ **Save: 2.5 gallons/minute**
- Take five minute showers instead of 10 minute showers.
- ★ **Save: Reducing five minutes will save 2.5 gallons with a low flow showerhead, 25 gallons with a standard 5 gallon per minute showerhead.**
- Fill the bathtub halfway or less.
- ★ **Save: 12 gallons**
- Install a high-efficiency toilet.
- ★ **Save: 19 gallons per person/day**
(Find out about rebates at www.saveourH2O.org)
- Install aerators on bathroom faucets.
- ★ **Save: 1.2 gallons per person/day**
- Turn water off when brushing teeth or shaving.
- ★ **Save: approximately 8 gallons/day**
- Don't use the toilet as wastebasket.
- ★ **Save: 1.6 to 5 gallons/flush**

OUTDOORS



"I'm replacing part of my lawn with water-wise plants."

Save 40 gallons a day



LANDSCAPE

Reduce your watering days to once or twice per week. Water your lawn only when it needs it. Water early in the morning or later in the evening when temperatures are cooler.

- ★ **Save: 25 gallons/each time you water**

Check your sprinkler system frequently and adjust sprinklers so only your lawn is watered and not the house, sidewalk, or street.

- ★ **Save: 12 to 15 gallons/each time you water**

Choose a water-efficient irrigation system such as drip irrigation for your trees, shrubs, and flowers.

- ★ **Save: 15 gallons/each time you water**

Put a layer of mulch around trees and plants to reduce evaporation and keep the soil cool. Organic mulch also improves the soil and prevents weeds.

- ★ **Save: 20 to 30 gallons/each time you water/1,000 sq. ft.**

Plant drought-resistant trees and plants.

- ★ **Save: 30 to 60 gallons/each time you water per 1,000 sq. ft.**

Information about evapotranspiration (ET) and weather based irrigation controllers is available at: www.cuwcc.org and www.cimis.water.ca.gov

CLEANUP

Use a broom to clean driveways, sidewalks and patios, not your hose.

- ★ **Save: 8 to 18 gallons/minute**

Wash cars or boats with a bucket, sponge, and a hose with self-closing nozzle.

- ★ **Save: 8 to 18 gallons/minute**

ACTIVITIES

Teach children that the hose and sprinkler are not toys.

Install a pool/spa cover to reduce evaporation and filter backwash.

- ★ **Save: 30 gallons/day**

Test pool and spa water frequently and maintain appropriate chemical balances to avoid the need to drain it except for structural repairs. Check your pool and pool plumbing for leaks.



saveourH2O.org



*Garberville
Sanitary
District
Information*

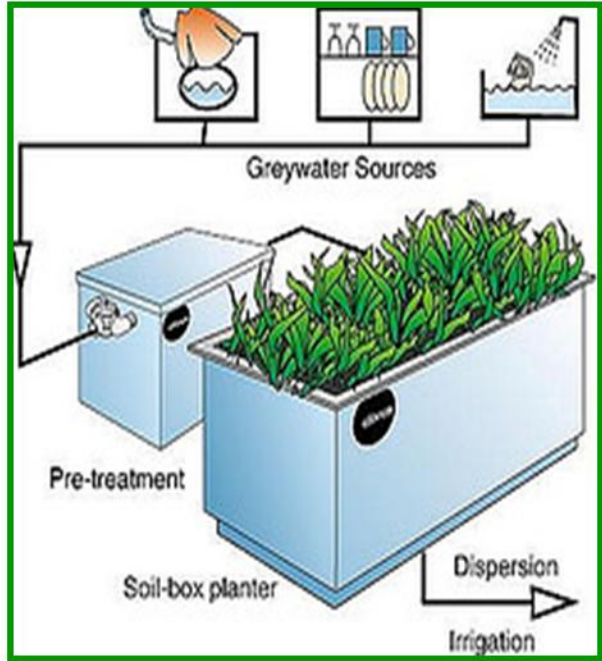
***Our mission is
to Help***

Recycle water whenever possible. Use a grey water system.

Promote Water Conservation

Are you prepared for the Drought?

The District is committed to providing customers with safe Drinking Water and Wastewater Services. We are here to provide awareness of Water Conservation within Garberville and surrounding Neighborhoods. Becoming water wise is important. For More information we ask that you become involved Meet our staff, take a tour of our water facilities. Participate in



our Board Meetings the last Tuesday of each month .

Garberville Sanitary district is here to help. Contact us With your Questions Or Concerns.

Grey water is any household wastewater with the exception of wastewater from toilets, which is known as black water. Typically, 50-80% of household wastewater is grey water from kitchen sinks, dishwashers, bathroom sinks, tubs and showers.



**Garberville Sanitary District
customer information pamphlet**

Contact information:
P.O. Box 211 Garberville CA. 95542
OR
919 Redwood Dr. Garberville CA
95542

Phone: 707-923-9566
Fax: 707-923-3130
E-mail: info@garbervillesd.org