



Notice is hereby given that a
REGULAR MEETING
Of the Board of Directors will be held at:
400 Church Street, Scotia, CA 95565

Thursday, November 17, 2022, at 5:30 P.M.
HYBRID In Person and Via Zoom

AGENDA

- A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE** The Presiding Officer will call the meeting to order and the Board Clerk will call the roll of members to determine the presence of a quorum. **PLEASE REMEMBER TO SILENCE ALL CELL PHONES**

This meeting may be accessed by using the following call-in number: 1 669 900 6833. When prompted enter the meeting i.d. 846 0613 0560 password 853795.

Or Via Zoom Video Conferencing via URL: <https://us02web.zoom.us/j/84606130560?pwd=Qkhkb1lvYy9icEZiZXJSUVB5b3A2UT09> meeting i.d. 846 0613 0560 password 853795.

Please submit public comments in writing 24 hours ahead of the meeting, if possible. If anyone who wishes to teleconference the meeting and has ADA access needs, please call the SCSD Administrative Office not less than 24 hours in advance of the meeting time to make accommodations.

All publicly posted documents on the District website are also available for inspection at the District office during regular business hours: 400 Church Street, Scotia CA 95565, Monday-Thursday 9:00am – 4:00pm.

- B. SETTING OF THE AGENDA** The Board may adopt/revise the order of the agenda as presented.
- C. CONSENT CALENDAR** Consent Calendar items are routine, to be acted upon by the Board of Directors at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Consent Calendar, it shall be moved so that it may be acted upon separately in business.

- pp. 3 1. Approval of Previous Meeting Minutes – Regular Meeting October 20, 2022
pp. 9 2. Approval of Previous Meeting Minutes – Special Meeting November 3, 2022
pp. 10 3. Approval of RCB Check Registers October 1-31, 2022
pp. 16 4. Approval of Umpqua Check Registers October 1-31, 2022
pp. 21 5. Approval of RCB Mastercard Statement – September Statement
pp. 12 6. Approval of Umpqua Visa Statement – September Statement
pp. 25 7. Approval of Planwest Partners Invoice — October 2022

- D. PUBLIC COMMENT & WRITTEN COMMUNICATION** Regularly scheduled meetings provide an opportunity for members of the public to directly address the SCSD Board Members on any action item that has been described in the agenda for the meeting, before or during consideration of that item, or on matters not identified on the agenda within the Board jurisdiction. Comments are not generally taken on non-action items such as reports or information. **COMMENTS SHOULD BE LIMITED TO THREE MINUTES**

E. ADJOURN TO CLOSED SESSION - None

G. PUBLIC HEARING – None

H. BUSINESS

1. New Business -

- pp. 28 a. Presentation and review of Draft FY 2021/22 Audit by Anderson, Lucas, Somerville & Borges, LLP
- pp. 58 b. Second Reading and Consider Adoption of Ordinance 2022-6 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II – Water Service
- pp. 75 c. Second Reading and Consider Adoption of Ordinance 2022-7 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III – Wastewater Service
- pp. 118 d. Review submitted Scotia Museum ADA Upgrades and HVAC Project bids and Select and Approve Bid
- pp. 120 e. Evaluate the date of the December Board Meeting for Holiday Conflicts
- pp. 121 f. As a Result of a Local Emergency, Authorize Hybrid In-Person/Remote Teleconference Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions (AB361)

2. Old Business – None

I. REPORTS

(5 minutes each)

The Board may briefly discuss any particular item raised; no action will be taken on these items.

- 1. **President’s Report**
- 2. **Board Director Reports**
- 3. **General Manager’s Report**
- 4. **Board Clerk’s Report**
- 5. **District Counsel’s Report**
- 6. **Engineer’s Report**

J. BOARD TRAINING – None

K. ADJOURNMENT

Next Regular Meeting of the SCSD will be December 15, 2022 at 5:30 PM. A Special meeting may be held prior to that.

Notice regarding the Americans with Disabilities Act: The District adheres to the [Americans with Disabilities Act](#). Persons requiring special accommodations or more information about accessibility should contact the District Office. Notice regarding Rights of Appeal: Persons who are dissatisfied with the decisions of the SCSD Board of Directors have the right to have the decision reviewed by a State Court. The District has adopted [Section 1094.6](#) of the [Code of Civil Procedure](#) which generally limits the time within which the decision may be judicially challenged to 90 days.

Minutes of the Regular Board Meeting for the
Scotia Community Services District
Thursday, October 20, 2022 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:31 PM

Paul Newmaker, President– Absent

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

Leslie Marshall, GM; Julie Hawkins, Board Clerk; Scott MacLeran, District Legal Counsel

Member(s) of the Public: Member of the public arrived after item H1a introduced and left at approximately 6:10 pm.

B. SETTING OF THE AGENDA

Table Items H1h & H1i to the next Regular Meeting & Table Board Training (Item J) until a Special Meeting on November 3, 2022 at 5:30PM

C. CONSENT CALENDAR

1. Approval of Previous Meeting Minutes – Regular Meeting September 15, 2022
2. Approval of Previous Meeting Minutes – Special Meeting September 22, 2022
3. Approval of RCB Check Registers September 1-30, 2022
4. Approval of Umpqua Check Registers September 1-30, 2022
5. Approval of RCB Mastercard Statement – August Statement
6. Approval of Umpqua Visa Statement – August Statement
7. Approval of Planwest Partners Invoice — September 2022

No Public Comment

Motion: To Approve Consent Calendar

Motion: Sellen **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

D. PUBLIC COMMENT & WRITTEN COMMUNICATION –

None received prior to the meeting. No public comment provided at time of meeting.

E. ADJOURN TO CLOSED SESSION - NONE

1. Call to Order
2. Roll Call
3. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel

4. Closed session discussion

F. ADJOURN TO OPEN SESSION - NONE

a. Report out of closed session

G. PUBLIC HEARING – None

H. BUSINESS

New Business –

1. New Business -

- a. First Reading and Consider Adopting Ordinance 2022-6 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II – Water Service

Vice Chair Black introduced. Ms. Marshall explained the staff report and recommended changes to the ordinance.

Dir. Sellen notes that the footnotes in this version are not updated and need to be changed.

No public comment.

Motion: Introduce and waiving further reading of Ordinance 2022-6 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II – Water Service

Motion: Pryor **Second:** Sellen

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

Recess from 6:02 pm to 6:08 pm to communicate with member of the public requesting to make comments on non-agendized items.

- b. First Reading and Consider Adopting Ordinance 2022-7 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III – Wastewater Service

Vice Chair Black introduced. Ms. Marshall explained the staff report and recommended changes to the ordinance.

Board Discussed.

No public comment.

Motion: Introduce and waiving further reading of Ordinance 2022-7 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III – Wastewater Service

Motion: Sellen **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

- c. Adopt Resolution No. 2022-15: A Resolution of the Scotia Community Services District Board of Directors Amending the FY 2022/2023 Master Fee Schedule

Vice President Black introduced. Ms. Marshall explained the staff report and recommended changes to the master fee schedule.

Board Discussed

No public comment

Motion: Adopt Resolution No. 2022-15: A Resolution of the Scotia Community Services District Board of Directors Amending the FY 2022/2023 Master Fee Schedule

Motion: Ansted **Second:** Sellen

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

d. Release Scotia Museum ADA Upgrades and HVAC Project for Bid

Vice Chair Black introduced and Ms. Marshall reviewed the staff report.

Board Discussed and Director Sellen noted a typo under an image of the museum that states that the owner is TOS. A point of information was raised requesting information about the past heating system in the building. LM explained that it had been steam heating and following that, space heaters. LM also explained that the SCSD plans to connect the museum to PG&E gas service but that is separate from this project. Whether we have to go to bid for that project depends on several factors, most importantly cost.

No Public Comment

Motion: To approve and Release the SCSD Museum ADA Upgrades and HVAC Project for Bid

Motion: Pryor **Second:** Sellen

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

e. Presentation by Directors Ansted and Sellen Regarding the Museum Landscaping Project, Reporting out on meeting with landscaping groups, discussion of project development, and Direction to Staff

Vice Chair Black introduced and Board received a presentation regarding the Museum Landscaping Project.

No Public Comment

Motion: To Direct Ms. Marshall to add a design presentation to the November 3, 2022 Special Meeting.

Motion: Sellen **Second:** Ansted

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

f. Adopt Resolution No. 2022-17: A Resolution of the Scotia Community Services District Board of Directors Accepting An Easement For Utility Corridor from Humboldt Sawmill Company LLC.

Vice Chair Black introduced. Ms. Marshall reviewed the staff report. Board Discussed.

No public comment

Motion: Adopt Resolution No. 2022-17: A Resolution of the Scotia Community Services District Board of Directors Accepting an Easement For Utility Corridor from Humboldt Sawmill Company LLC

Motion: Sellen **Second:** Black

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

- g. Adopt Resolution No. 2022-18: A Resolution of the Scotia Community Services District Board of Directors Accepting An Easement For Utility Corridor from Great Redwood Trail Agency

Vice Chair Black introduced. Ms. Marshall presented the staff report. Board Discussed.

No Public Comment

Motion: Adopt Resolution No. 2022-18: A Resolution of the Scotia Community Services District Board of Directors Accepting An Easement For Utility Corridor from Great Redwood Trail Agency

Motion: Pryor **Second:** Ansted

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

- h. Review and Approve Town of Scotia Corridor Closeout Documents
 - a. Irrevocable Offer of Dedication, Grant of Easement Deed, and Highway 101 Easement
 - b. SCSD Certificate of Acceptance

Item Tabled

- i. Adopt Resolution 2022-xx: A Resolution of the Scotia Community Services District Accepting Corridor and River Pumps Infrastructure Ownership and Maintenance Responsibility
 - a. Final Corridor Project Record Drawings
 - b. Well Cleaning Maintenance Agreement
 - c. Wahlund Warranties

Item Tabled

- j. As a Result of a Local Emergency, Authorize Hybrid In-Person/Remote Teleconference Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions (AB361)

Ms. Marshall introduced. Board discussed. No public comment.

Motion: As a Result of a Local Emergency, Authorize Hybrid Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions (AB361)

Motion: Ansted **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Pryor, Sellen **Opposed:** None **Absent:** Newmaker **Abstain:** None

2. Old Business – None

I. REPORTS –

1. **President’s Report:** None
2. **Board Director Reports:** None
3. **General Manager’s Report:**

Pumps: A forensic engineer will be reviewing all documents to determine why the river pumps/motors keep going out.

Tesla: Pulling the project at this time because we are at risk to lose a \$180,000 deposit. Will go back into the queue and on the waitlist. Current process is ceasing.

Theater: Preliminary drawings submitted for historical assessment for ADA. Once approved can submit to county for permit.

Mill A Phase 4: Reviewing Mill A/Phase 4 Plans (Williams St) LM providing comments.

Trailer/Mower/Hire: Purchased mower & Trailer. Still waiting on trailer. Will proceed with new hire for maintenance position once trailer is delivered.

WWTP Grant: Approved for planning grant. Several studies being done, freshwater muscle survey was negative.

WTP Grant: Currently in negotiations with Division of Drinking water to meet their funding limits. LM is optimistic.

CalOES \$: Met to discuss spending the funding allocated to us. \$300,000 worth of funding for the foundation and metal roof structure for the future, proposed, generator. Any funds leftover will be used to purchase two light towers so work can be completed at night in emergency situations.

Park Restroom: County is not moving away from flood certification. None of the ideas/options are meeting their flood cert requirements. Must resist hydrostatic flow, resist certain amount of debris. New plan to purchase ADA compliant restroom trailer – to be stored at Carpenter shop.

4. **Board Clerk’s Report:** None
5. **District Legal Counsel’s Report:** None
6. **Engineer’s Report:** None

J. BOARD TRAINING: Rosenberg’s Rules of Order - Tabled

K. ADJOURNMENT at 7:12 PM

Approved:

Paul Newmaker, President

Date

Board of Directors

Scotia Community Services District

Attest:

Board Clerk

Scotia Community Services District

Date

Minutes of the SPECIAL Board Meeting for the
Scotia Community Services District
Tuesday November 3, 2022 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:36 PM

Paul Newmaker, President – Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

Leslie Marshall, GM; Scott MacLeran, District Legal Counsel Julie Hawkins, Board Clerk

B. SETTING OF THE AGENDA

None

C. PUBLIC COMMENT & WRITTEN COMMUNICATION –

None

D. BUSINESS

New Business –

1. New Business -

- a. Museum Landscaping Project, Reporting out on meeting with landscaping groups, discussion of project development, and Direction to Staff

Item not discussed at this time. Potential landscaping group pulled out of the project. Board hopeful to work with College of the Redwoods.

E. REPORTS – None

F. BOARD TRAINING: Rosenburg’s Rules of Order

Training provided by Scott MacLeran & Leslie Marshall. Video examples provided by Julie Hawkins.

Recess at 7:03 pm to 7:08 pm

G. ADJOURNMENT at 7:58 pm

Approved:

Paul Newmaker, President

Date

Board of Directors

Scotia Community Services District

Attest:

Board Clerk

Date

Scotia Community Services District

Scotia Community Services District Account QuickReport As of October 31, 2022

Type	Date	Num	Name	Memo	Amount	Balance
10000 - RCB Checking 28239						1,218,903.78
Deposit	10/03/2022			Deposit	5,417.77	1,224,321.55
Transfer	10/04/2022			Funds Transfer Deposit Re...	100.00	1,224,421.55
Check	10/04/2022	EFT	Umpqua Bank VISA ...	September Statement	-107.84	1,224,313.71
Bill Pmt -Check	10/05/2022	52063	Fortuna Ace	Inv#349344,#34997	-46.84	1,224,266.87
Bill Pmt -Check	10/05/2022	52064	Fortuna Iron	Inv#68180	-32.71	1,224,234.16
Bill Pmt -Check	10/05/2022	52065	Pintermedia	Inv#19-9629	-360.00	1,223,874.16
Bill Pmt -Check	10/05/2022	52066	Prentice, Long PC	Inv#5373	-1,700.00	1,222,174.16
Deposit	10/05/2022			Deposit	10,765.48	1,232,939.64
Bill Pmt -Check	10/05/2022	52067	RMI Outdoors	Ref#22838,#332903	-3,430.89	1,229,508.75
Paycheck	10/06/2022	EFTDD	Julie A Hawkins		-239.54	1,229,269.21
Paycheck	10/06/2022	EFTDD	Kathleen A Sandum		-1,112.45	1,228,156.76
Paycheck	10/06/2022	EFTDD	Brandon W Wishneff		-2,142.09	1,226,014.67
Liability Check	10/06/2022	E-pay	EDD	093-5926-6 QB Tracking # ...	-264.10	1,225,750.57
Liability Check	10/06/2022	E-pay	United States Treas...	82-1570573 QB Tracking #...	-1,300.64	1,224,449.93
Liability Check	10/06/2022	E-pay	EDD	093-5926-6 QB Tracking # ...	-0.27	1,224,449.66
Check	10/06/2022	52062	John Hancock USA	PARS #86360	-549.36	1,223,900.30
Bill Pmt -Check	10/06/2022	EFT	AT&T		-474.97	1,223,425.33
Bill Pmt -Check	10/06/2022	EFT	AT&T	7077645470 09.22	-300.67	1,223,124.66
Bill Pmt -Check	10/06/2022	EFT	AT&T	7077643030 09.22	-396.70	1,222,727.96
Bill Pmt -Check	10/06/2022	52068	Anderson, Lucas, S...	Inv#59966	-7,500.00	1,215,227.96
Bill Pmt -Check	10/11/2022	EFT	Optimum Business	07715-125704-014	-141.37	1,215,086.59
Bill Pmt -Check	10/11/2022	EFT	PG&E	0990281861-7 09.22	-380.17	1,214,706.42
Deposit	10/11/2022			Deposit	908.70	1,215,615.12
Bill Pmt -Check	10/11/2022		PG&E	QuickBooks generated zer...	0.00	1,215,615.12
Bill Pmt -Check	10/12/2022	52069	Alternative Business...	Inv#MA22100404	-50.99	1,215,564.13
Bill Pmt -Check	10/12/2022	52070	North Coast Laborat...	Sept Invoices	-1,805.00	1,213,759.13
Bill Pmt -Check	10/12/2022	52071	Recology Eel River	20214	-194.59	1,213,564.54
Bill Pmt -Check	10/12/2022	52072	Steves Septic	Inv#29693	-800.00	1,212,764.54
Bill Pmt -Check	10/12/2022	52073	Valley Pacific Petrol...	Inv#CL- 22-546237	-1,023.61	1,211,740.93
Bill Pmt -Check	10/12/2022	52074	Whitchurch Enginee...		-8,858.00	1,202,882.93
Bill Pmt -Check	10/13/2022	52075	Penny's Creations &...	Inv#080217-6040	-231.00	1,202,651.93
Check	10/13/2022	52076	Humboldt Redwood ...	VOID: Overpayment on Ac...	0.00	1,202,651.93
Deposit	10/13/2022			Deposit	825.94	1,203,477.87
Bill Pmt -Check	10/14/2022	EFT	PG&E	9297561150-7 09.22	-757.73	1,202,720.14
Bill Pmt -Check	10/14/2022	EFT	PG&E	3912565129-7 09.22	-116.17	1,202,603.97
Bill Pmt -Check	10/14/2022	EFT	PG&E	3952156073-8 09.22	-68.63	1,202,535.34
Bill Pmt -Check	10/14/2022			QuickBooks generated zer...	0.00	1,202,535.34
Deposit	10/17/2022			Deposit	5,059.09	1,207,594.43
Liability Check	10/17/2022	E-pay	EDD	093-5926-6 QB Tracking # ...	-0.37	1,207,594.06
Deposit	10/17/2022			Deposit	31,306.97	1,238,901.03
Deposit	10/18/2022			Deposit	2,158.16	1,241,059.19
Transfer	10/19/2022			Dep RefundAcct#1183,118...	900.00	1,241,959.19
Check	10/19/2022	52078	Humboldt Sawmill C...	Refund of credit Balance o...	-321.01	1,241,638.18
Bill Pmt -Check	10/19/2022	52079	California Special Di...	Membership#41521	-1,790.00	1,239,848.18
Bill Pmt -Check	10/19/2022	52080	Humboldt County D...		-1,538.10	1,238,310.08
Bill Pmt -Check	10/19/2022	52081	Penny's Creations &...	Inv#080217-1330	-275.00	1,238,035.08
Bill Pmt -Check	10/19/2022	52082	Planwest Partners Inc.	VOID: Inv#22-226-09	0.00	1,238,035.08
Bill Pmt -Check	10/19/2022	52083	SHN Consulting Eng...		-19,244.75	1,218,790.33
Bill Pmt -Check	10/19/2022	52084	Planwest Partners Inc.	Inv#22-226-09	-17,968.03	1,200,822.30
Paycheck	10/20/2022	EFTDD	Brandon W Wishneff		-2,138.75	1,198,683.55
Paycheck	10/20/2022	EFTDD	Julie A Hawkins		-309.55	1,198,374.00
Paycheck	10/20/2022	EFTDD	Kathleen A Sandum		-1,129.90	1,197,244.10

Scotia Community Services District Account QuickReport As of October 31, 2022

Type	Date	Num	Name	Memo	Amount	Balance
Paycheck	10/20/2022	EFTDD	Mary A Bullwinkel		-45.62	1,197,198.48
Liability Check	10/20/2022	E-pay	EDD	093-5926-6 QB Tracking # ...	-264.79	1,196,933.69
Liability Check	10/20/2022	E-pay	United States Treas...	82-1570573 QB Tracking #...	-1,314.26	1,195,619.43
Check	10/20/2022	52077	John Hancock USA	PARS #86360	-493.26	1,195,126.17
Deposit	10/20/2022			Deposit	15,426.39	1,210,552.56
Transfer	10/24/2022			Funds Transfer Deposit Re...	1,031.58	1,211,584.14
Deposit	10/24/2022			Deposit	1,258.38	1,212,842.52
Deposit	10/24/2022			Deposit	32,648.08	1,245,490.60
Deposit	10/24/2022			Deposit	4,336.42	1,249,827.02
Check	10/25/2022	EFT	Redwood Capital Ba...	September Statement	-639.37	1,249,187.65
Check	10/25/2022	52087	Regina Parrott	Notary Fee	-20.00	1,249,167.65
Bill Pmt -Check	10/26/2022	52085	Alternative Business...	Inv#50323	-430.97	1,248,736.68
Bill Pmt -Check	10/26/2022	52086	Penny's Creations &...	Inv#080217-1419	-135.00	1,248,601.68
Deposit	10/26/2022			Deposit	4,473.86	1,253,075.54
Deposit	10/31/2022			Deposit	4,858.98	1,257,934.52
Deposit	10/31/2022			Deposit	6,961.21	1,264,895.73
Total 10000 · RCB Checking 28239					45,991.95	1,264,895.73
TOTAL					45,991.95	1,264,895.73

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
12000 · RCB Savings 10367							501,273.13
Deposit	10/31/2022			Interest	54.52	54.52	501,327.65
Total 12000 · RCB Savings 10367						54.52	501,327.65
TOTAL						54.52	501,327.65

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Memo	Original Amount	Paid Amount	Balance
12100 · RCB Cust Deposit Savings 10797						19,065.01
Deposit	10/03/2022		Deposit	100.00	100.00	19,165.01
Transfer	10/04/2022		Funds Transf...	-100.00	-100.00	19,065.01
Deposit	10/06/2022		Deposit	100.00	100.00	19,165.01
Deposit	10/11/2022		Deposit	100.00	100.00	19,265.01
Deposit	10/17/2022		Deposit	100.00	100.00	19,365.01
Transfer	10/19/2022		Dep RefundA...	-900.00	-900.00	18,465.01
Transfer	10/24/2022		Deposit Refun...	-1,031.58	-1,031.58	17,433.43
Deposit	10/25/2022		Deposit	100.00	100.00	17,533.43
Deposit	10/26/2022		Deposit	100.00	100.00	17,633.43
Deposit	10/27/2022		Deposit	100.00	100.00	17,733.43
Deposit	10/31/2022		Interest	1.37	1.37	17,734.80
Total 12100 · RCB Cust Deposit Savings 10797					-1,330.21	17,734.80
TOTAL					-1,330.21	17,734.80

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12150 · RCB Clarifier savings							167,678.63
Deposit	10/31/2022			Interest	40210 · Interes...	12.54	167,691.17
Total 12150 · RCB Clarifier savings						12.54	167,691.17
TOTAL						12.54	167,691.17

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12001 - RCB Sav Generator Grant							300,043.60
Deposit	10/31/2022			Interest	40210 · Interes...	22.44	300,066.04
Total 12001 - RCB Sav Generator Grant						22.44	300,066.04
TOTAL						22.44	300,066.04

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12152 · Umpqua Checking BT Loan							711,147.85
Deposit	10/31/2022			Interest	40210 · Interes...	6.04	711,153.89
Total 12152 · Umpqua Checking BT Loan						6.04	711,153.89
TOTAL						6.04	711,153.89

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12151 · Umpqua Park & Rec Savings							273,002.61
Deposit	10/31/2022			Interest	40210 · Interes...	2.32	273,004.93
Total 12151 · Umpqua Park & Rec Savings						2.32	273,004.93
TOTAL						2.32	273,004.93

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12155 · Umpqua CD Wastewater							407,816.23
Total 12155 · Umpqua CD Wastewater							407,816.23
TOTAL							407,816.23

Scotia Community Services District
Account QuickReport
As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12153 · Umpqua CD Drainage							55,146.09
Total 12153 · Umpqua CD Drainage							55,146.09
TOTAL							55,146.09

Scotia Community Services District
Account QuickReport
 As of October 31, 2022

Type	Date	Num	Name	Memo	Split	Amount	Balance
12154 · Umpqua CD Streets & Streetlight							185,434.59
Total 12154 · Umpqua CD Streets & Streetlight							185,434.59
TOTAL							185,434.59



SCOTIA COMM SVCS DIST
Account Number: XXXX XXXX XXXX 0143

Billing Questions:
800-367-7576

Website:
www.cardaccount.net

Send Billing Inquiries To:
Card Service Center, PO Box 569120, Dallas, TX 75356

REDWOOD CAPITAL BANK Credit Card Account Statement
September 8, 2022 to October 7, 2022

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$1,044.14
- Payments	\$1,044.14
- Other Credits	\$0.00
+ Purchases	\$639.37
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$639.37

PAYMENT INFORMATION

New Balance:	\$639.37
Minimum Payment Due:	\$25.00
Payment Due Date:	November 2, 2022

Account Number XXXX XXXX XXXX 0143
Credit Limit \$27,000.00
Available Credit \$26,360.00
Statement Closing Date October 7, 2022
Days in Billing Cycle 30

MESSAGES

GREAT NEWS!

We have upgraded the Card Service Center website and online access to your account information. It is better than ever!

Our enhanced site features easier-to-navigate pages, additional payment functionality, and new self-serve account update options. A **NEW MOBILE APP** is also available to manage your card on the go!

The New Site and Mobile App are available NOW! To take advantage of these exciting features go to www.cardaccount.net to download the mobile app or click "ACCOUNTS" and choose "CREDIT CARD ACCOUNTS" to log in now.

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
09/27	09/27	8543189LY00XV9ER8	PAYMENT - THANK YOU	\$1,044.14-

Transactions continued on next page

REDWOOD CAPITAL BANK
1550 N BROWN RD 150
LAWRENCEVILLE GA 30043



Account Number: XXXX XXXX XXXX 0143
New Balance: \$639.37
Minimum Payment Due: \$25.00
Payment Due Date: November 2, 2022

All payments on the account must be made at the address shown on your monthly billing statement and are considered to have been made on the date received at that address.

Amount Enclosed: \$

Make Check Payable to:

CARD SERVICE CENTER
PO BOX 569100
DALLAS TX 75356-9100

SCOTIA COMM SVCS DIST
PO BOX 104
SCOTIA CA 95565-0104

11274709700001430000250000000639373

CREDITING OF PAYMENTS

All payments received by 5:00 PM during the Card issuer's normal business day at the address indicated on the reverse side of this statement will be credited to your account as of the date of receipt of the payment. If payment is made at any location other than that address, credit of the payment may be delayed up to 5 days.

BILLING RIGHTS SUMMARY

What to do if You Think You Find a Mistake on Your Statement

If you think there is an error on your statement, write to us at BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043 as soon as possible. In your letter, give us the following information: your name and account number; the dollar amount of the suspected error; and if you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While we do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

Your Rights if You are Dissatisfied with Your Credit Card Purchases

If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, all of the following must be true:

- The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
- You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
- You must not yet have fully paid for the purchase. If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

EXPLANATION OF INTEREST CHARGES

The Interest Charge shown on the front is the sum of the Interest Charges computed by applying the Periodic Rate(s) to the Average Daily Balance and adding any applicable transaction charge authorized in the Cardholder Agreement. The method for computing the balance subject to Interest Charge is an average daily balance (including new purchases) method.

We figure the interest charge on your account by applying the periodic rate(s) to the "average daily balance" of your account (including in some instances current transactions). To get the "average daily balance", we take the beginning balance of your account each day, add any new cash advances and subtract any payments or credits and any unpaid interest charges. If you paid in full the Previous Balance shown on this statement by the payment due date shown on the previous statement, we subtract from each day's beginning balance the amount of such Previous Balance included in that beginning balance and also do not add in any new purchases. Otherwise the amount of the Previous Balance is not subtracted and we add in any new purchases. This gives us the daily balance. Then we add all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle. This gives us the "average daily balance."

HOW TO AVOID INTEREST CHARGES: You have until the payment due date shown on your periodic statement to repay your balance before an interest charge on purchases will be imposed.

ANNUAL FEE DISCLOSURES

If an annual fee is shown on the front of the statement, see the front for information about the following matters: the annual percentage rate for purchases, certain information regarding any variable rate feature, the amount of the annual fee, any minimum interest charge, and any transaction charges for purchases. The method for computing the balance subject to interest charge on your account is an Average Daily Balance (including new purchases) method and is explained above.

If you terminate your account within 30 days from the Closing Date shown on the front of this statement, you will not owe the annual fee (and have the right to have it credited to your account) and may use your card(s) during that 30 day period without becoming obligated for the annual fee. To terminate your account you should give us written notice sent to the address for billing inquiries as shown on the front of this statement. All cards should be cut in half and returned with your termination notice.

CREDIT BALANCES

Any credit balance on your account (indicated by a "-" on the front of this statement) is money we owe you. You can make charges against this amount or request and receive a full refund of this amount by writing us at: Card Service Center, PO Box 569120, Dallas, TX 75356-9120. Any amount not charged against or refunded upon request that is over \$1.00 (equal to or in excess of \$1.00 if you live in MA or any amount in NY) will be refunded automatically within six months after the credit balance was created (four billing cycles in MD).

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

O1AB5762 - 3 - 05/25/17

Name (if incorrect on reverse side) _____

Street address _____

City _____ State _____ Zip Code _____

Effective Date: Month, Day, Year _____ Signature _____

Home Phone _____ Work Phone _____



UMPQUA BANK

BL ACCT 00002823-20000001

SCOTIA CSD

Account Number: ####-####-####-3769

Page 1 of 3



Account Summary

Billing Cycle		10/31/2022
Days In Billing Cycle		31
Previous Balance		\$107.84
Purchases	+	\$15,535.99
Cash	+	\$0.00
Balance Transfers	+	\$0.00
Special	+	\$0.00
Credits	-	\$0.00
Payments	-	\$107.84-
Other Charges	+	\$0.00
Finance Charges	+	\$0.00

NEW BALANCE \$15,535.99

Credit Summary

Total Credit Line	\$40,000.00
Available Credit Line	\$24,464.01
Available Cash	\$0.00
Amount Over Credit Line	\$0.00
Amount Past Due	\$0.00
Disputed Amount	\$0.00

Account Inquiries

Call us at: (866) 777-9013
Lost or Stolen Card: (866) 839-3485

Go to www.umpquabank.com

Write us at PO BOX 35142 - LB1181, SEATTLE, WA 98124-5142

Payment Summary

NEW BALANCE	\$15,535.99
MINIMUM PAYMENT	\$15,535.99
PAYMENT DUE DATE	11/25/2022

NOTE: Grace period to avoid a finance charge on purchases, pay entire new balance by payment due date. Finance charge accrues on cash advances until paid and will be billed on your next statement.

Corporate Activity

TOTAL CORPORATE ACTIVITY				\$107.84-
Trans Date	Post Date	Reference Number	Transaction Description	Amount
10/04	10/04	3140571	INTERNET PMT-THANK YOU	\$107.84-

Cardholder Account Summary

BRANDON W WISHNEFF ####-####-####-3785	Payments & Other Credits \$0.00	Purchases & Other Charges \$151.84	Cash Advances \$0.00	Total Activity \$151.84
-------------------------------------------	------------------------------------	---------------------------------------	-------------------------	----------------------------

Cardholder Account Detail

Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
10/12	10/13	PPLN01	24943002286898000099273	COSTCO WHSE #0125 EUREKA CA	\$151.84

50470-99
50410-60

PLEASE DETACH COUPON AND RETURN PAYMENT USING THE ENCLOSED ENVELOPE - ALLOW UP TO 7 DAYS FOR RECEIPT

UMPQUA BANK
PO BOX 35142 - LB1181
SEATTLE WA 98124-5142



UMPQUA BANK

Account Number

####-####-####-3769

Check box to indicate name/address change on back of this coupon

AMOUNT OF PAYMENT ENCLOSED

Closing Date	New Balance	Total Minimum Payment Due	Payment Due Date
10/31/22	\$15,535.99	\$15,535.99	11/25/22

\$

BL ACCT 00002823-20000001
SCOTIA CSD
PO BOX 104
SCOTIA CA 95565

e-Statement



28016

MAKE CHECK PAYABLE TO:

UMPQUA BANK COMMERCIAL CARD OPS
PO BOX 35142 - LB1181
SEATTLE WA 98124-5142

09 0004 3769 0000 0000 00000000 00000000 0

BL ACCT 00002823-20000001
 SCOTIA CSD
 Account Number: #### #### #### 3769
 Page 3 of 3

Cardholder Account Summary				
LESLIE D MARSHALL #### #### #### 5576	Payments & Other Credits \$0.00	Purchases & Other Charges \$15,384.15	Cash Advances \$0.00	Total Activity \$15,384.15

Cardholder Account Detail					
Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
10/07	10/09	PPLN01	24692162280102306748811	PG&E/EZ-PAY 800-743-5000 CA	\$15,384.15

50450-

Finance Charge Summary / Plan Level Information									
Plan Name	Plan Description	FCM ¹	Average Daily Balance	Periodic Rate *	Corresponding APR	Finance Charges	Effective APR Fees **	Effective APR	Ending Balance
Purchases									
PPLN01 001	PURCHASE	E	\$0.00	0.06024%(D)	21.9900%	\$0.00	\$0.00	0.0000%	\$15,535.99
Cash									
CPLN01 001	CASH	A	\$0.00	0.06572%(D)	23.9900%	\$0.00	\$0.00	0.0000%	\$0.00
* Periodic Rate (M)=Monthly (D)=Daily							Days In Billing Cycle: 31		
** includes cash advance and foreign currency fees							APR = Annual Percentage Rate		
¹ FCM = Finance Charge Method									
(V) = Variable Rate If you have a variable rate account the periodic rate and Annual Percentage Rate (APR) may vary.									

INVOICE

DATE: November 11, 2022
TO: Paul Newmaker, Board President
Scotia Community Services District

INVOICE # 22-226-10

Approved for Payment

PROJECT: Scotia Community Services District Staffing Services for October 2022

Task 1 – Administrative Duties

1.1 Administrative Duties

General Admin tasks- filing, document prep, travel for meetings/staffing, responded to all incoming correspondence. Checked SCSD mail, phone messages. Staff meetings, operations meetings, etc. Staff oversight.

1.2 Policies, Procedures, Ordinances

Reviewed Personnel Policies, Financial Management Policy.

1.3 Community Meetings Preparation and Attendance

Met with parties on various District matters. Construction Meetings and continued coordination for Corridor Project via conference call.

1.4 CSD Board Meeting Preparation

Prepared agenda and board packet and attended regular and special board meetings. Zoom conference meetings for COVID-19. Coordinated with remote Board Clerk, Asst. GM on agenda.

1.5 Bookkeeping, Billing, Invoicing, and Banking

Accounts receivable and payable. QuickBooks and financial accounting. Banking. Payroll.

1.6 Website Postings, Emails, File Management

Regular website maintenance and development. Website posting and document publishing. General e-mail responses/correspondence. Filing records, etc. Email responses.

1.7 Budgeting

Budget review. FY 2021/2022 Audit.

1.8 Grant Research and Writing

Continued correspondence with SHN on water and wastewater planning grant applications. Reached out regarding Cal OES grant application.

1.9 Personnel

Management and coordination of personnel, scheduling, policy review, etc.

Task 2 – Operations/Management of District Assets

Continued operations for water, wastewater, parks and recreation, streets and street lighting, and storm drainage. WW Board meeting/inspection NPDES review and coordination with all staff, CIWQS/Lyris reporting, required annual agency reporting, local limits study, log pond vegetation removal, park rentals, etc.



Services October 2022

Senior Planner	0 hours @ \$140 per hour	\$ 0.00
General Manager*	141.25 hours @ \$100 per hour	\$ 14,125.00
Asst. GM	24 hours @ \$63.38 per hour	\$ 1,521.12
W/WW Operations Superintendent**	12 hours @ \$63.38 per hour	\$ 760.56
GIS Analyst	0 hours @ \$100 per hour	\$ 0.00
Asst. Planner/Clerk*	0 hours @ \$90 per hour	\$ 0.00
Mileage Expenses	0 miles @ \$ 0.625/ mile	\$ 0.00
AMOUNT THIS INVOICE # 22-226-10		\$ 16,406.68

* time and activities may include travel.

** Ops Superintendent hours now include license stipend hours and other licensure reimbursements.

Please make check payable to: Planwest Partners
P.O. Box 4581
Arcata, CA 95518
Tax Identification Number: 90-0262382

Scotia CSD: Planwest Partners Staffing - October 2022

Task					Planwest Partners Inc.							Year to Date Total	Remaining Budget	
	Budget	July	August	Sept	Senior Planner	General Manager LM	Asst. GM ST	Ops Super-intendent BG	GIS Analyst JB	Expense	Month Total			
	Rate	\$205,000.00												
Task 1 - Administrative Duties		\$123,000.00										\$9,879.22	\$41,195.19	\$81,804.81
1.1 Administrative Duties			\$1,485.56	\$2,247.95	\$2,482.82		9.75	4.00	8.00		\$0.00	\$1,735.56	\$7,951.89	
1.2 Policies, Procedures, Ordinances			\$1,116.90	\$603.52	\$890.14		3.50	1.00				\$413.38	\$3,023.94	
1.3 Community Meetings prep & attendance			\$50.00	\$200.00	\$500.00		0.50					\$50.00	\$800.00	
1.4 CSD Board Meeting (Prep & Attendance, Minutes)			\$1,153.52	\$3,340.14	\$2,365.14		20.50	4.00				\$2,303.52	\$9,162.32	
1.5 Bookkeeping, Banking, Billing, and Invoicing			\$1,500.00	\$3,075.00	\$1,850.00		28.50					\$2,850.00	\$9,275.00	
1.6 Website/Emails/File Management			\$700.00	\$1,575.00	\$1,650.00		13.50					\$1,350.00	\$5,275.00	
1.7 Budgeting			\$600.00	\$113.38	\$600.00		5.25					\$525.00	\$1,838.38	
1.8 Grant Research and Writing			\$613.38	\$563.38	\$813.38		2.00	1.00				\$263.38	\$2,253.52	
1.9 Personnel			\$100.00	\$263.38	\$863.38		3.25	1.00				\$388.38	\$1,615.14	
Task 2 - Operations/Management		\$82,000.00										\$6,527.46	\$22,204.21	\$59,795.79
2.1 Treated Water, Raw Water, and Distribution			\$1,443.66	\$1,516.90	\$1,793.66		18.50	6.00	1.00			\$2,293.66	\$7,047.88	
2.2 Wastewater Collection, Treatment, Discharge, NPDES			\$2,303.52	\$2,019.37	\$1,832.75		17.00	3.00	3.00			\$2,080.28	\$8,235.91	
2.3 Stormwater and Drainage			\$0.00	\$0.00	\$0.00		0.00					\$0.00	\$0.00	
2.4 CSD Streets & Alleys, Street Lighting			\$0.00	\$0.00	\$0.00		0.00					\$0.00	\$0.00	
2.5 Parks Recreation: Community Forest, Theater, Museum, Carpenter shop, Parks Landscaping			\$763.38	\$1,226.76	\$2,076.76		13.50	3.00				\$1,540.14	\$5,607.04	
2.6 Land & Easements			\$150.00	\$300.00	\$250.00		5.50	1.00				\$613.38	\$1,313.38	
Staff Hours						0.00	141.25	24.00	12.00	0.00	Total Hrs	177.25		
Total		\$205,000.00	\$11,979.92	\$17,044.78	\$17,968.03	\$0.00	\$14,125.00	\$1,521.12	\$760.56	\$0.00	\$0.00	\$16,406.68	\$63,399.40	\$141,600.60

Monthly Expenses	Expense
Mileage: 35.60 @ \$0.625/mile (miles)	\$0.00
Monthly Expense Total	\$0.00

**Scotia Community Services District
Staff Report**

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: SCSD Draft Audit FY 2021/2022

RECOMMENDATION:

The Administrative staff recommends that the Board review and approve the Draft Audit for the Fiscal Year 2021/2022 for the Scotia Community Services District for adoption by resolution at the next Board meeting.

ACTION:

Review and approve the Draft Audit for Fiscal Year 2021/2022 for the Scotia Community Services District for finalization.

DISCUSSION:

Per GC §61118(a) the board of directors shall provide for regular audits of the district's accounts and records pursuant to GC §26909. Scotia CSD has contracted with Anderson, Lucas, Somerville and Borges, LLP from Fortuna, CA to conduct the District's annual audit. A draft of this Audit for FY 2021/2022 (July 1, 2021-June 30, 2022) is being submitted for Board review and approval at this Regular Board Meeting and will be brought back for adoption by resolution at the next Board meeting.

FISCAL IMPACT:

The District budgeted \$17,500 for the FY 2021/2022 Annual Audit

ATTACHMENTS:

Draft FY 2021-2022 Audit of the Scotia Community Services District

SCOTIA COMMUNITY SERVICES DISTRICT

BASIC FINANCIAL STATEMENTS

June 30, 2022

SCOTIA COMMUNITY SERVICES DISTRICT

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June 30, 2022

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ANDERSON, LUCAS, SOMERVILLE & BORGES, LLP

CERTIFIED PUBLIC ACCOUNTANTS

KEITH D. BORGES, CPA
BARBARA J. GUEST, CPA
DANIEL COLE, CPA
RITA CHISM
VANESSA ANDERSON, EA

1338 MAIN STREET
FORTUNA, CALIFORNIA 95540
(707) 725-4483 & (707) 725-4442
FAX: (707) 725-6340
Email: team@alsb.com
www.alsb.com

JAMES M. ANDERSON (1964-2001)
EUGENE B. LUCAS (1950-2013)
DAVID A. SOMERVILLE, INACTIVE

INDEPENDENT AUDITORS' REPORT

Board of Directors
Scotia Community Services District
Scotia, California

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Scotia Community Services District as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the District's basic financial statements, as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Scotia Community Services District as of June 30, 2022 and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the Minimum Audit Requirements for California Special Districts issued by the State Controller's Office. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Scotia Community Services District, and to meet our ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Scotia Community Service District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgement made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Scotia Community Services District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

We are required to communicate with those charged with governance regarding , among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

ANDERSON, LUCAS, SOMERVILLE, & BORGES, LLP

October 12, 2022
Fortuna, California

BASIC FINANCIAL STATEMENTS

GOVERNMENT-WIDE FINANCIAL STATEMENTS

SCOTIA COMMUNITY SERVICES DISTRICT
Statement of Net Position
June 30, 2022

	<u>Governmental Activities</u>	<u>Business-Type Activities</u>	<u>Total</u>
ASSETS			
Current Assets			
Cash and Cash Equivalents	\$ 975,541	\$ 2,588,699	\$ 3,564,240
Restricted Cash	-	17,564	17,564
Accounts Receivable	5,119	174,656	179,775
Prepaid Insurance	-	-	-
Total Current Assets	<u>980,660</u>	<u>2,780,919</u>	<u>3,761,579</u>
Capital Assets, Net of			
Accumulated Depreciation			
Water Services	-	4,581,042	4,581,042
Sewer Services	-	3,254,405	3,254,405
Governmental Services	<u>9,234,057</u>	<u>-</u>	<u>9,234,057</u>
Total Capital Assets, Net of Accumulated Depreciation	<u>9,234,057</u>	<u>7,835,447</u>	<u>17,069,504</u>
Construction in Progress	-	22,719	22,719
Loan Costs, Net of Amortization	<u>52,244</u>	<u>-</u>	<u>52,244</u>
Total Assets	<u>10,266,961</u>	<u>10,639,085</u>	<u>20,906,046</u>
LIABILITIES			
Current Liabilities			
Accounts Payable	22,059	16,840	38,899
Payroll Liabilities	-	7	7
Credit Card Payable	1,123	11,869	12,992
Loan Interest Payable	7,703	-	7,703
Customer Deposits	-	16,902	16,902
Deferred Grant	-	300,000	300,000
Current Portion of Long Term Debt	<u>58,000</u>	<u>-</u>	<u>58,000</u>
Total Current Liabilities	<u>88,885</u>	<u>345,618</u>	<u>434,503</u>
Loan Payable, Less Current Portion	<u>976,000</u>	<u>-</u>	<u>976,000</u>
Total Long-Term Liabilities	<u>976,000</u>	<u>-</u>	<u>976,000</u>
Total Liabilities	<u>1,064,885</u>	<u>345,618</u>	<u>1,410,503</u>
NET POSITION			
Net Investment in Capital Assets, net of debt	8,200,057	7,858,166	16,058,223
Restricted	-	17,564	17,564
Unrestricted	<u>1,002,019</u>	<u>2,417,737</u>	<u>3,419,756</u>
Total Net Position	<u>\$ 9,202,076</u>	<u>\$ 10,293,467</u>	<u>\$ 19,495,543</u>

SCOTIA COMMUNITY SERVICES DISTRICT

Statement of Activities

For the Year Ended June 30, 2022

Functions/Programs	Expenses	Program Revenue			Net (Expense) Revenue and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total
Primary Government							
Governmental Activities:							
Streets and Lighting	\$ 30,712	\$ 68,737	-	369,325	407,350	-	407,350
Storm Drainage	21,523	57,446	-	86,185	122,108	-	122,108
Parks and Recreation	141,698	170,058	-	-	28,360	-	28,360
Total Governmental Activities	193,933	296,241	-	455,510	557,818	-	557,818
Business-Type Activities:							
Water Services	540,052	563,029	-	728,421	-	751,398	751,398
Sewer Services	454,894	844,486	-	914,445	-	1,304,037	1,304,037
Total Business-Type Activities	994,946	1,407,515	-	1,642,866	-	2,055,435	2,055,435
Total District Activities	\$ 1,188,879	1,703,756	\$ -	\$ 2,098,376	557,818	2,055,435	2,613,253
General Revenues:							
Interest Income					5,935	-	5,935
Interest Expense					(31,634)	-	(31,634)
Operating Transfers (Note 10)					9,575	(9,575)	-
Total General Revenues and Transfers					(16,124)	(9,575)	(25,699)
Change in Net Position					541,694	2,045,860	2,587,554
Net Position - Beginning of Year					8,886,500	8,021,488	16,907,988
Prior Period Adjustment					(226,118)	226,118	-
Rounding					-	1	1
Net Position - End of Year					\$ 9,202,076	\$ 10,293,467	\$ 19,495,543

The accompanying notes are an integral part of these financial statements

EXHIBIT C

SCOTIA COMMUNITY SERVICES DISTRICT
Balance Sheet of Governmental Funds
June 30, 2022

ASSETS

Cash and Cash Equivalents	\$ 975,541
Restricted Cash	
Accounts Receivable, Net of Allowance	5,119
Deposits	-
	<hr/>
Total Assets	980,660
	<hr/> <hr/>

LIABILITIES

Accounts Payable	22,059
Credit Card Payable	1,123
Loan Interest Payable	7,703
	<hr/>
Total Liabilities	30,885
	<hr/>

FUND BALANCE

Restricted	-
Unassigned	949,775
	<hr/>
Total Fund Balance	949,775
	<hr/>
Total Liabilities and Fund Balance	\$ 980,660
	<hr/> <hr/>

SCOTIA COMMUNITY SERVICES DISTRICT
Statement of Revenues, Expenditures, And Changes in Fund Balances of Governmental Funds
 For the Year Ended June 30, 2022

OPERATING REVENUES

Streets and Lighting	\$ 68,737
Storm Drainage	57,446
Parks and Recreation	170,058
Other Income	-

Total Operating Revenues	296,241
--------------------------	---------

OPERATING EXPENDITURES

Current Expenditures:	
Services and Supplies	149,031
Capital Expenditures:	
Park Improvements	60,245

Total Operating Expenditures	209,276
------------------------------	---------

**EXCESS OF REVENUES OVER
EXPENDITURES**

86,965

NONOPERATING REVENUES (EXPENDITURES)

Principal Payments on Debt	(56,000)
Interest Income	5,935
Interest Expense	(31,634)

Total Nonoperating Revenues (Expenditures)	(81,699)
--------------------------------------------	----------

OTHER FINANCING SOURCES (USES)

Transfers In (Out)	9,575
--------------------	-------

NET CHANGE IN FUND BALANCE	14,841
-----------------------------------	---------------

FUND BALANCE - Beginning of Year	1,161,055
Rounding	(3)

PRIOR PERIOD ADJUSTMENT	(226,118)
--------------------------------	------------------

FUND BALANCE - End of Year	\$ 949,775
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SCOTIA COMMUNITY SERVICES DISTRICT
Reconciliation of the Balance Sheet of Governmental Funds to the Statement of Net Position
 June 30, 2022

Reconciliation:

Total Fund Balances of Governmental Funds (Exhibit C)	\$ 949,775
-------------------------------------------------------	------------

Amounts reported for governmental activities in the statement of net position are different because:
 Capital assets used in governmental activities are not current financial resources and, therefore,
 not reported in the governmental funds balance sheet. However, the statement of net position
 includes those capital assets. In the current period, these amounts were as follows:

Capital Assets	9,359,753
Accumulated Depreciation	(125,696)
Loan Costs, Net of Amortization	52,244

Long-term liabilities applicable to the District are not due and payable in the current period and,
 accordingly, are not reported as governmental fund liabilities. All liabilities, both current and
 long-term, are reported in the statement of net position as follows:

Long-term Debt	<u>(1,034,000)</u>
----------------	--------------------

Net Position - Governmental Activities (Exhibit A)	<u><u>\$ 9,202,076</u></u>
----------------------------------------------------	----------------------------

SCOTIA COMMUNITY SERVICES DISTRICT
Reconciliation of the Statement of Revenues, Expenditures and Changes in
Fund Balances of Governmental Funds to the Statement of Activities
 For the Year Ended June 30, 2022

Reconciliation:

Net Change in Fund Balance - Total Governmental Funds (Exhibit D) \$ 14,841

Amounts reported for governmental activities in the statement of activities are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense as follows:

Capital Outlay Expense	60,245
Contributed Capital Assets	455,510
Depreciation Expense	(41,102)
Amortization of Loan Costs	(3,800)

The repayment of principal of long-term debt consumes current financial resources, and therefore, is reported as debt service principal payments in the governmental funds. However, these payments have no impact on net position, and therefore, are not reported in the statement of activities as follows:

Debt Service Principal	56,000
------------------------	--------

Change in Net Position - Governmental Activities (Exhibit B)	\$ 541,694
--------------------------------------------------------------	------------

SCOTIA COMMUNITY SERVICES DISTRICT
Statement of Net Position
Proprietary Funds
June 30, 2022

	<u>Water Activities</u>	<u>Sewer Activities</u>	<u>Total</u>
ASSETS			
Current Assets			
Cash and Cash Equivalents	\$ 730,514	\$ 1,858,185	\$ 2,588,699
Restricted Cash	8,782	8,782	17,564
Accounts Receivable	70,175	104,481	174,656
Prepaid Insurance	-	-	-
	<hr/>	<hr/>	<hr/>
Total Current Assets	809,471	1,971,448	2,780,919
Construction in Progress	22,719	-	22,719
Total Capital Assets, Net of Accumulated Depreciation	<hr/>	<hr/>	<hr/>
	4,581,042	3,254,405	7,835,447
Total Assets	<hr/>	<hr/>	<hr/>
	5,413,232	5,225,853	10,639,085
LIABILITIES			
Current Liabilities			
Accounts Payable	13,194	3,646	16,840
Customer Deposits	8,451	8,451	16,902
Credit Card Payable	-	11,869	11,869
Payroll Liabilities	-	7	7
Deferred Grant	300,000	-	300,000
	<hr/>	<hr/>	<hr/>
Total Current Liabilities	321,645	23,973	345,618
Total Liabilities	<hr/>	<hr/>	<hr/>
	321,645	23,973	345,618
NET POSITION			
Net Investment in Capital Assets	4,603,761	3,254,405	7,858,166
Restricted	8,782	8,782	17,564
Unrestricted	479,044	1,938,693	2,417,737
	<hr/>	<hr/>	<hr/>
Total Net Position	<u>\$ 5,091,587</u>	<u>\$ 5,201,880</u>	<u>\$ 10,293,467</u>

SCOTIA COMMUNITY SERVICES DISTRICT
Statement Of Revenues, Expenses, And Changes In Fund Net Position
Proprietary Funds
For the Year Ended June 30, 2022

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
OPERATING REVENUES			
Treated Water Sales	\$ 486,381	\$ -	\$ 486,381
Raw Water Sales	45,555	-	45,555
Sewer Charges	-	818,260	818,260
Other Operating Revenue	<u>31,093</u>	<u>26,226</u>	<u>57,319</u>
Total Operating Revenues	<u>563,029</u>	<u>844,486</u>	<u>1,407,515</u>
OPERATING EXPENSES			
Personnel Expenses	61,727	105,784	167,511
Lab Testing and Monitoring	1,867	30,222	32,089
Professional Fees	9,963	25,481	35,444
Other Contract Services	2,340	9,445	11,785
Fees and Permits	3,562	7,571	11,133
Insurance	34,204	29,944	64,148
Operating Supplies	1,552	2,626	4,178
Chemical Supplies	17,265	6,213	23,478
Electrical	137,667	28,032	165,699
Repairs and Maintenance	3,487	10,585	14,072
Log Pond Maintenance	-	1,500	1,500
Travel, Training and Meetings	174	224	398
Vehicle Expenses	2,738	2,509	5,247
Utilities and Communications	5,596	4,335	9,931
Administrative Costs Allocation	126,468	110,659	237,127
Depreciation	<u>131,442</u>	<u>79,764</u>	<u>211,206</u>
Total Operating Expenses	<u>540,052</u>	<u>454,894</u>	<u>994,946</u>
Operating Income	<u>22,977</u>	<u>389,592</u>	<u>412,569</u>
NON-OPERATING REVENUES (EXPENSES)			
Contributed Capital Assets	728,421	914,445	1,642,866
Operating Transfer In (Out)	<u>(5,107)</u>	<u>(4,468)</u>	<u>(9,575)</u>
Total Non-Operating Revenues (Expenses)	723,314	909,977	1,633,291
Net Income	746,291	1,299,569	2,045,860
NET POSITION			
Beginning of Year	4,217,185	3,804,303	8,021,488
Prior Period Adjustment	128,111	98,007	226,118
Rounding	-	1	1
End of Year	<u><u>5,091,587</u></u>	<u><u>5,201,880</u></u>	<u><u>10,293,467</u></u>

SCOTIA COMMUNITY SERVICES DISTRICT
Statement Of Cash Flows
Proprietary Funds
For the Year Ended June 30, 2022

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
CASH FLOWS FROM OPERATING ACTIVITIES			
Cash Received from Customers and Users	\$ 561,319	\$ 831,811	\$ 1,393,130
Cash Paid for Goods and Services	(348,144)	(271,235)	(619,379)
Cash Paid for Contract Employees	(59,309)	(90,360)	(149,669)
Net Cash Provided by Operating Activities	<u>153,866</u>	<u>470,216</u>	<u>624,082</u>
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES			
Transfers to Other Funds	<u>122,674</u>	<u>93,870</u>	<u>216,544</u>
Net Cash Provided by Non-Capital Financing Activities	<u>122,674</u>	<u>93,870</u>	<u>216,544</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES			
Acquisition of Capital Assets	<u>(41,095)</u>	<u>(84,475)</u>	<u>(125,570)</u>
Net Cash Provided (Used) by Capital and Related Financing Activities	<u>(41,095)</u>	<u>(84,475)</u>	<u>(125,570)</u>
Net Increase in Cash and Cash Equivalents	235,445	479,611	715,056
Cash and Cash Equivalents - Beginning of Year	<u>503,851</u>	<u>1,387,356</u>	<u>1,891,207</u>
Cash and Cash Equivalents - End of Year	<u><u>\$ 739,296</u></u>	<u><u>\$ 1,866,967</u></u>	<u><u>\$ 2,606,263</u></u>

The accompanying notes are an integral part of these financial statements

SCOTIA COMMUNITY SERVICES DISTRICT
Statement Of Cash Flows
Proprietary Funds
For the Year Ended June 30, 2022

	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES			
Operating Income	\$ 22,977	\$ 389,592	\$ 412,569
Adjustment to Reconcile Operating Income to Net Cash Provided By Operating Activities:			
Depreciation	131,442	79,764	211,206
(Increase) Decrease in:			
Accounts Receivable	(5,235)	(12,675)	(17,910)
Prepaid Expenses	3,525	3,525	7,050
Increase (Decrease) in:			
Accounts Payable	(2,391)	(5,414)	(7,805)
Accrued Liabilities	-	11,869	11,869
Accrued Payroll	2,418	2,425	4,843
Customer Deposits	1,130	1,130	2,260
Total Adjustments	<u>130,889</u>	<u>80,624</u>	<u>211,513</u>
Net Cash Provided by Operating Activities	<u>\$ 153,866</u>	<u>\$ 470,216</u>	<u>\$ 624,082</u>

The accompanying notes are an integral part of these financial statements

NOTES TO FINANCIAL STATEMENTS

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
June 30, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Organization

The Scotia Community Services District was formed in 2014 under Government Code 61000 to provide water, wastewater, parks and recreation, limited streets and street lighting, and storm drainage services to the community of Scotia.

The District is governed by a board of five directors elected at large from the area within the District's boundaries.

In May 2017, the Board approved the Asset Transfer and Transition Agreement with the Town of Scotia. Real property assets were transferred from the Town of Scotia to the District at no cost. These included the following:

- Water treatment facilities and river intake and distribution system infrastructure
- Wastewater treatment facilities and collection system and discharge infrastructure
- Parks and recreation facilities (Museum, Winema Theatre, Fireman's Park, carpenter shop, and Scotia Soccer Field and Community Forest.
- Streets and street lighting
- Storm drainage infrastructure

In addition to the real property, Town of Scotia also contributed \$155,000 for a contingency fund and purchase of office equipment. Town of Scotia also pre-paid water and sewer utilities in advance to facilitate the transfer.

The District's financial statements are prepared in accordance with generally accepted accounting principles (GAAP). The Government Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (Statements and Interpretations). Governments are also required to follow the pronouncements of the Financial Accounting Standards Board (FASB) issued through November 30, 1989 (when applicable) that do not conflict with or contradict GASB pronouncements. Although the District has the options to apply FASB pronouncements issued after that date to its business-type activities and enterprise funds, the District has chosen not to do so. The more significant accounting policies established in GAAP and used by the District are discussed below.

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
June 30, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

B. Reporting Entity

There are no significant activities or organizations over which the District has financial accountability which would require inclusion in the financial statements. Other entities operate within the District's boundaries. The following criteria were used to include or exclude other entities:

1. Simple Accountability:

The District's ability to appoint a voting majority of the other entities' governing board and, either:

- a. The District's ability to impose its will on the other entity, or
- b. The existence of a financial benefit or burden consideration between the other entity and the District

2. Fiscal dependency of the other entity upon the District.

C. Financial Statement Measurement Focus, Basis of Accounting and Presentation

The District is a multi-function special purpose government that uses separate funds to account for the transactions related to each of its distinct functions. Separate financial statements are presented for governmental and proprietary activities. These statements present each major fund as a separate column on the fund financial statements. The District has no non-major funds.

The District uses a governmental fund to account for the activities of its various parks and recreation properties, streets and street lighting, and storm drainage infrastructure, while it uses proprietary funds to account for its water and sewer activities.

The district-wide financial statements and the proprietary fund financial statements are reported using the economic resources measurement focus and the accrual method of accounting. Under this method of accounting, revenues are recognized when earned and measurable and expenses are recognized when the related liabilities are incurred. Grants and similar items are recognized as revenue as soon as eligibility requirements imposed by the provider are met.

Governmental fund financial statements are reported using the current financial resources measurement focus and are accounted for using the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. In general, the District considers most revenue items measurable and available only when cash is received. Typically, the revenues subject to accrual are charges for services, interest income, and intergovernmental revenues. Expenditures are recorded when the related liability is incurred.

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
 June 30, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Cash and Cash Equivalents

Cash and cash equivalents for purposes of the statement of cash flows includes amounts in demand deposits as well as short-term investments with an original maturity date of three months or less.

E. Capital Assets

Capital assets, which include property, plant, equipment, vehicles and infrastructure assets, are reported in the applicable governmental or business-type activities column in the district-wide financial statements and in the fund financial statements for proprietary funds. All capital assets are recorded at cost or estimated historical cost if actual historical cost is not available. Donated assets are recorded at their fair market value on the date donated. The District has an informal capitalization threshold of \$2,500. Improvements are capitalized, while the cost of normal repairs and maintenance that do not add to the value of the asset or materially extend the asset’s life are recorded as expenses in the period incurred. Capital assets are depreciated using the straight-line method over the following estimated useful lives:

Water System	40 Years
Sewer System	40 Years
Other Equipment	5 to 10 Years
Vehicles	5 Years
Buildings and Improvements	40 Years

F. Charges for Services

Charges for services result from the District providing water and sewer services to District residents.

G. Net Position

The government-wide financial statements utilize a net position presentation. Net position categories are as follows:

- **Net Investment in Capital Assets** – Net investment in capital assets consists of capital assets, net of accumulated depreciation and amortization, and reduced by debt balances outstanding or other long-term borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- **Restricted** – Restricted consists of assets that have restrictions placed upon their use by external constraints imposed either by creditors (debt covenants), grantors, contributors, or laws and regulations of other governments or constraints imposed by law through Enabling legislation.
- **Unrestricted** – Unrestricted consists of the net amount of assets, deferred outflows of resources, liabilities, and deferred inflows of resources that are not included in the determination of the net investment in capital assets or restricted components of net position.

SCOTIA COMMUNITY SERVICES DISTRICT

Notes to Financial Statements

June 30, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

H. Fund Balance

The financial statements, governmental funds report fund balance as non-spendable, restricted, committed, assigned, or unassigned based primarily on the extent to which the District is bound to honor constraints on how specific amounts can be spent.

- **Non-spendable fund balance** - amounts that cannot be spent because they are either (a) not Spendable in form or (b) legally or contractually required to be maintained intact.
- **Restricted fund balance** – amounts with constraints placed on their use that are either (a) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions enabling legislation.
- **Committed fund balance** - amounts that can only be used for specific purposes determined By formal action of the District's highest level of decision-making authority (the Board of Directors) and that remain binding unless removed in the same manner. The underlying action that imposed the limitation needs to occur no later than the close of the reporting period.
- **Assigned fund balance** – amounts that are constrained by the District's intent to be used for specific purposes. The intent can be established at either the highest level of decision-making, or by a body or an official designated for that purpose.
- **Unassigned fund balance** – the residual classification for the District's general fund that includes amounts not contained in the other classifications. In other funds, the unassigned classification is used only if expenditures incurred for specific purposes exceed the amounts restricted, committed, or assigned to those purposes.

The Board of Directors established, modifies, or rescinds fund balance commitments and assignments by passage of an ordinance or resolution. This is done through adoption of the budget and subsequent budget amendments that occur throughout the year.

When both restricted and unrestricted resources are available for use, it is the District's policy to use restricted resources first, followed by the unrestricted, committed, assigned, and unassigned resources as they are needed.

I. Inventory

The District does not maintain a supplies inventory. Supplies are purchased as needed and expensed when purchased.

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
 June 30, 2022

NOTE 1 — SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

J. Policy for Defining Operating and Non-operating Revenues

Operating revenues consist of customer fees for water and sewer services and operating expenses consist of expenses related to providing such services. Non-operating revenues consist of other revenues and expenses such as interest, grants, and government support.

K. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

L. Inter-fund Activity

Authorized transfers between funds are treated as interfund transfers and included in the results of operations of both governmental and proprietary funds. Cash collected or payments made by one fund on behalf of another fund are treated as short-term interfund loans that affect only the statement of net assets of the funds involved. Interfund loan balances are reported in fund financial statements. Interfund loan balances between similar fund types are eliminated in the district-wide Statement of Net Position while interfund loan balances between governmental and business-type funds are reported in the district-wide Statement of Net Position.

During the fiscal year ended June 30, 2022, the District made inter-fund transfers as detailed at Note 9.

NOTE 2 — CASH AND INVESTMENTS

Cash and investments as of June 30, 2022, are classified as follows:

	<u>Governmental Activities</u>	<u>Business-Type Activities</u>	<u>Total</u>
Cash and Investments	\$ 975,541	\$ 2,588,699	\$ 3,564,240
Cash - Restricted	-	17,564	17,564
	<u>\$ 975,541</u>	<u>\$ 2,606,263</u>	<u>\$ 3,581,804</u>

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
 June 30, 2022

NOTE 3 — CAPITAL ASSETS

Depreciation expense was charged to various functions at June 30, 2022, as follows:

Governmental Activities:	
Parks and Recreation	\$ 41,102
Business-type Activities:	
Water Fund	\$ 131,442
Wastewater Fund	79,764
Total Business-type Activities	<u>\$ 211,206</u>
 Total Depreciation Expense	 <u>\$ 252,308</u>

The following is a summary of capital assets for the year ended June 30, 2022:

	June 30, 2022				Ending Balance
	Beginning Balance	Additions	Deletions	Contributed Assets	
<u>GOVERNMENTAL</u>					
Capital Assets Not Being Depreciated					
Land	\$ 7,818,300	\$ -	\$ -	\$ -	\$ 7,818,300
Total Capital Assets, Not Being Depreciated	<u>7,818,300</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>7,818,300</u>
Other Capital Assets					
Office Building	220,000	-	-	-	220,000
Office Building Improvements	20,365	-	-	-	20,365
Office Equipment	7,825	-	-	-	7,825
Museum	95,020	-	-	-	95,020
Museum Improvements	3,140	-	-	-	3,140
Park Gate Automatic	14,151	-	-	-	14,151
Theatre	156,548	-	-	-	156,548
Carpenter Shop	221,195	-	-	-	221,195
2019 Ford Truck	5,430	-	-	-	5,430
Park Fields Improvements Equipment	24,366	-	-	-	24,366
2021 Improvements	5,286	-	-	-	5,286
2021 Improvements	252,371	-	-	-	252,371
2022 Improvements/ Phase 3	-	60,245	-	455,510	515,755
Total Other Capital Assets	<u>1,025,697</u>	<u>60,245</u>	<u>-</u>	<u>455,510</u>	<u>1,541,452</u>
Less: Accumulated Depreciation	<u>(84,594)</u>	<u>(41,102)</u>	<u>-</u>	<u>-</u>	<u>(125,696)</u>
Capital Assets, Net	<u>\$ 8,759,403</u>	<u>\$ 19,143</u>	<u>\$ -</u>	<u>\$ 455,510</u>	<u>\$ 9,234,056</u>

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
June 30, 2022

NOTE 3 — CAPITAL ASSETS (Continued)

	June 30, 2022				
	Beginning Balance	Additions	Deletions	Contributed Assets	Ending Balance
WATER					
Water Facility	\$ 504,000.00	\$ -	\$ -	\$ -	\$ 504,000
Distribution Lines	1,400,000	-	-	-	1,400,000
Office Equipment	716	-	-	-	716
Raw Water Tank	916,200	-	-	-	916,200
Treated Water Tank	573,000	-	-	-	573,000
Fire Water Tanks	229,050	-	-	-	229,050
River Intake Pumps	30,400	-	-	-	30,400
River Intake Structure	625,000	-	-	-	625,000
River Pump House	100,000	-	-	-	100,000
2019 Ford Truck	16,292	-	-	-	16,292
Equipment	6,526	-	-	-	6,526
CIP (Corridor Phase)	10,000	-	-	-	10,000
2022 equipment/ Phase 3	-	18,375	-	728,422	746,797
Total Other Capital Assets	4,411,184	18,375	-	728,422	5,157,981
Less: Accumulated Depreciation	(445,497)	(131,442)	-	-	(576,939)
Capital Assets, Net	\$ 3,965,687	\$ (113,067)	\$ -	\$ 728,422	\$ 4,581,042
SEWER					
June 30, 2022					
	Beginning Balance	Additions	Deletions	Contributed Assets	Ending Balance
Capital Assets Not Being Depreciated					
Land (Log Pond)	\$ 419,197	\$ -	\$ -	\$ -	\$ 419,197
Total Capital Assets, Not Being Depreciated	419,197	-	-	-	419,197
Other Capital Assets					
Waste Disposal Facilities	240,700	-	-	-	240,700
Fencing	15,342	-	-	-	15,342
Generator and Propane Tank	30,088	-	-	-	30,088
Vehicles	15,476	-	-	-	15,476
Collection System	109,720	-	-	-	109,720
Wastewater Distribution Lines	84,960	-	-	-	84,960
Collection Lines	1,400,000	-	-	-	1,400,000
Office Equipment	1,500	-	-	-	1,500
2019 Ford Truck	14,482	-	-	-	14,482
Equipment	11,116	-	-	-	11,116
Primary Clarifier	192,144	-	-	-	192,144
2022 equipment/ Phase 3	-	84,475	-	914,445	998,920
Total Other Capital Assets	2,115,528	84,475	-	914,445	3,114,448
Less: Accumulated Depreciation	(199,477)	(79,764)	-	-	(279,241)
Capital Assets, Net	\$ 2,335,248	\$ 4,711	\$ -	\$ 914,445	\$ 3,254,404

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
 June 30, 2022

NOTE 4 — LONG TERM DEBT

The District received a loan through Umpqua Bank for \$1,171,000 at 2.98% interest with payments beginning 4/1/2020 for future ADA improvements to public buildings in Scotia. The maturity date is October 2036. Payments are due April 1 and October 1 each year.

The following are principal and interest requirements for the next five years until the maturity date:

Years Ending <u>June 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	58,000	30,381	88,381
2024	60,000	28,638	88,638
2025	62,000	26,835	88,835
2026	63,000	24,987	87,987
2027	65,000	23,095	88,095
2027-2031	355,000	85,005	440,005
2032-2036	<u>371,000</u>	<u>28,236</u>	<u>399,236</u>
Total	<u>\$ 1,034,000</u>	<u>\$ 247,177</u>	<u>\$ 1,281,177</u>

NOTE 5 – PENSION PLAN AND EMPLOYEE BENEFIT TRUST

The District adopted The Scotia Community Services District Public Agency Retirement Services (PARS) Defined Contribution Plan (the Plan) effective September 1, 2018 for the benefit of its eligible employees to provide retirement benefits to the employees. The Plan and Trust were established to hold assets of the Plan which qualifies under Section 401(a) as a governmental profit-sharing plan.

It is the intention of the employer to make contributions to the Plan equal to 7% of compensation. Such contributions will be made before the close of the Plan Year and be allocated to each participant in the ratio that each participant's compensation bears to the compensation of all participants. The employee will make mandatory contributions equal to 7% of compensation.

The employees are fully vested in their employee contribution account. Vesting in the employer contribution account occurs within 5 years of service with the employer. Should an employee terminate before being fully vested, they shall forfeit that portion of their account in which they are not vested.

Total retirement plan contribution expense for 2022 was \$7,868.

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
June 30, 2022

NOTE 6 — PARTICIPATION IN INSURANCE AUTHORITIES

The District is a member of the Special District Risk Management Authority (SDRMA). SDRMA is a not-for-profit public agency formed under California Government Code and provides a full-service risk management program for California’s local governments. SDRMA provides comprehensive property, liability, and workers compensation protection. Each member organization pays a premium based on the level of coverage requested. Rates and/or premiums are reviewed and established annually by SDRMA’s Board of Directors. Member organizations share surpluses and deficits proportionately to their participation in the SDRMA. Each entity has an equal voice in the selection of SDRMA’s Board of Directors.

A summary of coverage under this arrangement for the fiscal year ended June 30, 2022 is as follows:

General liability and auto bodily injury and property damage coverage	\$2.5 million per occurrence/accident
Public Officials personal	\$500,000 per occurrence
Errors & Omissions	\$2.5 million per occurrence
Employee/Public Officials Dishonesty	\$1 million per occurrence
Property Pollution	\$2 million per occurrence
Public Officials Personal liability coverage	\$500,000 per occurrence
Employment Practices Aliability	\$2.5 million per occurrence
Employment Benefits	\$2.5 million per occurrence
Property Loss	\$1 billion per occurrence
Boiler & Machinery	\$100 million per occurrence

NOTE 7 – CONCENTRATIONS

The District maintains cash balances at two financial institutions. Accounts in the aggregate are insured by the Federal Deposit Insurance Corporation up to \$250,000 per bank. At June 30, 2022, uninsured cash balances were \$1,656,812.

SCOTIA COMMUNITY SERVICES DISTRICT
Notes to Financial Statements
 June 30, 2022

NOTE 8 — SUBSEQUENT EVENTS

Management has evaluated subsequent events through October 12, 2022, the date the financial statements were available to be issued.

The Town of Scotia, LLC is improving the infrastructure throughout the town in multiple phases. In August 2018, Phase 2 was completed and additional distribution and collection lines for water and sewer with an estimated fair market value of \$1,600,000 were transferred to the District. Phase III was completed in 2022, with the Town of Scotia, LLC transferring infrastructure valued at \$2,098,376 to the District.

The District is in the process of recalculating previously billed late fees over the past 3 years. This adjustment will be completed in FY 2023. The total late fee adjustment is \$50,866 recorded in November 2022.

NOTE 9 — OPERATING TRANSFERS

During the year ended June 30, 2022, the District made operating transfers to cover the allocable costs of the building acquired for use as the District’s Administrative office. The allocations were based on estimates generated by project engineers in the District’s original budgeting process. A summary of the items and amounts are as follows:

Capital Outlay - Building Improvements	\$ -
Debt Service Payments - Interest	4,647
Debt Service Payments - Principal	<u>8,120</u>
 Total Allocable Expenditures	 \$ 12,767
 Allocated to Water Fund - 40%	 \$ 5,107
 Allocated to Sewer Fund - 35%	 <u>\$ 4,468</u>
 Total Interfund Transfers	 <u><u>\$ 9,575</u></u>

REQUIRED SUPPLEMENTARY INFORMATION

SCOTIA COMMUNITY SERVICE DISTRICT
Budgetary Comparison Schedule
Budget and Actual - Governmental Funds
For the Year Ended June 30, 2022

	Original Budget	Revised Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Rental Income	\$ 4,500	\$ 4,500	\$ 3,787	\$ (713)
Benefit Assessments	249,658	249,658	274,809	25,151
Interest Income	1,300	1,300	5,935	4,635
Late fees	5,000	5,000	17,645	12,645
Miscellaneous	200	200	-	(200)
	-	-	-	-
Total Revenues	<u>260,658</u>	<u>260,658</u>	<u>302,176</u>	<u>41,518</u>
EXPENDITURES				
Current Expenditures:				
General and Administrative				
Legal	2,520	2,520	-	2,520
Auditor	2,040	2,040	-	2,040
Board Stipend	420	420	-	420
Bookkeeping	600	600	-	600
IT Services	120	120	-	120
Engineering	10,700	10,700	-	10,700
Personnel Staff & Benefits	27,000	27,000	13,880	13,120
Allocated Admin Costs	34,500	34,500	79,042	(44,542)
Materials and Services				
Permits, Licenses, Dues, Publications	3,400	3,400	1,399	2,001
General Supplies, Lab, Monitoring	9,500	9,500	790	8,710
Utilities- Communications	21,000	21,000	3,743	17,257
General Maintenance & Repairs	4,600	4,600	3,774	826
Liability Insurance	22,875	22,875	21,298	1,577
Electrical	21,500	21,500	16,855	4,645
Contracted Maintenance Services	14,000	14,000	6,824	7,176
Travel, Training, Meetings	2,000	2,000	-	2,000
Other	7,250	7,250	1,429	5,821
Office Supplies	5,000	5,000	-	5,000
Total Current Expenditures	<u>189,025</u>	<u>189,025</u>	<u>149,034</u>	<u>39,991</u>
Other Expenditures				
Annual Debt Service	35,000	35,000	31,634	3,366
Note Payable Principal	-	-	56,000	(56,000)
Transfer to Reserve Fund	33,650	33,650	-	33,650
Transfer to Equipment Replacement	7,500	7,500	-	7,500
Total Other Expenditures	<u>76,150</u>	<u>76,150</u>	<u>87,634</u>	<u>(11,484)</u>
Non-Current Expenditures:				
Capital Outlay	666,000	666,000	60,245	605,755
	-	-	-	-
Total Expenditures	<u>931,175</u>	<u>931,175</u>	<u>296,913</u>	<u>634,262</u>
Excess (Deficiency) of Revenues Over Expenditures	(670,517)	(670,517)	5,263	675,780
Operating Transfers	-	-	9,575	9,575
Excess (Deficiency) of Revenue and Other Transfers Over (Under) Expenditures	-	<u>\$ (670,517)</u>	<u>14,838</u>	<u>\$ 685,355</u>
FUND BALANCE - Beginning			1,161,055	
PRIOR PERIOD ADJUSTMENT			(226,118)	
FUND BALANCE - Ending			<u>\$ 949,775</u>	

Scotia Community Services District Staff Report

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: Second Reading and Consider Adoption of Ordinance No. 2022- 6: An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II - Water Service.

RECOMMENDATION:

The administrative staff recommends the Board read and adopt by title only, Ordinance No. 2022- 6: An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II - Water Service.

ACTION:

Read and adopt, by title only, Ordinance No. 2022- 6: An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2022-3 Title II - Water Service.

DISCUSSION:

All District Ordinances are periodically reviewed, by administrative staff, for accuracy, clarification, and content. The District's Ordinance 2022-3 Title II - Water Service was last amended and adopted on April 21, 2022.

The revised Ordinance No. 2022-6 adds and clarifies several sections. **Chapter 1 – Water, Sections 1, 2, 3, 4, and 6** were added for consistency within the primary chapter of the Ordinance. Changes to **Chapter 8 – Collection By Suit**, were made to make the Ordinance consistent with the Master Fee Schedule and California Government Code §61115. Additional revisions to Ordinance 2022-6 were made for accuracy and clarification and are in redline.

Ordinance No. 2022-6 revisions have been reviewed by District's Legal Counsel.

FISCAL IMPACT:

None

ATTACHMENTS:

Attachment: Ordinance No. 2022-6: An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2022-3 Title II Water Service.

ORDINANCE NO. 2022-~~63~~
AN ORDINANCE OF THE SCOTIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
AMENDING ORDINANCE 202~~12~~-3 TITLE II –WATER SERVICE

The Board of Directors of the Scotia Community Services District does ordain as follows:

Section 1: Title II (Water Service) is hereby adopted as follows:

TITLE II - WATER SERVICE
CHAPTER 1 - WATER

SEC. 1.01. Words and Phrases. ~~For the purpose of this article all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.~~ **BASIS OF AUTHORITY.** Ordinance 2015-2 dated 11/19/2015; Ordinance 2018-2 dated 11/15/2018; Ordinance 2019-2 dated 12-9-2019; Ordinance 2020 – 2 dated 6/18/2020; Ordinance 2021-3 dated 3/18/2021, Ordinance 2022-3 dated 4/21/2022.

SEC. 1.02. Purpose and Policy. This Water Ordinance (Ordinance) sets uniform -requirements for the Scotia Community Services District (District) Publicly Owned Treatment Works (POTW) , water treatment system (District’s infrastructure), and enables the District to comply with the administrative provisions set by the California Department of Water Resources, and any other criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of water distributed into the District’s infrastructure. This Ordinance provides a means of setting of charges and fees. Revenues derived from the application of this Ordinance shall be used to defray the costs of operating and maintaining adequate water treatment systems and infrastructure to provide sufficient funds for capital outlay, bond service costs, capital improvements, and depreciation.

SEC. 1.03. Authority. The District General Manager (District Manager), as approved by the District Board of Directors (District Board) shall have the authority to administer, implement and enforce all chapters and sections of this Ordinance.

SEC. 1.04. Violation Unlawful. It shall be unlawful for any person, whose building is required to be connected to the District’s infrastructure under this ordinance to connect to, construct, install or provide, maintain, and use any other means of water service to said building except by connection to the District’s infrastructure in accordance with this Ordinance.

SEC. 1.052. Water System. The District will furnish a system, plant works and undertaking used for and useful in obtaining, conserving and distributing of water for public and private uses, including all parts of the water system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

SEC. 1.06. District Inspector. The District Manager may personally perform or designate a qualified person or persons to perform the duties of inspecting the installation, connection, maintenance, operation and use of all infrastructure and facilities in the District Water System.

| **SEC. 1.0307. Separability.** If any section, subsection, sentence, clause, or phrase of this article is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

| **SEC. 1.0408. Pressure Conditions.** All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distributing system at the location of the proposed service connection, and to hold the District harmless for any damages arising out of low pressure or high-pressure conditions or interruptions in service.

| **SEC. 1.095. Maintenance of Water Pressure and Shutting Down.** The District shall not accept any responsibility for the maintenance of pressure, and it reserves the right to discontinue service while making repairs. Customers dependent upon a continuous supply should provide emergency storage and supply.

| **SEC. 1.0610. Tampering with District Property.** No one except an employee or an authorized representative of the District shall at any time in any manner operate the curb stops or valves, main stops, gates or valves of the District's system; or interfere with meters or their connections, street mains or other parts of the water system. Water service may be discontinued until situation is resolved.

| **SEC. 1.0711. Penalty for Violation.** For the failure of the customer to comply with all or any part of this article, and any ordinance, resolution or order fixing rates and charges of the District, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued and the water shall not be supplied until the customer has complied with the rule or regulation, rate or charge which was violated or, in the event that they cannot comply with said rule or regulation, until they have satisfied the District that in the future they will comply with all the rules and regulations established by ordinance of the District, and with all rates and charges of this District.

| **SEC. 1.0812. Ruling Final.** All rulings of the General Manager shall be final unless appealed in writing to the District Board of Directors (Board) within (5) days. When a ruling of the General Manager is appealed in writing, the Boards' ruling shall be final.

| **SEC. 1.0913. General Definitions.** All definitions included in Ordinance 2015-1 – Definitions, shall be included by reference and by such reference shall be incorporated in this ordinance as though herein set out in full.

| **SEC. 1.1014. General Manager.** The position of General Manager is hereby created. The General Manager shall regularly inspect and maintain all physical facilities related to the District water system, to see that they are in good repair and proper working order, and to note violations of any water regulations. The General Manager shall report directly to the Board.

The General Manager shall have, subject to approval of the Board, full charge and control of the maintenance, operation and construction of the water works and system; authority to employ and discharge all employees and assistants; fix and alter the compensation of employees and assistants subject to approval by the Board; and shall have charge of all employees and assistants. The General Manager shall perform such other duties as are imposed from time to time and shall report to the Board in accordance with the rules and regulations as adopted by the Board.

The General Manager shall promptly report any violation or disrepair to the Board. If the work required is in the nature of an emergency, they shall take whatever steps are necessary to maintain service to Customers.

The General Manager, or their designee shall supervise all repair of construction work authorized by the Board and perform any other duties prescribed elsewhere in this ordinance or which shall be hereafter prescribed by the Board.

SEC. 1.115. Clerk. The position of the Clerk is hereby created. The Clerk shall have charge of the District office and of the billing for and collecting the charges herein provided. The Clerk shall perform such other duties as shall be determined by the General Manager and Board.

The Clerk shall compute, prepare and mail bills as hereinafter prescribed, make collections, maintain proper books of account, collect account for and refund deposits, do whatever else is necessary or directed by the Board to set up and maintain an efficient and economical bookkeeping system, and perform any other duties now or hereafter prescribed by the Board.

SEC. 1.1216. Performance of Duties. The foregoing duties of the Clerk may be performed by an additional authorized employee.

CHAPTER 2 - NOTICES

SEC. 2.01. Notices to Customers. Notices from the District to a customer will normally be given in writing, and either delivered or mailed to their last known address. Where conditions warrant and in emergencies, the District may resort to notification either by telephone, e-mail, messenger or door hanger.

SEC. 2.02. Notices from Customers. Notice from the customer, or authorized representative, to the District may be given in writing at the District's operating office.

CHAPTER 3 - APPLICATION FOR REGULAR WATER SERVICE

SEC. 3.01. Application. A property owner or their agent ~~may~~ shall apply for regular water service at the District offices by completing an application form, paying a nonrefundable processing fee and providing a security deposit. The District Master Fee Schedule (Fee Schedule) and security deposit amount can be acquired at the District office, or on the District website. The amounts are set by a resolution of the Board. The deposit will be applied to the account as a credit after 12 months with a good payment record.

SEC. 3.02. Application Agreement. The completion of an application will signify the customers' willingness and intention to comply with this and other ordinances or regulations relating to the regular water service and to make payment for all fees, costs and expenses associated with provision of the water service. In the event an application is executed by two or more individuals as the customer, each individual executing the application shall be jointly and severally liable to make payment for all fees, costs and expenses associated with provision of the water service.

SEC. 3.03. Payment for Previous Service. An application will not be honored unless payment in full has been made for water service previously rendered to the applicant or property by the District.

SEC. 3.04. Installation Charges. Services and meters shall be installed without charge for all applications for water service received prior to or during the initial construction of the District's water system. The charges below will apply to applications received after the District's Contractor has progressed with the work beyond their property frontage.

Where the applicant requests installation of a 1 1/2 inch or larger water meter or where unusual circumstances exist, the charge for installation of water service shall be equal to the estimated cost, plus 10 percent of such service connection. The applicant shall deposit said amount with the District prior to installation, the District will track actual expenditures, the District will compute the difference between the deposit and the actual expenditure, the District will rebate the difference to the applicant where the actual expenditure is less than the deposit. The term "unusual circumstances", as used in this rule, shall include water mains deeper than 6 feet, slopes greater than 20 percent, service line lengths of more than 35 feet and closure of roadway due to traffic safety considerations. The schedule for all other service connections shall be as shown in the rate schedule.

Where the applicant requests the installation of a water meter in an existing water meter box, and the requested meter is to be connected to an existing meter set, the schedule of water meter installation charges shall be as shown in the fee schedule.

SEC. 3.05. Installation of Service. Upon application approval, water service infrastructure will be installed as requested by the applicant. The size shall be determined by the applicant. Service installations will be made only to property abutting on distribution mains as have been constructed in public streets, alleys, or easements, or to extensions thereof as hereby provided.

SEC. 3.06. Changes in Customer's Equipment. Customers making any material change in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operations results in a large increase in the use of water, shall immediately give the District written notice of the nature of the change and, if necessary, amend their application.

SEC. 3.07. Size and Location. The District reserves the right to determine the size of service connections and their location with respect to the boundaries of the premises to be served. The laying of Customer's pipe line to the meter should not be done until the location of the service connection has been approved by the District.

SEC. 3.08. Curb Stop. Every service connection installed within the District shall be equipped with a curb stop on both sides of the meter. The inlet curb stop is intended for the exclusive use of the District in controlling the water supply through the service connection pipe. If the inlet curb stop is damaged by the Customer's use to an extent requiring replacement, such replacement shall be at the Customer's expense. All new installations shall have a customer isolation valve, or outlet curb stop in box, to be owned, maintained, and used by customer.

SEC. 3.09. Residential, Commercial and Industrial Service Connection. It shall be unlawful to maintain a connection excepting in conformity with the following rules:

- A. **Separate Building.** Each building under separate ownerships shall be required to have a separate water meter service connection. Two or more buildings on the same lot shall have separate services if the buildings could legally be sold separately. Two or more buildings under one ownership and on the same lot or parcel of land may (with specific Board approval, based on hardship or extenuating circumstances) be supplied through the same service connection; provided, that for each building under a separate roof an additional minimum charge will be applied to the single meter serving said buildings. The District reserves the right to limit the number of buildings or the area of land under one ownership to be supplied by one service connection.
- B. **Separate Property.** A service connection shall not be used to supply property of the same owner across a street or alley, without written approval for specific cases otherwise meeting the intent of this ordinance.

- C. **Divided Property.** When property provided with a service connection is divided, each service connection shall be considered as belonging to the lot or parcel of land which it directly enters.

SEC. 3.10. Service Connections. The service connections extending from the water main to the property line and including the meter, meter box and curb stop, shall be maintained and owned by the District. All pipes and fixtures extending or lying beyond the meter shall be installed, owned and maintained by the owner of the property.

SEC. 3.11. Water Capacity Fee. A water capacity fee shall be collected from each applicant requesting a new water service in addition to any processing fees and/or installation charges. The capacity fee is based on meter size, as shown on the fee schedule.

Due to recent changes in building code regulations, new single-family homes are to be sized with a 1" meter because of fire protection systems, rather than the typical 5/8" meter. It is recommended that all **new single-family residential units**, with meter sizes 5/8" up to and including 1", that require a larger size meter because of fire protection, be charged the 5/8" meter rate to reflect their typical demand on the system.

SEC. 3.12. Commercial Landscape Meters. The General Manager shall encourage all commercial users to install an irrigation meter in addition to the regular water meter. Where the customer agrees to install an irrigation meter, the overall connection charge shall be the same as if one water meter had been installed and the installation charge shall reflect the actual time and materials cost of adding an additional meter on the service line constructed for the primary meter.

CHAPTER 4 - GENERAL USE REGULATION

SEC. 4.01. Number of Services per Premises. The applicant may apply for as many services as may be reasonably required for their premises, provided that the pipeline system from each service be independent of the others, they are not interconnected, and adequate water supply and pressure exists.

SEC. 4.02. Water Waste. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises seriously affecting the general service, the District may discontinue the service if such conditions are not corrected within five (5) days after giving the customer written notice.

SEC. 4.03. Responsibility for Equipment on Customer Premises. All public facilities installed by the District on private property for the purpose of rendering water service shall remain the property of the District and may be maintained, replaced or repaired by the District without consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made by District for placing or maintaining said facilities on private property.

SEC. 4.04. Damage to Water System Facilities. The customer shall be liable for any damage to the system facilities when such damage is from causes originating on the premises by an act of the customer or their tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, or by blocking or parking on the meter. The District shall be reimbursed by the customer for any such damage or towing charge promptly on presentation of a bill.

SEC. 4.05. Ground-Wire Attachments. All individuals or business organizations are forbidden to attach any ground- wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the District. The District will hold the customer liable for any damage to its property occasioned by such ground-wire attachments.

SEC. 4.06. Control Valve on the Customer Property. The customer shall provide a private outlet isolation valve in a box on the private property side of the service installation, as close to the meter location as practicable, to control the flow of water to the piping on their premises. The customer shall not use the public inlet curb stop to turn water on and off for their convenience.

SEC. 4.07. Cross-Connections. The customer must comply with State and Federal laws governing the separation of dual water systems or installations of back flow protective devices to protect the public water supply from the danger of cross-connections as determined by the District. Back flow protective devices must be installed as near the service as possible and shall be open to test and inspection by the District. Plans for installation of back flow protective devices must be approved by the District prior to installation. Backflow protective devices shall be owned, maintained and tested at customer expense.

SEC. 4.08. ID. - Special Cases. In special circumstances, when the customer is engaged in the handling of especially dangerous or corrosive liquid(s) or industrial or process water(s), the District may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the back flow preventive devices.

SEC. 4.09. Pressure Reducing Valves. As a protection to the customer's plumbing system, a suitable pressure reducing valve must be installed, owned and maintained by the customer at their expense, when check valve or other protective devices are used. The pressure reducing valve shall be installed on the customer side of the meter between the check valves and the residence.

SEC. 4.10. Back Flow Device. Whenever back flow protection has been found necessary on a water supply line entering a customer's premises, then any and all water supply lines from the District's mains entering such premises, buildings or structures shall be protected by an approved back flow device, regardless of the use of the additional water supply lines. The ownership, maintenance, and certified testing shall be the responsibility of the customer. The customer shall submit the testing results annually to the District. Failure to properly maintain or submit certified test results may result in termination of water service.

SEC. 4.11. Discontinued Service. The service of water to any premises may be immediately discontinued by the District if any defect is found in the check valve installation(s), other protective device(s), private water service, or if it is found that dangerous unprotected cross-connection(s) exist. Service will not be restored until such defect(s) are corrected.

SEC. 4.12. Interruptions in Service. The District shall not be liable for damage which may result from an interruption in pressure or service.

SEC. 4.13. Ingress and Egress. The District shall have the right of ingress and egress to the customer's premises for any purpose reasonably connected with the furnishing of water service.

SEC. 4.14. Underground Water Service. All private water services shall be buried; no above ground water service shall be allowed.

SEC. 4.15. Penalty for Unauthorized Use. The ability of the District to fill and maintain storage in their water storage tanks is critical to District operations and fire protection. Customers that fail to maintain their facilities (leaks, etc.), the taking of unauthorized water,

customer operations that result in excessive fire protection measures that impact District raw or potable water tank storage (excessive fires) or customer operations that drain the fire or potable water tanks shall be subject to penalties or discontinuance of water or private fire protection service. The customer shall be subject to a penalty of \$5,000 per violation, increasing by \$5,000 for each subsequent violation up to three violations in a calendar year, plus the cost of water and electrical use. After three events per calendar year, the District may discontinue water or private fire protection service. Non-structure fires shall be subject to the same above noted penalties,

CHAPTER 5 – METERS

SEC. 5.01. Meters Required. Meters shall be required for all water service connections, including but not limited to fire protection water and portable water, for any properties connected to the District's water system.

SEC. 5.02. Meter Installations. Meters will be installed in the sidewalk area whenever possible, or as determined by the District, and shall be owned by the District and installed and removed at its expense. No rent or other charge will be paid by the District for a meter or other facilities, including connections on private property. No meter, seal, or lock shall be altered or broken except by one of the District's authorized employees or agents.

SEC. 5.03. Change in Location of Meters. Meters moved for the convenience of the customer will be relocated at the customer's expense. Meters moved to protect the District's property will be moved at District expense. If the customer desires to have the meter moved, the customer will be required to pay for new service at the desired location, as approved by the District.

CHAPTER 6 - BILLING

SEC. 6.01. Billing Period. The regular billing period will be monthly.

SEC. 6.02. Meter Reading. Meters will be read monthly ~~or bi-monthly~~.

SEC. 6.03. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be pro-rated as to volumetric consumption, excluding base rate. If the total period for which service is rendered is less than one month, the monthly base rate shall not be less than the monthly minimum charge applicable. Closing bills may be estimated by the District for the final period as an expediency to permit the customer to pay the closing bill at the time service is discontinued.

SEC. 6.04. Water Service Charges. A monthly water service charge is a charge for an immediately available property-related water service. The monthly charge shall apply to all utility customers within the District's limits. The amount of the monthly charge is established by Resolution and is part of the District's Master Fee Schedule. The monthly charge is composed of a monthly water base rate and a monthly consumption charge. The amount of each shall be applied as follows:

A. A monthly base rate shall be imposed on all customers based upon meter size, regardless of any actual water usage, which shall include consolidated amounts for:

1. Operations and maintenance
2. Capital reserve; and
3. Loan repayment

B. A monthly consumption charge, in addition to a monthly base rate, shall be imposed on all customers based on one hundred cubic feet of water used, which shall include consolidated amounts for:

1. Operations and maintenance
2. Capital reserve; and
3. Loan repayment

Water charges are due and payable at the office of the District on the date of mailing the bill to the property owner or their agent as designated in the application, and delinquent thirty (30) days after the invoice date.

SEC. 6.05. Payment of Bills. Bills for metered water service shall be rendered at the end of each billing period. Bill shall be payable on presentation. If this bill is not paid within sixty (60) days after the invoice date, service may be discontinued. A reconnection charge and penalties will be made and collected prior to renewing service following a discontinuance.

SEC. 6.06. Penalty. Water rates and charges which are not paid on or before the day of delinquency shall be subject to a penalty in accordance with California Government Code §61115.

SEC. 6.0607. Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter installation except where the District has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made the meter reading may be combined for billing purposes.

SEC. 6.0708. Customer's Guarantee. The water charge begins when a service connection is installed and the meter is set, as defined in SEC. 6.04. Before water is turned on by the District for any purpose, the customer must sign a form in which they guarantee payment of future water bills for the service required. The person signing the guarantee form or meter set form will be held liable for water used until the District is notified in writing to discontinue service or to transfer the account to another party.

SEC. 6.0809. Water Used Without Required Application. A person taking possession of premises and using water from an active service connection without having made application to the District for water service shall be held liable for the water delivered from the date of the last recorded meter reading, and if the meter is found inoperative, the quantity consumed will be estimated. If proper application for water service is not made upon notification to do so by the District, and if accumulated bills for service are not paid immediately, the service shall be discontinued by the District without further notice.

SEC. 6.0910. Damages through Leaking Pipes and Fixtures. The District's jurisdiction and responsibility ends at the water service meter and the District will in no case be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes on the customer side of the water meter or inside the property line.

SEC. 6.1011. Damage to Meters. The District reserves the right to set and maintain a meter on any service connection. The water Customer shall be held liable, however, for any damage to the meter.

SEC. 6.1112. Public Institution Base Billing Charges. Where multiple water meters serve a public institution, a single meter base charge may be charged based on the largest meter serving the institution.

CHAPTER 7 - DISCONTINUANCE OF SERVICE

SEC. 7.01. Termination of Service. Water service may be terminated by the District in compliance with the notice and other requirements of Title 6, Division 1, Chapter 9.6 of the California Government Code.

- A. Water service may be discontinued for any one of the following reasons:
1. Delinquency in payment of any water service rate or charge, except that residential service **shall not** be discontinued for non-payment in any of the following situations:
 - a. During the pendency of any investigation by the District of a customer dispute or complaint;
 - b. When a customer has been granted an extension of the period for payment of a bill respecting water service;
 - c. On the certification of a licensed physician and surgeon that to do so will be life threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the District and requests permission to amortize, over a period not to exceed twelve (12) months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal payment period;
 2. The unauthorized taking of water or the taking of water in excess of the amount paid for;
 3. Failure of the customer to maintain their facilities in suitable condition to prevent waste or unauthorized use of water;
 4. The existence of an unprotected cross connections on the customer's premises or the lack of adequate backflow protection at the service connection;
 5. Any violation by the customer of any rules of the District governing water service.
 6. Continued Events that result in emptying the potable or raw water fire tanks.
- B. The following process will be followed prior to discontinuance of **residential** service for non-payment:
1. At least fifteen (15) days before any proposed discontinuance of residential water service for non-payment of a delinquent account respecting such service, the District shall mail a notice, postage prepaid, to the customer to whom the service is billed of the proposed discontinuance. Such notice shall be given not earlier than fifty-nine (59) days from the date of mailing the District's bill for such services and the fifteen (15) day period shall not commence until five (5) days after the mailing of the notice. In addition to the fifteen-day notice provided for in the preceding sentence, the District shall make a reasonable attempt to contact an adult person residing at the premises of the customer by telephone or personal contact at least forty-eight (48) hours prior to discontinuance of service, except that, whenever telephone or personal contact cannot be established, the District shall give, by mail, in person, or by posting in a conspicuous location at the premises, a notice of discontinuance of service, at least forty-eight (48) hours

prior to disconnection. To avoid service disconnection payment must be made at the District Office prior to 11:59 a.m. on the day specified for discontinuance.

2. The District shall provide to the customer, upon issuance of the proposed discontinuance, an offer to provide (in writing) the District policy on discontinuance of residential service for non-payment. The District shall also offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.
 3. Every notice of discontinuance of service required by this section shall include the following information:
 - a. The name and address of the customer whose account is delinquent;
 - b. The amount of the delinquency;
 - c. The date by which payment or arrangements for payment is required in order to avoid discontinuance;
 - d. A description of the process to apply for an extension of time to pay the delinquent charges.
 - e. A description of the procedure to petition for bill review and appeal.
 - f. The telephone number and name of a representative of the District who can provide additional information or institute arrangements for payment.
 - g. A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of section 116906 (to Part 12 of Division 104 of the Health and Safety Code, relating to water).
 4. If the District is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave, or make arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for non-payment and the District's water system's policy for discontinuation of residential service for non-payment.
- C. The following process will be followed prior to a discontinuance of **non-residential** water service for non-payment:

At least fifteen (15) days before discontinuing such a water service the District shall provide written notice which shall specify the reason for the proposed discontinuance and inform the customer of the procedure for and the availability of the opportunity to discuss the reason for the proposed discontinuance with the General Manager or the General Manager's designee, who is empowered to review disputes and rectify errors and settle controversies pertaining to such proposed discontinuance of service. The name and phone number of the General

Manager or the General Manager's designee shall be included in any such notice of proposed discontinuance given to the customer.

- D. No water service shall be discontinued to any customer because of any delinquency in payment on any Friday, Saturday, Sunday, legal holiday or at any time during which the business office of the District is not open to the public.
- E. Every complaint or request for investigation by a residential customer that is made within five (5) days of receiving the disputed bill for water service and every request by a residential customer that is made within fifteen (15) days of the mailing of the notice required by section B of this rule for an extension of the payment period of such a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment shall be reviewed by the General Manager or the General Manager's designee. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed nine (9) months. Any customer whose complaint or request for an investigation has resulted in an adverse determination by the General Manager or the General Manager's designee may appeal the determination to the District Board of Directors.
- F. The General Manager or the General Manager's designee is authorized to investigate complaints and to review disputes pertaining to water service disconnections and to rectify errors and settle controversies pertaining to such matters and disputes. The General Manager or the General Manager's designee is also authorized to amortize one unpaid balance at a time for any account over a reasonable period of time. The General Manager may bring any such controversies to the Board of Director for settlement by the Board.
- G. The General Manager or the General Manager's designee is authorized to discontinue service to a residential customer with an amortization agreement if the customer fails to keep the account current as charges accrue in each subsequent billing period. The District shall not discontinue such service without giving notice to the customer at least forty-eight (48) hours prior to discontinuance of the conditions the customer is required to meet to avoid discontinuance. Such notice does not entitle said customer to further investigation by the District.

SEC. 7.02. Reconnection. The failure to receive a monthly bill does not relieve the customer of any liability. Any amount due shall be deemed a debt to the District and any person, firm or corporation failing, neglecting or refusing to pay said indebtedness shall be liable to an action in the name of the District in any court of competent jurisdiction.

SEC. 7.03. Reconnection Charge. A reconnection charge plus penalties as applicable shall be made and collected prior to renewing service following an initial discontinuance or suspension. Service reconnection shall also require the payment of all charges currently due in addition to the reconnection charges. An additional deposit will be required for water only customers or a larger deposit will be required for water/sewer accounts that have begun new service, reconnected or with an outstanding balance remaining from a previous District service. Reconnection charges and penalties shall be as shown on the fee schedule.

For a residential customer who demonstrates to the District a household income below 200% of the federal poverty level, the District will limit the amount of a reconnection fee to \$50.00 for reconnection during business hours, and \$150 during non-operational hours, and waive interest charges on delinquent bills once every 12 months as requested.

The District shall report the number of annual discontinuations of residential service for inability to pay on its website, and to the State Water Board.

SEC.7.04. 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 to other customers.

SEC. 7.05. Cross-Connections. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of state or federal laws.

SEC. 7.06. Fraud or Abuse. Service may be discontinued if necessary to protect the District against fraud or abuse.

SEC. 7.07. Non-Compliance with Regulations. Service may be discontinued for non-compliance with this or any other ordinance or regulation relating to the District's water service.

SEC. 7.08. Upon Vacating Premises. Customers desiring to discontinue service should so notify the District two (2) days prior to vacating the premises. Unless discontinuance of service is ordered, the customer(s) shall be liable for charges whether or not any water is used.

SEC.7.09. Returned Check Fee. The District shall charge the full returned payment fee, plus penalty, each time a customer's payment is rejected by that customer's financial institution. Returned check fees plus penalty shall be as shown on the fee schedule.

CHAPTER 8 - COLLECTION BY SUIT

SEC. 8.01. Penalty. Water rates and charges which are not paid on or before the day of delinquency shall be subject to a penalty ~~of ten percent (10%) per month on the first day of each month following non-payment~~ in accordance with California Government Code §61115.

SEC. 8.02. Suit. All unpaid water rates and charges and penalties herein provided may be collected by suit, collection agency, application to the County tax roll, or any other method as determined by District.

SEC. 8.03. Costs. Defendant shall pay all costs of suit in any judgment rendered in favor of District.

SEC. 8.04. Collection by Interagency Intercept Program. As an alternate to any of the other procedures herein provided, the District may collect unpaid user fees and charges through the State of California Interagency Intercept Program or other collection agency as determined by the District. Upon submitting an unpaid charge to the collection agency, the District will also notify the customer at the last known customer address. Customers may appeal said submittal by filing an appeal with the District.

CHAPTER 9 - PUBLIC FIRE PROTECTION

SEC.9.01. Use of Fire Hydrants. Fire hydrants are for use by the District or by organized fire protection agencies pursuant to contract with the District. Other parties desiring to use fire hydrants for any purpose must first obtain written permission from the District prior to use and shall operate the hydrant in accordance with instructions issued by the District. The District will install a hydrant meter with a control valve. Unauthorized use of hydrants will be prosecuted according to law.

SEC.9.02. Moving of Fire Hydrants. When a fire hydrant has been installed in the location specified by the proper authority, the District has fulfilled its obligation. If a property owner or other party desires a change in size, type or location of the hydrant, they shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant must be approved by the District.

SEC.9.03. Fire Hydrant Testing. When a property owner requests that a District fire hydrant be tested, for any reason, the cost of the test(s) shall be paid by the property owner as identified in the District Master Fee Schedule.

CHAPTER 10 - PRIVATE FIRE PROTECTION SERVICE

SEC. 10.01. Payment of Cost. The applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the customer's premises, including the cost of a detector check meter or other suitable and equivalent device, valve and meter box. Said installation to become the property of the applicant. The District shall inspect and approve all private fire protection services.

SEC. 10.02. No Connection to Other Water System. There shall be no connections between this fire protection service and any other water distribution system on the premises.

SEC. 10.03. Use. There shall be no water used through the fire protection service except to extinguish fires and for testing the firefighting equipment.

SEC. 10.04. Meter Rates. Any consumption recorded on the meter will be charged for at ten (10) times the regular service rates except that no charge will be made for water used to extinguish fires where such fires have been reported to the District.

SEC. 10.05. Monthly Rates. The monthly rates for private fire protection lines shall be as specified in the fee schedule.

SEC. 10.06. Water for Fire Storage Tanks. Occasionally water may be obtained from a private fire service for filling a tank connected with the fire service, but only if written permission is secured from the District in advance and an approved means of measurement is available. The regular water rates will be applied.

SEC. 10.07. Violation of Agreement. If water is used from a private fire service in violation of the agreement or of these regulations, the District may, at its option, discontinue and remove the service.

SEC.10.08. Water Pressure and Supply. The District assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. The service is subject to shutdowns and variations required by the operation of the system.

SEC. 10.09. Fire Services. The following rules shall apply to fire service connections:

A. **Valve.** When a fire service connection is installed, the valve controlling the service will be closed and sealed and remain so until a written order is received from the owner of the premises to have the water turned on;

B. Meter. All private fire protection services shall be metered. If water is used through a fire service connection for any other purpose than extinguishing of fires or testing fire hydrants, the District shall have the right to shut off the entire water supply from such premises;

C. Additional Service. The District shall have the right to take a domestic, commercial or industrial service connection from the fire service connection at the curb to supply the same premises as those to which the fire service connection belongs. The Board shall also have the right to determine the proportion of the installation cost properly chargeable to each service connection, if such segregation of costs shall become necessary.

D. Check Valve. The District reserves the right to install on all fire service connections a check valve of a type approved by the National Board of Fire Underwriters, and to equip the same with a by-pass meter at the expense of the owner of the property.

CHAPTER 11 - TEMPORARY SERVICE

SEC. 11.01. Duration of Service. Temporary service connections shall be disconnected and terminated within six (6) months after installation unless an extension of time is granted in writing by the District.

SEC. 11.02. Deposit. The applicant shall deposit in advance, the estimated cost of installing and removing the facilities required to furnish said service, exclusive of the cost of salvageable materials. Upon discontinuance of service, the actual cost shall be determined and an adjustment made as an additional charge, refund or credit. If service is supplied through a fire hydrant, the applicant will be charged in accordance with the fee schedule:

SEC. 11.03. Installation and Operation. All facilities for temporary service to the customer connection shall be made by the District and shall be operated in accordance with its instructions.

SEC. 11.04. Responsibility for Meters and Installations. The customer shall use all possible care to prevent damage to the meter or to any other loaned facilities of the District which are involved in furnishing the temporary service from the time they are installed until they are removed, or until 48 hours' notice in writing has been given to the District that the contractor or any other person is through with the meter or meters and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer or deducted from the amount of the deposit.

SEC. 11.05. Supply from Fire Hydrant. An applicant for temporary use of water from a fire hydrant must secure a permit from the District and pay the regular fee charged for the installation and removal of a meter to be installed on the hydrant; and pay for the water used in accordance with the meter readings, at the rates prescribed by the District.

SEC. 11.06. Unauthorized Use of Hydrants. Tampering with any fire hydrant for the unauthorized use of water therefrom or for any purpose is a misdemeanor punishable by law.

SEC.11.07. Short Term Processing Fee. A property owner may set up a short-term water account to purchase up to 500 cubic feet of water for use at an existing meter for up to a two-week period by paying a non-refundable fee as shown on the fee schedule. The property owner may extend the time period and/or consumption limit by paying an additional non-refundable processing fee for each additional increment of time and/or consumption. The District will bill the customer for all water consumption over the 500 cubic foot consumption limit in any two-week period at the then current water rates.

SEC.11.08. Bulk Water Sales. The General Manager may sell water to water transporters who have first secured a permit for subsequent individual bulk sales in a specified transport vehicle. The General Manager shall charge the water transporter by truckload for the rated volume capacity of the transport vehicle based on the rate schedule. Each truckload will be charged a processing fee per load of water. Truckloads to be used inside the District boundaries will pay for the cost of water at current rates based on the capacity of the water transport vehicle. Truckloads to be used outside of District boundaries are prohibited.

CHAPTER 12 - GENERAL PROVISIONS

SEC. 12.01. Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the District prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through the District's facilities and if other Customers are not inconvenienced thereby.

SEC. 12.02. Responsibility for Equipment. The customer shall, at their own risk and expense, furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, and the District shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the customer or of any of their tenants, agents, employees, contractors, licensees, or permittees in installing, maintaining, operating or interfering with such equipment.

SEC. 12.03. Service Outside District. Where possible, potential customers outside the District shall annex before service is allowed if their property is contiguous to the District boundary or if the Board considers it to be in the best interest of the District. In addition to all other costs for providing service, the applicant shall be charged for the annexation proceedings. Where in the opinion of the Board, annexation is not feasible or desirable immediately upon application, the Board may elect to provide service outside of the District in accordance with state law. The terms and conditions of service shall be the same as inside the District except charges for water shall be 150% of the rates specified in this Ordinance. In addition, the applicant, their heirs or assigns must agree not to protest annexation if initiated at a later time.

SEC. 12.04. Water Conservation. Starting in Fiscal Year 2015-16 and in every year thereafter, the District shall conform with all local, state, and federal requirements.

Section 2: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The Board hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 3: California Environmental Quality Act (CEQA) Determination. Under the Environmental Impact Report which was completed upon the formation of the Scotia Community Services District, a determination was made that the District would not result in a significant environmental impact. This ordinance is also exempt from the CEQA Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 4: Limitation of Actions. Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: November 17, 2022

ATTEST:

APPROVED:

Board Clerk, Scotia Community Services District

President, Scotia Community Services District

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022-6, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Services District, Humboldt County, California on the 17th day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Clerk, Scotia Community Services District

Scotia Community Services District Staff Report

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: Second Reading and Consider Adoption of Ordinance No. 2022-7; An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III - Wastewater.

RECOMMENDATION:

The administrative staff recommends the Board read and adopt by title only Ordinance No. 2022-7; An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III - Wastewater.

ACTION:

Read and adopt, by title only, Ordinance No. 2022-7; An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-6 Title III - Wastewater

DISCUSSION:

All District Ordinances are periodically reviewed, by administrative staff, for accuracy, clarification, and content. The District's Ordinance 2021-6 Title III - Wastewater was last amended and adopted on April 15, 2021.

In the revised Ordinance, **CHAPTER 12 – ENFORCEMENT SEC. 12.05. Administrative Fines** includes updated language for administrative fines and penalties language to update per GC §61115. Additional revisions were made, for accuracy and clarification, within the various chapters and sections of this Ordinance.

Ordinance No. 2022-7 revisions have been reviewed by District's Legal Counsel.

FISCAL IMPACT:

None

ATTACHMENTS:

Attachment A: Ordinance No. 2022-7 An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-6 Title III - Wastewater (with revisions).

ORDINANCE NO. ~~2021~~ - ~~76~~
AN ORDINANCE OF THE SCOTIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

AMENDING ORDINANCE ~~2021~~-~~63~~ TITLE III – WASTEWATER SERVICE

The Board of Directors of the Scotia Community Services District does ordain as follows:

Section 1: Title III – Wastewater Service is hereby adopted as follows:

TITLE III – WASTEWATER SERVICE

CHAPTER 1 – WASTEWATER

SEC. 1.01. BASIS OF AUTHORITY. Ordinance 2015-3, dated 11/19/2015; Ordinance 2020 – 3 dated 6/18/2020; [Ordinance 2021-6 dated 4/15/2021](#).

SEC. 1.02. Purpose and Policy. This Wastewater Ordinance (Ordinance) sets uniform - requirements for discharges into the Scotia Community Services District (District) Publicly Owned Treatment Works (POTW)–, wastewater collection and treatment systems (District’s infrastructure), and enables the District to comply with the administrative provisions set by the California Regional Water Quality Control Board, North Coast Region (RWQCB), National Pollutant Discharge Elimination System (NPDES) and the applicable effluent limitations, national standards of performance, toxic and pre-treatment effluent standards, and any other discharge criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into the District’s infrastructure. . This Ordinance provides a means of determining wastewater volumes, constituents and characteristics, the setting of charges and fees, and the issuance of permits to certain users. Revenues derived from the application of this Ordinance shall be used to defray the costs of operating and maintaining adequate wastewater collection and treatment systems and infrastructure to provide sufficient funds for capital outlay, bond service costs, capital improvements, and depreciation.

SEC. 1.032 Authority. The District General Manager (District Manager), as approved by the District Board of Directors (District Board) shall have the authority to administer, implement and enforce all chapters and sections of this Ordinance.

SEC. 1.043. Violation Unlawful. It shall be unlawful for any person, whose building is required to be connected to the District’s infrastructure under this ordinance to connect to, construct, install or provide, maintain, and use any other means of sewage disposal from said building except by connection to the District’s infrastructure in accordance with this Ordinance.

SEC. 1.053. Relief on Application. When any person, by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to their premises, they may make written application to the Board of Directors, stating the special

circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to their premises.

If the application is approved, the Board may, by resolution, suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

SEC. 1.064. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise, and may, by resolution, order such suspension or modification for such premises during the period of such special circumstance, or any part thereof.

SEC. 1.074. District Inspector. The District Manager may personally perform or designate a qualified person or persons to perform the duties of inspecting the installation, connection, maintenance, operation and use of all infrastructure and collection facilities in the District Wastewater System.

SEC. 1.085-. Wastewater Permits and Fees. No wastewater, side wastewater, building wastewater or other sewerage facility shall be installed, altered or repaired within the District until a permit for the work has been obtained and all fees paid in accordance with the requirements of this Ordinance, and any other Ordinance adopted by the District Board.

CHAPTER 2 – USE OF WASTEWATERS REQUIRED

SEC. 2.01. Treatment of Wastewaters Required. It shall be unlawful to discharge to any stream or watercourse any domestic, commercial, or industrial wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Ordinance.

SEC. 2.02. Unlawful Disposal. Except as hereinafter provided, in this Ordinance, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of wastewater.

SEC. 2.03. Wastewater Required. The applicant of any proposed building to be situated within the District and abutting on any street in which there is now located or in the future may be located the District's infrastructure , is hereby required to connect, at their expense, said building, directly with the proper District's infrastructure in accordance with the provisions of this Ordinance provided that said wastewater is within three hundred (300) feet of the nearest point of the property line and the building is within one thousand (1,000) feet of the District's infrastructure. .

The applicant of any existing building provided with a lateral connection shall connect to the District's infrastructure within ninety (90) days after the date of official notice from the District. .

SEC. 2.04. Occupancy Prohibited. No building, commercial or industrial facility or other structure shall be occupied until the applicant of the premises has complied with all rules and regulations of the District.

CHAPTER 3 – PERMITS AND FEES

SEC. 3.01. Permit Required. No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any District infrastructure or appurtenances or perform any work on any lateral or building wastewater without first obtaining a written permit from the District and paying to the District the applicable permit fee. Other non-District permits may be required.

SEC. 3.02. Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. They shall give a description of the character of the work proposed to be done and the location, occupancy and use of the premises. The District Manager may require plans, specifications or drawings and any other information as may be determined necessary.

If the District Manager determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with the ordinances, rules and regulations of the District, a permit shall be issued upon payment of the required fees. The schedule of fees shall be set by resolution of the District Board. The schedule shall be available at the District office upon request. The issuance of Wastewater Discharge Permits, to establishments producing commercial or industrial wastes, shall be governed by the provisions of this ordinance.

SEC. 3.03. Plan Check Fees. A plan check fee in the amount of 2% of the estimated construction cost for main extensions and engineering review of subdivisions will be charged when an application for service is filed with the District. Actual cost will be charged when the application is approved by the District Board.

SEC. 3.04. Compliance with Permit. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the wastewater infrastructure, the grade, materials, or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District Manager or other authorized representatives.

SEC. 3.05. Agreement. The applicant's signature on an application for any permit shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other ordinances, rules and regulations of the District, and with the plans and specifications filed with their application, of any, together with such corrections or modifications as may be made or permitted by the District, if any. Such agreement shall be binding upon the applicant and may be considered for alteration by the District Manager upon the written request for the alternation from the applicant.

SEC. 3.06. All Work to Be Inspected. All wastewater construction work shall be inspected by an inspector acting for the District to ensure compliance with all requirements of the District. No wastewater infrastructure shall be covered at any point until it has been inspected and passed for acceptance. No wastewater infrastructure shall be connected to the District infrastructure until the work covered by the permit has been completed, inspected, and approved by the inspector. If the test proves satisfactory, the inspector shall issue a certificate of satisfactory completion.

SEC. 3.07. Notification. It shall be the duty of the person doing the work authorized by permit to notify the District Manager in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will pass the tests required by the District before giving the above notification.

SEC. 3.08. Condemned Work. When any work has been inspected and the work condemned and no certification of satisfactory completion given, the applicant of the premises, or the agent of such applicant, shall repair the wastewater infrastructure or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

SEC. 3.09. All Costs Paid By Applicant. All costs and expenses specific to the installation and connection of any wastewater infrastructure or other work for which a permit has been issued shall be paid by the applicant. Such costs shall include the costs expended by the District for the installation of lateral infrastructure. These costs are in addition to any other connection permit fee required by this or any other ordinance of the District that provides for connection fees, rates and charges. The applicant shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

SEC. 3.10. Street Excavation Permit. A separate permit must be secured from the State, County or any other party having jurisdiction thereover by applicants or contractor intending to excavate a public street for the purpose of or making District infrastructure connections.

SEC. 3.11. Liability. The District and its officers, agents and employees shall not be liable for any injury or death to any person or damage to any property arising during or growing out of the performance of any work by the applicant. The applicant shall be responsible for, and shall hold the District and its officers, agents, and employees harmless from, any liability imposed by law upon the District or its officers, agents, or employees, including all defense or enforcement costs, expenses, fees and interest incurred. Applicant shall be responsible for any defects in the performance of their work or any failure which may develop therein.

SEC. 3.12. Time Limit in Permits. If work under a permit is not commenced within six (6) months from the date of issuance or if after partial completion, the work is discontinued for a period of one year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

CHAPTER 4 – CONNECTION CHARGES

SEC. 4.01. General. It is hereby found and determined that it is necessary to reimburse the District for money advanced and to establish conditions of equality as to properties, either not charged or by later occurring facts, deemed to have been under-charged, during Proposition 218 proceedings conducted by the District for the purpose of constructing wastewater mains and facilities to serve properties within the District created therefore when such non-charged properties are permitted to connect to such wastewater mains and facilities.

CHAPTER 5 – BUILDING WASTEWATERS, LATERAL WASTEWATERS AND CONNECTIONS

SEC. 5.01. Permit Required. In accordance with this Ordinance, no person shall construct, lateral Wastewater infrastructure without first obtaining a written permit from the District and paying all fees and connection charges.

SEC. 5.02. Design and Construction Requirements. Design and construction of lateral wastewater infrastructure shall be in accordance with the rules, regulations and ordinances of the District.

SEC. 5.03. Minimum Size and Slope. The size and slope of the lateral infrastructure shall be subject to the approval of the District Manager, but in no event shall the diameter be less than four (4) inches. The slope of such 4-inch pipe shall not be less than one-fourth (1/4) inch per foot.

SEC. 5.04. Lateral Infrastructure. No building Wastewater infrastructure shall be laid parallel to or within three (3) feet of any bearing wall which might thereby be weakened. The building wastewater shall be laid at uniform grade and in straight alignment. Changes in direction shall be made only in conformance with the Uniform Plumbing Code (“UPC”).

SEC. 5.05. Separate Lateral Infrastructure. Every building, commercial or industrial facility must be separately connected to a District infrastructure. Any exceptions may be reviewed by the District.

SEC. 5.06. Existing Lateral Infrastructure. Existing lateral infrastructure may be considered for use in connection with new buildings upon review and testing by the District and, shall meet all requirements of the District.

SEC. 5.07. Cleanouts. Cleanouts in building laterals shall be provided in accordance with all applicable rules, regulations and ordinances. All cleanouts shall be watertight and shall comply with the UPC.

SEC. 5.08. Lateral Too Low. In all buildings in which any building lateral is too low to permit gravity flow to the District infrastructure, wastewater carried by such building shall be lifted by a private pump station, maintained, and owned by the property owner, approved by the District Manager, and discharged to the District infrastructure at the expense of the applicant. In all

buildings in which the floor level is below the elevation of the nearest manhole located upstream from the point at which the lateral wastewater intersects the main, a backflow prevention protection device, to be owned and maintained by the property owner, shall be installed in the building wastewater system at the expense of the applicant. Private pump stations shall be constructed outside the building.

The private pump station (pump station) design (District will require a standard 1.5 x working pressure), pump equipment and alarm system shall be approved by the District, prior to installation. All costs for installation, maintenance, operation, and repair of the pump station are the responsibility of the property owner. Any failure of the pump station which results in wastewater backup, and/or any wastewater overflow into or onto private or public property, is the responsibility of the pump station/property owner. Any costs incurred by the District as a result of the pump station failure, shall be paid by and are the responsibility of the pump station/property owner.

The District shall have the authority, at any time, to inspect the pump station.

SEC. 5.09. Joints and Connections. All excavations required for the installation of a side lateral infrastructure shall be open trench work unless otherwise approved by the District Manager. Pipe laying and backfill shall be performed in accordance with the rules, regulations and ordinances of the District, except that no backfill shall be placed until the work has been inspected, by the District or authorized representative.

SEC. 5.10. Connection to Wastewater. The connection of the building wastewater into the District infrastructure shall be made in strict accordance with the standard District specifications and at the applicant's expense. The invert of the building infrastructure at the point of connection shall be at a higher elevation than the invert of the District infrastructure. A smooth neat joint shall be made and the connection made secure and watertight. The connection to the District infrastructure shall be made in accordance with the rules, regulations and ordinances of the District. Any work on District infrastructures and any work on laterals done within a public right of way shall be performed by a duly licensed plumber or contractor under the inspection of the District, or authorized representative. Any damage to the District infrastructure shall be repaired at the cost of the applicant to the satisfaction of the District.

SEC. 5.11. Protection of Excavation. All excavations for side lateral installation shall be adequately guarded by the applicant with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District or any other agency having jurisdiction.

SEC. 5.12. Maintenance of Lateral Infrastructure. Lateral infrastructure shall be maintained by the applicant of the property served thereby. The owner shall be responsible for clearing the entire lateral infrastructure. The District will perform all other lateral maintenance beyond the required property cleanout and within the public right of way.

SEC. 5.13. Testing. All building lateral infrastructure shall be tested in strict accordance with rules, regulations and ordinances of the District.

CHAPTER 6 – USE OF WASTEWATER INFRASTRUCTURE

SEC. 6.01. Prohibitions on Discharges. No wastewater discharge into the District's infrastructure shall introduce or cause to be introduced into the District POTW any pollutant or wastewater which causes pass through or interference. This general prohibition applies to all wastewater users of the District POTW whether or not the wastewater user is subject to Categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements. No wastewater user shall introduce any pollutant or wastewater which would violate the District's RWQCB, NPDES Permit or any other Federal or State Permit or requirement.

No person shall introduce or cause to be introduced into the District's POTW any pollutants, substances, or wastewater identified in District Ordinance 2021-2 Commercial and Industrial Wastewater Regulations.

SEC. 6.02 Prohibitions on Storm Drainage and Ground Water. Storm water, ground water, rain water, street drainage, subsurface drainage or yard drainage shall not be discharged through direct or indirect connections to any District infrastructure.

SEC. 6.03 Prohibitions on Unpolluted Water. Unpolluted water, including, but not limited to cooling water, process water or blown-down from cooling towers or evaporative coolers shall not be discharged through direct or indirect connection to any District infrastructure.

SEC. 6.04. Limitations on Radioactive Wastes. No person shall discharge or cause to be discharged any radioactive waste into any District infrastructure except.

- A. When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and
- B. When the waste is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17) and the Nuclear Regulatory Commission regulations, and recommendations for safe disposal, and
- C. When the person is in compliance with all rules and regulations of all other applicable regulatory agencies.

SEC. 6.05. Limitations on the Use of Garbage Grinders. Waste from garbage grinders shall not be discharged by any nonresidential users into the District infrastructure.

SEC. 6.06. Limitations on Point of Discharge. No person shall discharge any substances directly into a manhole or other opening in a District infrastructure other than through an approved building sewer.

SEC. 6.07. Holding Tank Waste. No person shall discharge any holding tank waste into District infrastructure unless explicitly authorized by the District Manager.

SEC. 6.08. National Categorical Pretreatment Standards. Users must comply with all National Categorical Pretreatment Standards.

SEC. 6.09. Limitations on Wastewater Strength (Local Limits)

SEC. 6.09.01. The District Manager is authorized, by the District Board to establish Local Limits for concentrations of any parameter listed in the Scotia Wastewater Treatment Facility Local Limits Study (Study) (SHN, February 2021). No person shall discharge, directly or indirectly, into the District's infrastructure or POTW wastewater concentrations of any parameter listed in the Study which exceed the maximum allowable headworks loading (MAHL), the maximum allowable industrial loading (MAIL) and the Local Limits.

Commercial and industrial wastewater dischargers may be given specific limitations for any parameter, determined by the District Manager, on a case-by-case basis as identified in the District Ordinance 2021-2 Commercial and Industrial Wastewater Regulations (District's Pretreatment Program).

- A. **Analytical Requirements.** All pollutant analyses, including sampling techniques, to be submitted as part of a Wastewater Discharge Permit Application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard.
- B. **BMPs.** The District Manager may develop Best Management Practices (BMPs), by ordinance or in individual Wastewater Discharge Permits, or general permits, to implement the requirements of this ordinance.
- C. **Right of Revision.** The District reserves the right to establish, by ordinance or in individual Wastewater Discharge Permits or in general permits, more stringent standards or requirements on discharges to the POTW consistent with the purpose of this ordinance.
- D. **Dilution.** No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Permit Standard or Requirement. The District Manager may impose mass limitations on users who are using dilution to meet applicable Pretreatment Permit Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

SEC. 6.09.02. The District Manager shall cause to be prepared from time to time a list of the maximum permissible quantities or concentrations of certain constituents in commercial and

industrial or wastewater flows and otherwise issue detailed directions for meeting the requirements of this section.

Limitations on wastewater strength in this ordinance may be supplemented with more stringent limitations provided:

- A. If the District determines that the limitations in this ordinance may not be sufficient to protect the operation of the District's POTW, or
- B. If any regulatory agency determines that the limitations in this ordinance may not be sufficient to enable the District's POTW to comply with water quality standards or effluent limitations specified in the District's NPDES Permit.

SEC. 6.10. Disposal of Unacceptable Waste. Waste not permitted to be discharged into the District infrastructure must be transported to a State or Local approved disposal site. The required "Waste Haulers Report" must be completed, and a copy furnished within thirty (30) days to the District by the discharger.

SEC. 6.11. Interceptors Required. Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Manager, they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the District Manager and shall be so located as to be readily and easily accessible for cleaning and inspection. All such grease, oil and sand interceptors shall be maintained by the applicant, at their expense, in continuous efficient operation at all times.

SEC. 6.11.01. Grease Interceptors/Traps. Establishments, including but not limited to, any food service, bakeries, dairy process, fish/meat/poultry processing, manufacturing food products, car washes, auto wash racks and vehicle repair shops are grouped into the following major categories:

INDUSTRIAL: commercial and industrial facilities as defined in the UPC, and those facilities designated by the District Manager.

HIGH VOLUME: full menu establishments operating over sixteen (16) hours per day and/or serving 500 or more meals per day.

MEDIUM VOLUME: full menu or specialty menu establishments serving full meals eight (8) to sixteen (16) hours per day, and/or 100 to 400 meals per day.

SMALL VOLUME: fast food, take out or specialty food establishments with limited menus, a minimum of dish washing, and/or minimal seating capacity.

SEC. 6.11.02. Grease Interceptors. Industrial facilities, high volume and medium volume food establishments as defined in the UPC, or as determined by the District Manager, are

required to install a grease interceptor. The size, type and location of each grease interceptor shall be approved by the District. Waste in excess of 140° F (60° C) shall not be discharged into a grease interceptor. Grease interceptors shall have a minimum 750-gallon capacity.

Any type of business or establishment such as, but not limited to restaurants, bakeries, donut shops, take-out, drive-in eating establishments, ice cream or milk drive-in stations, hospitals, hotels, fish/meat/poultry processing, markets, recreation, or reception halls, where any grease or other objectionable materials may be discharged into District infrastructure shall have a grease interceptor.

Interceptors shall be constructed and installed at the expense of the applicant, in accordance with the design approved by the District Manager.

Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning, and removal of the intercepted grease. A grease interceptor may not be installed in any part of a building where food is handled. Proper location of the grease interceptor shall meet the UPC Requirements and the approval of the District Manager.

Each commercial facility or business establishment for which a grease interceptor is required shall have an interceptor which shall serve only that business establishment.

Buildings remodeled for use requiring interceptors shall be subject to these regulations.

For the purpose of this section the term 'fixture' shall mean and include each plumbing fixture, appliance, apparatus or other equipment required to be connected to or discharged into a grease interceptor by any provision of this section.

Wastewater discharge from fixtures and equipment in the above-mentioned types of establishments which may contain grease or other objectionable materials, including, but not limited to, scullery sinks, pot and pan sinks, dishwashers, food waste disposal, soup kettles, etc., and floor drains located in areas where such objectionable materials may exist, may be drained into the wastewater through the interceptor when approved by the District Manager. Exception: Toilets, urinals, and other fixtures containing fecal material shall not flow through the interceptor.

The interceptors shall be maintained in efficient operating condition by periodic removal and proper disposal of the accumulated grease. No such collected grease shall be introduced into any drainage piping or District infrastructure.

Abandoned grease interceptors shall be emptied and filled in the same manner as required for abandoned septic tanks in conformance with state and local requirements.

The cover for grease interceptors shall be reinforced as required depending on the load to be imposed upon the plate.

Interceptors shall be installed in such a manner that drainage from areas outside the area intended to be served may not enter. Interceptors shall be tested in a manner approved by the District and shall be witnessed by District Personnel.

SEC. 6.11.03. Grease Traps. Any type of business or establishment such as, but not limited to restaurants, bakeries, donut shops, take out, drive-in eating establishments, ice cream or milk drive-in stations, hospitals, hotel, fish/meat/poultry processing, markets, recreation or reception halls, car wash, and vehicle repair shop, where any grease or other objectionable materials may be discharged into a public or private sewage main or disposal system which is deemed by the District Manager or his designated representative to be a Small Volume food establishment may choose to install a grease trap in place of a grease interceptor.

The size, type and location of each grease trap shall be approved by the General Manager or designated representative. Wastes in excess of 140° F (60° C) shall not be discharged into a grease trap.

For the purpose of this section, the term “fixture” shall mean and include each plumbing fixture, appliance, apparatus or other equipment required to be connected to or discharged into a grease trap by any provision of this section.

Wastewater discharge from fixtures and equipment in the above-mentioned types of establishments which may contain grease or other objectionable materials, including, but not limited to, scullery sinks, pot and pan sinks, dishwashers, food waste disposal, soup kettles, etc., and floor drains located in areas where such objectionable materials may exist, may be drained into the wastewater through the grease trap when approved by the District Manager. Exception: Toilets, urinals, and other fixtures containing fecal material shall not flow through the grease trap.

No grease trap shall be installed which has an approval rate of flow of more than fifty-five (55) gallons per minute, nor less than twenty (20) gallons per minute except with prior written approval of the District Manager.

Each plumbing fixture or piece of equipment connected to a grease trap shall be provided with an approved type of flow control or restricting device installed in a readily accessible and visible location in the tailpiece or drain outlet of each such fixture. Flow control devices shall be so designed that the flow through such device or devices shall at no time be greater than the rated capacity of the grease trap. No flow control device having adjustable or removable parts shall be approved.

Each grease trap required by this section shall have an approved rate of flow, expressed in gallons per minutes, which is not less than forty (40) percent of the total capacity in gallons of fixtures discharging into said trap. The grease retention capacity of the trap, expressed in pounds of grease, shall not be less than two times the approved rate of flow in gallons per minute.

Any grease trap installed with the inlet more than four (4) feet lower in elevation than the outlet of any fixture discharging into such grease trap shall have an approved rate of flow which is not less than fifty (50%) percent greater than given in the preceding paragraph. Not more than four (4) separate fixtures shall be connected to or discharged into any one (1) grease trap.

Each fixture discharging into grease trap shall be individually trapped and vented in an approved manner. An approved type of grease trap may be used as a fixture trap for a single fixture when the horizontal distance between the fixture outlet and the grease trap does not exceed four (4) feet and the vertical tailpipe or drain does not exceed two and one-half (2 ½) feet.

No water-jacketed grease trap or grease interceptor shall be approved or installed. No mechanical grease trap shall be allowed.

Each grease trap shall have an approved water seal of not less than two (2) inches in depth or the diameter of its outlet, whichever is greater.

SEC. 6.11.04 Time of Compliance. All commercial, industrial facilities and food establishments shall be required to install a sand and/or grease interceptor or grease trap within the sixty (60) day period after the first occurrence of any of the following events:

- A. Transfer of any applicant or interest in the facility.
- B. The issuance by Humboldt County of any building permit for the construction, reconstruction, or related work to be performed on the premises.
- C. The backup or discharge of raw sewage on or from the premises due to grease build up in the service lateral.
- D. Or ninety (90) days after receiving written notice from the District Manager of the necessity for installation of such facilities.

SEC. 6.11.05 Monitoring and Reporting. All establishments having a grease trap or interceptor shall maintain and clean this unit as recommended by the manufacturer. Each grease trap or interceptor shall be regularly maintained by the proprietor or property applicant and records kept at the site for inspection by the District. Maintenance will vary depending upon the size of the unit and grease loading. The property applicant or proprietor shall send a copy of the maintenance records to the District annually from the time of installation or some other agreed upon date by the District. At no time shall the unit be allowed to become clogged with grease so as to create damage to the District collection or treatment facilities. The proprietor must develop a cleaning schedule sufficient to keep the unit functioning properly. Records of grease disposal to a collection agent must be made available to District personnel upon request.

SEC. 6.12. Preliminary Treatment of Wastes and Maintenance of Pretreatment Facilities.

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all Categorical Pretreatment Standards, Local Limits, The District's Pretreatment Program, and the prohibitions set out in this Ordinance within the time limitations specified by EPA, the State, or the District Manager, whichever is more stringent. Any pretreatment facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District Manager for review and shall be acceptable to the District Manager before such facilities is constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a wastewater discharge acceptable to District under the provisions of this Ordinance.

SEC. 6.13. Availability of District Facilities. If capacity is not available, the District Manager may require the discharger to reduce the quantity of their wastewater discharge until sufficient capacity can be made available. When requested, the District will advise persons desiring to locate new facilities as to the areas where wastewater of their proposed quantity and quality can be received by available District infrastructure. The District may refuse service to persons locating facilities in areas where their proposed quantity or quality of wastewater is unacceptable in the available District infrastructure.

SEC. 6.14. Hauled Wastewater. Septic tank waste and/or hauled wastewater is prohibited from being introduced into the District infrastructure and POTW unless explicitly authorized by the District Manager or District Board.

SEC. 6.15. Additional Pretreatment Measures. Grease, oil, and sand interceptors shall be provided when, in the opinion of the District Manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the District Manager, shall comply with this Ordinance and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired in accordance with this Ordinance by the user at their expense.

SEC. 6.16. Accidental Discharge Control Plans. The District Manager may require any commercial or industrial user to develop and implement an Accidental Discharge Control Plan. At least once every two (2) years the District Manager shall evaluate whether each commercial or industrial user needs such a plan. Any commercial or industrial user required to develop and implement an Accidental Discharge Control Plan shall submit a plan which provides, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges.
- B. Description of stored chemicals.
- C. Procedures for immediately notifying the District Manager of any accidental discharge, as required by this Ordinance; and

- D. Procedures to prevent adverse impact from any accidental discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling, and transfer of materials, loading and unloading operations, control of facility site runoff, worker training, construction of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response and clean up.

CHAPTER 7 – WASTEWATER VOLUME DETERMINATION

SEC. 7.01. Metered Water Supply. When charges and fees are based upon water usage, such charges and fees shall be applied against the total amount of water used from all sources unless, in the opinion of the District Manager, significant portions of water received are not discharged into any District infrastructure. The total amount of water used from public and private sources may be determined by means of public meters or private meters, installed, and maintained at the expense of the user and approved by the District Manager.

SEC. 7.02. Metered Wastewater Volume and Metered Diversions. When charges and fees are based upon water usage and where, in the opinion of the District Manager, a significant portion of the water received from any metered source does not flow into the District infrastructure because of the principal activity of the user or removal by other means, the charges and fees will be applied against the volume of water discharged from such premises into the District infrastructure. Written notification and proof of the diversion of water must be provided by the user, and approved by the District Manager, if the user is to avoid the application of the charges and fees against the total amount of water used from all sources. The user may install a meter of a type and at a location approved by the District Manager and at the user's expense. Such meters shall measure either the amount of wastewater discharged, or the amount of water diverted. Such meters shall be maintained at the expense of the user and shall be tested for accuracy at the expense of the user when deemed necessary by the District Manager.

Wastewater meters and vaults, when required, shall be approved by the District Manager. They must be accurate, trouble free and allow easy access at any time, by District personnel for inspection, and measurement of wastewater flow.

SEC. 7.03. Estimated Wastewater Volume.

SEC. 7.03.1. For users where, in the opinion of the District Manager, it is unnecessary or impractical to install meters, the charges and fees may be based upon an estimate of the volume of wastewater to be discharged, as determined by the District Manager. A rational method will be used to estimate the quantity of wastewater discharged and may consider such factors as the number of fixtures, number of employees, seating capacity, annual production of goods and services or such determinations of water use necessary to estimate the wastewater volume discharged.

SEC. 7.03.2. For users who, in the opinion of the District Manager, divert a significant portion of their flow from any District infrastructure, the charges and fees may be based upon

an estimate of the flow and volume to be discharged, prepared by the user, and approved by the District Manager provided the user obtains a Wastewater Discharge Permit and pays the applicable charges and fees. The estimate must include the method and calculations used to determine the wastewater volume and may consider such factors as the number of fixtures, number of employees, seating capacity, annual production of goods and services, or such other determinations of water use necessary to estimate the wastewater volume discharged.

CHAPTER 8 – REPORT, WASTEWATER DISCHARGE PERMITS AND ADMINISTRATION

SEC. 8.01. Discharge Reports. The District Manager may require that any person discharging or proposing to discharge wastewater into any District infrastructure file a periodic Discharge Report. The Discharge Report may include, but not be limited to, nature of process, volume, rates of flow, mass emission rates, production quantities, hours of operation, number and classification of employees, or other information which relates to the generation of waste including wastewater discharge. Such reports may also include the chemical constituents and quality of liquid or gaseous materials stored on site even though they are not normally discharged. In addition to Discharge Reports, the District may require information in the form of Wastewater Discharge Permit applications and self-monitoring reports and other reports contained in this ordinance.

SEC. 8.02. Baseline Monitoring Reports.

- A. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, the final administrative decision on a category determination under 40 CFR 403.6(a)(4), or the effective date of the District’s Pretreatment Program, Categorical Industrial Users currently discharging to or scheduled to discharge to the District infrastructure and/or POTW shall submit to the District Manager a report which contains the information listed in paragraph (b) below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical standard, shall submit to the District Manager a report which contains the information listed in paragraph (b) below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow, quality, and quantity of pollutants to be discharged.

- B. Users described above shall submit the information set forth below.
 - 1. Measurement of pollutants.
 - a. The user shall provide the information required in this Ordinance.
 - b. The user shall take representative samples necessary to comply with the requirements of this Ordinance.

- c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the user should measure the flows and concentrations necessary to allow use of the combined waste stream formula to evaluate compliance with the District's Pretreatment Program. Where an alternate concentration or mass limit has been calculated, the adjusted limit along with supporting data shall be submitted to the District Manager.
 - d. Sampling and analysis shall be performed in accordance with this Ordinance, and the District's Pretreatment Program, as well as State and Federal guidelines.
 - e. The District Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for commercial or industrial pretreatment.
 - f. The baseline report shall indicate the time, method, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant wastewater discharges to the District infrastructure and/or POTW.
- C. **Compliance Certification.** A statement, reviewed by the user's Authorized Representative and certified by a qualified professional, indicating whether the District's Pretreatment Program is being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required.
- D. **Compliance Schedule.** If additional pretreatment and/or O&M will be required to meet the District's Pretreatment Program, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. A compliance schedule pursuant to this Section must meet the requirements set out in this Ordinance.
- E. **Signature and Report Certification.** All baseline monitoring reports must be certified in accordance with this Ordinance and signed by an Authorized Representative, as defined in the District's Pretreatment Program.

SEC. 8.03. Compliance Schedule Progress Reports. The following conditions shall apply to the compliance schedule required by this Ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable District's Pretreatment Program. The events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction.
- B. No event increment referred to above shall exceed nine (9) months; and
- C. The user shall submit a progress report to the District Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- D. In no case shall more than nine (9) months elapse between such progress reports to the District Manager.

SEC. 8.04. Reports on Compliance. Within ninety (90) days following the date for final compliance with the District's Pretreatment Program, or in the case of a new source following commencement of the introduction of wastewater into the District's infrastructure and/or POTW, any commercial or industrial user shall submit to the District Manager a report containing the information described in this Ordinance. All compliance reports must be signed and certified. All sampling will be done in conformance with this Ordinance and the District's Pretreatment Program.

SEC. 8.05. Periodic Compliance Reports.

- A. All commercial and industrial user's subject to any pretreatment standard must, at a frequency determined by the District Manager, submit no less than twice per year (June and December) reports indicating the type and, concentrations of pollutants in the discharge which are limited by the District's Pretreatment Program, including the measured or estimated average and maximum daily flows for the reporting period. In cases where Best Management Practices (BMP) or pollution prevention alternatives are required, the user must submit documentation required by the District Manager that are necessary to determine the compliance status of the user. All periodic compliance reports must be signed and certified in accordance this Ordinance.
- B. All wastewater samples must be representative of the user's wastewater discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order and shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

SEC. 8.06. Reports of Changed Conditions. Each user must notify the District Manager of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least forty-five (45) days before the change begins.

- A. The District Manager may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Wastewater Discharge Permit Application under this Ordinance.
- B. The District Manager may issue an individual Wastewater Discharge Permit or a general permit under this Ordinance in response to changed conditions or anticipated changed conditions.

SEC. 8.07. Reports of Potential Problems.

- A. In the case of any wastewater discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge that might cause potential problems for the District infrastructure and/or POTW, the user shall immediately telephone and notify the District Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration, estimated volume, and any corrective measures taken by the user.
- B. Within five (5) days following such discharge, the user shall, unless waived by the District Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the District infrastructure and/or POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.
- C. A notice shall be permanently posted on the user’s bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (a), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Commercial and industrial users are required to notify the District Manager immediately of any changes at its facility affecting the potential for a non-approved discharge. Failure to report may result in fines, penalties, or liability, pursuant to this Ordinance.

SEC. 8.08. Notice of Violation/Repeat Sampling and Reporting. If sampling performed by a user indicates a violation, the user must notify the District Manager within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District Manager within thirty (30) days after becoming aware of the violation. Resampling by the commercial or industrial user is not required if the District performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the commercial or industrial user.

SEC. 8.09. Notification of the Discharge of Hazardous Waste. Any user who accidentally discharges hazardous waste shall notify the District Manager, the EPA Regional Waste Management Division Director, and State Hazardous Waste Authorities, in writing, of any discharge of a substance which, if otherwise disposed of, would be a hazardous waste. Discharge of hazardous waste is prohibited under this Ordinance.

SEC. 8.10. Other Reporting Requirements.

- A. All periodic compliance reports must be signed and certified in accordance with this Ordinance.
- B. If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District Manager, using the procedures prescribed in this Ordinance, the results of this monitoring shall be included in the report.

SEC. 8.10.01. Recordkeeping. Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with any BMP.

SEC. 8.10.02. Certification Statements.

- A. **Certification of Permit Applications, User Reports.** A Certification Statement is required to be signed and submitted by users submitting permit applications in accordance with this Ordinance; users submitting baseline monitoring reports under this Ordinance; users submitting reports on compliance with the deadlines under this Ordinance; and users submitting periodic compliance reports required by this Ordinance.
- B. **Annual Certification for Non-significant Categorical Industrial Users.** A facility determined to be a Non-significant Categorical Industrial User by the District Manager, must annually submit certification statement signed in accordance with the signatory requirements of authorized or duly authorized representative, as identified in the District's Pretreatment Program.

SEC. 8.10.03. Sample Collection. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- A. Except as indicated in Section (B) and (C) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling or grab sampling as authorized by the District Manager. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the

discharge.

- B. Samples must be obtained using grab collection techniques for the following constituents, including but not limited to oil and grease, temperature, pH, cyanide, and any other constituents, identified in the District's Pretreatment Program, as determined necessary by the District Manager. .
- C. For sampling required in support of baseline monitoring and 90-day compliance reports, a minimum of four (4) grab samples must be used for pH, cyanide, and any other constituents, identified in the District's Pretreatment Program, as determined necessary by the District Manager, for facilities without the required historical sampling data. The District Manager may authorize fewer required constituents to be sampled if historical sampling data exists for certain constituents.

SEC. 8.11. Individual Wastewater Discharge Permit and General Permit Requirement. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual Wastewater Discharge Permit or a general permit from the District Manager.

The General Manager may require other users to obtain individual Wastewater Discharge Permits or general permits as necessary to carry out the purposes of this Ordinance.

Any violation of the terms and conditions of an individual Wastewater Discharge Permit or a general permit shall be deemed a violation of this Ordinance and subjects the Wastewater Discharge Permittee to the Chapter 12- Enforcement Section of this Ordinance. Obtaining an individual Wastewater Discharge Permit or a general permit does not relieve a permittee of its obligation to comply with the District's Pretreatment Program, all Federal and State Wastewater Pretreatment Standards or Requirements or with any other requirements of federal, state, and local law.

- A. **Individual Wastewater Discharge and General Permitting: Existing Connections.** Any user required to obtain an individual Wastewater Discharge Permit or a general permit who was discharging wastewater into the District infrastructure and/or POTW prior to the effective date of this ordinance and who wishes to continue such discharges in the future, shall, within forty-five (45) days after said date, apply to the District Manager for an individual Wastewater Discharge Permit or a general permit in accordance with this ordinance, and shall not cause or allow discharges to the District infrastructure and/or POTW to continue after ninety(90) days of the effective date of this Ordinance except in accordance with an individual Wastewater Discharge Permit or a general permit issued by the District Manager.
- B. **Individual Wastewater Discharge and General Permitting: New Connections:** Any user required to obtain an individual Wastewater Discharge Permit or a general permit, who proposes to begin or recommence discharging into the District infrastructure and/or POTW, must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual Wastewater

Discharge Permit or general permit must be filed at least forty-five (45) days prior to the date upon which any discharge will begin or recommence.

SEC. 8.11.01 Permit Application Contents. Applicants for an individual or general Wastewater Discharge Permit shall complete an application, in the form prescribed by the District Manager. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

- A. The name and address of the facility, including the name of the operator and applicant, and the Standard Industrial Classification (“SIC”) code.
- B. Volume of wastewater to be discharged.
- C. Wastewater constituents and characteristics including but not limited to those included in The District’s Pretreatment Program and this Ordinance.
- D. Time and duration of discharge.
- E. Average and daily peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
- F. Site plans, floor plans, mechanical and plumbing plans and details to show all wastewaters and appurtenances by size, location and elevation.
- G. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s), carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the District infrastructure and/or POTW from the regulated processes and types of materials which are or could be discharged.
- H. Each product produced by type, amount, and rate of production.
- I. Number and type of employees, and hours of work.
- J. Any other information as may be deemed by the District Manager to be necessary to evaluate the permit application.
- K. Environmental Permits. A list of any environmental control permits held by or for the facility.
- L. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the District infrastructure and/or POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in this Ordinance.

M. Measurement of Pollutants.

1. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for existing sources.
2. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Categorical Standard or by the District Manager, of regulated pollutants in the discharge from each regulated process.
3. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
4. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in this Ordinance. Where the Categorical Standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the District Manager or the applicable Categorical Standard(s) to determine compliance.
5. Sampling must be performed in accordance with procedures set out in the District's Pretreatment Program and this Ordinance.

SEC. 8.11.02. Application Signatories and Certifications.

- A. All Wastewater Discharge Permit applications, user reports and certification statements must be signed by an Authorized Representative, as defined in the District's Pretreatment Program, of the user and contain a certification statement.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements must be submitted to the District Manager prior to or together with any reports to be signed by an Authorized Representative.
- C. A facility determined to be a Non-Significant Categorical Industrial User by the District Manager must annually submit a signed certification statement.

SEC. 8.11.03. Permit Issuance Process. The District Manager will evaluate the data furnished by the user and may require additional information. Within forty -five (45) days of receipt of a complete permit application, including additional information requested, the District Manager will determine whether or not to issue an individual Wastewater Discharge Permit or a general permit. The District Manager may deny any application for an individual Wastewater Discharge Permit or a general permit.

SEC. 8.11.04. Wastewater Discharge Permitting: General Permit.

- A. At the discretion of the District Manager, general permits to control Significant Industrial User (“SIU”) discharges to the District infrastructure and/or POTW may be used if the following conditions are met. All facilities to be covered by a general permit must:
1. Involve the same or substantially similar types of operations.
 2. Discharge the same types of wastes.
 3. Require the same effluent limitations.
 4. Require the same or similar monitoring; and
 5. In the opinion of the District Manager, are more appropriately controlled under a general permit than under individual Wastewater Discharge Permits.
- B. To be covered by the general permit, the SIU must file a written request for coverage that identifies its contact information, production processes, the types of wastes generated, the location for monitoring all wastes covered by the general permit.
- C. The District Manager will retain a copy of the general permit, documentation to support the determination that a specific SIU meets the criteria in the District’s Pretreatment Program and this Ordinance and applicable State regulations, and a copy of the user’s written request for the general permit.

SEC. 8.11.05. Individual Wastewater Discharge Permit and General Permit Contents.

An individual Wastewater Discharge Permit or general permit shall include such conditions as are deemed reasonably necessary by the District Manager to prevent pass through or interference, protect the quality of the water body receiving the POTW’s effluent, protect worker health and safety, facilitate District solids management and disposal, and protect against damage to the District infrastructure and/or POTW.

- A. Individual Wastewater Discharge Permits and general permits **shall** contain:
1. A statement that indicates the Wastewater Discharge Permit issuance date, expiration date and effective date.
 2. A statement that the Wastewater Discharge Permit is nontransferable.
 3. Effluent limits, including Best Management Practices, based on applicable Wastewater Pretreatment Standards.
 4. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or BMP) to be monitored, sampling location, sampling frequency, and

sample type based on the District's Pretreatment Program, this Ordinance, and Federal, State, and local law.

5. Requirements to control accidental discharge, if determined by the District Manager to be necessary.

B. Individual Wastewater Discharge Permits and general permits **shall** contain:

1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment device, designed to reduce, eliminate or prevent the introduction of pollutants into the District infrastructure and/or POTW.
3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges.
4. Development and implementation of waste minimization plans to reduce the number of pollutants discharged to the District infrastructure and/or POTW.
5. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the District infrastructure and/or POTW.
6. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices.
7. A statement that compliance with the individual Wastewater Discharge Permit or the general permit does not relieve the permittee of responsibility for compliance with the District's Pretreatment Program, this Ordinance, and all applicable Federal and State Wastewater Pretreatment Standards, including those which become effective during the term of the individual Wastewater Discharge Permit or the general permit; and
8. Other conditions as deemed appropriate by the District Manager to ensure compliance with the District's Pretreatment Program, this Ordinance, and State and Federal laws, rules, and regulations.

SEC. 8.11.06. Permit Modification.

- A. The District Manager may modify an individual Wastewater Discharge Permit for good cause, including but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Wastewater Pretreatment Standards or Requirements.
2. To address significant alternations or additions to the user's operation, processes, or wastewater volume or character since the time of the individual Wastewater Discharge Permit issuance.
3. A change in the District infrastructure and/or POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
4. Information indicating that the permitted discharge poses a threat to the District infrastructure and/or POTW, District personnel, or the receiving waters.
5. Violation of any terms and/or conditions of the individual Wastewater Discharge Permit.
6. Misrepresentations or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application or in any required reporting.
7. Revision of or a grant of variance from Federal or State Categorical Wastewater Pretreatment Standards.

SEC. 8.11.07. Individual Wastewater Discharge Permit and General Permit Revocation.

The District Manager may revoke an individual Wastewater Discharge Permit or coverage under a general permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the District Manager of significant changes to the wastewater prior to the changed discharge.
- B. Misrepresentation or failure to fully disclose all relevant facts in the Wastewater Discharge Permit application.
- C. Falsifying self-monitoring reports and certification statements.
- D. Tampering with District monitoring equipment.
- E. Refusing to allow the District Manager, or authorized designee, timely access to the facility premises and records.
- F. Failure to meet discharge limitations.
- G. Failure to pay wastewater charges or fees.
- H. Failure to meet compliance schedules.

- I. Failure to complete a Wastewater Survey or the Wastewater Discharge Permit application.
- J. Violation of any Wastewater Pretreatment Standard or Requirement, or any terms of the Wastewater Discharge Permit or the general permit or this ordinance.

Individual Wastewater Discharge Permits or coverage under general permits shall be voidable upon cessation of operations or transfer of business ownership. All individual Wastewater Discharge Permits or general permits issued to a user are void upon the issuance of a new individual Wastewater Discharge Permit or general permit to that user.

SEC. 8.11.08. Individual Wastewater Discharge Permit and General Permit Reissuance.

A user with an expiring individual Wastewater Discharge Permit or general permit shall apply for individual Wastewater Discharge Permit or general permit reissuance by submitting a complete permit application, in accordance with this ordinance, a minimum of forty-five (45) days prior to the expiration of the user's existing individual Wastewater Discharge Permit or general permit.

SEC. 8.11.9. Individual Wastewater Discharge Permit and General Permit Duration.

Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. Each individual Wastewater Discharge Permit or a general permit will indicate a specific date upon which it will expire. The terms and conditions of the permit may be subject to modification and change by the District Manager during the life of the permit as limitations or requirements are modified and changed. The user shall be informed of any proposed changes in permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. Any user proposing a new discharge into the system or a substantial change in the volume or character of pollutants that are being discharged into the system shall notify the District Manager at least forty- five (45) days prior to the proposed change or connection.

SEC. 8.11.10. Wastewater Discharge Permits are issued to a specific user for a specific operation. Wastewater Discharge Permits shall not be reassigned or transferred or sold to a new applicant, new user, different premises, or a new or changed operation.

SEC. 8.12. Inspection and Sampling. The District may inspect the facilities of any user to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the District Manager or authorized representative ready access at all reasonable times to all parts of the premises for the purposes of inspection or sampling or in the performance of any of their duties. The District shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operation. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements so that upon presentation of suitable identification, personnel from the District will be permitted to enter without delay for the purposes of performing their specific responsibilities.

SEC. 8.13. Pretreatment. Users shall make wastewater acceptable under the limitations established in the District's Pretreatment Program and this Ordinance before discharging into any District infrastructure. Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review and shall be approved by the District Manager before construction of the facility.

SEC. 8.14. Protection from Accidental Discharge. Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review and shall be approved by the District Manager before construction of the facility.

SEC. 8.15. Confidential Information. All information and data regarding a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or any other governmental agency without restrictions unless the user specifically requests and is able to demonstrate, to the satisfaction of the District Manager, that the release of such information would divulge information, processes or methods which are proprietary.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies; and shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the District as confidential shall not be transmitted to any governmental agency or to the general public by the District until and unless prior and adequate notification is given to the user.

SEC 8.16. Publication of Industrial Users in Significant Noncompliance. The District Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the District, a list of the Significant Industrial Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Wastewater Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users:

- A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six (6) month period exceed (by any magnitude) a numeric Wastewater Pretreatment Standard or Requirement.
- B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant

parameter during a six (6) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement.

- C. Any other violation of a Categorical Pretreatment Standard that the District Manager determines has caused, along or in combination with other discharges, interference or pass through the District infrastructure and/or POTW including endangering the health of District personnel or the general public.
- D. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual Wastewater Discharge Permit or a general permit or enforcement order for starting construction, completing construction, or attaining final compliance.
- E. Failure to provide within forty-five (45) days, any required reports, including baseline monitoring reports, reports on compliance with categorical Wastewater Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- F. Failure to accurately report noncompliance; or
- G. Any other violation(s), which may include a violation of Best Management Practices, which the District Manager determines will adversely affect the operation or implementation of the District's Pretreatment Program and this Ordinance. .

CHAPTER 9 – WASTEWATER CHARGES AND FEES

SEC. 9.01. Classification of Users. All users are to be classified either by assigning each one to a “user classification” category according to the principal activity conducted on the user’s premises, by individual user analysis, or by a combination thereof. The purpose of such collective and/or individual classification is to facilitate the regulation of wastewater discharges based on wastewater constituents and characteristics to provide an effective means of source control, and to establish a system of charges and fees which will ensure an equitable recovery of the District’s cost.

SEC. 9.02. Types of Charges and Fees. The charges and fees established in the District’s schedules of charges and fees, may include, but not be limited to:

- A. User fee classification charges.
- B. Fees for monitoring.
- C. Fees for permit applications.
- D. Appeal fees;

- E. Connection fees or assessments.
- F. Service charges.
- G. Penalties or special cost recovery charges.
- H. Charges and fees based on wastewater constituent flows and characteristics to include industrial cost recovery provisions of the Clean Water Act.

SEC. 9.03. Basis for Determination of Charges. Charges and fees established for each user or user classification, including permit users, shall be based on measured or estimated constituents and characteristics of the wastewater discharge of each user or user classification, which may include, but not be limited to, BOD, TSS, oil and grease, chlorine demand, volume, and rate of flow.

Unless otherwise specified, the charges and fees for each user or user classification shall be computed on the basis of characteristics of wastewater discharged to District infrastructure.

SEC. 9.04. Sewer Service Charges. A monthly sewer service charge is a charge for an immediately available property-related sewer service. The monthly charge shall apply to all utility customers within the District's limits. The amount of the monthly charge is established by Resolution of the District Board and is part of the District's Master Fee Schedule. The monthly charge is composed of a monthly base rate, a monthly flow rate, and a monthly strength rate. The amount of each charge shall be applied as follows:

- A. A monthly base rate shall be imposed on all customers, per equivalent dwelling unit (EDU), regardless of any actual water usage, which shall include consolidated amounts for:
 - 1. Operations and maintenance.
 - 2. Capital reserve; and
 - 3. Loan repayment.
- B. A monthly flow rate, in addition to a monthly base rate, shall be imposed on all customers based on each one hundred cubic feet (100 cf) of water used, which shall have consolidated amounts for:
 - 1. Operations and maintenance.
 - 2. Capital reserve; and
 - 3. Loan repayment.
- C. A monthly strength rate, in addition to a monthly base rate and monthly flow rate, shall be imposed on all customers per pound (lb.) of BOD and TSS, which shall include consolidated amounts for:
 - 1. Operations and maintenance.
 - 2. Capital reserve; and
 - 3. Loan repayment.

SEC. 9.05. Extraordinary Charges. The District Board reserves the right to set special sewer service charges where, in the opinion of the District Manager and/or District Board, a waste discharge strength and loading does not fit into existing rate schedules.

SEC. 9.06. Pretreatment Charges and Fees. The District may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the District's Pretreatment Program. All fees will be based on:

- A. Fees for Wastewater Discharge Permit applications including the cost of processing such applications.
- B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a commercial or industrial user's discharge, and reviewing monitoring reports submitted by the users;
- C. Fees for reviewing and responding to accidental discharge procedures and construction.
- D. Fees for filing appeals.
- E. Other fees as the District Manager may deem necessary to carry out the requirements contained in the District's Pretreatment Program and this Ordinance.

CHAPTER 10 – BILLING AND COLLECTING

SEC. 10.01. Billing. The regular billing period will be each calendar month.

SEC. 10.02. Opening and Closing Bills. Opening and closing bills for less than the normal billing period shall be prorated on a daily water used basis.

SEC. 10.03. Billing Time. Bills for sewer service charges shall be rendered at the beginning of each billing period and are payable upon presentation, except as otherwise provided.

SEC. 10.04. Penalty. Water rates and charges which are not paid on or before the day of delinquency shall be subject to a penalty in accordance with California Government Code §61115.

SEC. 10.0405. Collection by Interagency Intercept Program. As an alternate to any of the other procedures herein provided, the District may collect unpaid user fees and charges through the State of California Interagency Intercept Program. Upon submitting an unpaid charge to the State, the District will also notify the customer at the last known customer address. Customers may appeal said submittal by filing an appeal with the District Manager.

| **SEC. 10.05-06 Collection by Suit.** As an alternative to any of the other procedures herein provided, the District may collect unpaid charges by suit, in which event it shall also have judgment for the cost of suit and reasonable attorney's fees.

| **SEC. 10.0607. Other Utility Charges.** The District will provide for the collection of its sewer service charges with the rates for the services of the water system or other utility service furnished. The sewer service charges shall be itemized, billed upon the same bill, and collected as one item, together with and not separately from such utility service charge.

| **SEC. 10.0708. Discontinuing Service.** If all or any part of the bill on which any sewer service charge is collected is not paid, the District may discontinue its water or utility service until such bill is paid.

| **SEC. 10.0809. Collection.** All laws applicable to the levy, collection, and enforcement of general taxes of the District, including but not limited to those pertaining to the matters of delinquency, correction, cancellation, refund, and redemption, are applicable to such charges.

| **SEC. 10.0910. Use of Revenues.** Revenues derived under this ordinance shall be used only for the acquisition, construction, or reconstruction, maintenance, and operation of wastewater facilities of the District and to repay principal and interest on bonds issued for the construction or reconstruction of wastewater facilities.

| **SEC. 10.1011. Disconnection.** As an alternative method of collecting such charges, the District may disconnect any premises from the water system if the user fails to pay the service charges for their premises after they have become delinquent, effectively disconnecting sewer service. The cost of reconnecting it thereto is established in the District Master Fee Schedule, and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the wastewater system.

| **SEC. 10.1112. Abatement.** During the period of non-connection or disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the District Board shall cause proceedings to be brought for the abatement of the occupancy of said premises by the human beings. In such event, and as a condition of connection or reconnection, there shall be paid to the District reasonable attorneys' fees and costs of suit arising in said action.

CHAPTER 11 – ALTERNATIVE BILLING PROCESS TO BILL ON COUNTY TAX ROLL

SEC. 11.01. Billing and Collecting Delinquencies on Tax Roll. The District may provide for the collection of all such delinquent charges that have not been paid and collected at the time of establishing its tax rate, upon the tax roll which District taxes are collected and in the same manner provided by law, therefore.

SEC. 11.02. Other Remedies. The District may provide otherwise for the collection of such delinquent charges. All remedies herein provided for their enforcement and collection are cumulative and may be pursued alternately or collectively as the District determines.

SEC. 11.03. Procedure. When the District elects to use the tax roll on which general taxes are collected for the collection of current and delinquent sewer service charges, proceedings therefore shall be had as now or hereafter provided therefore in the California Health and Safety Code (CHSC).

SEC. 11.04. Alternative. The powers authorized by the CHSC shall be an alternative to all other powers of the District and an alternative to procedures adopted by the District Board thereof for the collection of such charges.

SEC. 11.05. Report. A written report shall be prepared and filed with the Humboldt County Clerk (Clerk), which shall contain a legal description of each parcel of real property receiving such services and facilities and the amount of the charge for each parcel for the forthcoming fiscal year, computed in conformity with the charges prescribed by this Ordinance.

SEC. 11.06. Notice. The Clerk shall cause notice of the filing of the report and of the time and place of hearing thereof to be published once a week for two (2) successive weeks prior to the date set for hearing, in a newspaper of general circulation, printed and published in the general area. Prior to such hearing for the first time, the Clerk shall mail a notice in writing of the filing of said first report proposing to have such changes for the forthcoming fiscal year collected on the tax roll and of the time and place of the hearing thereon, to be mailed to each person to whom any part of parcel of real property described in the report is assessed in the last equalized assessment roll on which general taxes are collected, at the address shown on the tax roll or as known to the Clerk.

SEC. 11.07. Hearing. At the time of said hearing, the Board shall hear and consider all objections or protests, if any, to said report referred to in said notice and may continue the hearing from time to time.

SEC. 11.08. Final Determination of Charges. Upon the conclusion of the hearing on the report, the Board will adopt, revise, change, reduce or modify any charge or overrule any or all objections and shall make its determination upon each change as described in said report, which determination shall be final.

SEC. 11.09. Filing of Report with County Auditor. On or before the 10th day of August in each year following the final determination of the Board, the Clerk shall file with the Auditor a copy of said report with a statement endorsed thereon over the Clerk's signature that it has been finally adopted by the District ~~Board~~, Board, and the Auditor shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.

SEC. 11.10. Lien. The amount of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed as of noon on the first Monday in ~~March~~ August

of each year. The tax collector shall include the amount of the charges on bills for taxes levied against the respective lots and parcels of land.

SEC. 11.11. Tax Bill. Thereafter, the amount of the charges shall be collected at the same time and in the same manner and by the same persons as, together with and not separately from the general taxes for the District and shall be delinquent at the same time and thereafter be subject to the penalties for delinquency.

CHAPTER 12 – ENFORCEMENT

SEC. 12.01. Accidental Discharges.

1. Users shall notify the District Manager immediately upon accidentally discharging wastes in violation of this ordinance to enable countermeasures to be taken by the District to minimize damage to the District infrastructure and/or POTW, the receiving water, and the public in general.

The notification shall be followed, within fifteen (15) business days of the date of occurrence, by a detailed, written statement from user describing the cause(s) of the accidental discharge and the measures being taken to prevent future occurrence. Such notification will not relieve users of liability for any expense, loss or damage to the District infrastructure and/or POTW, or for any fines imposed.

2. In order that employees of users are informed of District requirements, users shall make available to their employees copies of this Ordinance together with such other wastewater information and notices which may be furnished by the District from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge or spill in violation of this Ordinance.

3. Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system would be eliminated. Where such action is impractical or unreasonable, the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this Ordinance.

SEC. 12.02. Notice of Violation. When the District Manager finds that a user has violated, or continues to violate, any provision of the District's Pretreatment Program or this Ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement, the District Manager may serve upon that user a written Notice of Violation (NOV). Within five (5) business days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the District Manager. Submission of such a plan in no way relieves the user of liability for any violations occurring before or after the receipt of the NOV. Nothing in this Ordinance shall limit

the authority of the District Manager to take any action, including emergency actions or any other enforcement action, without first issuing a NOV.

SEC. 12.03. Consent Orders. The District Manager may enter into any documents establishing an agreement with any user responsible for noncompliance. These documents shall include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. The documents shall have the same force and effect as the administrative orders issued pursuant to this Ordinance and shall be judicially enforceable.

SEC. 12.04. Compliance Orders. When the District Manager finds that a user has violated, or continues to violate, any provision of the District's Pretreatment Program or this Ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Pretreatment Standard or Requirement, the District Manager may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, wastewater service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the number of pollutants discharged to the District infrastructure and/or POTW. A compliance order may not extend the deadline for compliance established for a Wastewater Pretreatment Standard or Requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

SEC. 12.05. Administrative Fines.

- A. When the District Manager finds that a user has violated, or continues to violate, any provision of the District's Pretreatment Program or this ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement, the District Manager may fine such user for each and every violation committed. Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- B. Unpaid charges, fines, and penalties shall, after ~~sixty-three~~ (360) calendar days, be assessed an additional penalty ~~of ten percent (10%) of the unpaid balance, and interest shall accrue thereafter at a rate of one half of one percent (0.5%) per month in accordance with California Government Code §61115.~~ A lien against the user's property shall also be sought for unpaid charges, fines, and penalties as authorized by California Government Code ~~§section 6162161115.~~
- C. Users desiring to dispute such fines must file a written request for the District Manager to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the District Manager may convene a hearing on the matter. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned

to the user. The District Manager may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.

- D. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user authorized under these regulations or by California law, including the damages sustained by the District as a result of any such violation(s).

SEC. 12.06. Issuance of Cease-and-Desist Orders. When the District Manager finds that a user has violated, or continues to violate, any provision of the District's Pretreatment Program or this Ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement, or that the user's past violations are likely to recur, the District Manager may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease-and-desist order shall not be a bar against or a prerequisite to taking other action against the user.

SEC. 12.07. Emergency Suspensions. The District Manager may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the public health or safety. The District Manager may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the District infrastructure and/or POTW.

Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the District Manager may take such steps as deemed necessary, including immediate severance of the wastewater connection, to prevent or minimize damage to the District infrastructure and/or POTW, its receiving stream or endangerment to any individuals. The District Manager may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the District Manager that the period of endangerment has passed unless the termination proceedings in this Ordinance are initiated against the user.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension.

SEC. 12.08. Termination of Discharge. In addition to the provisions in this Ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of individual Wastewater Discharge Permit or general permit conditions.

- B. Failure to accurately report the wastewater constituents and characteristics of its discharge.
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge.
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the District's Pretreatment Program or this Ordinance.

Such user will be notified of the proposed termination of its discharge. Exercise of this option by the District Manager shall not be a bar to, or a prerequisite for, taking any other action against the user.

SEC. 12.09. Appeals. Any user, permit applicant, or permit holder affected by any decision, action, or determination, including Cease and Desist Orders, made by the District Manager, interpreting or implementing the provisions of the District's Pretreatment Program or this Ordinance or in any permit issued herein, may file with the District Manager, a written request for reconsideration within ten (10) days of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration.

If the subsequent ruling made by the District Manager is unsatisfactory to the person requesting reconsideration, they may, within ten (10) days after notification of the District Manager's action, file a written appeal to the District Board. The written appeal shall be heard by the District Board within thirty (30) days from the date of filing. The District's Board shall make a final ruling on the appeal within fifteen (15) days of the closing of the meeting. The District Manager's decision, action, or determination shall remain in effect during such period of reconsideration.

SEC. 12.10 Remedies Non-Exclusive. The remedies provided for in this Ordinance are not exclusive. The District Manger may take any, all or any combination of these actions against a noncompliant user. However, the District Manager may take other action against any user when the circumstances warrant. Further, the District Manager is empowered to take more than one enforcement action against any noncompliant user.

SEC. 12.11. Affirmative Defenses to Discharge Violations.

1. Process Failure.

- A. A process failure is an unintentional and temporary noncompliance with the District's Pretreatment Program and this Ordinance because of factors beyond the reasonable control of the user. An upset does not include noncompliance caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

- B. A process failure shall constitute an affirmative defense to an action brought for noncompliance with the District’s Pretreatment Program and this Ordinance if the requirements of paragraph (C), below, are met.
- C. A user who wishes to establish the affirmative defense of process failure shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
1. A process failure occurred, and the user can identify the cause(s) of the process failure and
 2. The facility was at the time being operated in a prudent manner and in compliance with applicable operation and maintenance procedures; and
 3. The user has submitted the following information to the District Manager within twenty-four (24) hours of becoming aware of the process failure [if this information is provided orally, a written submission must be provided within five (5) days]:
 - i. A description of the indirect discharge and cause of noncompliance;
 - ii. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue;
 - iii. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
 - iv. In any enforcement proceeding, the user seeking to establish the occurrence of a process failure has the burden of proof.
 - v. Users shall have the opportunity for a judicial determination on any claim of process failure only in an enforcement action brought for noncompliance with the District’s Pretreatment Program and this Ordinance; and
 - vi. Users shall control production of all discharges to the extent necessary to maintain compliance with the District’s Pretreatment Program and this Ordinance upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

2. Bypass.

A. For the purposes of this section:

1. Bypass means the intentional diversion of waste streams from any portion of a user's treatment facility.
2. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

B. A user may allow any bypass to occur which does not cause the District's Pretreatment Program or this Ordinance to be violated, but only if it also is for essential maintenance to assure efficient operation. Requirements may be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (C) and (D) of this Section.

C. **Bypass Notifications.**

1. A user shall submit prior notice to the District Manager, at least ten (10) days before the date of the bypass, if possible.
2. A user shall submit oral notice to the District Manager of an unanticipated bypass that exceeds the District's Pretreatment Program or this Ordinance requirements within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

D. **Unavoidable Bypass.**

1. Bypass is prohibited, and the District Manager may take an enforcement action against a user for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage.
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to

prevent a bypass, which occurred during normal periods of equipment downtime or for preventive maintenance; and

- c. The user submitted notices as required under paragraph (C) of this section.
2. The District Manager may approve an anticipated bypass, after considering its adverse effects, if the District Manager determines that it will meet the three conditions listed in paragraph (D)(i) of this Section.

CHAPTER 13 - ABATEMENT

SEC. 13.01. Public Nuisance. Discharges of wastewater in any manner in violation of the District's Pretreatment Program or this Ordinance or of any order issued by the District Manager as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the District Manager. Any person creating a public nuisance shall be subject to provisions of District codes or ordinances, rules and/or regulations governing such nuisance.

SEC. 13.02. Injunctive Relief. When the District Manager finds that a user has violated, or continues to violate, any provision of the District's Pretreatment Program or this ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement, the District may petition the California Superior Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual Wastewater Discharge Permit, the general permit, order, or other requirement imposed by this ordinance on activities of the user. The District may also pursue any other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against the user authorized under these regulations or by California law.

SEC. 13.03. Damage to Facilities. When a discharge of wastes causes an obstruction, damage, or any other impairment to District infrastructure, and/or POTW the District may assess a charge against the user for the work required to clean or repair the District infrastructure and/or POTW and add such charge to the user's sewer service charge.

SEC. 13.04. Correction of Violations; Collection of Costs; Injunction. In order to enforce the provisions of this ordinance, the District may correct any violations hereof. The cost of such correction may be added to any sewer service charge payable by the person violating the ordinance or the applicant or tenant of the property upon which the violation occurred, and the District shall have such remedies for the collection of such costs as it has for the collection of sewer service charges under California law.

SEC. 13.05. Civil Penalties.

- A. A user who has violated, or continues to violate, any provision of the District's Pretreatment Program or this Ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement shall be liable to the District for a maximum civil penalty of One Thousand Dollars (\$1,000), per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- B. The District may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the District.
- C. In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- D. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a user authorized under these regulations or by California law.

SEC. 13.06. Criminal Prosecution.

- A. A user who violates any provision of the District's Pretreatment Program or this Ordinance, an individual Wastewater Discharge Permit, or a general permit or order issued hereunder, or any other Wastewater Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than One Thousand Dollars (\$1,000) per violation, per day, or imprisonment for not more than one (1) year, or both;
- B. A user who willfully or negligently introduces any substance into the District infrastructure and/or POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and may be subject to a penalty of at least One Thousand Dollars (\$1,000) per violation, or be subject to imprisonment for not more than one (1) year, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available to the District under California law, and the District shall be entitled to recover damages in the amounts actually sustained;
- C. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed or required to be maintained pursuant to the District's Pretreatment Program or this ordinance, individual Wastewater Discharge Permit, or general permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring

device or method required under this ordinance shall, upon conviction, be punished by a fine of not more than One Thousand Dollars (\$1,000) per violation, per day, or imprisonment for not more than one (1) year, or both.

CHAPTER 14 – WASTEWATER CAPITAL - RESERVE FUND

SEC. 14.01. Wastewater Capital Reserve Fund. The District shall maintain a Wastewater Capital Reserve Fund (WCRF) dedicated solely to pay for future expansion, major repair, and replacement of the District Wastewater Treatment Facility.

SEC. 14.02. Withdrawal of WCRF Monies. The District Board may use money from the WCRF to pay for the cost of planning, design and construction of capital improvements to the Wastewater Treatment Facility.

Section 2: Severability. If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the chapter. The District Board hereby declares that it would have passed this chapter, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid under law.

Section 3: California Environmental Quality Act (CEQA) Determination. Under the EIR which was completed upon the formation of the Scotia Community Service District, a determination was made that the District would not result in a significant environmental impact. This ordinance is also exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 4: Limitation of Actions. Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: November 17, 2022

ATTEST:

APPROVED:

Board Clerk, Scotia Community Services District

President, Scotia Community Services District

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2022 -7, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Services District, Humboldt County, California on the 17th day of November, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Clerk, Scotia Community Services District

Scotia Community Services District Staff Report

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: Review submitted Scotia Museum ADA Upgrades and HVAC Project bids and Select and Approve Bid

RECOMMENDATION:

Bids for the Scotia Museum ADA Upgrades and HVAC Project were received and deemed complete for bidding to the satisfaction of the District Engineer. Staff recommends the Board open and announce the bids and select and award the bid for the Scotia Museum ADA Upgrades and HVAC Project.

ACTION:

Review submitted bids, and select and award a bid for the Scotia Museum ADA Upgrades and HVAC Project.

DISCUSSION:

District staff has worked with District Engineer and DJ Cleek Co. to begin the SCSD Museum ADA Upgrades And HVAC Project. The plans have been submitted to the County, and the District has received the permit approval for the project. The project includes ADA Accessibility and HVAC improvements to existing historic Scotia Museum. Improvements shall include removal and reconstruction of existing ramp, new handrails and 2" warning strips at existing entrance stairs, replacement of existing reception/transaction counter, remodel of existing restrooms into new unisex accessible restroom, removal of existing interior stairway barrier, installation of new HVAC system.

Scotia CSD advertised for sealed bids for its SCSD Museum ADA Upgrades and HVAC Project ("Project"), by or before 4:00pm PST November 11, 2022. The Project must be completed within one hundred and eighty (180) calendar days from the start date set forth in the Notice to Proceed, and absolutely no later than April 1, 2023. SCSD anticipates that the Work will begin on or about December 2, 2022, but the anticipated start date is provided solely for convenience and is neither certain nor binding. The estimated construction cost from the engineer was \$79,721, but the figure was estimated prior to recent inflation of building materials. Less than \$20,000 has been expended thus far on the project.

The SCSD maintains procurement standards within the SCSDs Financial Management Policy (Section 14 *Purchasing*) whereby the district must review bids (quotes) from three (3) suppliers for expenditures exceeding \$25,000 and emphasizes the importance of reasonable diligence for comparative shopping for all available sources when seeking a purchase for any fixed asset. All bids will be presented to the Board for final approval prior to construction. Bids are anticipated to be presented to the Board at the November 17, 2022 regular meeting.

Bids for the Scotia Museum ADA Upgrades and HVAC Project were received and deemed complete for bidding to the satisfaction of the District Engineer. The bids received will be presented by staff to the Board during the meeting. Staff recommends the Board open and announce the bids and select and award the bid for the project.

FISCAL IMPACT:

Engineer's estimate is \$79,721, but actual cost will be determined by the bid.

ATTACHMENTS:

Bids (to be presented at the meeting)

Scotia Community Services District Staff Report

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: Evaluate the date of the December 2022 Board Meeting for Holiday Conflicts

RECOMMENDATION:

Evaluate the date of the December 2022 Board Meeting for Holiday Conflicts

ACTION:

Evaluate the date of the December 2022 Board Meeting for Holiday Conflicts

DISCUSSION:

Evaluate the date of the December 2022 Board Meeting for Holiday Conflicts

FISCAL IMPACT:

None

ATTACHMENTS:

None

Scotia Community Services District Staff Report

DATE: November 17, 2022
TO: Scotia Community Services District Board of Directors
FROM: Leslie Marshall, General Manager
SUBJECT: As a Result of a Local Emergency, Authorize Remote Teleconference Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions and AB361

RECOMMENDATION:

Consider authorizing remote teleconference meetings of the legislative bodies of Scotia Community Services District pursuant to Brown Act provisions for the December 2022 regular Board meeting, and any special meetings.

ACTION:

Motion: As a result of a local emergency, The Scotia CSD Board authorizes hybrid meetings of the legislative bodies of Scotia Community Services District pursuant to Brown Act provisions for the December 2022 regular Board meeting, and any special meetings.

DISCUSSION:

On September 16, 2021, Governor Newsom signed AB 361 into law. The stated aim of AB 361 is “to improve and enhance public access to local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options” consistent with Executive Order N-29-20. This urgency bill became effective immediately upon the Governor’s signature and amends the Brown Act to allow governing bodies to hold remote meetings during a proclaimed state of emergency without following the Brown Act’s teleconferencing rules. Governor Newsom’s Executive Order to allow teleconferenced meetings during the COVID-19 pandemic expired on September 30, 2021.

AB 361 provides that governing bodies do not need to follow the Brown Act’s teleconferencing rules if it makes a finding that:

- There is a proclaimed state of emergency **and** either state or local officials have imposed or recommended social distancing measures **or**
- Meeting in person would present imminent risks to the health or safety of attendees.

If the governing body chooses to continue using the provisions of AB 361, the governing body must reconsider and make these findings **every 30 days**.

If governing bodies utilize the remote meeting option provided in AB 361, they must also adhere to the following requirements:

- Give notice of meetings and post agendas as otherwise required by the Brown Act.
- Provide members of the public virtual access to the meeting and an opportunity to address the governing body directly through that virtual access;
- Provide notice of the means by which members of the public may access the meeting virtually in any instance in which they give notice of the time for the teleconferenced meeting or post the agenda for the teleconferenced meeting;
- Ensure the agenda identifies and includes an opportunity for all persons to attend the teleconference meeting by a call-in option or internet-based service option;
- Not require comments be submitted in advance (though the legislative body may provide that as an option), and provide the opportunity to comment in real time;
- Stop the meeting if there is a disruption into the call-in option or internet-based service option that results in members of the public being unable to access the meeting; governing bodies may not take action on any agenda items during this disruption of access; and
- Refrain from closing a timed public comment period before the time for the comment period has elapsed. If governing bodies do not use timed public comment periods, they must allow a reasonable time per agenda item for public comment.

The bill includes a sunset on local agencies of January 1, 2024

FISCAL IMPACT:

None

ATTACHMENTS:

None