

## MINUTES

### WORKSHOP MEETING OF THE BOARD OF DIRECTORS OF THE NORTH YUBA WATER DISTRICT

Held at the District Office

8691 LaPorte Road, Brownsville

Wednesday, June 20, 2018

---

#### **A. ROLL CALL**

President Donald Forguson called the meeting to order at 8:07 AM at the District Office in Brownsville, CA. The recording secretary called the roll.

	<i>PRESENT</i>	<i>ABSENT</i>
<i>DIRECTORS</i>	President Donald Forguson Vice President Eric Hansard	
	Director Doug Neilson	
	Director Terry Brown	
	Director Gary Hawthorne	
<i>GENERAL MANAGER</i>	Jeff Maupin	

**B. PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Director Brown.

---

#### **ACTION ITEMS**

---

**C. DOMESTIC POLICY:**

## **Definitions**

Review and discussion began on the reorganization of the Domestic policy. Review of Section 1-General Definitions suggested item C) Irrigation Water be deleted from the policy. This policy will cover domestic water only. After discussion regarding item D) Base Rate was added.

Definitions of customers were discussed. The word "Customer" which was defined as any person or entity receiving water service on meter size" was added to the definition of Base Rate. Also discussed was base rate per unit verses consumption rate. Discussion continued regarding the property owner's responsibility. If the service is provided at a rental the property owner will be liable for charges

### **Some items discussed were:**

Providing temporary water which is for domestic water usage only. The hydrant was initially set up for those effected by the drought, dry wells, equipment problems etc. Unfortunately, it has evolved into some misusing and abusing the service. The discussion included a limit on usage such as 60 days to allow problems to be addressed and repaired. Although the water which is accessed at the hydrant is for domestic use, it is very hard to verify usage. Temporary water for consumption is a possible term that can be used that can be implemented to clarify the usage of water from the hydrant. Adding a base rate verses consumable rate was discussed along with time limitation. General Manager Maupin will check with legal counsel regarding options available and contact the Board via email after information is received.

Primary Customer was defined as the person or entity whose name appears on an account associated with a connection to the District's system. Residential Customer defined as any person or entity receiving water service from the District for residential uses only, including rental units or mobile home parks. Commercial Customer defined as any person or entity, operating as a commercial entity, receiving water service from the District for uses related to their commercial endeavors. The term commercial establishment, business, or office shall be considered to have identical meaning. Domestic Customer is defined as all residential and commercial customers of the District using treated water. Master Meter and Unit was reviewed in length. After discussion it was determined to take out the word Master Meter and use the term Service.

## **SECTION 2 - Delivery**

Delivery was reviewed and discussed. Minor changes were suggested in section A, System, with the last sentence being deleted regarding plumbing on private property and change the word property to service connection.

**Meeting adjourned for recess at 9:53 AM.**

**Called to order at 10:12 AM.**

## **SECTION 3 - Billing**

### **General, Charges, and Responsibility of Payment**

Discussion resumed regarding the wording on CHARGES. A service charge is charged if service is available. The only way a bi-monthly base rate will not be charged is if the service is disconnected. After discussion item B) b was deleted. In discussing item d) ii the word master meter was replaced with service connection. d) iv will read "the Primary Customer will be responsible for paying this charge. In continued discussion it was suggested that the words home or business be replaced to read residential or commercial and the added wording "to the property" to item e regarding losses.

### **Current Fees and Delinquent Accounts**

There was a lengthy discussion regarding the possibility of raising late fees. General Manager Maupin will contact the attorney's office to see if changes can be made without going to 218 and email the Board of his findings.

### **Delinquent and Late Notice Fees and Charges**

Discussion continued regarding delinquent accounts and how much time between billing cycles. Since the District bills bimonthly there could be four months due before the cutoff notice is received by the customer. The question was asked on how long is reasonable. It was suggested to research other utility companies to compare when the first notice is sent, and the service is finally disconnected. General Manager Maupin will research in the Water Law Book to see what the required process is and will notify the Board via email of his findings. Customers can write the Board in severe circumstances for adjustments on delinquent bills. This can be accomplished in closed session, but the action will have to be disclosed during session. These conditions can be acted on a case by case include fairness of time and understanding of the situation and a proper course of action. Discussion continued regarding delinquent and late notice fees and charges, including the return of unpaid checks by the bank. In that instance the service will be terminated immediately. Also included in the discussion was delinquent accounts may be placed on the tax roll or placed as a lien on the property pursuant to Water Code.

### **Right to Protest Bill**

Discussion continued regarding the right to protest a bill. A customer has a right to protest a bill and bring it to the Board for discussion. The request must be put in writing within five days of receipt of the bill. If it is determined that an investigation is warranted the service will remain on until the investigation is completed, and the customer notified. The customer will be given an opportunity to pay the bill and avoid termination if the dispute is valid.

## **SECTION 4 – Use and Resale**

The Board discussed in length Use and Resale of Water. The District is the sole purveyor of water within the District boundaries. Only one parcel will be served from a single meter. This applies to adjoining parcels that are owned by the same person. No water received from the District can be resold. The word him was taken out and primary customer was added to the last sentence to read “The customer shall not permit the use of any of the water received by the primary customer from the District on any premises other than those specified in his applications for service”.

## **SECTION 5 – Fire Hydrants**

### **Access to District Office Hydrant, Use and Resale of Water, Use of other District Hydrants**

Access to District Office Water was reviewed and discussed. Questions were raised regarding the means of transporting the water by individuals and the safety of the containers being used. It is very difficult to ensure that the water is being used according to policy. The water is potable from the source but there is no way to monitor once it has entered the container. It was suggested to include in the policy that customers must be annexed, and place of use must be in the District. The hydrant was originally installed for fire suppression. Access and cost of water from the hydrant can be decided by a case to case basis. The District will not generally provide water for sale from the hydrant at the District’s office in Brownsville. Temporary exceptions will be granted where need is demonstrated. In these cases, the length of time that water will be available, the frequency of accessing the hydrant, and the cost of the water will be decided on a case to case basis. These exceptions will only be valid while the identified need exists. An example of an acceptable need is a property owner whose well, used as a primary domestic water source goes dry, was discussed to add to the existing policy.

General Manager Maupin read Resolution #2008670 which addresses the use of other District hydrants.

## **Section 6 – Cross-Connection Protection Requirements**

After discussion it was suggested to include a statement from the the California Code of Regulations which describes when and where a back-flow device can and will be used. The Water Code will be referenced, and a statement can be made such as “Cross-Connection requirements will be in compliance with California Code of Regulations, Title 17, sections 7601-7605 after this revision date at the expense of the customer.

## **Section 7 – Access**

Grammatical corrections were made to the paragraph. Section 7 was accepted as presented.

**Meeting adjourned for lunch at 12:27PM**

**Called to order at 1:23PM**

## **SECTION 8 – Prohibited Acts**

Prohibited Acts and the correct penal code to use for theft was discussed and reviewed by the Board. Section A reads Tampering with District property, including any service connection, measuring device, or any portion of the system, is prohibited. Violators WILL be prosecuted pursuant to Penal Code section 624.

Section B Taking any amount of water from the District system other than through an approved service connection and measuring device is considered theft of water. Violators WILL BE PORSECUTED pursuant to Penal Code Section 498.

Section C Diverting or causing water to be diverted by any means. Violators WILL BE PROSECUTED pursuant to Penal Code Section 498.

And finally Section D which states preventing a water meter, or other device used in determining the charge for water services, from accurately performing its measuring function by tampering or by any other means. Violators WILL BE prosecuted pursuant to Penal Code 624.

The Application form was reviewed and accepted as is.

**E. PUBLIC INPUT:**

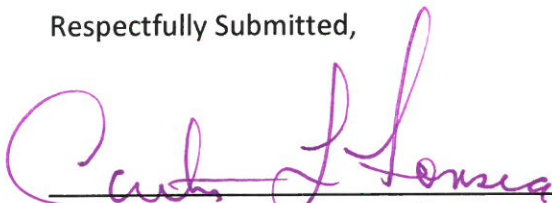
Dates for future workshops and the next policy to be reviewed were discussed by the Board. The possibility of workshops following regular board meeting for a set time were suggested. The board will send General Manager Maupin times and dates for suggestions of future workshop meetings and he will notify the Board of potential dates.

**F. ADJOURNMENT**

**There being no further business to discuss, Director Brown made a motion that the Board adjourn. Director Hawthorne seconded the motion. The motion passed with a unanimous vote.**

The meeting was adjourned at 1:53PM.

Respectfully Submitted,

  
\_\_\_\_\_  
Catherine L. Fonseca, Recording Secretary