PAJARO/SUNNY MESA

COMMUNITY SERVICES DISTRICT

136 San Juan Road, Royal Oaks, CA 95076 O (831) 722-1389 | Fax (831) 722-2137

www.pajarosunnymesa.com

AGENDA

REGULAR MEETING OF THE BOARD OF DIRECTORS
DISTRICT CONFERENCE BOARD ROOM
136 SAN JUAN ROAD, ROYAL OAKS, CA 95076

TELECONFERENCING: This Meeting shall include teleconferencing as authorized and in accordance with <u>California Government Code § 54953</u>. All votes shall be by rollcall. The audio teleconferencing will occur at two places: the Pajaro Sunny Mesa CSD Board Room at <u>136 San Juan Road</u>, <u>Royal Oaks, CA 95076</u> and <u>154 Morgan Way, Mount Shasta City, CA 96067</u>. This agenda will be posted at both teleconferencing locations, which will be open to the public.

AUGUST 22, 2019 5:30 P.M.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

ROLL CALL:

(11/21) President Harry Wiggins

(11/21) Vice President Michael Moore

(11/19) Secretary Darlene Lamboley_

(11/21) Assistant Secretary Sanford Coplin___

(11/19) Treasurer Robert Moody ___

ADMINISTRATIVE STAFF:

General Manager Don Rosa_

Operations Manager Judy Vazquez-Varela_

Recorder Simone Coke_

DISTRICT COUNSEL:

Attorney Alan Smith_____

The Pajaro/Sunny Mesa Community Services District welcomes you to its meetings regularly scheduled on the fourth Thursday of each month, and your interest and participation is encouraged and appreciated.

ADDITIO	<u> VS TO</u>
AGENDA	(IF ANY):

In accordance with Section 54954.2 (b) (2) of the Government Code (Brown Act) two-thirds vote required for action items. (Upon a determination by a two-thirds vote of the legislative body, or, unanimous vote of those members present, that there is a need act immediately and that the need to act immediately arose after the agenda was posted.)

PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA: Any person may address the Board on any item not on the agenda when recognized by the Board President. Any Board member may discuss any items not on the agenda. (This could result in an item being added to a future agenda.)

Documents provided to the District after the agenda has been published will be available at the District office and available for photocopying during ordinary business hours as Public Records at the cost set by resolution by the Board from time to time. This is ordinarily \$.25 per page. Documents provided to the Board for agenda items will ordinarily be placed on the District website if time permits. Otherwise, late documents will be provided to the Board at the meeting and a copy placed with the agendas available to the Public at Board meetings.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Pajaro Sunny Mesa Community Services District at (831) 722-1839 before the meeting to allow the District to make reasonable accommodations.

ACTION ITEMS

Consent Items:

Ayes:_____

1.	Draft	Minutes	of	July	25,	2019	Regula	r Meeting	

 Staff Report Clarifying and Technical (Public Input Motion/Second Board Deliberation Vote to Approve Motion 	Questions to Staff		
Approved	Denied		Tabled
Motioned by: Director		Seconded by: Director	
Ayes:	Noes:	Absent:	Abstained:
2. Draft Financials for 3	July 2019		
 Staff Report Clarifying and Technical (Public Input Motion/Second Board Deliberation Vote to Approve Motion 	Questions to Staff		
Approved	Denied	-	Tabled
Motioned by: Director		Seconded by: Director	
Ayes:	Noes:	Absent:	Abstained:
 3. Final Draft: General Execution by Both Effective date 7- Staff Report Clarifying and Technical Of Public Input Motion/Second Board Deliberation Vote to Approve Motion 	ard President and G 1-19		
Approved	Denied		Tabled
Motioned by: Director		Seconded by: Director	

Noes:_____ Absent:____ Abstained:_____

Monthly	Ехр	enditu	es	Report	for	Review
<u>Approval</u>	of	Warrar	its 8	& Chec	<u>ks</u> :	

ı	General Fund 605:	Chock #	through check # for	r a total of \$
	Water Account:	Check #	_	r a total of \$
	Holding Acct:	Check #		r a total of \$
	Street Maint. Acct:	Check #		r a total of \$
	Reorganization Acct:	Check #	_	r a total of \$
ō.	Construction Acct:	Check #		r a total of \$
7.	Acct:	Check #	through check # for	r a total of \$
	Public InputMotion/SecondBoard DeliberationVote to Approve Mo			
	Approved	Denie	ed	Tabled
	Motioned by: Director		Seconded by: Director	
	Ayes:	Noes:	Absent:	Abstained:
		•		
	Old Business: NO New Business: NO 1.	ONE		·
	 Staff Report Clarifying and Tech Public Input Motion/Second Board Deliberation Vote to Approve Moderation 	otion	taff d	Tabled
	Motioned by: Director			Tubled
	Ayes:		Absent:	

Staff/Committee Reports: (Information Only, no action)

This part of agenda is for the Staff to report to the Board on operations however no action is agendized and so no action may be taken other than asking for an action item to be brought to the Board at a future meeting.

- 1. Pajaro Park: Lifecycle costs and Capital Improvement Plan (CIP)
 - Staff is currently working on a CIP and will present to the Board upon completion
 - Copy of Pajaro Park Budgetary Projections
- 2. Pajaro County Sanitation District (PCSD) (sewer)
 - Monterey County is selling off its remaining sewer systems
 - PCSD services Las Lomas, Sunny Mesa, CSA73 and Pajaro
 - Discuss any effects to Pajaro/Sunny Mesa C.S.D.
- 3. Hazard Mitigation Plan (HMP)
 - Staff will provide status report
- 4. SB 998- Discontinuation of residential water service
 - Implementation date, April 1, 2020
 - District must generate written policy that complies with SB 998
 - Current unwritten policy is very similar to SB 998
 - District Ordinance differs from SB 998
- 5. Monterey County Agricultural Parcel APN 117-221-034
 - Copy of letter and attachments sent to George Salcido of Monterey County to have Deed for APN 117-221-034 transferred to the Pajaro/Sunny Mesa C.S.D.
- 6. Cayetano Park Update
 - Copy of draft Quitclaim Deed, currently being reviewed by Monterey County's counsel and District's counsel
- 7. Multi Community Bottled Water Project: Progress Report
- 8. District Operations Report (available at Meeting)
- 9. Usage Comparison Report 2013/2019

Closed Session:

A. Public Comments for Closed Session

Any person may address the Board on any item on the Closed Session Agenda when recognized by the Board President.

- B. Conference with Legal Counsel- Existing Litigation (Government Code § 54957)
 - 1. AWC Holdings Trust and AWC II Holdings Trust vs the County of Monterey through its Board of Supervisors et al Case No. 18CV001746, Monterey County Superior Court, filed May 11, 2018
 - 2. Steve Pacheco, Trustee of the Salinas Land Holding Trust vs Pajaro/Sunny Mesa Community Services District et al Case No. (consolidated with above case), Monterey County Superior Court, filing date unknown
- C. Public Employee Performance Evaluation. Subd. (b)(1) of (§ 54957)
 - ⇒ Title: (General Manager)

Next Board meeting date:	
Adjournment Time:p.m.	
Motioned by: Director	Seconded by: Director

MINUTES

The regular meeting of the Pajaro/Sunny Mesa Community Services District Board of Directors was called to order at 5:30 pm on July 25, 2019.

ROLL CALL:

President Harry Wiggins

Vice President Michael Moore Secretary Darlene Lamboley

Assistant Secretary Sanford Coplin via telephone

Treasurer Robert Moody

TELECONFERENCING: This Meeting shall include teleconferencing as authorized and in accordance with <u>California Government Code § 54953</u>. All votes shall be by rollcall. The audio teleconferencing will occur at two places: the Pajaro Sunny Mesa CSD Board Room and and <u>47 Lower Dam Road, Port Angeles, WA 98362</u>. This agenda will be posted at both teleconferencing locations, which will be open to the public.

ADMINISTRATIVE STAFF:

Operations Manager Judy Vazquez-Varela

Recorder Simone Coke

ABSENT DIRECTOR(S) & STAFF:

General Manager Don Rosa

DISTRICT COUNSEL:

Alan Smith

ADDITION(S) TO AGENDA: None

PUBLIC IN ATTENDANCE:

Heather Lukacs from Community Water Center Cesar Garcia Lopez from Community Water Center

PUBLIC COMMENTS:

- 1. Cesar Garcia Lopez from Community Water Center (CWC) reports that they have been busy signing up residents for bottled water, fifty-one households have signed up for water deliveries, water deliveries started this week. The water deliveries for the Moss Landing mobile home park started this week as well. The bottled water delivery has prompted media outlets to share the story, KACU Radio Station
- 2. Heather Lukacs from Community Water Center (CWC) wanted to thank the District for their support in getting bottled water to the residents in the Bluff and Jensen Road areas, water delivery has started this week. In addition, the Governor of California has signed bill SP 200 that is for safe and affordable drinking water. This bill will provide sustainable funding for water systems to come into compliance, it will provide 130 million per year for 10 years. This money will be used to fund the operation and maintenance for treatment costs for small water systems. Community Water will report back to the Board when there is progress made in reference to clean water for bathing, which has been an issue for residents due to the 1, 2, 3, TCP.

SCHEDULED ITEMS: None

CONSENT ITEMS:

1. Consider and approve of the Minutes from the June 27, 2019 regular Board Meeting

Motion was made by Director Moore and seconded by Director Moody to approve the regular Board Meeting Minutes of June 27, 2019. Motion carried.

Roll Call Vote:

Aves:

S. Coplin; H. Wiggins; D. Lamboley; M. Moore; R. Moody

Noes:

None

Absent:

None

Abstain:

None

2. Consider and approve the June 2019 Financials.

Motion made by Director Moore and seconded by Director Lamboley to approve the June 2019 Financials. Motion carried.

Roll Call Vote:

Ayes:

S. Coplin; H. Wiggins; D. Lamboley; M. Moore; R. Moody

Noes:

None

Absent:

None

Abstain:

None

MONTHLY EXPENDITURES REPORT FOR REVIEW APPROVAL OF WARRANTS/CHECKS:

1. General Fund 633: None

2. Operating Account: Check No. 23876 through Check No. 23928 for a total of \$170,136.24

3. Capital Reserve Account: None

4. Street Maintenance Account: Check No. 499 for a total of \$212.13

5. Pajaro Park Account: Check No. 832 through Check No.835 for a total of \$4,781.84

6. COP 2010 Account: for a total of \$19,171.25

Motion was made by Director Moore, seconded by Director Lamboley to approve all accounts for the month of June 2019. Motion carried.

Roll Call Vote:

Ayes:

S. Coplin; H. Wiggins; D. Lamboley; M. Moore; R. Moody

Noes:

None

Absent:

None

Abstain:

None

OLD BUSINESS: None

NEW BUSINESS: (Action Items) None

STAFF/COMMITTEE REPORTS: (Informational Only)

- 1. Invitation Announcement by Heather Lukacs with Community Water Center
 - Workshop on Protecting Drinking Water and Groundwater Planning in the Salinas Valley on Wednesday July 31, 2019 at 5-8pm
 - The Salinas Valley Basin Groundwater Sustainability Agency and Community Water would like residents and representatives from small water systems interested in helping to develop a draft Groundwater Sustainability Plan. This workshop is intended to share information about what is being proposed and to gather the publics feedback on how they would like to see groundwater managed.
- 2. Report on use of water purchased via Hydrant Meter
 - The District has set pricing for water sold via Hydrant Meter Sales
 - Water purchased through a hydrant meter must be used within the Pajaro/Sunny Mesa Community Services District and the Pajaro Valley Water Management Agency boundaries.
 - District has a certain number of water meters available for hydrant meter sales use
 - 3. Together in Pajaro(TIP) received award letter from Northern Community Foundation of \$3,000 for support of Pajaro Park
 - TIP will contact the District after executing the agreement, then the District will receive funding.
- 4. Multi Community Bottled Water Project
 - Cesar Garcia Lopez from Community Water reported that fifty-one households signed up for water deliveries in the Springfield - Bluff Jensen Area. Staff from Community Water has been busy signing up residents for bottled water deliveries
 - The Moss Landing Mobile Home Park is receiving bottled water every week
- 5. District Operations Report:
 - Pajaro Grant
 - o Scheduled PG&E power shut down to begin July 22, 2019 and continue for approximately 2.5 weeks, for wick drain installation.
 - Springfield Planning Grant-

- o Progress telephone conference held on 7/16/19 with State funding department, MNS Engineering team presented the revised scope and budget to District and State, MNS Engineering to begin work.
- 6. Usage Comparison Report 2013/2019-June 2019 Usage Comparison Report
 - Water usage is up in Springfield compared to this month in 2013. All other systems water usage is down.
- 7. Director Coplin would like staff to research the cost of application process for funding for completing a Hazard Mitigation Plan and add this as an action item to next month's meeting agenda as an action item.
- 8. Director Wiggins would like to see the following three items on next month's agenda.
 - In reference to the "Water Shutoff Protection Act", does the District have a written policy in place.
 - Does the District have a capital improvement plan for Pajaro Park so that we can replace equipment as needed?
 - Monterey County has given Cal Am opportunity to purchase three sewer systems, and what impact would there be on Sunny Mesa rate payers.
 - o If sold to Cal Am, will customers of that sewer system get paid out.

Closed Session:

A. Public Comments for Closed Session

No comment

- B. Conference with Legal Counsel-Existing Litigation (Government Code § 54957)
 - ACWA Holdings Trust and AWC II Holdings Trust vs the County of Monterey through its Board of Supervisors et al Case No. 18CV1746, Monterey County Superior Court, filed May 11, 2018
 - Steve Pacheco, Trustee of the Salinas Land Holding Trust vs Pajaro/Sunny Mesa Community Services District et al Case No. unknown, Monterey County Superior Court, filing date unknown

Closed session opened at 6:33 pm Out of closed session at 6:35 pm

No final action taken.

NEXT BOARD MEETING:

The next Board meeting is to be held on Thursday August 22, 2019 at 5:30 pm.

Services District was adjourned at 6:38 pt Director Moody. Motion Carried.	m with motion	made by Di	rector Moore	e, seconded b
Respectfully submitted by:				
Harry Wiggins, President				
Michael Moore, Vice President				
Simone Coke, Recorder				

There being no further business, the regular Board Meeting of the Pajaro/Sunny Mesa Community

FINANCIAL NOTES - July 2019

Account No:	Account Name:	Increase / Decrease	Description
Income:		各世级义务 建设设施	
4001-4015	Total Income	+	Seasonal Usage
Expenses: Indirect			
5070	Employee Retirement	+	Three Payroll Periods in July
5090	Other Employee Expense	+	Education-Water Treatment Basics
5170	Office Equipment Repair and Maint.	+	Gold Partner Support Program for Office Phone System
5180	Casualty Ins/Liability Ins	+	Annual Payment for Property/Vehicle Insurance
5255	Interest Expense	+	July-Interest Payment
Expenses: Direct			
5360	Fuel-Generator	+	Pajaro Tank Site
Other Income:			
4285	PVWMA Collection Fee	+	Increase in PVWMA Fee as of July 219
5424	Springfield Grant Funds	+	Springfield Grant Funds Reimbursement

Pajaro/Sunny Mesa Balance Sheet As of July 31, 2019

August 15, 2019 Accrual Basis

	Jul 31, 19
ASSETS	
Current Assets	
Checking/Savings	
1001 · SCCB - Operating Account	109,283.55
1002 · SCCB Reserve Account	199,170.24
1003 · SCCB - Sick Leave Account	14,451.84
1004 · SCCB - Street Maint Acct	231,395.76
1006 · SCCB-GF 633	217,758.76
1007 · SCCB - Debt Service Reserve	54,893.48
1032 · SCCB-COP Acct (aka Const. Acct)	165,161.49
1036 · PSM Pajaro Park Acct	87,165.03 69,268.28
1050 · Cash in County Treasury - DS	108,959.21
1051 · Cash in County Treasury - GF 1066 · Union Bank Vega 2303	149,211.88
1068 · Union Bank Vega 2301	51.43
1069 · Union Bank Vega-2302	10,397.38
1095 · Union Bank Wtr Bond-Res 2204	148,662.26
2201 · Union Bank-2015 Wtr Rfd Bd 2201	381.65
Total Checking/Savings	1,566,212.24
Accounts Receivable	
1110 · Invoice Accounts Recv	5,242.99
1231 · Grants Receivable-A/R	240,763.03
Total Accounts Receivable	246,006.02
Other Current Assets	
1080 · Petty Cash	400.00
1100 · Water Customer Accounts Recv	240,005.23
1101 · Allowance for Doubtful Accounts	-8,990.09
1115 · Prepaid Expenses	507.31
1153 · Receivable from Montery County	860.00 949.14
1251 · Assess. Rec Lighting 1252 · Assessments Rec Street Maint	6,255.76
1253 · Assessments Rec Street Maint	300,206.00
1253.1 · Assess Rec - Water Bond - Count	116.43
1254 · Advanced Pay - Spec. Asses - WB	-16,561.65
Total Other Current Assets	523,748.13
Total Current Assets	2,335,966.39
Fixed Assets	
1084 · CIP-Springfield/Struve	18,967.36
1500 · Land	139,676.30
1510 · Land Improve (Non-office)	253,942.67
1520 · Land Improve (Office)	66,721.46
1521 · A/D - Land Impr (Off)	-44,861.40
1522 · Land - Parks	248,000.00
1530 · Wells	162,488.25 191,044.92
1540 · Pumping Plant Bldg	-191,044.92
1541 · A/D - Pumping Plant Bldg 1550 · District Office Building	134,443.43
1551 · A/D - District Office Building	-123,428.73
1555 · Office Equipment/Furniture	44,041.05
1556 · A/D - Office Equip/Furniture	-43,293.90
1557 · Equipment - Lighting	8,980.18
1559 · A/D - Lighting and Parks	-8,980.18
1560 · Electric Power to Sheds	2,598.59
1561 · A/D - Electric Power to Sheds	-2,599.00
1570 · Equipment - Pumping Plant	506,239.21
1571 · A/D - Equipment - Pumping Plant	-453,386.87
1580 · Distribution Mains [P]	1,487,948.01
1581 · A/D - Distribution Mains	-1,063,798.68
1590 · Meters	92,193.13
1591 · A/D - Meters	-84,656.11
1600 · Hydrants	7,422.43
1601 · A/D - Hydrants	-4,556.72 199,276.12
1610 · Automotive Equipment 1611 · A/D - Automotive Equipment	-195,223.31

Pajaro/Sunny Mesa Balance Sheet As of July 31, 2019

August 15, 2019 Accrual Basis

710 01 04.17 0 1, 2010	
	Jul 31, 19
1620 · Utility Trans/Distr Plant	115,702.65
1621 · A/D - Utility T&D Plant	-90,071.77
1622 · A/D - Moss Landing	-157,020.31
1630 · Utility Plant	107,992.45
1631 · A/D - Utility Plant	-107,992.00
1640 · Source of Supply Plant	54,616.59 -15,624.73
1641 · A/D - Source of Supply Plant 1650 · Trans & Distr Plant	81,133.08
1651 · A/D - Trans & Distr Plant	-59,380.30
1670 · Small Tools/Equipment	10,774.02
1671 · A/D - Small Tools/Equipment	-8,096.51
1680 · ALCO Water Project	155,809.38
1681 · A/D - ALCO Water Project	-93,485.45 217,307.49
1804 · CIP-Springfield 1805 · CIP-Vega Imprvtmnt Project	4,604,699.33
1805.1 · A/D - Vega	-1,962,902.90
1806 · Moss Landing Bridge Project	251,233.09
1807 · CIP-Langley/VP	240,496.74
1807.1 ⋅ A/D - Langley/VP	-66,136.74
1808 · CIP-Normco	296,974.74
1808.1 · A/D - Normco Tank	-107,839.73 175,238.16
1811 · CIP-Vierra Estate 1811.1 · A/D - Vierra Estates	-38,242.72
1812 · CIP-Moss Landing Water System	297,669.12
1812.1 · A/D - Moss Landing Water	-65,436.55
1814 · CIP-Pajaro	347,029.80
1815 · CIP-Normco Improv Project	3,225.00
1816 · Land - Pajaro Park	781,632.00
1817 · Improvements - Pajaro Park	4,717,110.00 -1,092,169.63
1817.1 · A/D - Improvements -Pajaro Park 1818 · Buildings - Pajaro Park	796,400.00
1818.1 · A/D - Buildings-Pajaro Park	-150,374.26
1819 · Equipment - Pajaro Park	43,381.00
1819.1 · A/D - Equipment-Pajaro Park	-23,136.89
1820 · Normco Treatment Facility	111,943.00
1820.1 · A/D-Normco Treatment Facility	-68,865.85 48,044.61
1821 · CIP-Sunny Mesa 1822 · CIP-Vega	23,643.81
1823 · CIP-Vega	10,230.04
Total Fixed Assets	10,733,662.97
Other Assets	
1120 · Due From Gen Fund	0.66
1141 · Due From SC Grant Acct	100.00
1151 · Due from Maint Account	157.19
1220 · Spl Asmnt Revc-Long Term	3,873,859.72
1900 · Due From Other Funds	159,690.92 73,213.60
1950 · Deferred amount on refunding 1951 · Deferred Amt of Ref-Vega Bds15	95,017.09
Total Other Assets	4,202,039.18
TOTAL ASSETS	17,271,668.54
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities Accounts Payable	
2000 · Accounts Payable	24,379.23
2500 · Due to Other Funds	159,693.06
Total Accounts Payable	184,072.29
Other Current Liabilities	07.074.00
2005 · Accrued Liabilities	67,274.00 8,355.18
2050 · Accrued Payroll 2100 · Payroll Tax Liabilities	500.00
2121 · Customer Security Deposits	16,702.15
2122 · Future Water Conn. Deposits	36,600.00
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Pajaro/Sunny Mesa Balance Sheet As of July 31, 2019

August 15, 2019 Accrual Basis

	Jul 31, 19
2123 · Hydrant Meter Deposits	27,550.00
2225 · Accrued Vacation Liability	17,730.53
2230 · Accrued Sick Leave Liability	38,869.83
2263 · 457b EE Plan Payable	4,970.79
2264 · Employee Insurance Payable	-2,426.21
2265 · EE Aflac Insurance Payable	751.25
2320 · Due to 64 Original Sewer Accts	29,169.90
2324 · Payable to Customers	2,347.79
2325 ⋅ Payable to P.V.W.M.A.	-14,689.05
Total Other Current Liabilities	233,706.16
Total Current Liabilities	417,778.45
Long Term Liabilities	0.444.07
2256 · Vehicle Loan Payable	2,411.37
2257 · Reorganization Loan	275,000.00 298,398.10
2267 · Pajaro Tank Loan-0190	-190,000.00
2333 · COP Bonds Payable	-72,100.00
2339 · Vega Project Bonds Payable 2350 · Bonds Payable - Water Bond	253,000.00
2360 · Bonds Payable - Water Bond 2360 · Bonds Payable-2015 COP Wtr Rf	2,200,000.00
2361 · Bonds Payable-2015 Vga Wtr Rf	3,835,083.67
2400 · Unamortized Discount on 2015	-34,205.01
2401 · Unamorized Discount-2015 Vega	-13,986.72
Total Long Term Liabilities	6,553,601.41
Total Liabilities	6,971,379.86
Equity	210 540 95
3000 · Fund Balance	219,540.85
3001 · Restricted-Street Maintenance	87,655.80 248,000.00
3040 · Contributed Capital	4,575,060.23
3045 · Restricted for Debt Service	5,088,063.57
3050 · Retained Earnings Net Income	81,968.23
Total Equity	10,300,288.68
TOTAL LIABILITIES & EQUITY	17,271,668.54

August 15, 2019 Accrual Basis

Pajaro/Sunny Mesa Profit & Loss July 2019

	Jul 19
Ordinary Income/Expense	
Income 4001 · Route 1 - Pajaro	23,470.50
4002 · Route 2 - Pajaro	25,007.24
4003 · Route 3 - Commercial	23,010.48
4004 · Route 4 - Trailer Park	1,197.66
4005 · Route 5 - San Juan Rd Apts	1,080.26 15,750.40
4006 · Route 6 - Sunny Mesa 4007 · Route 7 - CSA 73	14,622.70
4008 · Route 8 - Vega	16,980.66
4010 · Route 10 -Springfield	850.00
4011 · Route 11 - Moss Landing	22,609.89
4012 · Route 12 - Blackie Road	3,550.73
4013 · Route 13 - Normco	36,354.28
4014 · Route 14 - Vierra 4015 · Route 15 - Langley/VP	5,209.29 3,407.71
Total Income	193,101.80 193,101.80
Gross Profit	193,101.00
Expense INDIRECT	
5000 · Salaries and Wages	61,290.60
5005 · Administrative Fees	468.67
5030 · Payroll Tax Expense	1,341.37
5050 · Employee Health Insurance	14,800.91
5070 · Employee Retirement 5090 · Other Employee Expense	13,452.21 373.33
5140 · Building Repair & Maint	325.36
5145 · District Wide Repair & Maint	445.19
5160 · Office Equip Rental	769.22
5165 · Computer Software	472.76
5170 · Office Equipment Repair & Maint	600.00
5180 · Casualty Ins/Liability Ins	6,484.26
5255 · Interest Expense 5256 · Interest Exp-Financed Items	1,544.49 20.06
5270 · Automotive - Repair & Maint	193.26
5280 · Conferences, Meetings, Seminars	64.00
5320 · Membership Fees and Dues	367.40
5330 · Telephone	883.67
5340 · Burglar Alarm Monitoring	30.00
5370 · Fuel - Trucks 5391 · Credit Card Transaction Fees	2,058.96 759.66
5XXX · Indirect Allocation	0.00
	106,745.38
Total INDIRECT	
5190 · Soil and Water Tests	1,622.00 6,693.14
5220 · Water System - Repair & Maint 5225 · Street Maintenance	144.57
5231 · Pajaro Park Expense	2,322.29
5310 · Utilities - Well Site	772.84
5315 · Utilities - Street Lighting	14.13
5360 · Fuel - Generator	1,150.77
5427 · Improvement Project-Springfield	1,740.00
Total Expense	121,205.12
Net Ordinary Income	71,896.68
Other Income/Expense	
Other Income	402.72
4100 · Late Payment Penalties 4110 · Hydrant Sales	1,826.43
4285 · P.V.W.M.A. Collection Fee	3,011.40
4305 · Miscellaneous Revenue	250.00
4350 · Interest Revenue	568.57
5424 · Springfield Grant Funds	4,012.43

Pajaro/Sunny Mesa Profit & Loss July 2019

P. 16

Jul 19
10,071.55
10,071.55
81,968.23

10:36 AM
August 15, 2019
Accryal Basis

Pajaro/Sunny Mesa Profit & Loss Budget Performance July 2019

Expense INDIRECT 5000 · Salaries and Wages 5005 · Administrative Fees 5005 · Administrative Fees 5030 · Payroll Tax Expense 5040 · Worker's Comp Insurance 5050 · Employee Retirement 5090 · Other Employee Expense 5120 · Property Taxes 5130 · Utilities · Office 5140 · Building Repair & Maint 5145 · District Wide Repair & Maint 5150 · Garbage Service 5160 · Office Equip Rental 5165 · Computer Software 5170 · Office Equipment Repair & Maint 5175 · Small Tools - Repair & Maint 5180 · Casualty Ins/Liability Ins 5200 · Billing Supplies 5245 · Postage 5250 · Legal Expenses 5255 · Interest Exp-Financed Items 5266 · Accounting & Bookkeeping 5266 · Engineering Svcs-Dist Wide 5270 · Automotive - Repair & Maint 5280 · Conferences, Meetings, Seminars 5290 · Travel Expenses	Ordinary Income/Expense Income 4001 · Route 1 - Pajaro 4002 · Route 2 - Pajaro 4003 · Route 3 · Commercial 4004 · Route 3 · Commercial 4006 · Route 6 · Sunny Mesa 4007 · Route 6 · Sunny Mesa 4007 · Route 8 · Vega 4010 · Route 10 · Springfield 4011 · Route 11 · Moss Landing 4012 · Route 12 · Blackie Road 4013 · Route 13 · Normco 4014 · Route 14 · Vierra 4015 · Route 15 · Langley/VP Total Income Gross Profit
61,290.60 468.67 1,341.37 0.00 14,800.91 13,452.21 373.33 0.00 0.00 325.36 445.19 0.00 769.22 472.76 600.00 0.00 6,484.26 0.00	Jul 19 23,470.50 25,007.24 23,010.48 1,197.66 1,080.26 15,750.40 14,622.70 16,980.66 850.00 22,609.89 3,550.73 36,354.28 5,209.29 3,407.71 193,101.80
62,750.00 475.00 1,333.33 1,916.66 9,416.66 9,416.66 208.33 125.00 333.33 583.33 1,083.33 300.00 833.33 300.00 833.33 2,583.33 2,583.33 291.66 708.33 11,666.66 1,208.33 83.33 83.33 83.33 83.33 83.33 83.33 83.33	Budget 23,975.00 24,850.00 22,750.00 1,141.66 1,225.00 10,541.66 11,725.00 12,600.00 875.00 22,333.33 27,725.03 3,983.33 27,758.33 27,758.33 168,641.64 168,641.64
97.7% 98.7% 100.6% 0.0% 97.6% 142.9% 179.2% 0.0% 0.0% 41.1% 0.0% 55.8% 41.1% 0.0% 92.3% 56.7% 200.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 251.0% 0.0% 0.0% 0.0% 0.0% 0.0% 251.0% 0.0% 0.0% 0.0% 0.0% 0.0% 251.0% 0.0% 0.0% 0.0% 0.0% 0.0% 251.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 251.0% 0.0%	% of Budget 97.9% 100.6% 101.1% 104.9% 88.2% 149.4% 124.7% 134.8% 97.1% 101.2% 134.8% 138% 114.5%
61,290.60 468.67 1,341.37 0.00 14,800.91 13,452.21 373.33 0.00 0.00 325.36 445.19 0.00 769.22 472.76 600.00 0,00 6,484.26 0.00	Jul 19 23,470.50 25,007.24 23,010.48 1,197.66 1,080.26 15,750.40 14,622.70 16,980.66 850.00 22,609.89 3,550.73 36,354.28 5,209.29 3,407.71 193,101.80
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97.7% 98.7% 100.6% 0.0% 97.6% 142.9% 179.2% 0.0% 0.0% 55.8% 41.1% 0.0% 56.7% 200.0% 0.0%	% of Budget 97.9% 100.6% 101.1% 104.9% 88.2% 149.4% 124.7% 134.8% 97.1% 101.2% 131.8% 130.8% 130.8% 114.5%
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Pajaro/Sunny Mesa Profit & Loss Budget Performance July 2019

	Other Income/Expense Other Income 4100 · Late Payment Penalties 4101 · Billing Adjustments 4110 · Hydrant Sales 4115 · Testing Fees 4140 · Connection Fees 4144 · Application Fees 4141 · Application Fees 4140 · Other Fees 4200 · Street Maintenance-Reimb 4210 · Vega Bond Assessments 4280 · Pro-Rata Tax Collection Share 4285 · P.V.W.M.A. Collection Fee 4300 · Collection of Previous W/O Acct 4305 · Miscellaneous Revenue 4340 · Utility Reimbursements 4341 · Lighting Admin Reimbursements	Net Ordinary Income	Total Expense	5300 · Books & Subscriptions 5305 · Water Conservation Program 5320 · Membership Fees and Dues 5326 · Licenses and Certifications 5330 · Telephone 5340 · Burglar Alarm Monitoring 5370 · Fuel - Trucks 5390 · Bank Charges 5391 · Credit Card Transaction Fees 5390 · Miscellaneous Expense 5XXX · Indirect Allocation 6560 · Payroll Processing Expenses 5X77 · COP Debt Service - Interest 5190 · Soil and Water Tests 5220 · Water System - Repair & Maint 5225 · Street Maintenance 5230 · Park - Repair & Maint 5231 · Pajaro Park Expenses 5310 · Utilities - Well Site 5315 · Utilities - Well Site 5315 · Utilities - Street Lighting 5325 · Permits 5360 · Fuel - Generator 5427 · Improvement Project-Springfield 5428 · COP Bond Expense 5433 · Pajaro Water Bond Interest Exp 6575 · Vega Debt Service-Interest
	402.72 0.00 1,826.43 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0	71,896.68	121,205.12	Jul 19 0.00 0.00 367.40 0.00 883.67 30.00 2,058.96 0.00 759.66 0.00 0.00 0.00 106,745.38 1,622.00 6,693.14 144.57 0.00 2,322.29 0.00 772.84 14.13 0.00 1,150.77 1,740.00 0.00 0.00
	416.66 41.66 333.33 625.00 358.33 45.83 45.83 33.33 5,316.66 22,750.00 2,083.33 2,250.00 41.66 125.00 2,333.33 1,000.00	-15,454.01	184,095.65	Budget 125.00 125.00 1,583.33 166.66 1,416.66 625.00 16.66 625.00 6,666.66 129,512.36 2,720.83 83.33 14,000.00 2,333.33 14,000.00 2,333.33 125.00 291.66 1,029.16 1129.16
	96.7% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0	-465.2%	65.8%	% of Budget 0.0% 0.0% 0.0% 62.4% 48.0% 102.9% 0.0% 121.5% 0.0% 57.2% 40.2% 40.2% 55.3% 0.0% 5.5% 0.0% 5.5% 0.0% 0.0% 0.0% 0.0
	402.72 0.00 1,826.43 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0	71,896.68	121,205.12	Jul 19 0.00 0.00 367.40 0.00 883.67 30.00 2,058.96 0.00 0.00 0.00 106,745.38 1,622.00 6,693.14 144.57 0.00 2,322.29 0.00 772.84 14.13 0.00 1,150.77 1,740.00 0.00 0.00
	416.66 41.66 333.33 625.00 358.33 45.83 45.83 5,316.66 22,750.00 2,083.33 2,250.00 41.66 125.00 2,333.33	-15,454.01	184,095.65	YTD Budget 125.00 1,583.33 1,68.66 1,416.66 625.00 2,000.00 16.66 625.00 6,666.66 129,512.36 2,833.33 16,666.66 2,720.83 83.33 14,000.00 2,333.33 14,000.00 2,333.33 12,083.33 125.00 291.66 1029.166 1125.00
	96.7% 0.0% 547.9% 0.0% 0.0% 0.0% 0.0% 0.0% 200.0% 0.0%	-465.2%	65.8%	% of Budget 0.0% 0.0% 0.0% 23.2% 0.0% 62.4% 48.0% 102.9% 0.0% 121.5% 0.0% 57.2% 40.2% 5.3% 0.0% 5.5% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0
Page 2	5,000.00 500.00 4,000.00 7,500.00 4,300.00 550.00 63,800.00 273,000.00 27,000.00 27,000.00 1,500.00 1,500.00 12,000.00	-185,450.00	2,209,150.00	Annual Budget 1,500.00 1,500.00 1,500.00 2,000.00 17,000.00 24,000.00 24,000.00 200.00 1,554,150.00 34,000.00 32,650.00 1,000.00 1,000.00 1,000.00 1,000.00 1,500.00 1,500.00 3,500.00 1,500.00 3,500.00 1,350.00 1,350.00 1,350.00 1,350.00

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Pajaro/Sunny Mesa Profit & Loss Budget Performance July 2019

Net Income Net Other Income 4346 · District 25% Overhead Fee
4350 · Interest Revenue
4355 · Audit/Bookkeeping Reimbursement
4360 · Legal Counsel Reimbursement
5424 · Springfield Grant Funds
5794 · Water Bond Assessments Total Other Income Jul 19 81,968.23 10,071.55 10,071.55 0.00 0.00 4,012.43 0.00 568.57 0.00 Budget 26,220.93 41,674.94 41,674.94 3,312.50 41.66 475.00 58.33 33.33 % of Budget 0.0% 119.7% 312.6% 24.2% 24.2% 0.0% 0.0% 0.0% Jul 19 81,968.23 10,071.55 10,071.55 4,012.43 0.00 568.57 0.00 0.00 YTD Budget 41,674.94 41,674.94 26,220.93 3,312.50 41.66 475.00 58.33 33.33 % of Budget 0.0% 119.7% 0.0% 0.0% 312.6% 24.2% 24.2% 0.0% **Annual Budget** 314,650.00 500,100.00 500,100.00 39,750.00 5,700.00 700.00 500.00 400.00

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Profit & Loss Budget vs. Actual Pajaro/Sunny Mesa

	Jul 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4001 ⋅ Route 1 - Pajaro	23,470.50	23,975.00	-504.50	97.9%
4002 · Route 2 - Pajaro	25,007.24	24,850.00	157.24	100.63%
4003 · Route 3 - Commercial	23,010.48	22,750.00	260.48	101.15%
4004 · Route 4 - Trailer Park	1,197.66	1,141.66	56.00	104.91%
4005 · Route 5 - San Juan Rd Apts	1,080.26	1,225.00	-144.74	88.18%
4006 ⋅ Route 6 - Sunny Mesa	15,750.40	10,541.66	5,208.74	149.41%
4007 · Route 7 - CSA 73	14,622.70	11,725.00	2,897.70	124.71%
4008 · Route 8 - Vega	16,980.66	12,600.00	4,380.66	134.77%
4010 · Route 10 -Springfield	850.00	875.00	-25.00	97.14%
4011 · Route 11 - Moss Landing	22,609.89	22,333.33	276.56	101.24%
4012 · Route 12 - Blackie Road	3,550.73	2,758.33	792.40	128.73%
4013 · Route 13 - Normco	36,354.28	27,125.00	9,229.28	134.03%
4014 · Route 14 - Vierra	5,209.29	3,983.33	1,225.96	130.78%
4015 ⋅ Route 15 - Langley/VP	3,407.71	2,758.33	649.38	123.54%
Total Income	193,101.80	168,641.64	24,460.16	114.5%
Gross Profit	193,101.80	168,641.64	24,460.16	114.5%
Expense				
INDIRECT				
5000 · Salaries and Wages	61,290.60	62,750.00	-1,459.40	97.67%
5005 · Administrative Fees	468.67	475.00	-6.33	98.67%
5030 · Payroll Tax Expense	1,341.37	1,333.33	8.04	100.6%
5040 · Worker's Comp Insurance	0.00	1,916.66	-1,916.66	0.0%
5050 · Employee Health Insurance	14,800.91	15,166.66	-365.75	97.59%
5070 · Employee Retirement	13,452.21	9,416.66	4,035.55	142.86%
5090 · Other Employee Expense	373.33	208.33	165.00	179.2%
5120 · Property Taxes	0.00	125.00	-125.00	0.0%
5130 · Utilities - Office	0.00	333.33	-333.33	0.0%
5140 · Building Repair & Maint	325.36	583.33	-257.97	55.78%
5145 · District Wide Repair & Maint	445.19	1,083.33	-638.14	41.1%
5150 · Garbage Service	0.00	300.00	-300.00	0.0%

Pajaro/Sunny Mesa Profit & Loss Budget vs. Actual July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
5160 · Office Equip Rental	769.22	833.33	-64.11	92.31%
5165 · Computer Software	472.76	833.33	-360.57	56.73%
5170 · Office Equipment Repair & Maint	600.00	300.00	300.00	200.0%
5175 · Small Tools - Repair & Maint.	0.00	83.33	-83.33	0.0%
5180 · Casualty Ins/Liability Ins	6,484.26	2,583.33	3,900.93	251.0%
5200 · Billing Supplies	0.00	308.33	-308.33	0.0%
5240 · Office Supplies	0.00	291.66	-291.66	0.0%
5245 · Postage	0.00	708.33	-708.33	0.0%
5250 · Legal Expenses	0.00	11,666.66	-11,666.66	0.0%
5255 · Interest Expense	1,544.49	1,208.33	336.16	127.82%
5256 · Interest Exp-Financed Items	20.06	66.66	-46.60	30.09%
5260 · Accounting & Bookkeeping	0.00	3,083.33	-3,083.33	0.0%
5266 · Engineering Svcs-Dist Wide	0.00	83.33	-83.33	0.0%
5270 · Automotive - Repair & Maint	193.26	833.33	-640.07	23.19%
5280 · Conferences, Meetings, Seminars	64.00	41.66	22.34	153.63%
5290 · Travel Expenses	0.00	41.66	-41.66	0.0%
5300 · Books & Subscriptions	0.00	125.00	-125.00	0.0%
5305 · Water Conservation Program	0.00	125.00	-125.00	0.0%
5320 · Membership Fees and Dues	367.40	1,583.33	-1,215.93	23.2%
5326 · Licenses and Certifications	0.00	166.66	-166.66	0.0%
5330 · Telephone	883.67	1,416.66	-532.99	62.38%
5340 · Burglar Alarm Monitoring	30.00	62.50	-32.50	48.0%
5370 · Fuel - Trucks	2,058.96	2,000.00	58.96	102.95%
5390 · Bank Charges	0.00	16.66	-16.66	0.0%
5391 · Credit Card Transaction Fees	759.66	625.00	134.66	121.55%
5400 · Miscellaneous Expense	0.00	16.66	-16.66	0.0%
6560 · Payroll Processing Expenses	0.00	50.00	-50.00	0.0%
6577 · COP Debt Service - Interest	0.00	6,666.66	-6,666.66	0.0%
Total INDIRECT	106,745.38	129,512.36	-22,766.98	82.42%
5190 · Soil and Water Tests	1,622.00	2,833.33	-1,211.33	57.25%
5220 · Water System - Repair & Maint	6,693.14	16,666.66	-9,973.52	40.16%
5225 · Street Maintenance	144.57	2,720.83	-2,576.26	5.31%

Pajaro/Sunny Mesa Profit & Loss Budget vs. Actual July 2019

4360 · Legal Counsel Reimbursement	4355 · Audit/Bookkeeping Reimbursement	4350 · Interest Revenue	4346 · District 25% Overhead Fee	4341 · Lighting Admin Reimbursements	4340 · Utility Reimbursements	4305 · Miscellaneous Revenue	4300 · Collection of Previous W/O Acct	4285 · P.V.W.M.A. Collection Fee	4280 · Pro-Rata Tax Collection Share	4210 · Vega Bond Assessments	4200 · Street Maintenance-Reimb	4146 · Other Fees	4141 · Application Fees	4140 · Connection Fees	4115 · Testing Fees	4110 ⋅ Hydrant Sales	4101 · Billing Adjustments	4100 · Late Payment Penalties	Other Income	Other Income/Expense	Net Ordinary Income	Total Expense	6575 · Vega Debt Service-Interest	5433 · Pajaro Water Bond Interest Exp	5428 · COP Bond Expense	5360 · Fuel - Generator	5325 · Permits	5315 · Utilities - Street Lighting	5310 · Utilities - Well Site	5265 · Engineering Expenses	5230 · Park - Repair & Maint	
0.00	0.00	568.57	0.00	0.00	0.00	250.00	0.00	3,011.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,826.43	0.00	402.72			75,958.97	117,142.83	0.00	0.00	0.00	1,150.77	0.00	14.13	772.84	0.00	0.00	Jul 19
33.33	58.33	475.00	41.66	1,000.00	2,333.33	125.00	41.66	2,250.00	2,083.33	22,750.00	5,316.66	33.33	45.83	358.33	625.00	333.33	41.66	416.66			-15,454.01	184,095.65	12,333.33	1,029.16	291.66	125.00	2,083.33	2,333.33	14,000.00	83.33	83.33	Budget
-33.33	-58.33	93.57	-41.66	-1,000.00	-2,333.33	125.00	-41.66	761.40	-2,083.33	-22,750.00	-5,316.66	-33.33	-45.83	-358.33	-625.00	1,493.10	-41.66	-13.94			91,412.98	-66,952.82	-12,333.33	-1,029.16	-291.66	1,025.77	-2,083.33	-2,319.20	-13,227.16	-83.33	-83.33	\$ Over Budget
0.0%	0.0%	119.7%	0.0%	0.0%	0.0%	200.0%	0.0%	133.84%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	547.93%	0.0%	96.65%			-491.52%	63.63%	0.0%	0.0%	0.0%	920.62%	0.0%	0.61%	5.52%	0.0%	0.0%	% of Budget

Total Other Income

Net Income Net Other Income

5794 · Water Bond Assessments

Profit & Loss Budget vs. Actual Jul 19 6,059.12 6,059.12 0.00 Budget 41,674.94 41,674.94 3,312.50 \$ Over Budget -35,615.82 -35,615.82 -3,312.50 % of Budget 14.54% 14.54%

0.0%

82,018.09

55,797.16

312.8%

Pajaro/Sunny Mesa

\$82,018.09	\$82,018.09	\$199,160.92
Difference	Total Expenses	Total Income

\$324,222.50	June Cash
\$308,453.79	July Cash
\$15,768.71	Difference

GENERAL MANAGER EMPLOYMENT AGREEMENT

This Agreement is made by and between the Pajaro/Sunny Mesa Community Services District, Monterey County, California, a community services district formed under applicable provisions of the Government Code of the State of California (hereinafter referred to as "District") and Donald Rosa, an individual and an employee of the District (hereinafter referred to as "General Manager.") This Agreement is made with reference to the following facts:

- a) The District is desirous of employing a qualified person to render the particular and special services of a professional nature with respect to the administration of the affairs of the District.
- b) California Government Code Section 61000 et seq. requires the District's Board of Directors to appoint a General Manager of the District and authorizes the execution of an employment contract following such appointment.
- c) The District's Board of Directors wishes to enter into an employment contract with Donald Rosa to secure his professional services as General Manager of the District.

IT IS AGREED:

GENERAL MANAGER AND BOARD OF DIRECTORS RESPONSIBILITIES:

The General Manager:

- shall have the primary responsibility for the execution of District policy, including the day-to-day operation of the District's facilities, services and programs.
- shall be a representative of the District, in conjunction with the Board of Directors.
- will coordinate all District activities with all entities involved.
- will carry out policies and operate within the guidelines set forth by the Board of Directors.
- will make recommendations, as applicable, to the Board of Directors to ensure that District policies are carried out.

The Board of Directors shall retain the responsibility of formulating and adopting policy.

<u>DUTIES</u>: The General Manager shall perform the duties as prescribed by the Board of Directors. The General Manager shall execute all powers and duties in accordance with the policies adopted by the Board of Directors, the provisions of the Government Code and all other applicable provisions of law.

General Manager's Principal Duties

- Oversees all District programs and directs the work of District personnel to ensure annual and long-range goals are being met.
- Reviews and updates the District's policy book and position descriptions for the Board of Directors as needed.

- Assesses the need for conservation work within the District in cooperation with various Federal, State and local agencies. Recommends actions and programs to the Board of Directors to meet these needs. Maintains a cooperative working relationship with all agencies operating within the District.
- Identifies sources and recommends actions to the Board of Directors to secure operating funds for the District. Administers direct grants, donations and agreements and keeps the Board of Directors informed on the status of grants.
- Works with staff to prepare and administer District's budget.
- Approves and signs all monthly accounts payable.
- Applies the necessary financial controls and budgetary stewardship.
- Ensures a public information and education program continues through use of notices and web site.
- Promotes and maintains a healthy community relationship for the District.
- Monitors and informs the Board of Directors of Federal and State legislative issues that affect water Districts.
- Ensures compliance with the applicable requirements of all regulatory agencies and applicable laws.
- Ensures the proper maintenance and use of all District equipment and facilities.
- Keeps the Board of Directors informed on issues in which the District may have an interest. Compile background information on issues to facilitate the decision-making and policy setting functions of the Board of Directors.
- Prepares and compiles materials for the monthly District meetings, including agendas, correspondence, General Manager's report, Staff/Committee reports, Financials and other information.
- Attends all monthly District meetings. Attends annual state convention and area meetings.
- Develops the District's Annual Plan of Work, Long Range Plan and Annual Report for presentation to the Board of Directors for approval.
- Presents Board of Directors Policies and Programs to employees.
- Prepares contracts for services outside the District.
- Manages and/or prepares plans and oversees the implementation for all improvement projects, capital or otherwise.
- Oversee operations for contracted water systems.
- Works with vendors to generate quotations for equipment and projects.
- Keeps District employees up to date on regulatory standards.

<u>PERSONNEL MATTERS</u>: The General Manager shall act as the employee relations officer for the District. He will be responsible for all personnel matters, including new hires, scheduling work assignments, performance evaluations, discipline and dismissal if required.

<u>TERM OF EMPLOYMENT AND COMPENSATION:</u> Subject to the provisions for termination of this Agreement set forth below, the General Manager shall begin his employment with the District for a term of 60 months, effective July 1, 2019 through June 30, 2024 and shall be paid for his full-time services, accruing neither overtime nor compensatory time, prorated and payable bi-weekly in accordance with the <u>Compensation for Performance of Services</u>, found as Exhibit A to this agreement.

<u>EVALUATION</u>: Not later than June 15 the Board shall evaluate the performance of the General Manager. The evaluation shall be based on duties and performance.

<u>TERMINATION AND DISMISSAL</u>: The General Manager shall serve at the will and pleasure of the District's Board of Directors and may be terminated at any time, with or without cause. Nothing in this Agreement shall be construed to prevent the District from terminating this Agreement and the services of the General Manager at its sole discretion. The following provisions shall apply to termination and dismissal:

- a) The Board of Directors may terminate General Manager's employment if General Manager suffers a disability that renders the General Manager unable, as determined in good faith, by the Board of Directors, to perform the essential functions of the position, even with reasonable accommodation, for a period to be determined by the Board of Directors in its sole discretion and if there are no vacant positions to which the General Manager could be transferred for which he is qualified that is commensurate with the position held by the General Manager under this Agreement. Upon such termination, the Board of Directors reserves the right to terminate this Agreement without providing any severance pay or any continuation of health benefits except as may be required by law.
- b) Except as provided in the preceding paragraph, if the Board of Directors terminates the employment of the General Manager without cause, the District shall pay the General Manager severance pay in an amount equal to his monthly base salary multiplied by the number of months left on the unexpired term of the contract. If the unexpired term of the contract is greater than 18 months, the maximum cash severance settlement (base salary plus incentive compensation) would be an amount equal to 18 months of base salary compensation.
- c) The Board of Directors shall have the right to discharge the General Manager and terminate this Agreement for cause in the event of any willful breech of duty by the General Manager in the course of his employment or in the case of the General Manager's habitual neglect of his duties, or upon conviction of a felony or a crime involving moral turpitude. In the event of the General Manager is terminated for cause, the General Manager shall not be entitled to any severance pay or continuation of health benefits. Employee will be eligible for COBRA benefits.
- d) The General Manager may terminate this Agreement at any time upon sixty (60) days written notice to the Board of Directors. In the event that the General Manager should exercise his option to terminate this Agreement (resign from District employment), the General Manager shall not be entitled to any severance pay or continuation of health benefits.
- e) In the event of the General Manager's termination without cause, the severance pay and other benefits provided for in this Agreement shall be the General Manager's sole remedy.

<u>APPLICABLE LAW</u>: This Agreement shall be constructed in accordance with and governed by the laws of the State of California. Should any provision of this Agreement be determined by a

court of competent jurisdiction to be invalid, the remainder of this Agreement shall nevertheless be binding and effective.

EFFECTIVE DATE AND TERM:

Subject to the termination provisions provided herein, this Agreement shall be effective as of the date written for a term of sixty months, beginning July 1, 2019 and terminating June 30, 2024.

Following the annual performance evaluation of the General Manager, he may negotiate for a salary increase effective the following contract period.

ENTIRE AGREEMENT: This Agreement constitutes the entire Agreement between the District and the General Manager and supersedes all prior agreements respecting the same subject, provided however, that all practices as described in the Personnel Policy of the District's Board Policy, as they now exist or may hereafter be amended shall apply to the General Manager, unless contrary to specific provisions of this Agreement.

Each party agrees and acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not intended herein and that any agreement, statement, or promise not contained in this Agreement shall not be valid or binding on either party.

<u>AMENDMENTS</u>: Any modifications of this Agreement will be effective only if in writing and signed by both the General Manager and the District Board of Directors

6.4	Q- official
Signatures:	
Dated this 1 st day of July 2019	
President, Board of Directors	
Pajaro/Sunny Mesa Community Services District	
General Manager	
Pajaro/Sunny Mesa Community Services District	
ATTEST:	
Secretary of the Board	
Attachments:	
reconnectes.	
Exhibit ACompensation for Performance of Services	

EXHIBIT A

COMPENSATION FOR PERFORMANCE OF SERVICES BETWEEN DONALD ROSA AND PAJARO SUNNY MESA COMMUNITY SERVICES DISTRICT, DATED JULY 2019.

THIS EXHIBIT A is entered into this 1st Day of July 2019 by and between Donald Rosa (hereinafter "GENERAL MANAGER") and the Pajaro Sunny Mesa Community Services District (hereinafter "PSMCSD").

1. COMPENSATION FOR PERFORMANCE OF SERVICES

PSMCSD shall pay GENERAL MANAGER beginning July 1, 2019 per the following:

a) Salary: A salary of \$160,000. For the first year.

b) Approved salary increase of 2.5% for each of the next 4 years.

2. BENEFITS

a) Holidays: PSMCSD recognized the following days as holidays and as such, the District office will be closed. The GENERAL MANAGER shall receive these days as paid time-off:

January 1st New Year's Day 3rd Monday in January Martin Luther King Day 3rd Monday in February President's Day Friday before Easter Good Friday – ½ Day Last Monday in May Memorial Day July 4th Independence Day 1st Monday in September Labor Day 2nd Monday in October Columbus Day November 11th Veterans Day 4th Thursday in November Thanksgiving Day Friday following Thanksgiving Day Following Thanksgiving December 24th Christmas Eve − ½ Day December 25th Christmas Day December 26th Day after Christmas

Should one of the above holidays fall on a Saturday or a Sunday, PSMCSD may designate the preceding Friday or following Monday as a holiday.

b) Vacation: The GENERAL MANAGER shall receive paid vacation time-off to provide opportunities for rest, relaxation, and personal pursuits. The GENERAL MANAGER shall accrue vacation time according to the following schedule:

VACATION EAR	RNING SCHEDULE
YEARS OF ELIGIBLE	VACATION DAYS EARNED
SERVICE with PSMCSD	EACH YEAR
After 1 year	5 days
2 through 5 years	10 days
6 through 10 years	15 days
11 through 15 years	20 days
16 through 30 years	25 days

The GENERAL MANAGER may accrue up to a maximum of 30 days (240 hours) of unused vacation time at any time. Once the maximum is reached, accrual of additional time will cease until such time as the GENERAL MANAGER uses accrued vacation time, reducing the accrued balance.

The accrued balance shall be carried from year-to-year with no loss of time, subject to the maximum accrual conditions above.

c) Sick Leave Benefits: The GENERAL MANAGER shall be granted a total of eight (8) days per year for sick leave on January 1st. As of December 31st, any unused days, up to a maximum of five (5) days, will be paid out to the GENERAL MANAGER in the first pay period of the new year.

First Year (2012) Only: The GENERAL MANAGER shall receive an amount equal to one-third (33%) of his sick leave time accumulated through January 31, 2012. The pay-off shall be based upon the GENERAL MANAGER'S equivalent hourly rate as of January 31, 2012.

- d) Health Insurance: PSMCSD shall contribute to payment of the GENERAL MANAGER'S health insurance benefits, including medical, dental, vision, and life insurance. The PSMCSD contribution for health insurance shall be equivalent to the premiums for "Employee plus Family".
- e) Severance: In the event the employment of the GENERAL MANAGER is terminated by the PSMCSD Board of Directors for a reason other than Cause, then PSMCSD shall pay to the GENERAL MANAGER an amount equal to the monthly base salary of the GENERAL MANAGER multiplied by the number of months left on the unexpired term of the contract. If the unexpired term of the contract is greater than 18 months, the maximum cash severance settlement shall be an amount equal to 18 months of compensation. Payment by PSMCSD to the GENERAL MANAGER shall be made at the time of termination.

For the purpose of Severance, "Cause" is defined as a good faith finding by the PSMCSD Board of Directors of: (i) gross negligence or willful misconduct by the GENERAL MANAGER in connection with his employment duties, (ii) failure by the GENERAL MANAGER to perform his duties or responsibilities required pursuant to his employment, after written notice and an opportunity to cure, (iii)

mis-appropriation by the GENERAL MANAGER of the assets of PMCSD, (iv) embezzlement or other financial fraud committed by the GENERAL MANAGER, (v) the GENERAL MANAGER knowingly allowing any third party to commit any of the acts described in any of the preceding clauses (iii) or (iv), or (vi) the GENERAL MANAGER'S indictment for, conviction of, or entry of a plea of no contest with respect to, any felony.

- f) Retirement: Retirement benefits for the GENERAL MANAGER shall be in accordance with the PSMCSD Retirement Program and Deferred Compensation Plan.
- g) Other Benefits: In the case of any PSMCSD benefit not explicitly described in sections a) through f) above, the policy and benefits as described in the current Employee Handbook shall apply.

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PAJARO PARK PROJECT

Budgetary Projections of Probable Operating & Maintenance Costs

ANNUAL COSTS

Description	Low Quant. Estimate	High Quant. Estimate	Unit	_	Unit Cost	Low	Low Extension Cost	High	High Extension Cost	Notes
UTILITIES (FIXED COST)										
 Garbage/recycling service 	48	120	times to empty	₩	334.95	₩	16,077.60	↔	40,194.00	Low: (1) 3cy bin/emptied 1x per wk, High: (2) 3cy bins/emptied 1x per wk, emptied 2x per wk in summer months
Electricity	Þ	Ц	ls'	ᡐ	1,500.00	S	1,500.00	\$	1,500.00	Includes occasional event power
 Sanitary sewer service 	12	12	months	↔	30.00	↔	360.00	ጭ	360.00	
 Water connection service 	12	12	months	\$	69.30	ᡐ	831.60	٠	831.60	2 meters
Irrigation water	12	12	months	ۍ	1,025.00	ጭ	12,300.00	S	12,300.00	18,552 gal/month
Domestic water - restroom	12	12	months	s	850.00	↔	10,200.00	S	10,200.00	Average of 100 users/day 5gal each
SYNTHETIC TURF (VARIABLE COST)										
Sports field sweeping (for trash)	6	12	times	Α,	480.00	₩.	2,880.00	ጭ	5,760.00	8 hours to drag sweeper behind gator
Playground sweeping (for trash)	6	12	times	s	360.00	₩.	2,160.00	Ş	4,320.00	6 hours to drag sweeper behind gator
 Sports field infill grooming 	2	2	times	Υ.	í	S	ī	₹Ş-	ı	Turf company responsible for performing
 Playground infill raking 	ω	ω	times	\$	1	₹.	ı	s	ı	Turf company responsible for performing
LANDSCAPE (VARIABLE COST)							*			
Misc parts and equipment	12	12	months	↔	200.00	₹>	2,400.00	S	2,400.00	
 Shrubs and irrigation 	\$ 200.00	\$ 300.00	12 months		n/a	٠	2,400.00	↔	3,600.00	8,100sf Low: after Year 3, costs to slowly decline, High: Establishment period Years 1 to 3
 Tree trimming and leaf cleanup 	ω	ω	months	❖	1,120.00	↔	3,360.00	S	3,360.00	56 trees
 Undeveloped area weed control 	12	12	months	ᡐ	150.00	↔	1,800.00	Ş	1,800.00	21054 sf
 Undeveloped area annual mowing 	ъ	Ъ	months	4	631.00	₹Ş.	631.00	\$	631.00	21,054 sf
GENERAL MAINTENACE (VARIABLE COST)										
 Restroom maintenance 	\$ 400.00	\$ 600.00	12 months		n/a	Ş	4,800.00	₩.	7,200.00	
Trash/recycling cleanup	\$ 400.00	\$ 600.00	12 months		n/a	↔	4,800.00	Ŋ	7,200.00	Dump receptacles in bins, etc.
 Graffiti removal allowance 	\$ 1,000.00	\$ 2,250.00	ls [']		n/a	Ş	1,000.00	↔	2,250.00	
 General cleaning allowance 	Ы	Ы	İs	Ş	3,000.00	÷	3,000.00	₩.	3,000.00	
 General repair allowance 	Ъ	Ц	ls	s	3,000.00	٠Ş	3,000.00	₹Ş-	3,000.00	
 Open/close front gate daily 	88	176	hrs	₩.	40.00	٠Ş	3,520.00	❖	7,040.00	Low: 1x per day by County staff or volunteer and 1x per day hired, High: 2x per day by hired

	\$ 121,255.30 \$ 179,499.30	21,255.30	\$ 1	THE WAR					TOTAL ANNUAL COSTS RANGE
	\$ 116,946.60 \$ 62,552.70	77,020.20 \$ 44,235.10 \$	₩ ₩					INTENANCE	Subtotal ANNUAL OPERATIONS & MAINTENANCE Subtotal ANNUAL LIFECYCLE FUND
	Cost	Cost		ı					
	High Extension	Low Extension	Low						
	.2								
site furnishing and play equipment	\$ 10,218.00	6,130.80	↔	\$ 204,360.00	↔	per year	5%	3%	 Site furnishings
patching of damaged or vandalized carpet	\$ 4,087.20	1,021.80	S	204,360.00	⟨>	per year	2%	1%	 Synthetic carpet and infill repairs
	\$ 41,940.00	32,620.00	-€>	466,000.00	\$	per year	9%	7%	 Synthetic carpet and infill
21,000 sf x 2.25/sf	\$ 3,307.50	2,362.50	₩	47,250.00	₹Ş.	per year	7%	5%	 Asphalt overlay & restripe parking
20,000 sf x 1.50/sf	\$ 3,000.00	2,100.00	\$	30,000.00	₹Ş.	per year	10%	7%	 Asphalt seal coat & repair pathway
									LIFECYCLE COSTS (VARIABLE COST)
Notes	Cost	Cost		Unit Cost	c	Unit	Estimate	Estimate	Description
	High Extension	Low Extension	Low				Low Quant. High Quant.	Low Quant.	

Note: Assumed labor rate at \$40/hour average Labor costs may vary



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SB-998 Discontinuation of residential water service: urban and community water systems. (2017-2018)

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Date Published: 09/28/2018 09:00 PM

Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system

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that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares as follows:

- (a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.
- (b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.
- (c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.
- (d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.
- (e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.
- (f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.
- **SEC. 2.** Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. Discontinuation of Residential Water Service

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

- (a) "Board" means the State Water Resources Control Board.
- (b) "Public water system" has the same meaning as defined in Section 116275.
- (c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.
- (d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.
- (e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.
- **116904.** (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

- (b) An urban and community water system regulated by the Public Utilities Commission shall comply with this p chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.
- (c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.
- 116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:
- (1) A plan for deferred or reduced payments.
- (2) Alternative payment schedules.
- (3) A formal mechanism for a customer to contest or appeal a bill.
- (4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.
- (b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.
- (c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585 and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.
- (2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.
- 116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.
- (B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall 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.
- (C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:
- (i) The customer's name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) 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.

- (2) If the urban and community water system is unable to make contact with the customer or an adult occupying P. 37 the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.
- (b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.
- 116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:
- (1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
- (2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
- (3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.
- (b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:
- (A) Amortization of the unpaid balance.
- (B) Participation in an alternative payment schedule.
- (C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.
- (D) Temporary deferral of payment.
- (2) The urban and community water system may choose which of the payment options described in paragraph
- (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.
- (3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:
- (A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.
- (B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.
- 116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

- 116914. (a) For a residential customer who demonstrates to an urban and community water system household p. 38 income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:
- (1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.
- (2) Waive interest charges on delinquent bills once every 12 months.
- (b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.
- 116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.
- (b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.
- (c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.
- (d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.
- (e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.
- (f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:
- (1) Give notice of termination at least seven days prior to the proposed termination.
- (2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

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- 116918. An urban and community water system shall report the number of annual discontinuations of residential p. service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.
- 116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.
- (b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.
- 116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.
- 116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.
- **116926.** This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.

PAJARO/SUNNY MESA

COMMUNITY SERVICES DISTRICT

136 San Juan Road Royal Oaks, CA 95076

(831) 722-1389 • (831) 663-2181 • Fax (831) 722-2137

Email: info@pajarosunnymesa.com

Website: pajarosunnymesa.com

July 30, 2019

George Salcido, Real Property Specialist Monterey County Resource Management Agency 1441 Schilling Place, South Building, 2nd Floor Salinas, CA 93901-4527

Dear Mr. Salcido:

SUBJECT: Monterey County Agricultural Parcel APN 117-221-034

PURPOSE: To have the Deed for APN 117-221-034 transferred to the Pajaro Sunny Mesa Community Services District (PMSCSD)

BACKGROUND:

- a. In 2010, the Redevelopment Agency, Monterey County received three APNs from Granite Construction Inc. APN 117-341-009, APN 117-341-010 and APN 113-331-025 for development of a 5 acre Pajaro Community Park and a fourth APN 117-221-034, a .7 acre of agricultural land to the west of the Pajaro Community Park across the Southern Pacific railroad tracks. See attachment A for location of APN 117-341-009, APN 117-341-010, APN 113-331-025 (Pajaro Community Park), and APN 117-221-034 (.7 acre of agricultural land)
- b. One of the conditions with approval of the Pajaro Community Park was no entrance fees or other direct fees could be charged for use of the Pajaro Community Park, including reservations and other fees. Fees and Hours of Operations of the Pajaro Community Park were provided by the Monterey County Economic Development Department in Memorandum dated December 12, 2011. See attachment B for a copy of the memorandum
 - "A. Hours of Operation The park will be open to the public during daylight hours seven days a week and locked by maintenance personnel during the night. Night-time lighting will be minimal and for security purposes only.

- B. Cost The park will be open to all members of the public free of charge. Youth, seniors and families will not be charged a park entrance or membership fee. User fees will not be required for use of the running track, basketball court, playgrounds, and picnic areas with tables and benches."
- c. Prior to transferring the deed to Pajaro Sunny Mesa Community Services District, Monterey County required the District show proof of funds to maintain the Pajaro Community Park for five years This requirement was achieved by donations from businesses and individuals in the community. The yearly cost to maintain the Pajaro Community Park is \$50,000.00 to \$55,000.00. See attachment C for the approved FY 2019-2020 budget of \$51,850.00 for the Pajaro Community Park.

DISCUSSION:

- a. APN 117-221-034 was appraised in August 2014 by Alex Hale Appraisals; their fair market value of the property was \$45,000.00. See attachment D for a copy of the appraisal.
- b. The property also has value if leased to the owners of APN 117-221-033; who are currently using the property as if it were a part of their APN. The value of this .7 acre, if leased on today's market. would generate an estimated annual revenue of \$2,500.00 to \$3,000.00.
- c. If APN 117-221-034 was deeded to Pajaro/Sunny Mesa Community Services District, the District Board of Directors and the General Manager would determine the best option, sell or lease, and use the funds to support the annual maintenance costs of the Pajaro Community Park.

RECOMMENDATION: Monterey County transfer the deed of APN 117-221-034 to Pajaro Sunny Mesa Community Services District to be used as a dedicated revenue source for the maintenance of the Pajaro Community Park.

Respectfully submitted,

Don Rosa

General Manager Pajaro Sunny Mesa

Community Services District

Harry Wiggins President of the Board

Pajaro Sunny Mesa

Community Services District

cc: Supervisor John Phillips District 2, County of Monterey Attachment A—Copy of parcel map (1 page)

Attachment B— Memorandum (2 pages)

Attachment C-2019-2020 Pajaro Park Final Budget (1 page)

Attachment D-.7 acre parcel appraisal (3 pages)

Industrial

MONTEREY COUNTY

ECONOMIC DEVELOPMENT DEPARTMENT, Jim Cook, Director

168 W. Alisal St., 3rd Floor Salinas, CA 93901

(831) 755-5390 FAX (831) 755-5398



MEMORANDUM

Date: December 12, 2011

To:

From: Gordon Siebert, Redevelopment Program Manager

Pajaro Park Term Sheet Excerpts from Application, Agreement and Grant Guidelines Re:

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Redevelopment Agency of the County of Monterey hereby:

Approves the filing of an application in the amount of \$5,000,000 for the proposed Pajaro Neighborhood Park, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and

The Redevelopment Agency will enter into a long-term Operations and Maintenance Agreement with the North County Parks and Recreation District or the Pajaro/Sunny Mesa Community Service District. This Agreement will be modeled after an agreement used on previous successful Agency projects.

Grant performance period is 7/1/2009 thru 6/30/2017. Agreement was approved by the State Department of Parks and Recreation on 1/10/2011.

Performance will conform to the Grant Application, Grant Application Guide and Grant Administration Guide.

Indemnify, hold harmless and defend State and County of Monterey Redevelopment Agency.

Operate through 6/30/2039

Revenue earned from the site shall be used for the benefit of the park

Park shall be operated consistent with provisions of the Application and Grant

ATTACH MENT B

Park is accepted subject to approval by State

District shall adopt policies to be non-discriminatory

7) Fees and Hours of Operations

A. Hours of Operation - The park will be open to the public during daylight hours seven days a week and locked by maintenance personnel during the night. Night-time lighting will be minimal and for security purposes only.

B. Cost - The park will be open to all members of the public free of charge. Youth, seniors, and families will not be not be charged a park entrance or membership fee. User fees will not be required for use of the

running track, basketball court, playgrounds, and picnic areas with tables and benches.

The GRANTEE shall not discriminate against any person on the basis of residence, and shall not apply differences in admission or other fees on the basis of residence, Fees shall be reasonable and not unduly prevent use by economically disadvantaged members of the public

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Pajaro Park Final Budget 2019-2020

·	2019-2020	
Personnel Costs		
Management & Administration	\$	3,250
Park Labor		27,000
TOTAL PERSONNEL:		30,250
Operating Costs		200
Sewer		360
Garbage Service		3,530
Electricity - Lights/Special Events - Phone		3,700
Alarm Service		350
Janitorial Supplies		3,500
Office Supplies		360
Building & Grounds Materials		1,500
Other Supplies & Materials		_
Pajaro Water Bond and Property Tax		2,600
Gate closing (Security Patrol)		5,700
TOTAL OPERATING:		21,600
		v.
Reserve		b ·
ANNUAL OPERATION'S & MAINTENANCE		
	\$	51.850



BROKER'S PRICE OPINION (BPO)



Agricultural Land - Pajaro APN 117-221-034 (Remainder Parcel – No Access)

Alex Hale Appraisals
28040 Robinson Canyon Road
Carmel, CA 93923
alexhaleappraisals@gmail.com
831-626-1600

ATTACHMENT D 3 PAGES TO:

County of Monterey RMA

SARDA Asset Disposal Team

G.H. Nick Nichols, P.E. 755-5386

NicholsN@co.monterey.ca.us lawrencel@co.monterey.ca.us

Laura Laurence Shawne Ellerbee 755-5148 755-4794

EllerbeeS@co.monterey. ca.us

SUBJECT:

APN 117-221-034 (0.71 Acres)

Remainder Parcel - Agricultural Land - Pajaro

MARKET VALUE: \$45,000 (Forty-five Thousand Dollars)

DATE:

August 4, 2014

The value of agricultural land is influenced by its size, proximity to markets, quality of soil, topography and availability of irrigation water.

The subject parcel is within 2 miles of the agricultural food processing and shipping center of Watsonville and within 10 miles of the center of the fresh vegetable processing and shipping industry in Salinas.

According to the Monterey County Department of Agriculture, this parcel is designated as prime agricultural land in accordance with criteria contained in Government Code Section 51201 (c).

The parcel is not located over aquifers contaminated by sea water intrusion. Irrigation water is readily available. Topography is level.

The parcel is below the minimum size required by the zoning ordinance which identifies it as being zoned F-40 A/U. This designation means the minimum parcel size must be at least 40 acres. The subject parcel is non-conforming.

There is no legal access to the subject property which is currently being farmed as if it were a part of the surrounding property APN 117-221-033. Subject property is within the 100 year floodplain. The longest leg of its irregular trapezoid shape abuts a railroad easement. Because of its small size and lack of access, the highest and best use of the subject property is to be assimilated into the parcel surrounding it; APN 117-221-033.

According to Loop Net and public records, Ownership of APN 117-221-033 (80.72 Acres) transferred to Reiter Affiliated Cos Llc, 730 S. A Street, Oxnard, CA 93030 on 5/19/2014. This arms length sale for \$5,000,000 amounted to \$61,943 per acre. Under the extraordinary assumption the owner of this surrounding parcel would be willing to acquire the subject property (which its APN 117-221-033 encapsulates) the most likely market value of the subject property would be the same price per acre as Reiter Affiliated Cos Llc paid for APN 117-221-033 approximately three months ago.

The subject property consists of 0.71 Acres. At \$61,943 per acre, this amounts to \$\$543,980. After rounding to the nearest \$5,000, the most likely fair market value of the subject was reconciled at \$45,000.

If you have any questions please give me a call.

Thank You

Alex Hale Certified General Appraiser AG063863

MRAF 7. 50

RECORDING REQUESTED BY	
AND WHEN RECORDED RETURN TO:	
County of Monterey	
Resource Management Agency (RMA)	
c/o RMA-Real Property Specialist	
1441 Schilling Place, South Bldg., 2 nd Floor)
Salinas, CA 93901	
,	
	,

Space above this line for Recorder's use

No Documentary Transfer Tax Required -Granting and Acquiring Agencies are Political Subdivisions of the State of California (Revenue & Taxation Code 11922)

QUITCLAIM DEED

APN: 117-322-006

The County of Monterey, a political subdivision of the State of California (hereinafter referred to as "County"), does hereby remise, release and forever quitclaim to the Pajaro/Sunny Mesa Community Services District, a community services district of Monterey County formed pursuant to Title 6, Division 3 of the Government Code (hereinafter referred to as "District"), all its rights, title and interest in the real property situated in the County of Monterey, State of California, described as follows:

Lot # 6 as the same shown and designated on a Map entitled "Fanny G. Porter Subdivision No. 3, Recorded on the 17th day of February 1941, in Volume 4, of Cities and Towns at Page 53, Records of Monterey County, California.

Provided, however, that the herein described lot is being deeded by County to the District, for the sole purpose of creating and maintaining a public park or playground; that as long as the said lot is so used, occupied, and maintained, it shall remain the property of the District. If, however the District shall fail to occupy, maintain or use the herein described lot as a public park or playground for a period of one District fiscal year, then said lot shall revert to and vest in the County, its successors and assigns in fee.

TOGETHER with the tenements, hereditaments, appurtenances thereunto belonging or appertaining, and the revision and revisions, remaining and remainder, rents, issues, and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenance, unto the District, and to its successors and assigns forever. Except as herein set forth.

IN WITNESS WHEROF, the day of, 2019.	County has caused this deed to be executed this County of Monterey, a political subdivision of the State of California
Approved as to Form: County Counsel	Carl P. Holm, AICP Resource Management Agency Director
Mary Grace Perry Deputy, County Counsel Dated:	
	ACKNOWLEDGEMENT
A notary public or other officer comple this certificate verifies only the identity the individual who signed the documen which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. STATE OF CALIFORNIA) STATE OF CALIFORNIA) COUNTY OF MONTEREY)	of t to bt f
a Notary Public, personally apper who proved to me on the basis of subscribed to the within instrume in his/her/their authorized capaci	ared, f satisfactory evidence to be the person(s) whose name(s) is/are ent and acknowledged to me that he/she/they executed the same ity(ies), and that by his/her/their signature(s) on the instrument behalf of which the person(s) acted, executed the instrument.
•	PERJURY under the laws of the State of California that the
foregoing paragraph is true and c	UITCUI.
WITNESS my hand and official s	seal.
Signature	
	(Seal)

ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the interest in real property conveyed by the Quitclaim Deed dated from the County of Monterey, a political subdivision of the State of
California, to the Pajaro/Sunny Mesa Community Services District, a community services district of Monterey County formed pursuant to Title 6, Division 3 of the Government Code, is
hereby accepted, and consents to recordation thereof by its duly authorized officer.
Pajaro/Sunny Mesa Community Services District
Dated: Harry Wiggins, Chair, Board of Directors
Approved as to Form: District Counsel
Dated:
ACKNOWLEDGEMENT
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
STATE OF CALIFORNIA)) SS. COUNTY OF MONTEREY)
Onbefore me,, a Notary Public, personally appeared, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.
Signature

(Seal)

DRAFT⁵³

Usage Comparison in Gallons 2013-2019

Water Systems	Jul-16	Jul-17	Jul-18	Jul-19
Pajaro	9,041,076	8,429,960	8,742,624	7,777,704
Normco	3,300,176	3,532,804	4,105,772	3,944,204
Sunny Mesa	2,609,772	2,905,980	3,394,424	3,347,300
Moss Landing	2,081,684	2,606,780	2,914,956	2,500,564
Vega	1,645,600	1,867,756	1,662,804	1,847,560
Vierra Estates	370,260	304,436	371,008	498,916
Springfield (pumped)	606,852	721,072	683,672	645,973
Langley/Valle Pacifico	315,656	344,080	371,008	362,032
Blackie	210,936	299,200	314,908	337,348
District Total	20,182,012	21,012,068	22,561,176	21,261,601

Water Systems	Jul-13	Jul-19	Percentage
Pajaro	11,420,180	7,777,704	-31.9%
Normco	5,167,184	3,944,204	-23.7%
Sunny Mesa	3,927,726	3,347,300	-14.8%
Moss Landing	3,508,120	2,500,564	-28.7%
Vega	2,464,989	1,847,560	-25.0%
Vierra Estates	553,520	498,916	-9.9%
Springfield (pumped)	667,964	645,973	-3.3%
Langley/Valle Pacifico	477,972	362,032	-24.3%
Blackie	434,588	337,348	-22.4%
District Total	28,622,243	21,261,601	-25.7%

