



**Auburn Valley Community Service District**  
**P.O. Box 8138 Auburn, California 95604**

**Board of Directors**

Gerald Sherburne Byron Pipkin Richard Welker  
Kaylene Hallberg Sukhpal (SP) Mann

**Agenda**

**BOARD OF DIRECTORS MEETING**

**Tuesday, September 26, 2023**

**1:00 p.m.**

**Meeting to be held by Zoom**

(Live Link to be sent by email)

Join Zoom Meeting

[https://us06web.zoom.us/j/86432063879?  
pwd=r9kEWLAmu4D4SztK5puSZYd2xWFNfu.1](https://us06web.zoom.us/j/86432063879?pwd=r9kEWLAmu4D4SztK5puSZYd2xWFNfu.1)

Meeting ID: 864 3206 3879

Passcode: 481327

One tap mobile

+16694449171,,86432063879#,,,,\*481327# US

+16699006833,,86432063879#,,,,\*481327# US (San Jose)

or in person at

**9855 Spyglass Circle, Auburn, CA 95602**



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**P.O. Box 8138 Auburn, California 95604**

**THE FOLLOWING INFORMATION IS PROVIDED TO ASSIST WITH PUBLIC PARTICIPATION:**

**Americans with Disabilities Act (ADA):** In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the Clerk of the Board, Peterson at dianecrew@mac.com. The meeting room is wheelchair accessible and disabled parking is available. Notification at least 48 hours prior to the meeting or time when services are needed will assist AVCSD staff in assuring reasonable arrangements can be made to provide accessibility to the meeting.

**Agenda Availability:** The main posting location of the AVCSD Meeting Agenda pursuant to the Brown Act, Government Code § 54954.2(a) is on the AVCSD Website. Archived meetings and minutes are available on the AVCSD website at:  
<https://auburnvalleyscd.specialdistrict.org>

**Public Input:** Persons wishing to address the Board members on an item appearing on this agenda will be called upon at the appropriate time during the item's consideration. Persons wishing to address the Board members on an item not appearing on the agenda will be called upon during "Public Comment on Non-Agenda Items." All speakers' time will be limited to three (3) minutes, unless extended by the President. All comments or questions should be addressed to the President or and in most cases, the AVCSD Board is prohibited from discussing or taking action on any item not appearing on the posted agenda, but may engage in brief discussion, provide direction to AVCSD staff, or schedule items for consideration at future meetings.

**Special Meeting Public Input:** Only issues listed on a special meeting agenda may be addressed pursuant to the Brown Act's regulation of Special Meetings.

**Consent Agenda:** All matters on the Consent Agenda are considered routine business and will be enacted by one motion. There will be no separate discussion of these items unless a member of the AVCSD Board or Resident requests a specific item be removed from the Consent Agenda for separate action. Any items removed will be considered after the remainder of the Consent Agenda.

**Judicial Review:** Pursuant to applicable laws and regulations, including without limitation, California Government Code § 65009 and/or California Public Resources Code § 21177, if you wish to challenge in court any of the decisions made by the AVCSD Board, including any action regarding planning, zoning or environmental decisions, you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the AVCSD Board at, or prior to, the public hearing.



## **Auburn Valley Community Service District**

**P.O. Box 8138 Auburn, California 95604**

### **I. Roll Call and Establish Quorum (Action)**

### **II. Public Comments:**

Persons may address the board on items not on this agenda. Please limit comments to three (3) minutes per person since the time allocated for Public Comment is 15 minutes. If all comments cannot be heard within the 15-minute time, the Public Comment period will be taken up at the end of the regular session. The Board is not permitted to take any action on items addressed under Public Comment.

### **III. Open Meeting - Call to Order**

### **IV. Approve Agenda (Action)**

### **V. Consent Items (none)**

### **VI. AVCSD Board Member Reports**

- A. Treasurer's Report – Rich Welker
- B. Presidents Report – Gerald Sherburne  
Report on the RFP (Request formal proposal)
- C. Vice Presidents Report - Byron Pipkin
- D. Technical Director Report – SP Mann
- E. Collections/Enforcement Director Report – Gerald Sherburne  
Late Forgiveness Fee Requests

### **VII. Consent Items Calendar\*\* (Action)**

- A. Approval of Minutes - August 29, 2023
- B. Approval of Public Hearing Minutes - August 29, 2023

### **VIII. Old Business**

- A. Well #3 Update - Byron Pipkin
- B. PVC Fencing Corner of Auburn Valley Road/Viewridge Drive - SP Mann

### **IX. New Business**

- A. Resolution 2023-2 (Overdue Bills Process) - Byron Pipkin (document attached)
- B. AVCSD Meetings Time and Date - Byron Pipkin
- C. Miscellaneous Expense Authorization - Byron Pipkin

### **XII. Adjournment**

#### **Next Meeting:**

**Tuesday, October 24, 2023**

**1:00 p.m.**

\*\* Consent Items Calendar - Consent items are expected to be routine and non-controversial. They will be acted upon by the Board, at one time, without discussion.

## **RESOLUTION NO. 2023-02 OVERDUE BILL COLLECTION**

### **RESOLUTION ADOPTING DELINQUENT ACCOUNTS POLICY AND COLLECTION PROCEDURES FOR WATER AND SEWER SERVICES PROVIDED TO PERSONS AND PROPERTY WITHIN THE AUBURN VALLEY COMMUNITY SERVICES DISTRICT**

WHEREAS the Auburn Valley Community Services District (District) was formed in accordance with Government Code 61000 et seq. for the purpose, among others, to provide water to residential and commercial properties and to collect, treat or dispose of sewage, waste, and storm water of the District and its inhabitants.

WHEREAS, Government Code 61115 provides that the Board of Directors may, by resolution or ordinance, establish rates or other charges for services and facilities that the District provides and provide for the collection and enforcement of those rates or other charges.

WHEREAS, Government Code 61115 provides that the charges for any of the services and facilities provided by the District may be collected with the rates or charges for any other service or facility provided by the District, and that all charges may be billed on the same bill and collected as one item; that if all or part of a bill is not paid, the District may discontinue any or all services and to access a basic penalty for the nonpayment of charges of not more than 10% of the total amount owed, plus an additional penalty of not more than 2% per month for the nonpayment of the charges, and that the Board of Directors may provide for the collection of these penalties.

WHEREAS, the District, by and through official action of its duly constituted Board of Directors in 2008 adopted District Ordinance 2008-1, An Ordinance of The Auburn Valley Community Services District thereby implementing the provisions and authority provided to the District by and through Government code section 61115.

WHEREAS, This Board of Directors has determined that District Ordinance 2008-1 is consistent with the current language and provisions set forth in Government Code 61115 and that the Ordinance shall, and hereby does, remain in full force and effect without modification.

WHEREAS, This Board of Directors has determined that it is in the best interest of, and related to the health, safety and welfare of the persons charged and all inhabitants of the District to collect promptly and fully all delinquent accounts to provide sufficient ongoing funding to ensure the availability of comprehensive water and sewer services for the property and inhabitants of the District.

WHEREAS, this Board of Directors has determined that a clear and concise collection policy shall be established, published by way of this resolution, implemented and consistently enforced to preserve the health, safety and welfare of all inhabitants of the District dependent upon District provided water and sewer services.

WHEREAS, this Resolution and the subject matter thereof was considered at a duly noticed and open public meeting at which oral or written presentations could be made.

NOW THEREFORE BE IT RESOLVED that the Auburn Valley Community Services District Board of Directors hereby establishes the districts delinquent accounts collection policy as follows:

District services shall be billed on a quarterly basis with water operations and maintenance (O&M) and sewer O&M billed in advance for the quarter, water usage billed in arrears based on the prior meter reading.



All invoices are delinquent if payment is not received by AVCSD by the 15<sup>th</sup> day of the month after the date of the invoice (January 1, April 1, July 1 or October 1).

All delinquent accounts will accrue a ten percent (10%) penalty of the total bill beginning the 15<sup>th</sup> day of the month after the date of the invoice until paid in full, plus an additional penalty of two percent (2%) per month until the account is paid in full. See Attachment A for additional details.

If any invoice remains unpaid for two months from the date of the original invoice (e.g. unpaid on March 1 for a January 1 invoice) the District may, upon 30 days prior written notice served by regular or certified mail, or by posting notice at the service location, discontinue any or all services.

All unpaid charges and penalties shall be collected on the tax roll in the same manner as property taxes, in accordance with the procedure set forth in Government Code 61115 and 6066.

The District may recover any charges and penalties by recording in the office of the County Recorder a certificate declaring the amount of the charges and penalties due, the name and last known address of the person liable for those charges and penalties. From the time of recordation of the certificate, the amount of the charges and penalties constitutes a lien against all real property of the delinquent property owner in Placer County. This lien shall have the force, effect, and priority of a judgment lien. Within 30 days of receipt of payment for all amounts due, including the recordation fees paid by the District, the District shall record a release of the lien. A certificate and notice of lien, in a form adopted by the Board and as may be modified from time to time, shall be recorded with the County Recorder, and served on the delinquent property owner by regular or certified mail and/or by posting the certificate and notice of lien at the service location.

BE IT FURTHER RESOLVED that the District reserves the right to exercise any lawful remedy it may have to collect unpaid accounts, including discontinuation of services in accordance with District policy and regulations, recordation of a certificate with the county recorder in any amounts delinquent and unpaid, including interest and penalty which shall constitute a lien upon the real property, election to have any or all charges or delinquencies collected on the tax rolls in subsequent fiscal years, by referral to a collection agency, by direct collection action in a court of competent jurisdiction or by any other lawful action available to the District to collect delinquent accounts.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
President, Auburn Valley Community Services District

\_\_\_\_\_  
Secretary of the Board of Directors, AVCSD

## ATTACHMENT A

The following table lists some of the steps in the overdue bill collection and service termination process (other steps include any lawful remedy as stated above in this resolution):

<b>Billing Date</b>	<b>10% Late Fee Owed for Payment Received After This Date</b>	<b>30 Day Notice of Overdue Bill and to Discontinue Service</b>	<b>10 Day Notice to Discontinue Service</b>	<b>Service Discontinued</b>
Jan. 1	Feb. 15	March 1	March 20	April 1
April 1	May 15	June 1	June 20	July 1
July 1	Aug. 15	Sept. 1	Sept. 20	October 1
Oct. 1	Nov. 15	Dec. 1	Dec. 20	January 1

AVCSD charges the following additional fees in addition to the above fees/charges:

\$25.00	Returned Checks
\$25.00	Each Bill/Notice After Original Billing
\$50.00	Filing a Lien
\$50.00	Lien Redemption (removal from County Records) + any fees paid to County by AVCSD
\$125.00	Terminating Water Service (shut off)
\$125.00	Reconnecting Water Service

Note: AVCSD will forgive one time the 10% late fee owed if requested by the owner; this does not include any other fees that may be owed (e.g. overdue bill notice, etc.)