



## AGENDA

### SPECIAL MEETING OF THE BOARD OF DIRECTORS

December 22, 2020

9:00 AM

CALL TO ORDER AND ROLL CALL

ADD-ON ITEMS

APPROVAL OF AGENDA

#### PUBLIC COMMENT

*Any person may address the Board at this time upon any subject not identified on this Agenda, but within the jurisdiction of Elsinore Valley Municipal Water District; however, any matter that requires action will be referred to staff for a report and action at a subsequent Board meeting. As to matters on the Agenda, an opportunity will be given to address the Board when the matter is considered.*

#### I. CONSENT CALENDAR

*Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Calendar, it shall be removed so that it may be acted upon separately.*

##### A. APPROVAL OF:

1. Minutes of the Regular Board Meeting of December 10, 2020
2. Minutes of the Regular Legislation, Conservation and Outreach Committee Meeting of October 28, 2020
3. Demands
4. Publication for Public Notice of Accumulated Unclaimed Monies for the Purpose of Transferring Unclaimed Monies to the District General Fund

#### II. BUSINESS ITEMS

*Business Items call for discussion and action by the Board.*

- A. Customer Escalation - Brandon MacNider Appeal



III. REPORTS

*Reports are placed on the Agenda to provide information to the Board and the public. There is no action called for in these items. The Board may engage in discussion on any report upon which specific subject matter is identified, but may not take any action other than to place the matter on a subsequent Agenda.*

- A. General Manager's Report
- B. Legal Counsel's Report
- C. Board Committee Reports

IV. DIRECTOR'S COMMENTS AND REQUESTS

*Directors' Comments concern District business which may be of interest to the Board. They are placed on the Agenda to enable individual Board members to convey information to the Board and the public. There is no discussion or action required, other than to place the matter on a subsequent Agenda.*

V. INFORMATION ITEMS

- A. Grant Updates December 2020

VI. ADJOURNMENT

**Pursuant to the Governor's Executive Order N-25-20, and in the interest of public health and safety, this meeting will be held telephonically.**

Remote public participation is encouraged in one of the following ways:

**For Online Participation:**

Go to: [www.webex.com](http://www.webex.com) and select Join  
Enter Meeting ID: 126 160 8310  
Meeting Password: 92530

**For Call-in Only:**

Call: 213-306-3065  
Enter Meeting ID: 126 160 8310  
Meeting Password: 92530

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the District's Administrative offices not less than 72 hours prior to the meeting date and time above. All public records relating to each agenda item, including any public records distributed less than 72 hours prior to the meeting to all, or a majority of all, of the members of District's Board, are available for public inspection in the office of the District Secretary, 31315 Chaney Street, Lake Elsinore, California.

To request a disability-related modification or accommodation regarding agendas or attendance, contact Terese Quintanar, at (951) 674-3146, extension 8223 at least 48 hours before the meeting.

**MINUTES  
REGULAR MEETING OF THE BOARD  
OF DIRECTORS OF ELSINORE VALLEY  
MUNICIPAL WATER DISTRICT  
THURSDAY, DECEMBER 10, 2020**

The Regular Meeting of the Board of Directors of Elsinore Valley Municipal Water District was held via teleconference, through a call-in number clearly noted on the meeting Agenda, posted in accordance with the Brown Act.

Directors Present

Andy Morris, President  
Phil Williams, Vice President  
Harvey Ryan  
Darcy M. Burke  
Jared McBride

Staff Present

Greg Thomas, General Manager  
Ganesh Krishnamurthy, Assistant General Manager – Eng. and Operations  
Robert Hartwig, Assistant General Manager- Business Services  
Steve Anderson, Legal Counsel  
Terese Quintanar, District Secretary/Administrative Services Supervisor  
Susie Evans, Sr. Executive Assistant  
Christina Ramirez, Executive Assistant  
Margie Armstrong, Director of Strategic Programs  
Jason Dafforn, Director of Engineering and Water Resources  
Jase Warner, Director of Operations  
Jennifer Dancho, Director of Human Resources  
Greg Morrison, Government Relations Officer  
Tim Collie, Water Operations Manager  
Parag Kalaria, Water Resources Manager  
Scott Thompson, Accounting Manager  
David Smith, Maintenance Manager  
Matthew Bates, Engineering Manager  
Shawnelle Morelos, Principal Engineer, Capital Projects  
Christina Henry, Community Relations Manager  
Bonnie Woodrome, Community Affairs Supervisor  
Kaitlyn Wu, Community Affairs Specialist  
Haley Munson, Water Efficiency Specialist  
Isabel Casteran, Safety Officer  
Patrick Allen, Water Quality Analyst  
Ruben Murillo, Field Maintenance Superintendent  
Barbara Mason, Contract Administrator  
Darryn Flexman, IT Supervisor  
Anivey Casanada, Senior Office Assistant

Others Present

Public  
Raquel Ayala Vargas

<b>CALL TO ORDER</b>
----------------------

The meeting was called to order by President Morris at 4:00 p.m.

<b>APPROVAL OF AGENDA</b>
---------------------------

A motion was made by Director Burke, seconded by Director Williams, and carried unanimously to approve the Agenda as presented.

<b>PUBLIC COMMENTS</b>
------------------------

The meeting was opened to public comments on the teleconference and in the room and there were none.

<b>Item I.0 ELECTION OF OFFICERS</b>
--------------------------------------

*Minute Order #5581*

President Morris opened the meeting for nominations.

A motion was made by Director Ryan, seconded by Director Burke, and carried unanimously, to:

- 1. Elect Director Williams as Board President for 2021.**

A motion was made by Director Williams, seconded by Director Ryan, and carried unanimously, to:

- 1. Elect Director Burke as Board Vice President for 2021.**

A motion was made by Director Burke, seconded by Director Williams, and carried unanimously, to:

- 1. Elect Director Ryan as Board Treasurer for 2021.**

<b>Item II.0 - CONSENT CALENDAR</b>
-------------------------------------

*Resolution Nos. 20-12-01*

*Minute Order #5582-5585*

- A. APPROVAL OF:
1. Minutes of the Special Board Meeting of November 24, 2020
  2. Minutes of the Regular Finance and Administration Committee Meeting of November 17, 2020
  3. Demands
  4. Receive and File the Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 2020 (*MO# 5582*)
  5. Appropriation Limit for Fiscal Year 2021 (*Reso. No. 20-12-01*)
  6. Professional Services Agreement with Reeb Government Relations for State Lobbying Services (*MO# 5583*)
  7. Professional Service Agreement with The Charrette Agency for the District Branding Project (*MO# 5584*)
  8. Reorganization of Board Committees (*MO# 5585*)

Director McBride requested to pull Consent Calendar Item A.7 for discussion.

A motion was made by Director Williams, seconded by Director Burke, and carried unanimously to:

**1. Approve the Consent Calendar non-pulled items.**

Director McBride expressed his concern with the price and the new logo replacement regarding Consent Calendar Item A.7. He felt this was not a necessity at this time.

Director Williams commented the logo has been around for over 30 years and believes a refresh would be good and can help EVMWD make a larger presence in the community.

Director Burke responded to Director McBride’s comments and opined that this is an opportunity to learn more about our customers. We only hear one facet from our constituents in our own areas. This gives an opportunity for an independent third-party to do the research. Qualitative and quantitative data will be provided to make better decisions. The \$130,000 is something that will be discussed at future budget discussions and is a best guess. She expressed she is more interested in what our customers are thinking, how they communicate and supports that we need to understand the data. Today we are only taking action on the initial contract with Charette to perform the research.

Director Ryan referred to the staff report and commented the \$130,000 will be a separate action later. He agreed that obtaining the data on our customers is very important.

Director Morris commented that for some time now, it’s been known that the logo needed to be refreshed and replaced and opined that the dollar amount for this work was a little low. He suggested the rebranding be done in phases, perhaps over several budget cycles to break it up.

A motion was made by Director Burke, seconded by Director Williams, and carried with a majority vote, with Director McBride opposing to:

**1. Approve the Consent Calendar Item No. A.7. Professional Service Agreement with The Charrette Agency for the District Branding Project.**

**Item III.0 BUSINESS ITEMS**

**Item III.A PRESENTATION OF THE 2020 PUBLIC RELATIONS SOCIETY OF AMERICA INLAND EMPIRE CHAPTER RECOGNITION FOR COMMUNICATIONS**  
*Minute Order #5586*

Ms. Woodrome shared that EVMWD recently received several awards from the Public Relations Society of America (PRSA) for excellence in public outreach. The Polaris Awards recognize exemplary public relations efforts that successfully incorporate sound research, planning, implementation, and evaluation. These

awards represent the highest standards of performance in the public relations and communications profession within the Inland Empire.

Ruben Murillo and his team were recognized for the “Here For You” photograph that was used for the COVID 19 Outreach and advertising. Kaitlyn Wu, Haley Munson and staff were also recognized for the audiovisual short form video that was created and shared in various platforms.

#### **Item IV. A GENERAL MANAGER’S REPORT**

Mr. Thomas reported we recently received \$660 from the Community Action Partnership (CAP) Program which is a utility assistance program for Riverside County residents. Customers can apply and receive up to \$2,000 to help offset utility bills. This program will be promoted through our outreach efforts. He gave kudos to Christina Henry and Tammy Ramirez for all their efforts.

California Municipal Utilities Association (CMUA) sent a letter to champion within the water community ensuring essential water operators are one of the priorities for receiving the COVID vaccine. California’s Governor Newsom has a task force that will determine the prioritization of vaccine distribution.

The Upper Temescal Valley Salt and Nutrient plan amendment was approved by the State Water Resources Control Board (SWRCB) and he thanked staff in the Strategic Programs, Water Resources and Engineering Departments. This was a six-year project and will be a cost savings for the District, in the long term.

Mr. Thomas concluded with the water supply report. The snowpack in the Sierra’s is at 44% of normal. The local supply is at 70-80% of normal, however, we were at similar levels last fall. La Niña is being projected this year, with less rain than previous years. The State Water Project allocation is at 20%.

#### **Item IV. B LEGAL COUNSEL’S REPORT**

Mr. Anderson reported the FPPC issued an advice letter last month for Metropolitan Water District (MWD). A Director, who is a retired engineer was approached to work with a consulting firm who had ongoing contracts with MWD. There was concern of Government Code 1090 violations and advice of FPPC was the man could work the contract, specifically because MWD has a policy that the General Manager can approve up to \$250,000 without board approval. Since the board did not have to take action on this contract, there was enough separation. In addition, there are provisions in the law where it is a case by case basis to avoid Government Code 1090 issues for even larger contracts.

#### **Item IV. C BOARD COMMITTEE REPORTS**

Director McBride reported on the recent EMWD/EVMWD joint meeting where the Delta Conveyance Project was discussed. The MWD’s board unanimously passed to fund the share of environmental planning and preconstruction of the project. He mentioned on their website, the sister agencies who supported this project were listed, however EVMWD was not listed. Also discussed was the Quail Valley Sewer project with another \$500,000 received to help fund this effort. He

commented EMWD has done a great job getting financing and grants for this project. Director Ryan added PFAS was also discussed at this meeting. Director McBride continued to report on his attendance at the Wildomar City Council meeting. Since some Wildomar staff recently tested positive for COVID, they are currently disinfecting, and offices are closed. There was mention of a funding agreement for Bundy Canyon Road widening project. He mentioned there are a lot of struggling businesses.

Director Ryan reported on the ACWA Region 9 meeting earlier today. COVID was discussed as was the Region 9 & 10 Conference program.

Director Burke attended the Canyon Lake Property Owners Association meeting which was the best attended virtual meeting yet. She was able to get a lot of information out to a lot of people. She also attended the Canyon Lake City Council meeting. Councilman Bonner was honored, and a video of the 30<sup>th</sup> anniversary gala was shown. She also participated on ACWA Ag Committee and the ACWA Fall Conference. At the Ag Committee, she learned there is a draft blueprint being circulated and she asked for a copy of it. She attended the MWD meeting also, where they authorized their share of Delta project and amendment to the contract. It was a very long meeting, with lots of comments on the Delta. There was a lot of discussion on how they take the calls. Calls are taken numerically by area code, so 951 area codes are taken much later than those calls from as far as San Francisco. Not all directors were present for this meeting, but it did pass under Consent Calendar. There was a lot of discussion about the Chairwoman's appointment, which ended up being postponed because of the need for discussion of the admin code and when those appointments should be made. She also mentioned that an elderly woman drowned in Canyon Lake yesterday, which makes three drownings this year.

She thanked Director Morris for his service and the method by which he demonstrates "fair for all." She wished a Happy Hanukkah to those who celebrate the festival.

Director Williams asked to adjourn this meeting in honor of Brandon Yates, who passed away recently.

Director Morris reported that Mayor Nigg was re-elected for a second term for the City of Wildomar. Council Member Ben Benoit will no longer be on the City of Wildomar/EVMWD joint committee meeting, Council Member Joseph Morabito will replace him. He also reported the Bundy Canyon widening project involves relocation of some of our facilities and we should be getting an update from staff.

<b>Item V.0     DIRECTOR'S COMMENTS AND REQUESTS</b>
--

Director McBride complimented Director Morris on his job as president having an equitable, fair and just way of accepting differing opinions. He congratulated Directors Ryan and Williams on their success in their election. He also congratulated staff for the awards received.

Director Ryan congratulated President Williams for his election win and also thanked Director Morris for his job as president. He echoed Director McBride’s comments, and added that Director Morris was very objective and brought the best out of everyone. He thanked Director McBride for the congratulations on the campaign. He looks forward to another four years serving the District.

Director Morris thanked everyone for the comments and relayed appreciation for the last two years as president.

**Item VI.0    ADJOURNMENT**

The meeting was adjourned 4:48 p.m. in honor of Brandon Yates.

\_\_\_\_\_  
Phil Williams, President of the  
Board of Directors of the  
Elsinore Valley Municipal Water District

ATTEST:

\_\_\_\_\_  
Terese Quintanar, Board Secretary  
to the Board of Directors of  
Elsinore Valley Municipal Water District



- APPROVED
  - APPROVED AS AMENDED
  - DENIED
  - CONTINUED
- 

DATE: December 22, 2020

TO: Board of Directors

**SUBJECT: RATIFICATION OF THE LEGISLATION, CONSERVATION, AND OUTREACH COMMITTEE ACTION**

On October 28, 2020, at 3:30 p.m., the Regular Meeting of the Legislation, Conservation and Outreach Committee (LCOC) was held via teleconference, with members of the public notified of the ability to observe and provide public comment telephonically by calling the meeting number listed on the meeting Agenda.

The attendees were as follows: Director Ryan, Director Williams, Greg Thomas, Ganesh Krishnamurthy, Greg Morrison, Terese Quintanar, Isabel Casteran, Jason Dafforn, Robert Hartwig, Bonnie Woodrome, Haley Munson, Kaitlyn Wu, Jase Warner, Richie O’Connell, Parag Kalaria, and Congressman Ken Calvert.

Public Comments: None

1. **Legislative Update** – Congressman Calvert provided an update on the Appropriation Bills that will be worked on after the election. The bill will be complicated and stimulus packets and some decisions are made at a higher level. The continuing resolution expires December 11, 2020, and after Thanksgiving, the work will continue with Appropriation Bills. The inefficiencies are expensive for the Department of Defense and makes no sense to continue to operate this way.

Mr. Morrison provided an update on several items, the first being the Army Corps of Engineers’ feasibility study for Lake Elsinore. He opined this is one project going in the right direction and thanked Congressman Calvert and his staff, Mr. O’Connell and others. We have the money to start the project and are 2-3 months away from starting the feasibility phase. Financing agreements are being prepared by Army Corps, and separate MOUs will be prepared. Those will have to be taken to the respective Councils and Boards for approval. He anticipates by January of next year the feasibility phase will begin. He thanked Congressman Calvert again for his help getting this to where it is today. Congressman Calvert acknowledged Richie O’Connell for his work, and he urged for the report to be completed. The feasibility study will identify a final project.

He then provided an update on PFAS issue and the testing of sites upstream of Canyon Lake. Mr. Dafforn reported that sampling stations at 40 different locations are set up within the San Jacinto River to identify the source of PFAS at Canyon Lake, however, days of consecutive rainfall are needed for that to take place. After testing is done, a document can be formulated to possibly point toward March Air Reserve Base (MARB) as a contributor of PFAS. Eastern MWD has a couple wells affected too and have asked MARB to look at PFAS as a local level constituent instead of Federal. The District has also reached out to the Santa Ana RWQCB and staff believes we will have support from them through a letter to the MARB. Director Ryan added we have had to shut down that source of water due to State guidelines, which

equates to 10% of the District's local water source. We are above the State limits, but below the Federal limits. Congressman Calvert stated the PFAS is all over the Country. With MARB, they are trying to find a long-term solution, but in the short-term, a lot of the PFAS is going downstream and it will take a while for it to dilute. There is also the question of what we do with carbon that we have to use to remove that constituent from the water. This is a costly problem, and the Department of Defense is fighting the efforts to drop the level. Mr. Thomas reported we are looking at multiple options and reviewing the best, long-term plan. Mr. Morrison appreciates the help from Congressman Calvert and his staff and will be in communication with them.

The next project Mr. Morrison reported on was the Lee Lake Dam project. Mr. Dafforn explained it is a smaller dam, earthen levy and deemed to be a critical infrastructure that requires additional upgrades. It has also been "red tagged." We are taking steps to design and reconstruct it to bring it into compliance with current standards. It is a recharge basin for us, and an important part of our supply portfolio. The intent is to construct it at the same elevation so it will have the same storage, but the spillway and dam will be at current standards. We expect the cost to be \$50-60M. Director Ryan added there have already been discussions about doing some dredging to increase the storage, as it is a great source of recycled water for that area. Congressman Calvert suggested an EPA grant. Director Ryan added, if the Dam were to fail, there would be a FEMA issue in the Temescal Valley. Mr. Morrison mentioned we have offered a couple of different options, including the FEMA program for high hazard dams. If an opportunity is available for us to support additional appropriations for this program, we will look to Congressman Calvert for support. The WIIN Act, and possible low interest loans are also options. Congressman Calvert stated, at some point, there will be an infrastructure bill and it will include money for water projects.

The last project Mr. Morrison reported on was the Horsethief Canyon Water Reclamation Facility. Mr. Dafforn stated the Horsethief Canyon Plant is a small plant; currently rated at 0.5 MGD capacity. The project includes upgrading and rehabilitation, redundancy improvements and expansion to 0.8 MGD. We are in the RFP/RFQ stage and are evaluating firms and will soon get prices for design and construction. We hope to issue that contract early-to-mid next year. The expansion would buy time to get main infrastructure from the Regional WWTP to that area, and the Horsethief facility would be decommissioned at that time.

Congressman Calvert was thanked for his efforts to assist throughout the years. Mr. Morrison also thanked and complimented Congressman Calvert's staff, mentioning Jolynn, Jason, Rebecca, Richie, and others.

Mr. Morrison reported we have reviewed five proposals from State Lobbyists and have two solid proposals: Townsend and Associates and Reeb Government Relations. Staff was able to negotiate the first year of contract price for Reeb down to \$7,000 per month. This item will be brought to the next Study Session.

Mr. Morrison asked for input on continuing our annual membership with CalDesal Association, for \$5,000. Wendy Riverbush is new to the Agency and there are great

things being looked at. Directors Ryan and Williams were in support of continuing the membership.

Mr. Morrison shared a letter from Todd Semonite from the Department of the Army, thanking the Committee. Also, General Spellman will be replacing Mr. Semonite upon his retirement.

2. **Sponsorship and Donation Request** - The Committee approved donations to:  
Holt Ministries \$100 and 10 cases of water
3. **Sponsorship Report – September 2020** – As of September 2020, \$16,272 remained in the account.
4. **Community Affairs Quarterly Update Summer 2020** – Ms. Woodrome reported on COVID-19 responses and measures taken to keep the community safe. Significant Algae Bloom outreach was also distributed and coordinated with other agencies. Ms. Munson hosted the Women in Water event, which included 150 participants. For the RARE program, water evaluations were added for the home and we have seen an increase of about 28 per month. The System Optimization Review (SOR) plan is being completed and will be provided to the Board in January. Workshops continue to be offered and we will be hosting our virtual workshops in November. Turf replacement rebates continue, and emergency preparedness outreach efforts resulted in billboard use and notification to the public. Teachers can apply for the grant award through the Krieger Awards program and virtual tours will be given in November and again in February and March. We have 1,900 followers on Facebook. Director Ryan asked if progress had been made to coordinate high school students and colleges for water careers. Ms. Wu reported she had a discussion with a career technician from Ortega High School about a series of career awareness programs and two presentations are scheduled for November. We will continue to be part of the career series to get more interaction and Ortega is a great candidate for the program. This is a separate effort. The connection with LEUSD and MSJC and their participation is up to LEUSD, but this may provide an avenue to help make that happen.
5. **Review EVMWD Flow Into Fall Update** – Ms. Woodrome reported on the Flow Into Fall virtual event of October 17<sup>th</sup>. Highlight data include 4,000 click-throughs at the live event with eight to ten booths for guests to explore. The most popular video was the Welcome Video, which had 783 views. The garden tour was the most popular session, followed by the construction maintenance team video, the Regional Wastewater Treatment Plant tours and the Water Production team display. There were 15 staff members who assisted the day of the event. After the event, there was a 25% increase in traffic within two days, and 50% by that Friday. Survey results indicated the water and sewer rates are perceived as fair or low. The website and WaterLog are the most favorable places for customers to find information. Postcards were the most effective means of reaching customers about the event. An annual, third-party polling will provide a better gauge on feedback. There was a strong agreement with willingness to participate in future virtual events, and some very positive feedback from the community.

6. **Water Bottle Fill Station Program** – Ms. Wu proposed offering the program to four new school sites per year, based on a lottery system. She suggested for the first year starting with two schools in Murrieta Valley and two in LEUSD, then changing to lottery distribution the following years.

The unit cost is \$2,700, excluding installation fees. Director Ryan opined he would rather see the school districts participate in some way. We could offer the purchase of the unit but not the installation. Staff was asked to follow-up with the school district to see if they have the staff with the skills to install the units, should we go that route. The District will provide signage and will review the proposed location of the units before approving. The District can also offer reusable water bottles to participating schools as an additional incentive and branding opportunity. Staff has reached out to SAWPA to ask for funding for the proposed water bottles.

7. **Other** – Ms. Munson will be hosting EVMWD’s virtual workshop on irrigation and watering basics. Some items to be covered are Weather Based Irrigation Controllers (WBIC), sprinkler practices, and how to prevent overwatering. This is the beginning of a virtual series that will be funded by MWD. The workshops will be recorded and posted to the website. Public Affairs staff is also providing a presentation for PFAS to the CA NV AWWA this week.

Mr. Morrison reported the workgroup formed to address a sunset on the Governors’ mandate for shutoff moratoriums has been scheduled for November 9<sup>th</sup>, and several neighboring agencies are participating.

8. **Consider Items for Board Review** – Flow Into Fall event details will be shared with the Board.

9. **Adjourned at 4:47 p.m.**



# AP Disbursement Report

Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
<b>INTERIMS</b>						
6496	12/03/2020	DRAEGER INC	PORTABLE DEVICES MAINTENANCE	DUE 12/03/2020	ACH	2,067.25
6497	12/03/2020	FIRST FOUNDATION BANK	ESCROW ACCOUNT	DUE 11/30/2020	ACH	188,184.67
6498	12/03/2020	FLATIRON WEST INC	REG WATER RECLAMATION FACILITY UPGRADES	DUE 11/30/2020	ACH	1,693,662.07
6499	12/03/2020	INFOR	INFOR CASE MANAGEMENT	DUE UPON RECEIPT	ACH	32,750.00
6500	12/03/2020	PLUMBERS DEPOT INC	GAPVAX COMBO JET/VACUUM	DUE 11/19/2020	ACH	550,921.44
6501	12/10/2020	ALBERT A. WEBB ASSOCIATES	ZONE 1467 PHASE V WATER MAIN IMPROVEMENTS	DUE 11/24/2020	ACH	41,528.08
6502	12/10/2020	CAROLLO ENGINEERS	IT SUPPORT FOR PMIS	DUE 11/30/2020	ACH	38,994.39
6503	12/10/2020	ENTERPRISE FM TRUST	FLEET LEASE	DUE 12/20/2020	ACH	40,506.65
6504	12/10/2020	GLOBAL POWER GROUP INC	GENERATOR MAINTENANCE	DUE 12/03/2020	ACH	10,567.55
6505	12/10/2020	H2O SOLUTIONS LLC	RESERVOIR CLEANING & INSPECTION	DUE 12/03/2020	ACH	29,950.00
6506	12/10/2020	INFOSEND	BILLING PROCESSING	DUE 11/30/2020	ACH	21,615.01
6507	12/10/2020	KENNEDY JENKS CONSULTANTS	CIVIL DESIGN SERVICES	DUE 12/03/2020	ACH	37,195.00
6508	12/10/2020	NORTHSTAR CHEMICAL	CHEMICALS	DUE 12/17/2020	ACH	3,737.85
6509	12/10/2020	SOUTHERN CA FLEET SERVICES INC	FLEET SERVICES	DUE 12/17/2020	ACH	19,075.50
6510	12/10/2020	WATER SYSTEMS OPTIMIZATION INC	DEVELOPMENT OF AN OPTIMIZATION REVIEW PLAN	DUE 12/16/2020	ACH	5,660.00
245403	12/03/2020	CIGNA HEALTH AND LIFE INS.	MEDICAL COVERAGE FOR DEC 2020	DUE UPON RECEIPT	CHECK	2,208.27
245404	12/03/2020	CITY OF CANYON LAKE	POLICE REPORT	DUE 12/10/2020	CHECK	15.00
245427	12/03/2020	GREATAMERICA FINANCIAL SERVICE	COPIER LEASE	DUE 11/18/2020	CHECK	3,646.50
245428	12/03/2020	LINCOLN NATL LIFE INS COMP	LIFE/AD&D/LTD	DUE UPON RECEIPT	CHECK	42.55
245432	12/03/2020	RIVERSIDE CTY RECORDERS OFFC	RECORDING FEES	DUE UPON RECEIPT	CHECK	100.00
245433	12/03/2020	SITEIMPROVE, INC	SITEIMPROVE RENEWAL	DUE 11/01/2020	CHECK	10,000.00
245434	12/03/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC INVOICE	DUE 12/14/2020	CHECK	92,336.01
245435	12/03/2020	TIME WARNER CABLE	CABLE SERVICE	DUE 12/09/2020	CHECK	53.57
245436	12/03/2020	VERIZON BUSINESS	PHONE INVOICE	DUE UPON RECEIPT	CHECK	32.12
245437	12/03/2020	R DEPENDABLE CONST, INC	DISTRICT OFFICE RENOVATIONS PHASE 2	DUE 11/14/2020	CHECK	47,948.56
245438	12/03/2020	SCW CONTRACTING CORPORATION	SKYMEADOWS BOOSTER PUMP STATION	DUE 11/30/2020	CHECK	126,578.05
245439	12/03/2020	T.E. ROBERTS, INC	ZONE 1467 PHASE 5 WM IMPROVEMENTS	DUE 11/30/2020	CHECK	182,569.10
245440	12/10/2020	CITY OF CANYON LAKE	NOV 2020 UTILITY TAX REMITTANCE	DUE 12/20/2020	CHECK	25,573.80
245441	12/10/2020	CLEAN LAKES, INC	AQUATIC PESTICIDE	REISSUE CHECK	CHECK	2,695.00
245442	12/10/2020	COMPLIANCE NEWS PUBLISHING CO	GENERAL ANNOUNCEMENT AFFIDAVIT	REISSUE CHECK	CHECK	150.00
245443	12/10/2020	COMPLIANCE NEWS PUBLISHING CO	GENERAL ANNOUNCEMENT AFFIDAVIT	REISSUE CHECK	CHECK	150.00
245464	12/10/2020	DUDEK AND ASSOCIATES INC	LEE LAKE DAM INUNDATION STUDY AND EAP	DUE 11/06/2020	CHECK	925.56
245465	12/10/2020	EASTERN MUNICIPAL WATER DIST	RECYCLED WATER	DUE 12/10/2020	CHECK	5,618.78
245466	12/10/2020	FIRST AMERICAN EQUIPMENT FINANCE	REPAIRS & REPLACEMENTS	DUE 10/26/2020	CHECK	1,249.32
245467	12/10/2020	FRONTIER CALIFORNIA INC.	PHONE INVOICE	DUE 12/28/2020	CHECK	98.74



# AP Disbursement Report

Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
245468	12/10/2020	GREATAMERICA FINANCIAL SERVICE	COPIER LEASE	DUE 12/01/2020	CHECK	498.99
245469	12/10/2020	HAZEN AND SAWYER	RISK & RESILIENCY ASSESSMENT	DUE 11/30/2020	CHECK	7,192.75
245470	12/10/2020	HR GREEN PACIFIC	ON-CALL PLAN CHECK SERVICES	DUE 11/30/2020	CHECK	1,897.50
245471	12/10/2020	JWC ENVIRONMENTAL	MONSTER WASH PRESS ASSEMBLY	DUE 11/26/2020	CHECK	26,726.71
245472	12/10/2020	KATZ AND ASSOCIATES INC	PFAS PUBLIC OUTREACH SUPPORT	DUE 11/30/2020	CHECK	4,114.99
245473	12/10/2020	PITNEY BOWES GLOBAL FIN SERVIC	POSTAGE METER LEASE	DUE 12/29/2020	CHECK	1,720.47
245474	12/10/2020	R DEPENDABLE CONST, INC	DISTRICT OFFICE RENOVATIONS PHASE 2	DUE 10/09/2020	CHECK	13,456.11
245476	12/10/2020	REBUILD-IT SERVICES GROUP INC.	REGIONAL WRF CLARIFIER JOB	DUE 11/26/2020	CHECK	28,165.85
245477	12/10/2020	ROGERS, ANDERSON, MALODY & SCO	FISCAL YEAR ENDED 06/30/20 AUDIT	DUE 11/30/2020	CHECK	2,250.00
245478	12/10/2020	SO CAL GAS	GAS INVOICE	DUE 12/23/2020	CHECK	1,532.74
245479	12/10/2020	SOUTHERN CALIFORNIA EDISON	ELECTRIC INVOICE	DUE 12/21/2020	CHECK	83,143.64
245480	12/10/2020	SPOK INC	PHONE INVOICE	DUE 12/22/2020	CHECK	152.90
245481	12/10/2020	STATE WATER RESOURCES CONTROL	SWRCB ANNUAL PERMIT FEE	DUE 12/24/2020	CHECK	79,732.00
245482	12/10/2020	TRADEMARK HOIST AND CRANE	QUARTERLY INSPECTION & EQUIPMENT RENTAL	DUE 11/30/2020	CHECK	2,161.75
245483	12/10/2020	US BANK	P-CARD PURCHASES	DUE UPON RECEIPT	CHECK	135,904.85
245484	12/10/2020	WASTE MANAGEMENT	RUBBISH SERVICE	DUE UPON RECEIPT	CHECK	119.13

## DEMAND REGISTER

6511	12/22/2020	AECOM TECHNICAL SERVICES, INC.	EVMWD RENEWABLE ENERGY CONSULTING		ACH	12,645.00
6512	12/22/2020	ALBERT A. WEBB ASSOCIATES	RCA PROPERTY NEGOTIATIONS		ACH	409.50
6513	12/22/2020	AMERICAN LABOR POOL	TEMPORARY PERSONNEL		ACH	8,796.46
6514	12/22/2020	ARCADIS US, INC	REG WATER RECLAMATION FACILITY UPGRADES		ACH	380,855.55
6515	12/22/2020	CALIFORNIA WATER TECHNOLOGIES	CHEMICALS		ACH	2,620.48
6516	12/22/2020	CAROLLO ENGINEERS	IT SUPPORT FOR PMIS		ACH	46,654.75
6517	12/22/2020	CHANDLER ASSET MANAGEMENT INC	INVESTMENT MANAGEMENT SERVICES		ACH	8,981.91
6518	12/22/2020	CORTECH ENGINEERING	HYDRAULICALLY ACTUATED SIMPLEX PUMP		ACH	22,280.34
6519	12/22/2020	DEGRAVE COMMUNICATIONS INC	AQUAHAWK OUTREACH		ACH	2,327.08
6520	12/22/2020	FERGUSON WATERWORKS #1082	WATERWORKS SUPPLIES		ACH	1,753.78
6521	12/22/2020	INFOSEND	BILL PROCESSING		ACH	12,866.54
6522	12/22/2020	INFRASTRUCTURE ENGINEERING COR	AS-NEEDED SCADA SUPPORT WORK		ACH	765.00
6523	12/22/2020	J&L CONSTRUCTORS INC.	RELOCATION OF 6 INCH WATERMAIN ALONG HWY 74		ACH	75,700.75
6524	12/22/2020	KENNEDY JENKS CONSULTANTS	EVMWD - AS NEEDED LEE LAKE		ACH	4,730.00
6525	12/22/2020	NORTHSTAR CHEMICAL	CHEMICALS		ACH	23,477.03
6526	12/22/2020	ONLINE INFORMATION SERVICES	CREDIT CHECK SERVICES		ACH	510.75
6527	12/22/2020	PIASCIK, MARK A	BOAT RENTAL		ACH	200.00



# AP Disbursement Report

Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
6528	12/22/2020	PINNACLE PETROLEUM, INC	UNLEADED & DIESEL FUEL		ACH	17,559.14
6529	12/22/2020	REGAN, CHARLES C. INC	PAVING SERVICE		ACH	10,234.00
6530	12/22/2020	SOUTHERN CA FLEET SERVICES INC	FLEET MAINTENANCE		ACH	16,029.00
6531	12/22/2020	UNITED WATERWORKS, INC	WATERWORKS PARTS & SUPPLIES		ACH	3,510.23
6532	12/22/2020	VECTIS DC LLC	GOVERNMENT RELATIONS & FEDERAL LOBBYING SERVICES		ACH	5,000.00
6533	12/22/2020	WALLACE & ASSOCIATES	ON-CALL INSPECTION SERVICES		ACH	7,758.50
6534	12/22/2020	WATER ONE	MONTHLY WATER TREATMENT SERVICE		ACH	325.00
6535	12/22/2020	WATERWISE CONSULTING INC	RESIDENTIAL EVALUATION PROGRAM - NOV 2020		ACH	1,375.00
6536	12/22/2020	WESTERN MUNICIPAL WATER DIST	WATER USAGE		ACH	104,546.83
245485	12/22/2020	AIRGAS USA, LLC	CYLINDER RENTAL		CHECK	105.80
245486	12/22/2020	AMERICAN CONSERVATION & BILLING	AQUAHAWK STANDARD		CHECK	4,563.00
245487	12/22/2020	AMERIGAS TEMECULA	PROPANE		CHECK	463.89
245488	12/22/2020	CALIFORNIA HIGHWAY PATROL	POLICE REPORT		CHECK	10.00
245489	12/22/2020	CALIFORNIA NEWSPAPERS PARTNERS	ADVERTISEMENT		CHECK	322.40
245490	12/22/2020	CENTRAL COMMUNICATIONS	ANSWERING SERVICE		CHECK	536.00
245491	12/22/2020	CITY OF MURRIETA	PERMIT		CHECK	155.00
245492	12/22/2020	CORE & MAIN, LP	INVENTORY SUPPLIES		CHECK	75.43
245493	12/22/2020	CORETEX USA INC	AIR TRAX VEHICLE SERVICE		CHECK	2,496.90
245494	12/22/2020	CR AND R INCORPORATED	RUBBISH SERVICE		CHECK	5,195.05
245495	12/22/2020	DAVID TAUSSIG AND ASSOCIATES, INC	STRATA HORIZONS CFD FORMATION		CHECK	12,467.55
245496	12/22/2020	DUDEK AND ASSOCIATES INC	ANNUAL DAM INSPECTIONS		CHECK	4,610.00
245497	12/22/2020	EASTERN MUNICIPAL WATER DIST	TEMESCAL SALT & NUTRIENT MONITORING PROJECT		CHECK	1,136.52
245498	12/22/2020	G.M. SAGER CONSTRUCTION CO.	ASPHALT PAVING		CHECK	4,462.50
245499	12/22/2020	GAGE CANAL CO INC	STATEMENT OF ACCOUNT FOR YEAR ENDING 09/30/20		CHECK	165,615.07
245500	12/22/2020	GEOSCIENCE	HYDROGEOLOGY ON-CALL SUPPORT SERVICES		CHECK	2,712.00
245501	12/22/2020	IB CONSULTING, LLC	WATER & WASTEWATER RATE STYDY		CHECK	1,170.00
245502	12/22/2020	JIG CONSULTANTS	RELOCATION OF WATERLINE ON HIGHWAY 74		CHECK	5,175.00
245503	12/22/2020	MUNICIPAL DIVING SERVICES	WARRANTY INSPECTION		CHECK	2,550.00
245504	12/22/2020	NSWC MECHANICAL SERVICE LLC.	BOILER INSPECTION		CHECK	1,889.00
245505	12/22/2020	PACIFIC PIPELINE SUPPLY	PIPELINE MATERIALS		CHECK	4,871.70
245506	12/22/2020	PROJECT PARTNERS	WW OPERATIONS MGMT SUPPORT SERVICES		CHECK	10,230.00
245507	12/22/2020	PSOMAS	PECK & CHESTNUT ST SANITARY SEWER REPLACEMENT		CHECK	9,180.00
245508	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245509	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245510	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00



# AP Disbursement Report

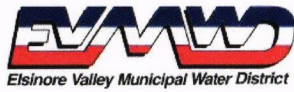
Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
245511	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245512	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245513	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245514	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245515	12/22/2020	RIVERSIDE COUNTY SHERIFF'S OFF	POLICE REPORT		CHECK	13.00
245517	12/22/2020	SOUTH COAST A Q M D	PERMITS		CHECK	2,229.68
245518	12/22/2020	SOUTH COAST WATER	SOFTENER		CHECK	1,394.00
245519	12/22/2020	SPRINT SPECTRUM L.P.	PHONE INVOICE		CHECK	254.19
245520	12/22/2020	UNITED PARCEL SERVICE	DELIVERY SERVICE		CHECK	41.69
245521	12/22/2020	UNIVERSAL WASTE SYSTEMS INC	SLUDGE HAULING		CHECK	9,840.00
245522	12/22/2020	WATER SYSTEMS CONSULTING, INC.	WATER MODEL UPDATE & ON-CALL SERVICES		CHECK	3,331.25
245523	12/22/2020	WATER WORKS ENGINEERS	RAILROAD CANYON WRP SCADA INSTALLATION		CHECK	3,425.70

## REFUNDS/REBATES

245405	12/03/2020	MALISSA RODRIGUEZ	CUSTOMER REFUNDS		CHECK	72.90
245406	12/03/2020	JAMES WHEAT	CUSTOMER REFUNDS		CHECK	162.21
245407	12/03/2020	ADOLFO SILVA	CUSTOMER REFUNDS		CHECK	77.46
245408	12/03/2020	ALICIA ORTIZ	CUSTOMER REFUNDS		CHECK	140.10
245409	12/03/2020	JANE SARVER	CUSTOMER REFUNDS		CHECK	103.89
245410	12/03/2020	RICHARD MUGICA	CUSTOMER REFUNDS		CHECK	35.67
245411	12/03/2020	CHANGUO SUN	CUSTOMER REFUNDS		CHECK	138.27
245412	12/03/2020	STEVEN COHEN	CUSTOMER REFUNDS		CHECK	144.61
245413	12/03/2020	SARA MARTINEZ	CUSTOMER REFUNDS		CHECK	184.04
245414	12/03/2020	ELISSA HELBERG	CUSTOMER REFUNDS		CHECK	98.02
245415	12/03/2020	ANDRA HANSEN	CUSTOMER REFUNDS		CHECK	1,431.88
245416	12/03/2020	DANIEL ODU	CUSTOMER REFUNDS		CHECK	468.81
245417	12/03/2020	DIWATA CUA	CUSTOMER REFUNDS		CHECK	47.86
245418	12/03/2020	ABDUL TAUFIQ	CUSTOMER REFUNDS		CHECK	88.70
245419	12/03/2020	OFELIA OGREN	CUSTOMER REFUNDS		CHECK	184.93
245420	12/03/2020	ACCESS ASSET MANAGEMENT INC	CUSTOMER REFUNDS		CHECK	62.74
245421	12/03/2020	DARLYNE OWENS	CUSTOMER REFUNDS		CHECK	22.00
245422	12/03/2020	MAHA LAYYOUS	CUSTOMER REFUNDS		CHECK	64.42
245423	12/03/2020	FERN CARRASQUILLO	CUSTOMER REFUNDS		CHECK	38.10
245424	12/03/2020	SANDRA STERLING	CUSTOMER REFUNDS		CHECK	53.98
245425	12/03/2020	GREGORIO MANZO	CUSTOMER REFUNDS		CHECK	23.25





# AP Disbursement Report

Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
245426	12/03/2020	MICHAEL REYNOLDS	CUSTOMER REFUNDS		CHECK	171.95
245429	12/03/2020	GERALDINE LUNDBERG TAYLOR	CUSTOMER REFUNDS		CHECK	115.52
245430	12/03/2020	CHARLES STEWART	REBATES		CHECK	175.00
245431	12/03/2020	GREG MOBLEY	REBATES		CHECK	175.00
245444	12/10/2020	SEAN BROOKS	CUSTOMER REFUNDS		CHECK	189.36
245445	12/10/2020	ARIANNA SALCEDO	CUSTOMER REFUNDS		CHECK	149.79
245446	12/10/2020	MEGAN HADDEN	CUSTOMER REFUNDS		CHECK	128.51
245447	12/10/2020	MIAORU XU	CUSTOMER REFUNDS		CHECK	163.01
245448	12/10/2020	ARAS HOMES	CUSTOMER REFUNDS		CHECK	1,057.10
245449	12/10/2020	CASEY ELLIOTT	CUSTOMER REFUNDS		CHECK	23.58
245450	12/10/2020	YUE ZHANG	CUSTOMER REFUNDS		CHECK	64.02
245451	12/10/2020	LASHEL TRIGG	CUSTOMER REFUNDS		CHECK	21.18
245452	12/10/2020	WILDOMAR RANCHES	CUSTOMER REFUNDS		CHECK	20,331.91
245453	12/10/2020	DIANNA CUMPIAN	CUSTOMER REFUNDS		CHECK	348.24
245454	12/10/2020	SHARA PHILLIPS	CUSTOMER REFUNDS		CHECK	23.40
245455	12/10/2020	JILL JOHNSON	CUSTOMER REFUNDS		CHECK	117.42
245456	12/10/2020	BEAZER HOMES	CUSTOMER REFUNDS		CHECK	57.54
245457	12/10/2020	STEPHANIE BILLIONS	CUSTOMER REFUNDS		CHECK	64.46
245458	12/10/2020	THOMAS WERNER	CUSTOMER REFUNDS		CHECK	85.55
245459	12/10/2020	LEAH ANDERSON	CUSTOMER REFUNDS		CHECK	209.93
245460	12/10/2020	MICHAEL FOSTER	CUSTOMER REFUNDS		CHECK	99.43
245461	12/10/2020	PACIFIC CASTLE LAKE ELSINORE PARTNERS	CUSTOMER REFUNDS		CHECK	414.91
245462	12/10/2020	JESSICA GARCIA	CUSTOMER REFUNDS		CHECK	84.40
245463	12/10/2020	JEFFREY HARRIS	CUSTOMER REFUNDS		CHECK	29.48
245475	12/10/2020	FRED SPAAN	REBATES		CHECK	175.00

## VIRTUAL PAYMENT PROGRAM

108	12/10/2020	BEST BEST AND KRIEGER	LEGAL SERVICES	DUE 12/30/2020	CHECK	57,045.47
109	12/10/2020	BENDER	GEAR BOX REPAIR	DUE 12/12/2020	CHECK	15,355.35
110	12/22/2020	UNDERGROUND SERVICE ALERT	UNDERGROUND UTILITY ALERT		CHECK	835.30
111	12/22/2020	APPLE ONE INC	TEMPORARY PERSONNEL		CHECK	5,810.11
112	12/22/2020	CALIFORNIA HAZARDOUS SERVICES	HAZARDOUS SERVICES		CHECK	1,140.00
113	12/22/2020	AMERICAN MATERIAL CO	BUILDING, ELECTRICAL & SMALL TOOLS		CHECK	2,505.08
114	12/22/2020	STEP SAVER, INC.	COURSE SALT		CHECK	1,111.10




Print Date: 12/15/2020

# AP Disbursement Report

Cash Disbursements for 12/02/2020 through 12/22/2020

Check or Reference #	Payment Date	Paid to Vendor	Payment Description	Interim Justification	Pmt Type	Payment Amount
115	12/22/2020	BACKFLOW SOLUTIONS INC.	QUARTERLY EVMWD BACKFLOW DATA		CHECK	13,294.29
116	12/22/2020	BENDER	WIRE WHEEL OUTSIDE OF GEARBOX AND RE-COAT		CHECK	1,711.91
117	12/22/2020	ALVAREZ ENTERPRISE SERVICE	JANITORIAL SERVICE		CHECK	5,534.00
118	12/22/2020	ICONIX WATERWORKS (US) INC	WATERWORKS SUPPLIES		CHECK	10,329.10
119	12/22/2020	AMERICAN CASTING & MFG CORP	PULL UP CABLE LOCK		CHECK	2,927.82
120	12/22/2020	ANIMAL PEST MANAGEMENT SERVICES INC	PEST CONTROL		CHECK	355.00

Reviewed By:   
Date: 12/15/2020



**Elsinore Valley Municipal Water District**

*Our Mission...*

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

---

DATE: December 22, 2020

TO: Board of Directors

FROM: General Manager

**SUBJECT: APPROVAL OF PUBLICATION FOR PUBLIC NOTICE OF ACCUMULATED UNCLAIMED MONIES FOR THE PURPOSE OF TRANSFERRING UNCLAIMED MONIES TO THE DISTRICT GENERAL FUND**

**STRATEGIC GOAL**

Financial Management

**RECOMMENDATION**

The General Manager and staff recommend that the Board of Directors:

1. Approve publication for public notice of accumulated unclaimed monies for calendar year 2017 in the amount of \$6,055.69;
2. Authorize the use of unclaimed customer refunds for community support programs, and the use of unclaimed developer inspection fee refunds and standby fee refunds for the Engineering Fund; and,
3. Authorize the General Manager to execute the appropriate documents on behalf of EVMWD.

**BACKGROUND**

Government Code Sections 50050-50056 allow the District to make unclaimed monies available for general use and specifies that they must have remained unclaimed on the District's books for a period of three years or more. It has been the District's practice to follow these Government Code sections and staff is planning to remove unclaimed monies for the 2017 calendar year.

Attached for review (Attachment A) is a list of individuals and business entities to whom the District has unclaimed amounts owing, un-cashed checks, or monies on the books totaling \$6,055.69 for calendar year 2017 that have remained outstanding. The District

has accumulated these monies as a result of refunds relating to closed water accounts, developer inspection fees, and standby fees. These monies remain unclaimed due to being returned undeliverable with no forwarding address, companies closing or filing bankruptcies, or for various other reasons. Staff has performed their due diligence to reissue these unclaimed checks to a valid address by comparing the existing address with current databases and Google searches.

Unclaimed funds outstanding more than one year from their issue date have also been placed on the Districts website for public viewing at [www.evmwd.com](http://www.evmwd.com). Unclaimed funds can be claimed by qualified individuals at any time online, in person, or by mail.

The government code also specifies that before a transfer to the general fund can take place, the Board of Directors must authorize the transfer and appropriate notice must be given in a local newspaper. Upon authorization from the Board, staff will fulfill the public notice requirement and claimants will have 45 days from the first publication date to file a verifiable claim. All claims submitted will be reviewed and verified by staff. The first publication date is scheduled for Sunday, December 27, 2020.

After 45 days from the first publication date, the District will transfer any unclaimed monies as follows:

The potential transfer of unclaimed funds for 2017 is \$6,055.69:

- \$5,505.19 related to Customer Service Refunds
- \$550.50 related to Inspection and Standby Fee Refunds

For information purposes, unclaimed monies for calendar years 2018 and 2019 currently total \$21,932.23.

Unclaimed monies for calendar year 2018 are \$10,390.79:

- \$9,615.06 related to Customer Service Refunds
- \$775.73 related to Planning Fee Refunds

Unclaimed monies for calendar year 2019 are \$11,541.44:

- \$11,541.44 related to Customer Service Refunds

The final amounts to be transferred are undetermined at this time.

## **ENVIRONMENTAL WORK STATUS**

None.

**FISCAL IMPACT**

Within Budget - Not Applicable

Originated by: Teri Cardoza – Finance

Reviewed by: Scott Thompson – Finance

Attachments:

Notice of Disposition of Accumulated Unclaimed Deposits EVMWD  
Detail of Unclaimed Funds dated December 22, 2020 - Attachment A

**NOTICE OF DISPOSITION  
OF ACCUMULATED  
UNCLAIMED MONIES  
ELSINORE VALLEY MUNICIPAL WATER DISTRICT**

The Elsinore Valley Municipal Water District has accumulated on its books unclaimed monies in the amount of \$6,055.69, which has remained unclaimed for at least three years. In accordance with Government Code Sections 50050-50056, the District proposes to transfer these funds from the unclaimed monies accounts to the general use portion of the General Fund. This transfer will take place on February 10, 2021.

Any claimant, as person, heir, beneficiary or duly-appointed representative who can substantiate a claim upon any portion of these funds must submit a claim online, in person or by mail to the Elsinore Valley Municipal Water District before the above mentioned date. The claim must include the claimant's name, address, amount of claim, and the grounds on which the claim is founded. Each claim will be reviewed and verified by the District prior to release of unclaimed funds.

Written claims should be addressed to: Elsinore Valley Municipal Water District, Attention: Accounting Manager, P.O. Box 3000, Lake Elsinore, CA 92531.

TO BE PUBLISHED: December 27, 2020 and January 3, 2021.

<u>PAYEE NAME</u>	<u>CHECK AMT</u>
1ST AMERICAN	62.64
1ST AMERICAN	94.99
2012-B PROPERTY HOLDINGS LLC	77.09
ALBERTO PIZARRO	59.92
ANDREA BAKER	31.02
ANNA BOLTON	44.71
B E LAMBERT	109.82
BARBARA HODGES	20.78
BELIA HERNANDEZ	11.80
BRIAN HENDERSON	106.68
BRITTANY PFOHLMAN	111.35
C A/ BETTY MCKEEHAN	38.45
CAMDEN OPPORTUNITY FUND WF	382.94
CARISSA MARIE DUDEVOIR	38.42
CELESTE OLAZABA	109.94
CHRISTOPHER MARKS	50.96

<u>PAYEE NAME</u>	<u>CHECK AMT</u>
CINDY COPE	14.41
CORONA INV MPPP C/O STEVEN CUEVAS	72.53
CRYSTAL HUICHAN	130.64
DEBORAH RHODEN	145.57
DEBRA WHITNEY	152.53
DELLA FAYE LAKE	15.40
DENNELLE FINLEY	124.52
ELLIS, KIMBERLY	95.51
ELSINORE HOMES	350.46
ENRIQUE PEREZ	126.30
ERIC LIVELY	71.58
ERIC S WHITCOMB	44.01
ESQUIVEL, DIEGO	25.80
ESTATE OF MARIA RIVERA	58.42
FRANK ROBLES	92.53
FRANK VILLARREAL	19.20
GEORGE LEWIS	18.16
GREGORIO VISCARRA HARRIS	22.89
JENNIFER BACON	73.44
JESSICA FOTIS	148.39
JOAQUIN GARCIA	50.69
JODIE CROSBY	14.20
JUAN RAMIREZ	80.34
JUDY BLOOD	15.48
JULIA COTA	30.29
JUSTIN YBARRA	92.22
KAY FILKO	87.09
LAURA VALLEJO	133.20
LESLIE DAVIS	127.51
LUIS LIMA	172.03
LUJAN, FRANKLIN	13.05
MARK FERRASCI	18.27
MARK NOBLE	16.09
MARRY BERRY	65.41
MARTHA RIOS	118.05
MARTHA STOWE	64.98
MAXIMIANA LOPEZ VIDAL	40.57
NATALIE BARROWS	202.64
PHYLLIS CARRANZA	62.75
RACHEL BADRAUN	116.57
RACHEL BYERS	13.25
RAMON CASTANEDA	163.40
ROBERT BRAVO	99.31

<u>PAYEE NAME</u>	<u>CHECK AMT</u>
ROWENA QUERIMIT	47.45
SAFETY RAILS OF CALIFORNIA, INC	14.92
SHANA ROTHERMEL	91.93
SHAWN MILLER	51.83
SILVERBAY PROPERTY CORP	77.86
SMITH, BRIAN	28.92
SMOKE SHOP	10.11
STEPHANIE MCMASTER	75.51
STEVE ROUPE	83.14
STEVE ROUPE	166.86
SYLVIA GOMEZ	65.16
TERRY CLAYTON	56.14
TERRY RAPOSA	63.40
THUY TRAN	57.49
TODAY'S DECOR	47.35
URBAN DECOR	29.73
WEI ZHANG	51.34
YOLANDA ELIAS	51.04
YOLANDA HOYOS	17.06
ROWENA QUERIMIT	47.45
<b>TOTAL UNCLAIMED FUNDS:</b>	<b>\$ 6,055.69</b>



## ELSINORE VALLEY MUNICIPAL WATER DISTRICT

## DETAIL OF UNCLAIMED FUNDS FOR 2017

AS OF DECEMBER 22, 2020

<u>CHECK #</u>	<u>PAYEE NAME</u>	<u>CHECK DATE</u>	<u>CHECK AMOUNT</u>
<b>Customer Refunds</b>			
231874	SILVERBAY PROPERTY CORP	01/12/2017	77.86
231971	1ST AMERICAN	01/19/2017	62.64
232154	SYLVIA GOMEZ	02/02/2017	65.16
232191	MARK NOBLE	02/09/2017	16.09
232334	SHAWN MILLER	02/16/2017	51.83
232348	DELLA FAYE LAKE	02/23/2017	15.40
232463	JESSICA FOTIS	03/02/2017	148.39
232487	ANNA BOLTON	03/09/2017	44.71
232490	BELIA HERNANDEZ	03/09/2017	11.80
232494	CARISSA MARIE DUDEVOIR	03/09/2017	38.42
232526	MARRY BERRY	03/09/2017	65.41
232547	WEI ZHANG	03/09/2017	51.34
232658	CHRISTOPHER MARKS	03/16/2017	50.96
232661	DENNELLE FINLEY	03/16/2017	124.52
232720	RAMON CASTANEDA	03/23/2017	163.40
232746	JUAN RAMIREZ	03/30/2017	80.34
232913	ROWENA QUERIMIT	04/06/2017	47.45
232942	CHRISTOPHER MENDES	04/13/2017	17.26
232950	ERIC LIVELY	04/13/2017	71.58

<u>CHECK #</u>	<u>PAYEE NAME</u>	<u>CHECK DATE</u>	<u>CHECK AMOUNT</u>
<b>Customer Refunds</b>			
232963	PHYLLIS CARRANZA	04/13/2017	62.75
232971	STEVE ROUPE	04/13/2017	83.14
232975	URBAN DECOR	04/13/2017	29.73
233140	SHANA ROTHERMEL	04/27/2017	91.93
233141	STEVE ROUPE	04/27/2017	166.86
233241	ENRIQUE PEREZ	05/04/2017	126.30
233254	MARTHA RIOS	05/04/2017	118.05
233277	1ST AMERICAN	05/11/2017	94.99
233297	JUDY BLOOD	05/11/2017	15.48
233426	FRANK VILLARREAL	05/18/2017	19.20
233434	KAY FILKO	05/18/2017	87.09
233475	RACHEL BYERS	05/25/2017	13.25
233555	C A/ BETTY MCKEEHAN	06/01/2017	38.45
233603	ROBERT BRAVO	06/08/2017	99.31
233740	2012-B PROPERTY HOLDINGS LLC	06/20/2017	77.09
233741	ALBERTO PIZARRO	06/20/2017	59.92
233744	CAMDEN OPPORTUNITY FUND WF	06/20/2017	382.94
233747	CINDY COPE	06/20/2017	14.41
233762	JENNIFER BACON	06/20/2017	73.44
233763	JODIE CROSBY	06/20/2017	14.20
233765	JULIA COTA	06/20/2017	30.29
233767	MAXIMIANA LOPEZ VIDAL	06/20/2017	40.57
233777	YOLANDA HOYOS	06/20/2017	17.06
233780	B E LAMBERT	06/22/2017	109.82

<u>CHECK #</u>	<u>PAYEE NAME</u>	<u>CHECK DATE</u>	<u>CHECK AMOUNT</u>
<b>Customer Refunds</b>			
233840	ERIC S WHITCOMB	06/29/2017	44.01
233841	FRANK ROBLES	06/29/2017	92.53
233955	MARK FERRASCI	07/13/2017	18.27
233984	ANDREA BAKER	07/13/2017	31.02
234077	CRYSTAL HUICHAN	07/20/2017	130.64
234227	STEPHANIE MCMASTER	08/03/2017	75.51
234231	GEORGE LEWIS	08/03/2017	18.16
234415	MARTHA STOWE	08/31/2017	64.98
234417	GREGORIO VISCARRA HARRIS	08/31/2017	22.89
234422	LUIS LIMA	08/31/2017	172.03
234440	CELESTE OLAZABA	08/31/2017	109.94
234577	RACHEL BADRAUN	09/14/2017	116.57
234713	BRITTANY PFOHLMAN	09/28/2017	111.35
234714	DEBORAH RHODEN	09/28/2017	145.57
234846	BARBARA HODGES	10/05/2017	20.78
234873	YOLANDA ELIAS	10/12/2017	51.04
234886	JOAQUIN GARCIA	10/12/2017	50.69
234977	TODAY'S DECOR	10/19/2017	47.35
234997	DEBRA WHITNEY	10/19/2017	152.53
235121	BRIAN HENDERSON	11/02/2017	106.68
235148	LAURA VALLEJO	11/09/2017	133.20
235336	JUSTIN YBARRA	11/30/2017	92.22
235342	THUY TRAN	11/30/2017	57.49
235450	NATALIE BARROWS	12/07/2017	202.64

<u>CHECK #</u>	<u>PAYEE NAME</u>	<u>CHECK DATE</u>	<u>CHECK AMOUNT</u>
<b>Customer Refunds</b>			
235493	SAFETY RAILS OF CALIFORNIA, INC	12/14/2017	14.92
235498	TERRY RAPOSA	12/14/2017	63.40
235387	ELLIS, KIMBERLY	12/14/2017	95.51
235388	ESQUIVEL, DIEGO	12/14/2017	25.80
235411	LUJAN, FRANKLIN	12/14/2017	13.05
235428	SMITH, BRIAN	12/14/2017	28.92
235614	SMOKE SHOP	12/21/2017	10.11
235643	TERRY CLAYTON	12/28/2017	56.14
237122	ESTATE OF MARIA RIVERA	05/17/2018	58.42
<b>TOTAL CUSTOMER REFUNDS</b>			<b>5,505.19</b>
<b>Inspection and Standby Fee Refunds</b>			
233748	CORONA INV MPPP C/O STEVEN CUEVAS	06/20/2017	72.53
233750	LESLIE DAVIS	06/20/2017	127.51
233756	ELSINORE HOMES	06/20/2017	350.46
<b>TOTAL INSPECTION AND SPANDBY FEE REFUNDS</b>			<b>550.50</b>
<b>TOTAL UNCLAIMED FUNDS</b>			<b>\$ 6,055.69</b>



**Elsinore Valley Municipal Water District**

*Our Mission...*

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

---

DATE: December 22, 2020

TO: Board of Directors

FROM: General Manager

**SUBJECT: CUSTOMER ESCALATION - BRANDON MACNIDER APPEAL**

**STRATEGIC GOAL**

Financial Management

**RECOMMENDATION**

The General Manager and staff recommend that the Board of Directors hear Mr. MacNider's appeal and evidence; as well as evidence provided by staff. Staff is requesting that the Board make a decision regarding the denial or approval of Mr. MacNider's appeal based on the evidence.

**BACKGROUND**

Mr. Brandon MacNider is a current Elsinore Valley Municipal Water District (EVMWD) customer and resides at 31927 Manzanita Lane in Lake Elsinore. He is disputing past due charges that were originally billed in 2010 in his name at 23726 Pinnie Circle. Following the General Manager's denial of claim on 1 December 2020 (see Attachment A, pages A1 through A16) and in accordance with District Admin Code Section 2200, Mr. MacNider is formally requesting this matter be escalated/appealed to the EVMWD Board of Directors for consideration.

On September 20, 2010, during normal monthly meter reading, the meter located at 23726 Pinnie Circle was locked off and a \$150 fine was issued due to water usage without the proper application of service. After the meter was locked off, Mr. MacNider contacted the District to start service in his name. During the initial conversation with the Customer Service Representative (CSR), Mr. MacNider indicated that he had been living at the property for two years and believed the owner was paying the bills. The CSR explained we would need to see a copy of the lease agreement for the property in order to start services in Mr. MacNider's name.

On September 23, 2010, District staff found the lock on the meter had been cut and water had been inappropriately used. As a result, the meter was pulled and a fine for a cut lock was left at the property.

On September 24, 2010, the issue was escalated to the Customer Service Supervisor, Christina Henry, who explained to Mr. MacNider that he would need to pay the multiple fines that had been added to the account for illegal water use and cut locks. She explained that because the account had not been properly activated in the last two years and in previous conversations with staff Mr. MacNider stated that he had been residing at the property that long, he would be responsible for the back billed amount equal to one year of water usage as per District's Administrative Code. Payment in the amount of \$625.00 was made on that day and Ms. Henry agreed to have the meter reinstalled. She instructed Mr. MacNider to call back once the first bill was received to make payment arrangements on the entire balance.

On November 19, 2010, Mr. MacNider came into District Headquarters and met with Ms. Henry. He agreed to payment arrangements for the total amount due on the account of \$1,675.03. Mr. MacNider made an initial payment of \$279.17 and agreed to make 5 additional payments of \$279.17 along with the current bill amounts for the next 5 months. On December 21, 2010, customer service staff contacted Mr. MacNider as a courtesy to remind him of the next payment arrangement installment which was due that day. Mr. MacNider told the CSR that he wasn't sure how he was going to pay since he needed to wire money to his wife. Payment was not made as promised and the meter was locked off for nonpayment. On January 3, 2011, the account was closed for non-payment as no other payments were made towards the account.

On December 6, 2019, Mr. MacNider called into Customer Service to start service at 31927 Manzanita Lane in Lake Elsinore. When his information was entered in the billing system, the unpaid balance from 23726 Pinnie Circle appeared. As per District policy, the CSR explained that prior to starting service in his name, the unpaid/past due balances needed to be paid including the required \$250 deposit. At that time, Mr. MacNider escalated the matter to the Community Relations Manager, Christina Henry. Mr. MacNider stated that the balance owed was not his and said that he never lived at the Pinnie Circle address for 2 years. Ms. Henry explained that she was the Supervisor when the issue occurred almost 10 years ago and she remembered the events clearly, as they were documented in the notes.

Mr. MacNider came into District Headquarters later that morning and asked to speak to Ms. Henry's supervisor. Ms. Henry and Robert Hartwig, the Assistant General Manager who is also Ms. Henry's direct Supervisor, spoke to Mr. MacNider in the lobby. Mr. Hartwig explained that the notes on the account were very detailed and consistent. He also explained that staff would have no reason to make up information as it pertained to

the account in question. Mr. MacNider asked about escalating the issue to the Board of Directors. Mr. Hartwig explained the next board meeting was on December 12, 2019, however, he would not allow the service to start at the Manzanita Lane address while Mr. MacNider waited to appeal to the Board. He explained that the balance would need to be paid in full or we could negotiate arrangements. The total amount due including past due water and sewer charges (\$1,355.44), interest (\$1187.59), fees (\$10.00) was \$2,553.03.

During the conversation, Mr. MacNider asked Mr. Hartwig what he could do “to make this go away.” Mr. Hartwig graciously agreed to reduce the interest charged from annual rate of 10% to an annual rate of 3%, reducing the charges over \$700. This resulted in a new balance due of \$1,972.61 which included past due water and sewer charges (\$1,355.44), revised interest charges (\$357.17), fees (\$10.00) and the required deposit (\$250.00). Mr. MacNider paid \$500 that day and agreed to pay \$245.44 plus the current bill for the next 6 months. A copy of the signed payment arrangement agreement detailing the amounts and due dates has been included as Attachment A, page A-7. Please note, the past due balance of \$1,922.61 noted in the attached appeal response letter (Attachment A, page A-2) is incorrect. The correct amount is \$1,972.61 and that amount was paid in its entirety on May 20, 2020.

The District was officially served with an order to appear in Small Claims court on February 11, 2020 after Mr. MacNider filed a claim regarding the unpaid balance. On March 2, 2020, Mr. Hartwig and Ms. Henry appeared in court regarding this claim. Mediation was unsuccessful, and the judge heard the case. The judge stated that she would send her decision in writing. The attached ruling (Attachment A, pages A-4 through A-6) was received on March 5, 2020 and states that Mr. MacNider needed to follow the claims procedures of the District pursuant to Public Utilities Code Section 12830 and Government Code Section 945.

On November 11, 2020, seven months after the court decision, Mr. MacNider emailed EVMWD’s General Manager disputing the claim (Attachment B, page B-1 and B-2). This email served as his formal appeal to this issue. In his email to the General Manager, Mr. MacNider claimed that the judge ruled in his favor. In reviewing the attached ruling, at no time did the judge rule in Mr. MacNider’s favor. In the same email, Mr. MacNider’s stated that he rented a room at the Pinnie Circle property and only resided at the property for two months. He believed the past due bill was a result of identity theft. Mr. MacNider failed to provide any documentation supporting either statement.

The General Manager reviewed District records and any information provided by claimant in response to Mr. MacNider’s claim. After careful review, the General Manager denied Mr. MacNider’s claim. The denial letter along with the supporting

documentation was emailed to Mr. MacNider on December 1, 2020, as well as informing Mr. MacNider he had 5 days to appeal this decision to the Board of Directors. A hard copy of the documents were also mailed to Mr. MacNider at the Manzanita Lane address. (See Attachment A, pages A-1 through A-16).

Mr. MacNider emailed Terese Quintanar, the EVMWD Board Secretary on December 9, 2020, asking for his formal appeal to be heard by the Board of Directors. In that email Mr. MacNider stated that he did not reside at the Pinnie Circle property. This statement contradicts what was stated in the email to the General Manager on November 12, 2020 where Mr. MacNider stated that he lived at the property for only 2 months and also contradicts Mr. MacNider's original statement that he made to the CSR when he originally called to start service on September 10, 2010. He sent a subsequent email on December 10, 2020 stating that he felt the process was purposely being dragged out and that a customer dispute had never in the history of the District been heard during a Board meeting. Mr. MacNider sent a follow-up email on December 10, 2020, where he stated he will be filing another claim in small claims court regardless of the outcome of the formal appeal to the Board, which is contrary to the judge's order of March 5, 2020. The emails are included in chronological order as Attachments B, pages B-6 through B-8 for reference.

District policy states that if at any time a customer leaves an unpaid balance on an account, to start service again, the customer must pay the entire balance owing including interest, fees, and the required deposit. In good faith, staff worked with Mr. MacNider on numerous occasions by negotiating fair payment arrangements, reaching out to Mr. MacNider as a courtesy to remind him of due dates as well as reducing the total interest amount owed and reaching a mutually agreed upon resolution. During the entire process, Mr. MacNider failed to follow procedures or provide information to substantiate his claims.

After careful review of District documentation and the events as they occurred it is staff's recommendation that the Board deny Mr. MacNider's appeal.

## **ENVIRONMENTAL WORK STATUS**

Not applicable



## **FISCAL IMPACT**

Revenues would be reduced between \$-0- to \$1,722.61 depending on the Board's decision. Any decision reducing the amount that was paid would result in a refund to Mr. MacNider.

Originated by: Christina N. Henry – Community Relations Manager  
Reviewed by: – Robert Hartwig – AGM/CFO

Attachments:

B. MacNider Appeal Attachments

# Attachment: A

**Board of Directors**  
 Andy Morris, President  
 Phil Williams, Vice President  
 Darcy M. Burke, Treasurer  
 Harvey R. Ryan, Director  
 Jared K. McBride, Director



**General Manager**  
 Greg Thomas  
**District Secretary**  
 Terese Quintanar  
**Legal Counsel**  
 Best Best & Krieger

EVMWD will provide reliable, cost-effective, high quality water and wastewater services that are dedicated to the people we serve.

---

December 1, 2020

Via Email: [advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)

Dear Mr. MacNider:

Thank you for your email disputing the charges billed to you in 2010 for the property located at 23726 Pinnie Circle in Murrieta (email attached for reference). To this end, I'd like to review the sequence of events that occurred with regards to this account. A copy of the billing system notes is also attached to this email for your reference, as well as other correspondence related to your request.

On September 20, 2010, during normal monthly meter reading, the meter at the above referenced property was locked off and a \$150 fine was issued due to water usage without the proper application of service. After the meter was locked off, you contacted the District to start service in your name. During your initial conversation with the Customer Service Representative (CSR), you indicated that you had been living at the property for two years and believed the owner was paying the bills. The CSR explained we would need to see a copy of the lease agreement for the property in order to start services in your name.

On September 23, 2010, District staff found the lock on the meter had been cut and water had been inappropriately used. As a result, the meter was pulled and a fine for a cut lock was left at the property.

On September 24, 2010, the issue was escalated to the Customer Service Supervisor, Christina Henry, who explained that you would need to pay the fines that had been added to the account for illegal water use and cut locks. She explained that because the account had not be activated in the last two years and you stated you had been residing at the property that long, you would be responsible for the back billed amount equal to one year of water usage as per the District's Administrative Code. Payment in the amount of \$625.00 was made on that day and Ms. Henry agreed to have the meter reinstalled. She instructed you to call back once the first bill was received to make payment arrangements on the entire balance.

On November 19, 2010, you came into District Headquarters and met with Ms. Henry. You agreed to payment arrangements for the total amount due on the account of \$1,675.03. You made an initial payment of \$279.17 and agreed to make 5 additional payments of \$279.17 along with the current bill amounts for the next 5 months. On December 21, 2010, customer service staff contacted you as a courtesy to remind you

of your next payment arrangement installment which was due that day. You told the CSR that you weren't sure how you were going to pay since you needed to wire money to your wife. Payment was not made as promised and the meter was locked off for nonpayment. On January 3, 2011, the account was closed for non-payment as no other payments were made towards the account.

On December 6, 2019, you called into Customer Service to start service at 31927 Manzanita Lane in Lake Elsinore. When your information was entered in the billing system, the unpaid balance from 23726 Pinnie Circle appeared. As per District policy, the CSR explained that prior to starting service in your name, the unpaid balances needed to be paid including the required \$250 deposit. At that time, you escalated the matter to the Community Relations Manager, Christina Henry. You stated that the balance owed was not yours and said that you never lived at the Pinnie Circle address for 2 years. Ms. Henry explained that she was the Supervisor when the issue occurred almost 10 years ago and she remembered the events clearly, as they were documented in the notes.

You came into District Headquarters later that morning and asked to speak to Ms. Henry's supervisor. Ms. Henry and Robert Hartwig, the Assistant General Manager who is also Ms. Henry's direct Supervisor, came out to speak to you. He explained that the notes on the account were very detailed and consistent. He also explained that staff would have no reason to make up information as it pertained to the account in question. You asked about escalating the issue to the Board of Directors. Mr. Hartwig explained the next board meeting was on December 12, 2019, however, he would not allow the service to start at the Manzanita Lane address while you waited to appeal to the Board. He explained that the balance would need to be paid in full or we could negotiate arrangements. The total amount due including interest, fees and deposit was \$2,553.03.

During the conversation, you asked Mr. Hartwig what he could do "to make this go away." Mr. Hartwig graciously agreed to reduce the interest charged from annual rate of 10% to an annual rate of 3%, reducing the charges over \$600. This resulted in a new balance due of \$1,922.61 which included the required \$250 deposit. You paid \$500 that day and agreed to pay \$245.44 plus the current bill for the next 6 months. Attached you will find the payment arrangement agreement you signed detailing the amounts and due dates. The entire balance of \$1,922.61 was paid on May 20, 2020.

The District was officially served with an order to appear in Small Claims court on February 11, 2020. On March 2, 2020, Mr. Hartwig and Ms. Henry appeared in court regarding your claim. Mediation was unsuccessful, and the judge heard the case. The judge stated that she would send her decision in writing. The attached ruling was received on March 5, 2020 and states that you need to follow the claims procedures

MacNider  
December 1, 2020  
Page Number 3

---

of the District pursuant to Public Utilities Code Section 12830 and Government Code Section 945.4. At no time did the judge rule in your favor as you claim in your email.

In your claim you state that you only resided at the Pinnie Circle property for two months and believe the past due bill is a result of identity theft. Although you make this claim, you have not provided any documentation supporting either statement.

District policy states that if at any time a customer leaves an unpaid balance on an account, to start service again, the customer must pay the entire balance owing including interest, fees and the required deposit. In good faith, staff worked with you on numerous occasions by negotiating fair payment arrangements, reaching out to you as a courtesy to remind you of your due dates and reducing the total interest amount in hopes of coming to a mutually agreed upon resolution.

After careful review, your claim asking for a full refund of the billed amount is hereby denied. You have 5 days to appeal this decision to the Board of Directors. Please refer to Section 2200 of the EVMWD Administrative Code regarding the appeal process and next steps.

Sincerely,



Greg Thomas  
General Manager  
Elsinore Valley Municipal Water District

Enclosures:

20123 tq

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
 30755-D Auld Road, Ste. 1226  
 Murrieta, CA 92563  
 www.riverside.courts.ca.gov

## CLERK'S CERTIFICATE OF MAILING

BRANDON J MACNIDER

vs.

CASE NO. SWS1902646

ELSINORE VALLEY MUNICIPAL WATER DISTRICT

TO: ELSINORE VALLEY MUNICIPAL WATER DISTRICT  
 PO BOX 3000  
 LAKE ELSINORE CA 92531

I certify that I am currently employed by the Superior Court of California, County of Riverside and I am not a party to this action or proceeding. In my capacity, I am familiar with the practices and procedures used in connection with the mailing of correspondence. Such correspondence is deposited in the outgoing mail of the Superior Court. Outgoing mail is delivered to and mailed by the United States Postal Service, postage prepaid, the same day in the ordinary course of business. I certify that I served a copy of the attached Minute order RE: Dismissal on this date, by depositing said copy as stated above.

Court Executive Officer/Clerk

Dated: 03/02/20

by:

  
 PRISCILLA M KINKADE, Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE  
Superior Court of California

Minute Order/Judgment

CASE NO: SWS1902646    DATE: 03/02/20    DEPT:S102  
CASE NAME: MACNIDER VS ELSINORE VALLEY MUNICIPAL WATER  
CASE CATEGORY: Small Claims-Over \$1500/Under \$5000 (Southwest)

HEARING:    Small Claims Hearing - Southwest.

\*\*\*\*\*

Honorable Commissioner Candice Garcia-Rodrigo, Presiding

Clerk: P. Kinkade

Court Reporter: None

BRANDON J MACNIDER present-Pro Per (Small Claims).

ELSINORE VALLEY MUNICIPAL WATER DISTRICT represented by/in Robert  
Hartwig and Christina Henry

All parties in this proceeding are sworn.

All parties stipulate to Commissioner.

Parties and Mediator proceed to mediation.

Mediator advises no agreement reached.

At 2:47, the following proceedings were held:

Brandon MacNider sworn and examined.

Various documents received by the Court, considered and returned to  
offering party.

Robert Hartwig sworn and examined.

Various documents received by the Court, considered and returned to  
offering party.

Christina Henry sworn and examined.

Various documents received by the Court, considered and returned to  
offering party.

Small Claims action taken under submission

Court subsequently rules on matter taken under submission on 03/02/20.

Court makes the following findings:

Claim is not ripe, must follow claims procedure per Elsinore Valley Municipal Water District's policies pursuant to Public Utilities Code Section 12830 and Government Code Section 945.4.

Court finds good cause to dismiss entire action

Entire action dismissed.

Dismissal entered without prejudice.

Notice to be given by Clerk



District Copy

**ELSINORE VALLEY MUNICIPAL WATER DISTRICT  
PAYMENT ARRANGMENT AGREEMENT**

ONLY CASH, MONEY ORDER OR CREDIT/DEBIT CARD PAYMENTS ACCEPTED FOR  
ARRANGEMENTS MADE TO PREVENT INTERRUPTION OF SERVICE

Account Number: 0587620-025728 Customer: BRANDON MACNIDER  
Date & Time Processed: December 06, 2019 Cycle: 01A Route: 103

Payment Amt	Plus Current Bill?	Date Payment Due	Time	Or Service Interrupted...
500.00	NO	12/6/2019	12:00 PM	...Next Business Day, No Further Warning
245.44	YES	1/27/2020	12:00 PM	...Next Business Day, No Further Warning
245.44	YES	2/24/2020	12:00 PM	...Next Business Day, No Further Warning
245.44	YES	3/30/2020	12:00 PM	...Next Business Day, No Further Warning
245.44	YES	4/27/2020	12:00 PM	...Next Business Day, No Further Warning
245.44	YES	5/25/2020	12:00 PM	...Next Business Day, No Further Warning
245.41	YES	6/29/2020	12:00 PM	...Next Business Day, No Further Warning
			12:00 PM	...Next Business Day, No Further Warning

**If payment is not POSTED to the account by the agreed upon date and time, then no further notice will be given before service is interrupted. Additional fees and deposit may apply if service is interrupted.**

I acknowledge that I have been fully informed of all amounts due and the time and date that payments must be POSTED to my account. If payment is not made by the agreed upon due date and time, water service will be interrupted without further notification. I have been informed the District does not have any authorized payment stations and that payment for the above will be made at the District offices or using the District automated phone system or web interface.

\*\*\*Customer will provide copy of lease agreement no later than 1/15/20. If lease agreement is not provided, arrangements will be renegotiated at 3 months total.

Customer Signature: \_\_\_\_\_

Date: 12-6-19

Brandon Macnider - Account Notes - 0587620-025728			
31927 Manzanita Ln, Lake Elsinore, CA 92532			
Dates of Service: 12/11/19 - Present			
Date/Time Entered	Created By	Note Reason	Notes
1/21/2020 8:47:22 AM	chenry	Escalate- Delinq Acct	ATTACHED NUMEROUS EMAIL CORRESPONDENCE BETWEEN MR. MACNIDER AND I REGARDING THE LEGALITY AROUND CHARGING INTEREST, THE TOTAL BALANCE DUE AND THE DAYS OF SERVICE. ALSO INCLUDED THE EMAIL WHERE HE SENT ME A COPY OF THE LEASE AGREEMENT AS WE AGREED UPON. - CH
1/21/2020 8:02:53 AM	DRyan	Acct Balance Inquiry	BRANDON CALLED STATING HE RECVD NOTIFICATION OF A LATE CHARGE-TOLD HIM HE WAS NOT CHARGED A LATE FEE BUT THE NOTICES ARE COMPUTER GENERATED AND WE CAN'T STOP THOSE FROM GOING OUT-HE HAS ALREADY PAID HIS WPA PMT DUE 01/27 AND WANTED TO PAY THE ARRANGEMENT AMT OF \$245.44 DUE 02/24-ASSISTED WITH PMT CONF# 45801242-HE DID MENTION HE IS TAKING THE WATER DISTRICT TO COURT-DR
12/6/2019 11:56:03 AM	chenry	Escalate - Collections	CUST ASKED TO SPEAK TO ME EARLIER TODAY, CLAIMS THAT THE WRITE OFF ON ACCT 18938 IS NOT HIS. HE NEVER AGREED TO ANY OF THE DETAILS ON THE ARRANGEMENTS. CLAIMED HE NEVER SAID HE LIVED THERE FOR 2 YRS AND THAT HE NEVER SAID HE WAS ATTEMPTING TO BUY THE PROPERTY. CLAIMS THAT THE NOTES ARE INCORRECT ON THE ACCOUNT AND THAT HE WOULD NEVER AGREE TO PAY SOMEONE ELSE'S BILL. I EXPLAINED I WAS THE SUPERVISOR AT THE TIME AND I RECALL THE CIRCUMSTANCES. CUST BECAME RATE AND SAID HE'D BE IN THE OFFICE TO RAISE HELL AND DISCUSS THIS WITH MY BOSS. ***** BOB AND I WENT TO THE LOBBY AND SPOKE WITH MR. MACNIDER WHO AGAIN SAID HE NEVER AGREED TO PAY THAT AMOUNT. SAID WE WERE TRYING TO GET PAID FOR THE OWNER'S PAST BALANCE AND WE LIED ON THE NOTES. BOB READ THE NOTES TO THE CUSTOMER (VERBATIM). CUST SAID HE NEVER SAID HE LIVED THERE 2 YEARS AND NEVER SAID HE WAS ATTEMPTING TO BUY THE HOUSE. BOB EXPLAINED THERE WOULD BE NO REASON FOR STAFF TO MAKE UP DOCUMENTATION ON THE ACCT. CUST SAID HE WANTED TO GO TO THE BOARD. BOB EXPLAINED THE NEXT MEETING WAS ON 12/12. BOB SAID WITH THE TOTAL DUE HE WOULD NOT SIGN HIM UP WHILE HE WAITED FOR THE BOARD TO HERE THE APPEAL. CUST ASKED WHAT BOB COULD DO FOR HIM TO MAKE THIS GO AWAY. BOB EXPLAINED TOTAL DUE WITH INTEREST AND FEES IS \$2553.03. BOB AGREED TO CUT THE INTEREST FROM 10% TO 3%. BROUGHT TOTAL DUE DOWN TO \$1723.61. WITH ADDED DEP TOTAL WAS \$1972.61. CUST AGREED TO PAY \$500 TODAY AND WANTED ARRANGEMENTS FOR 6 MONTHS. I ASKED FOR A LEASE AGREEMENT. HE SAID HE HAD TO PUT THE UTILITIES IN HIS NAME AND THEN THEY'D GIVE IT TO HIM. I PROVIDED A PAYMENT ARRANGEMENT DOCUMENT (ATTACHED) STATING THAT IF THE LEASE AGREEMENT WASN'T PROVIDED BY 1/15 THEN THE ARRANGEMENTS WOULD ONLY BE FOR 3 MONTHS. CUST SIGNED ARRANGEMENTS AND MADE A \$500 PAYMENT. CUST CLAIMS THAT PER THE AG WE CANNOT CHARGE INTEREST ON COLLECTIONS. I EXPLAINED OUR COLLECTION AGENCY CHARGES IT SO WE CHARGE IT AS WELL. HE SAID HE'D LOOK INTO IT. I EXPLAINED IF HE FOUND ANY DATA TO PROVIDE IT TO US. CUST SAYS HE WILL FIND DOCUMENTATION TO PROVE HE WAS NOT AT THAT PROPERTY LIKE OUR NOTES STATE. I TOLD HIM TO PROVIDE THEM TO US BUT I WAS NOT PROMISING ANYTHING IN TERMS OF AN OUTCOME. - CH

Brandon Macnider - 0587620-018938 - Account Notes		Dates of Service: 9/24/2009-1/3/2011	
Date/Time Entered	Note Subject	Created By	Note Reason
12/6/2010 12:15:15 PM	Escalate - Collections	chenry	Escalate - Collections
4/22/2011 2:49:39 PM	Bill Returned Mail	MCarter	Bill Returned Mail
2/11/2011 6:15:08 PM	Collection Warning Letter	Karen French	Bill Remove Delinq Charge
12/21/2010 9:46:59 AM	Delinq-Arrangement	SHolmes	Delinq-Arrangement
11/22/2010 2:00:01 PM	Escalate- Payment Issue	chenry	Escalate- Payment Issue
11/22/2010 12:05:49 PM	Escalate- Payment Issue	chenry	Escalate- Payment Issue
11/19/2010 3:03:40 PM	Interruption Non-pay	Debbie	
11/19/2010 10:42:37 AM	Escalate- Payment Issue	chenry	Escalate- Payment Issue
11/18/2010 10:45:10 AM	Escalate- Payment Issue	chenry	Escalate- Payment Issue
11/17/2010 11:47:05 AM	Escalate- Billing	cservtemp4	Escalate- Billing
11/17/2010 11:44:05 AM	Delinq- Arrangement	SSalgado	Delinq- Arrangement
9/17/2010 8:56:24 AM	Escalation- Billing	chenry	Escalate- Billing
9/17/2010 8:54:22 AM	NEW SIGN UP	cservtemp4	Acct Start Service
9/16/2010 4:32:31 PM	Escalation- Billing	chenry	Escalate- Billing
9/16/2010 11:11:14 AM	Fines	TChristensen	Bill Fine Dispute

**Notes**

CUST ASKED TO SPEAK TO ME EARLIER TODAY. CLAIMS THAT THE WRITE OFF ON ACCT 18938 IS NOT HIS. HE NEVER AGREED TO ANY OF THE DETAILS ON THE ARRANGEMENTS. CLAIMED HE NEVER SAID HE LIVED THERE FOR 2 YRS AND THAT HE NEVER SAID HE WAS ATTEMPTING TO BUY THE PROPERTY. CLAIMS THAT THE NOTES ARE INCORRECT ON THE ACCOUNT AND THAT HE WOULD NEVER AGREE TO PAY SOMEONE ELSE'S BILL. I EXPLAINED I WAS THE SUPERVISOR AT THE TIME AND I RECALL THE CIRCUMSTANCES. CUST BECAME IRATE AND SAID HE'D BE IN THE OFFICE TO RAISE HELL AND DISCUSS THIS WITH MY BOSS.

RETURNED MAIL 2:11:2011 DID YO FORGET ABOUT US LETTER AND PAST BILL. RESENT TO SERVICE ADDRESS. MC  
Customer sent a warning letter letting them know the balance left may be sent to collections

CALLED CUSTOMER TO REMIND HIM OF HIS PMT ARRANGEMENT - NEEDED TO PAY 359.82 - HE STATED HE WAS NOT SURE HOW HE WAS GOING TO PAY SINCE HE WOULD NEED TO WIRE MONEY TO HIS WIFE. HE IS AWARE THAT THE PMT NEEDS TO BE RECD TODAY TO AVOID DTOFF - \$H

Called Mr. Macnider and stated that Brian and I spoke and per all the documentation we have and a copy of the receipt, we only collected \$179.17. We need payment of \$100.00 by tomorrow at 2:30 or else he is subject to interruption. Cust said that he knows he paid \$279.00 since he came in with \$300.00. I explained that we have verified everything on our end and have re-printed the receipt which shows that we only collected \$179.xx. If we would have collected \$279.xx we would have been over \$100.00 and 2 people counted the drawer. He asked if we checked the cameras. I said we didn't have cameras on the drawer but I'm not sure he heard me since he was talking over me. He said he wanted to speak to someone higher than me. I explained I'd give it to Brian, ch

Called Mr. Macnider and explained that he agreed to pay \$279.17 and we only collected \$179.17 on Friday. He called back and stated that he paid \$279.17 and he knows for a fact since he had \$300.00. He said that Debbie counted the money out in front of him. I explained if that were the case, then we'd be over \$100.00 at the end of the day and we were not. He said he had a receipt showing \$279.17. I asked him to provide it to me by tomorrow at 2:30 or else he'd be disconnected on wed. He said he'd get that for me. He called back and said he didn't have it. I again explained that I have a copy of the receipt and it shows \$179.17. Our drawer balanced and I already verified everything on our end and we only collected \$179.17. He said that he paid \$279.17. I stated I would need proof to that effect. He said he wanted to speak to someone else because he was not paying the \$100.00 again. I said I'd give to Brian. Per Brian, call cust back and state that our info shows only \$179.17. Provide copy of receipt to customer and let him know. Ch

Customer did not follow through on payment arrangements. Service going off until full balance is paid

Brandon came in to sign payment arrangements and pay \$279.17. Explained that payments must be made in cash only and payments must be made by 12pm on due date of bill. Next 3 payments are \$279.17 plus current bill. Also advised that if he moves out of the home, payment arrangements are no longer valid and the entire amount is due. Cust stated he understood. - CH

Brandon called and left me a message. I called him back and asked where he was at with purchasing the home. The bank will not provide him with any info until it goes into complete foreclosure which should happen in the next 2 months. He says that he still has the first shot at making an offer. He stated he was told he would be there for at least the next 6 months. I explained I'd go ahead and offer 6 month payment arrangements, although I technically should only offer 2 months. Cust will be in on Friday to pay \$279.17 and sign arrangement for 5 additional payments of \$279.17 plus current bill, cust understands that the payments are due on due date of bill. - CH

BRANDON CALLED IN REGARDS TO THE NEW BILL THAT WENT OUT- HE WANTED TO HAVE PAYMENT ARRANGMENTS ON THE BILL- EXPLAINED THAT READING THE COMMENTS ON THE ACCT UNTIL HE CAN GIVE US PROOF THAT HE IS BUYING IT WE ARE NOT ABLE TO GIVE ARRANGMENTS. HE SAID THAT HE WAS TOLD BY CHRISTINA THAT HE JUST NEED TO WAIT FOR THE BILL AND THEN CALL HER. TOLD HIM THAT SHE WAS OUT OF THE OFFICE TODAY BUT I WOULD TRANSFER HIM TO HER EXTENSION AND HE COULD HAVE HER CALL HIM BACK. CM

CUST CALLED TO GET PAYMENT ARRANGEMENTS. PER CHRISTINA'S COMMENT NO ARRANGEMENT UNLESS HE IS KEEPING HOME. PER BRANDON HE DID NOT HAVE THE OPTION TO BUY HOME AT THIS TIME. TRANS TO CAROL. SS

Cust called and asked when meter would be installed. Called cust back and explained it would be installed at some point on Tues, 9-28 - CH

PLEASE SEE THE PREVIOUS ACCOUNT FOR COMMENTS REGARDING FINES AND METER REMOVAL. CUSTOMER START DATE BACK DATED A YEAR DUE TO HIM BEING AT THE PROPERTY. CM

Cust came in to pay fines on acct. Explained that he does not know where the owner is and he's dealing with the bank and the city. They are going to try to purchase the home. I explained that because he is not the owner, we don't have room to work with him for payment arrangements, especially if he only has 90 days. If he keeps the house, then we can negotiate arrangements. If he moves within the District, we will transfer the balance. If he leaves, then it'll go to collections. He understood. He'll call me when he gets his first bill and let me know the status. - CH

Per Christina - ok to sign tenant up for svc - tenant paid fines in full - did not give a date for reinstall of the meter - Christina had full discussion with cust about the approx. amt of the first bill & that due to him being a tenant, there will not be any pymt arrangements allowed - dep billed in full - aware of setup fee & dep

**SECTION 2200. APPEALS****§ 2201. General Appeals Procedure/Policy. (MO #397, Reso. No. 07-05-02)**

Except as otherwise specifically provided for in this Section, the general procedure and policy regarding appeals is as follows:

- A. Appeals to General Manager. A customer may appeal a decision, policy, procedure, rate, fee or charge by submitting a written appeal to the General Manager of the District; provided however, this Section 2201 shall not apply to any appeals relating to the approval of a water and/or wastewater rate or charge and such appeals shall be submitted in accordance with Section 1650 herein. All rulings of the General Manager shall be final unless appealed in writing to the Board within five (5) days.
- B. Appeals to Board of Directors. A customer may appeal the General Manager's decision, policy, procedure, rate fee or charge by submitting a written appeal to the Board of Directors; provided however, this Section 2201 shall not apply to any appeals relating to the approval of a water and/or wastewater rate or charge and such appeals shall be submitted in accordance with Section 1650 herein. The District Secretary will place the appeal on the agenda of the next regularly scheduled board meeting. All rulings of the Board shall be final.

**§ 2202. Extraordinary Water Use Appeal Policy. (MO #3971)**

- A. Purpose. Assist residential customers that experience unusually high water usage, for both known and unknown issues, by adjusting any usage billed at the third, fourth and fifth levels of the tier rate structure to the second tier level, which represents the average cost of producing water. The customer shall be responsible for all other associate water costs, such as Power Zone charges.
- B. Qualifications. The appeal will be considered under this policy if the water usage in question for the billing period(s) appealed by the customer is at least 100% more than the property's average seasonal water use as evidenced by the historical water usage available for the property. The same month the extraordinary usage occurred, along with the month prior and month after for the years prior to the current year, going back no more than 3 years, will be averaged.

- C. Appeal Limits. Appeals will be limited to one every 12 months.
- D. Homes Under Warranty. Homeowners that have recently purchased a property and experience unusually high water bills must contact the property developer or warranty company for reimbursement of water bill expense if a situation causing high water usage is covered under the home warranty.
- E. Period of Appeal. In order for the appeal to be considered, the responsible billing party must submit the required Extraordinary Water Use Appeal paperwork within 45 days of the bill date for the first bill in question.
- F. Period of Adjustment. Any potential adjustment of the customer's account will be limited to two (2) consecutive billing periods. Adjustments will not be processed until it has been demonstrated that action has been taken to repair or resolve the issue that caused the extraordinary water usage.
- G. Responsibility of Charges. At the time of appeal, if the entire balance of the billing period(s) under appeal has not been paid, the customer is required to sign a Will Pay agreement which will outline a repayment schedule, minus any potential adjustment. The Will Pay agreement will not extend beyond 5 months of equal payments, in addition to the balance of subsequent billings, without the approval of the Customer Service Manager. The due date of monthly payments shall be the normal due date of subsequent billings. Customers whose accounts have already been closed are not eligible for Will Pay agreements, and payment for the full balance of the account, minus any potential adjustment, is expected within 21 days of the closure of the account.
1. During the period included in the Will Pay agreement, if the terms of the Will Pay agreement are adhered to, then the customer's account will not incur late fees, or be interrupted for non-payment.
  2. If the Will Pay agreement agreed to and signed by the customer is not fulfilled, then payment for the full balance will be required and the account will be placed in a status where delinquent charges will be incurred and may be interrupted for non-payment.
  3. The District reserves the right to file a lien on the property served, if applicable, as a method of ensuring payment of all monies owed the District, until the repayment schedule has been completed.
- H. Submitting Appeal. The customer will be provided with an Extraordinary Water Usage Appeal application. The form will contain all pertinent facts relating to the reasons why the customer believes their bill should be adjusted. The

customer should provide all relevant documentation (i.e., pictures, repair bills) that would assist the District in processing the appeal.

- I. Processing Appeal. After the appeal application has been completed by the customer and received at the District's main office, the Customer Service Department will ensure the following steps are completed:
  1. Review the appeal application and determine if the situation meets the minimum qualifications outlined in Paragraphs B, C & E. If the appeal does not meet minimum qualifications, Customer Service will notify the customer.
  2. If the appeal meets the minimum qualifications outlined in Paragraphs B, C & E, staff will contact the customer within 5 business days to inform them that the appeal will be processed. At this time staff will also ensure that a Will Pay agreement is signed by the customer if the full balance in question has not been paid. Appeals will not be processed without the completion of a payment schedule.
  3. At anytime after the appeal is received, and if warranted, an inspection of the property will be scheduled with the customer and staff will provide written documentation as to observations made at the property, including but not limited to:
    - a. Size of property and any improvements (landscaping, acreage, pool, etc.)
    - b. Evidence of areas where leaks are to have occurred.
    - c. Satisfactory repairs or resolution of the issue that initially caused the extraordinary usage.
    - d. Pictures of repairs.
    - e. Relevant notes of meeting with customer.
    - f. Other information as required.
  5. Staff will forward the appeal information to the Customer Service Supervisor for initial review and verification of calculated adjustment.
- J. Calculation of Adjustment. An adjustment will be applied to the commodity charge only. Adjustments will not be applied to other variable charges such as power or fixed meter charges. All usage billed at the 3rd, 4th and 5th tier rates shall be recalculated using the 2nd tier rate. The amount of usage will not be reduced.
- K. Schedule of Authorization. The Customer Service Manager shall review and forward all appeals to the Director of Finance for approval. If the appeal in

question is an Unexplained Usage Appeal, then the Director of Finance shall submit the appeal to the General Manager for approval.

- L. Customer Notification. Staff will notify customers in writing if the appeal is approved or denied. If the appeal is approved, then the notification will include the amount and date of the water charge adjustment. If the appeal is denied, then notification will include the reasons the appeal was denied.

**§ 2203. Sewer Bill Appeals Procedure Regional System. (MO #524)**

The Clean Water Grant program provided funding for the District's Regional Wastewater system and requires local compliance with State and Federal Revenue Program Guidelines. In 1987 the District's revenue program for this sewer division was approved by the State Water Resources Control Board. This program requires that revenues be sufficient to operate the system and all customers be equitably charged. Four cost allocation components were utilized to define the revenue requirements for each class of user and these were as follows:

- A. Flow – actual contribution to system.
- B. BOD – Biochemical Oxygen Demand.
- C. SS – Suspended Solids.
- D. Customer Units.

Each cost component is important in generating an equitable revenue program with the primary consideration being given to the flow factor which carries with it 83% of the cost allocation.

A Sewer Appeal Committee comprising one Board member and staff was established to develop guidelines for the review of sewer service charge appeals. The following procedure has been established to facilitate the review of an appeal. If the appeal is successful, the appeal date will be used to calculate any credits to be applied to the customer's account.

- A. Customer shall complete an appeal application.
- B. Staff will collect the following information for Committee review:
  1. The property historical water usage – a one-year of history required.
  2. An accuracy test will be performed on the meter, if necessary.
  3. An on-site evaluation of outside landscaping and irrigation will be performed.
  4. A calculation of equivalent dwelling units (EDUs) will be performed based on the District's sewer connection fee program and the historical water usage.
  5. A review of BOD and SS characteristics of the user.

- C. After review of the information collected, a recommendation will be prepared and submitted to the Board of Directors for consideration.

**§ 2204. Extraordinary Commercial Sewer Usage Appeal. (MO #3971)**

- A. Purpose. Assist commercial customers that experience unusually high water usage due to leaks, or other known issues, by adjusting only the resulting sewer charge which is based upon water consumption. The customer shall be responsible for all other charges associated with the water used.
- B. Qualifications. The appeal will be considered under this policy if the water usage for the sewer billing period(s) appealed by the customer is at least 100% more than the property's average seasonal water use as evidenced by the historical water usage available for the property. The same month the extraordinary usage occurred, along with the month prior and month after for the years prior to the current year, going back no more than 3 years, will be averaged.
- C. Appeal Limits. Appeals will be limited to one every 24 months.
- D. Period of Appeal. In order for the appeal to be considered, the responsible billing party must submit the required Extraordinary Commercial Sewer Usage Appeal paperwork within 45 days of the bill date for the first bill in question.
- E. Period of Adjustment. Any potential adjustment of the customer's sewer charge will be limited to two (2) consecutive billing periods. Adjustments will not be processed until it has been demonstrated that action has been taken to repair or resolve the issue that caused the extraordinary water usage.
- F. Responsibility of Charges. The customer will be responsible for paying the account balance, minus any potential sewer charge adjustment, by the normal due date of the bill. No payment arrangements will be made for commercial accounts.
- G. Submitting Appeal. The commercial customer will be provided with an Extraordinary Commercial Sewer Usage Appeal application. The form will contain all pertinent facts such the dates of the water leak, when the water leak was repaired, etc. The customer must provide all relevant documentation (i.e., pictures, repair bills) that would assist the District in processing the appeal.
- H. Processing Appeal. After the appeal application has been completed by the commercial customer and received at the District's main office, the Customer Service Department will ensure the following steps are completed:



1. Review the appeal application and determine if the situation meets the minimum qualifications outlined in Paragraphs B, C & D. If the appeal does not meet minimum qualifications, Customer Service will notify the commercial customer.
2. If the appeal meets the minimum qualifications outlined in Paragraphs B, C & D, staff will contact the customer within 5 business days to schedule an appointment for staff to inspect the property and discuss the appeal with the customer. The commercial customer must meet with District staff at the property in order for the appeal to be processed.
3. District staff will provide written documentation as to observations made at the property site, including but not limited to:
  - a. Size of property and any improvements (landscaping, acreage, etc.)
  - b. Evidence of areas where leaks are to have occurred.
  - c. Satisfactory repairs or resolution of the issue that initially caused the extraordinary water usage.
  - g. Pictures of repairs.
  - h. Relevant notes of meeting with customer.
  - i. Other information as required.
5. Staff will forward the appeal information to the Customer Service Supervisor for initial review and verification of calculated adjustment.
  - I. Calculation of Adjustment. An adjustment will be applied to the sewer charge only. The water usage from the same billing period during the previous year shall be used as a basis of calculation for the sewer charge under appeal.
  - J. Schedule of Authorization. The Customer Service Manager shall review and forward all appeals to the Director of Finance for approval.
  - K. Customer Notification. Staff will notify customers in writing if the appeal is approved or denied. If the appeal is approved, then the notification will include the amount and date of the sewer charge adjustment. If the appeal is denied, then notification will include the reasons the appeal was denied, and inform the customer of the further right to appeal to the General Manager.

§ 2205. **Special Circumstance Extraordinary Water Usage Appeal** (Minutes 04/28/08)

- A. **Purpose.** Reduce water usage billed to a customer that was directly or indirectly caused by the action or inaction of the District, which in turn caused water to register through the customer's meter.
1. An example of this would include, but is not limited to, failure of District maintained couplings on the customer side of the meter.
  2. This policy does not apply to failure of any equipment that is the responsibility of the customer, which is addressed in the Extraordinary Water Use Appeal described in this section.
- B. **Eligibility.** Appeals of this nature will be supported by documentation that recent work was completed on District equipment that resulted in extraordinary water usage in close proximity to the customer's service, and within a date range that coincides with the water usage in question.
- C. **Period of Appeal.** In order for the appeal to be considered, the responsible billing party must submit a written appeal within 45 days of the bill date for the first bill in question.
- D. **Schedule of Authorization.** The Customer Service Manager shall review and forward all appeals to the Director of Finance for second review and then to the General Manager for final approval or denial.
- E. **Calculation of Adjustment.**
1. For the billing period in question, the usage will be divided by the number of days within the billing period. That figure will be multiplied by the number of days it was determined the issue impacted usage. The resulting figure will be eligible for adjustment.
  2. If it cannot be determined how many days the issue impacted usage, then the average usage for the previous years during the same time of the year (same month, one month before and one month after) will be used to calculate the usage that will be the customer's responsibility. All usage above that figure will be eligible for adjustment.
  3. The Power Zone charge associated with the usage in question will also be adjusted.

# Attachment: B

**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Wednesday, November 11, 2020 7:54 AM  
**To:** Terese Quintanar  
**Subject:** General manager

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Hi i am disputing the bill from 10 years ago at the pinnie cir address in murrieta. \$1972.61 is the amount I am requesting a refund for. The bill was not mine I was renting a room for 2 months and it appears there was identity theft because i was charged for 2 years of service. Again this was not my house and I was simply renting a room. Thank you for your time. Please let me know if you need anything else from me.

**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Thursday, November 12, 2020 4:52 AM  
**To:** Terese Quintanar  
**Subject:** Re: General manager

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Hey Terese Brandon MacNider here again my current address is 31927 manzanita ln. Lake elsinore 82532 I wrote you the other day about the 10 year old bill from pinnie cir in murrieta. I have been trying to dispute this bill for almost a year now can you please let me know what the status is? If you guys want to deny the refund I am fine with that. I just need it in writing from you guys because the judge already ruled in my favor but your management told the judge I need to request a refund from you guys first before I seek a judgment in court. So I am requesting the refund please let me know if it is approved or denied. Thank you for your time.

On Wed, Nov 11, 2020, 7:54 AM Brandon MacNider <[advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)> wrote:  
Hi i am disputing the bill from 10 years ago at the pinnie cir address in murrieta. \$1972.61 is the amount I am requesting a refund for. The bill was not mine I was renting a room for 2 months and it appears there was identity theft because i was charged for 2 years of service. Again this was not my house and I was simply renting a room. Thank you for your time. Please let me know if you need anything else from me.

**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Wednesday, November 18, 2020 6:17 PM  
**To:** Terese Quintanar  
**Subject:** Re: General manager  
**Attachments:** image003.png

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Thank you So much for the response I appreciate that

On Wed, Nov 18, 2020, 5:09 PM Terese Quintanar <[terese@evmwd.net](mailto:terese@evmwd.net)> wrote:

Good evening, Mr. MacNider.

We did receive the dispute below and staff is working to get additional information to our General Manager so he can provide you with a response. Given the upcoming Thanksgiving holiday, you will likely receive his response after Thanksgiving.

Have a nice holiday,

**Terese Quintanar**

District Secretary/Administrative Services Supervisor

Elsinore Valley Municipal Water District  
951-674-3146 Ext. 8223

31315 Chaney Street, Lake Elsinore, CA 92530



**From:** Brandon MacNider <[advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)>  
**Sent:** Tuesday, December 1, 2020 2:07 PM  
**To:** Terese Quintanar <[terese@evmwd.net](mailto:terese@evmwd.net)>  
**Subject:** Re: Response to Appeal

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Good afternoon I do not agree with the decision Let me know what the next process will be for requiring a refund from you guys before I take you back to court thank you

On Tue, Dec 1, 2020, 1:24 PM Terese Quintanar <[terese@evmwd.net](mailto:terese@evmwd.net)> wrote:

Dear Mr. MacNider.

Please find correspondence attached in regard to your 11/11/20 Appeal.

**Terese Quintanar**

District Secretary/Administrative Services Supervisor

Elsinore Valley Municipal Water District  
951-674-3146 Ext. 8223

31315 Chaney Street, Lake Elsinore, CA 92530

**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Tuesday, December 1, 2020 6:02 PM  
**To:** Terese Quintanar  
**Subject:** Re: Response to Appeal  
**Attachments:** image005.png

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Yes that sounds good I will get it to you asap

On Tue, Dec 1, 2020, 5:00 PM Terese Quintanar <terese@evmwd.net> wrote:

Hello Mr. MacNider.

Please refer to Section 2200, included as an attachment to the email sent to you earlier this afternoon. Specifically, Section 2201, B explains the process for appealing to the Board. If you wish, you may direct your written appeal to the Board of Directors and submit it to me at this address. I will place the appeal on the agenda of the next regularly scheduled Board Meeting. Our next meeting will be next Thursday, December 10<sup>th</sup>. If I receive the Board Appeal by tomorrow noon, I can include it on that agenda. If I receive it subsequent to noon tomorrow, I can schedule it for the next available meeting agenda.

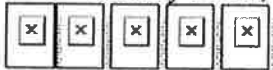
Thank you,

**Terese Quintanar**

District Secretary/Administrative Services Supervisor

Elsinore Valley Municipal Water District  
951-674-3146 Ext. 8223

31315 Chaney Street, Lake Elsinore, CA 92530





**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Wednesday, December 9, 2020 12:19 PM  
**To:** Terese Quintanar  
**Subject:** Brandon MacNider appeal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

I am submitting this written appeal for the 23726 pinnie circle address Reference in the letter Please add this to the agenda for the board Meeting This is not my water bill and I did not live at the property during the time in question.

**Terese Quintanar**

---

**From:** Brandon MacNider <advancedplumbingtechnologies@gmail.com>  
**Sent:** Thursday, December 10, 2020 10:42 AM  
**To:** Terese Quintanar  
**Subject:** Re: Brandon MacNider appeal  
**Attachments:** image005.png

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Ok sounds good thank you im going to move forward with the court date anyway im sure I know the response considering the ridiculous letter i received from you guys and due to covid im sure our court date won't be until February, also I have been begging for resolution on this case for over a year. The board of directors told me they don't do those type of cases at board meetings and it's never been done before meaning at this point you guys are making it up as you go which is fine I will entertain and document it while we wait for our court date. I appreciate you taking your time with this matter.

On Thu, Dec 10, 2020, 10:27 AM Terese Quintanar <terese@evmwd.net> wrote:

Hello, Mr. MacNider.

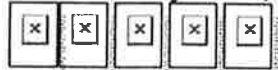
I am acknowledging receipt of the email appeal you sent yesterday. Our next regular Board Meeting date conflicts with the Christmas holiday, so we are working to coordinate a change in the meeting schedule with our Board President. We will provide you with the meeting date for Board consideration of your appeal as soon as possible.

**Terese Quintanar**

District Secretary/Administrative Services Supervisor

Elsinore Valley Municipal Water District  
951-674-3146 Ext. 8223

31315 Chaney Street, Lake Elsinore, CA 92530



**From:** Brandon MacNider <[advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)>  
**Sent:** Thursday, December 10, 2020 10:08 AM  
**To:** Terese Quintanar <[terese@evmwd.net](mailto:terese@evmwd.net)>  
**Subject:** Re: Brandon MacNider appeal

[\*External E-mail alert! Use caution before clicking links/attachments\* ]

Hey Terese please keep me updated i am going to file the appropriate paperwork with the courts at this time I have followed your dispute process as well as appeal process thank you for your time. If you decide to set a board meeting up before the court date please let me know i will gladly attend.

On Thu, Dec 10, 2020, 6:20 AM Brandon MacNider <[advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)> wrote:

Hey Teresa please let me know when you get my dispute added to the board meeting so we can get this taken care of. i feel like this is unnecessarily being dragged out. We both know they will deny the refund but I need to complete your process for a refund even though I've been told a dispute has never in history been brought up in a board meeting through your water company. But I will entertain it.

On Wed, Dec 9, 2020, 12:18 PM Brandon MacNider <[advancedplumbingtechnologies@gmail.com](mailto:advancedplumbingtechnologies@gmail.com)> wrote:

I am submitting this written appeal for the 23726 pinnie circle address Reference in the letter Please add this to the agenda for the board Meeting This is not my water bill and I did not live at the property during the time in question.



## Elsinore Valley Municipal Water District

### Grants/Loans Activity Summary - As Of December 2020

I	Awarded (Completed)								
		\$						19,045,597	
II	Current Projects	\$						226,529,420	
III	Pending Funding Agreement	\$						-	<b>\$313,322,543</b>
IV	Submitted Applications	\$						9,747,526	
V	Future Pursuits	\$						58,000,000	
5	SRF: Regional Water Reclamation Facility Upgrades Construction Regional WRF - Low-Interest Loan	\$			X			42,487,100	
5	SRF: Regional Water Reclamation Facility Upgrades Construction Regional WRF - Green Project Principal Forgiveness	\$			X			3,500,000	
6	SARCCUP	\$		X				3,044,580	
7	Title XVI BOR -Regional Expansion Planning/Design	\$		X				1,397,974	
8	Regional WRF Expansion Construction	\$		X				129,860,229	
9	Diamond Regional Sewer Lift Station and Dual Force Mains	\$						36,540,937	
10	Local Hazard Mitigation Plan	\$	X					125,000	
11	Rice Canyon Mitigation Efforts	\$		X				1,897,766	
<b>II: TOTAL PENDING FUNDING AGREEMENT</b>			<b>0</b>	<b>0</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>\$ 226,529,420</b>
III	<b>Pending Funding Agreement</b>								
<b>III: TOTAL PENDING FUNDING AGREEMENT</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$ - \$ -</b>
IV	<b>Submitted Applications</b>								
1	Septic to Sewer – Sedco Hills Planning <b>ON HOLD</b>		X					-	
2	BOR -WaterSMart Groundwater Sustainability Modeling Tools <b>Award Notice ETA 01/01/2021</b>	\$		X				300,000	
3	Title XVI BOR- Regional Expansion Construction <b>Award Notice ETA 01/01/2021</b>	\$						9,147,526	
4	CalOES Special District <b>Award Notice ETA 01/01/2021</b>	\$		X				300,000	
<b>IV: TOTAL SUBMITTED APPLICATIONS</b>			<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$ 9,747,526</b>
V	<b>Future Pursuits</b>								
1	Lee Lake Dam/ and Basin		X						\$ 40,000,000
2	Canyon Lake Masterplan Upgrades		X						\$ 18,000,000
3	New Well - Warm Springs		X						TBD
4	PFA's/PFO's		X						TBD
5	Electric Vehicle/Charging Stations		X						TBD
6	Replace/Rehab Mayhew Well		X						TBD
<b>V: TOTAL FUTURE PURSUITS</b>			<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$ - \$ 58,000,000.00</b>

\* Green is Grant Funded Black is low interest Loan Funded