

Heber Public Utility District

Report to the Board of Directors

Date: October 21, 2021
From: Laura Fischer, General Manager
Subject: General Managers Report to Board of Directors

HPUD ADMINISTRATION

Fall Fiesta

Reminder

Wear Hats/Shirts to represent HPUD.

Ride in the Parade – 3:30 at corner of Hawk and Heber Ave. Look for Vianka Villa who will get you to your vehicles.

Help with M.C. duties. Make some noise & helpful announcements.

Parade Award Winners – 5:30 at the HPUD booth

Dia de los Muertos Ofrenda – 7:30 Priest's blessing

Water Account Shut Off and Late Fees

HPUD will make every effort to contact our customers that are behind in paying their utility bill. If they want to apply for COVID Relief funds through the County of Imperial, we will provide them with that information. If they do not qualify and are having a financial hardship from another non-COVID related issues, we will work with them to make payment arrangements.

Prior to shutting off any customers, we will follow our most recent policies which adhere to SB 998 that extended the notification period to our customers prior to disconnection.

Reinstatement of late fees. After September 1, 2021 HPUD could reinstate late fees, however, we will not reinstate late fees until we notify our customers. HPUD staff will mail notices to all customers with the November 1, 2021 utility bill. The notice will informing them that later fees will once again be applied to any account that is not paid in full by the 21st of the month.

Shutoffs for non-payment will be reinstated January 1, 2022 which will meet and follow the new guidelines of **SB 155**. Until recently, Gov. Gavin Newsom's executive orders indicated that the moratorium on termination of water service to residential customers and small businesses in critical infrastructure sectors for nonpayment would expire on Sept. 30, 2021.

California's Budget Act, which created the California Water and Wastewater Arrearage Payment Program, previously contemplated the moratorium ending on that same date, with certain exceptions relating to the Arrearage Payment Program.

However, the governor recently signed SB 155 into law, extending and expanding the moratorium effective immediately. Among other things, this new law extends the moratorium on termination of water service for nonpayment until at least Dec. 31, 2021 and possibly longer

depending on whether and when a customer has been offered a payment plan related to the Arrearage Payment Program. Notably, the moratorium in SB 155 applies to:

- every community water system, regardless of participation in the Arrearage Payment Program;
- all delinquent payments, regardless of when the delinquency occurred; and
- all classes of customers (not just residential customers and small businesses in critical infrastructure sectors, as under the governor's executive order).

With this new law, water service cannot be terminated for nonpayment until *at least* December 31, 2021. Even then, we will need to ensure they have met all legal requirements and complied with proper procedures before shutting off water service due to nonpayment.

Children's Park Project

Help is needed to contact residents regarding the Children's Park project and the walking path through the alley. Staff will develop some talking points and a document that we will need signed by the property owners that own the property abutting the valley between Valley Boulevard and Heber Avenue.

The County is requesting that we reach out to the property owners to tell them about the project, how they will get access to their property from the alley, how the fire department and ICSO will have access and what limits the project will place on vehicle traffic in the alley.

Staff can and will reach out to the customers, but I wanted to ask if any of the Board members want to participate as it is a good exercise to meet and greet our residents and those affected by the proposed project. We will begin the outreach after the Fall Fiesta sometime in November. Please see the attached report from The Holt Group planners regarding the meeting with the County on the alley project.

DEVELOPER UPDATE

The Mesquite Lake Water Project is requesting that HPUD sell them water to truck to a cannabis growing operation at Mesquite Lake. Staff is working with the project developer's representative and LAFCO to determine what needs to be presented to the HPUD Board for authorization. This should be on the agenda for November if the information is provided.

Heberwood Estates 5B&5C – The Contractor is in the process of getting the Building Permit from the County Building Department. Signatures on the Improvement Plans by the County of Imperial PWD is pending. DD&E representative will be meeting with the County of Imperial PWD Director soon to resolve the issues. It seems the construction phase of 5B & 5C will start before the end of the year.

Heberwood Estates 6 – County of Imperial PWD has not signed off the Improvement Plans. They are requesting the main access to be shifted which requires coordination with Caltrans.

Del Sol Apartments – The Applicant did not qualify for a grant this Fiscal Year. They are hopeful to receive one next year to start the construction phase.

Family Dollar – We do not know what happened to this Developer/Project.



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[Home \(/\)](#) > [Insights \(/news-events/insights\)](/news-events/insights) >

[California's Moratorium on Water Shut-Offs Extended and Expanded \(/news-events/insights/2021/legal-alerts/10/californias-moratorium-on-water-shut-offs-extended\)](/news-events/insights/2021/legal-alerts/10/californias-moratorium-on-water-shut-offs-extended)

LEGAL ALERTS | OCT 01, 2021

California's Moratorium on Water Shut-Offs Extended and Expanded

SB 155 Took Effect Immediately

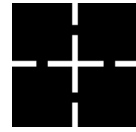
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However, the governor recently signed SB 155 into law, extending and expanding the moratorium effective immediately. Among other things, this new law extends the moratorium on termination of water service for nonpayment until at least Dec. 31, 2021 and possibly longer depending on whether and when a customer has been offered a payment plan related to the Arrearage Payment Program. Notably, the moratorium in SB 155 applies to:

- every community water system, regardless of participation in the Arrearage Payment Program;
- all delinquent payments, regardless of when the delinquency occurred; and
- all classes of customers (not just residential customers and small businesses in critical infrastructure sectors, as under the governor's executive order).

The overarching takeaway: water service cannot be terminated for nonpayment until *at least* December 31, 2021. Even then, community water systems should ensure they have met all legal requirements and complied with proper procedures before shutting off water service due to nonpayment.

Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts, facts specific to your situation or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information herein.



Heber Public Utility District

Children's Park Renovation Project

State Park Development and Community Revitalization Project No. XS-13-036
THG Project No. 744.087E

Schedule of Events

Date: August 13, 2021

<u>ITEM NO.</u>	<u>ITEM</u>	<u>SCHEDULE</u>
1.	Preparation of Cover Letter transmitting Legal Advertisement to the Imperial Valley Press. The Imperial Valley Press requires the Legal Advertisement 72 hours or 3 business days prior to the Advertising of the Project.	Tuesday, November 9, 2021
2.	Project Advertisement for Bidding in the Imperial Valley Press. Contact Contract Document Distribution Service Providers.	Friday, November 12, 2021 and Friday, November 19, 2021
3.	Non-Mandatory Pre-Bid Conference at 10:00 a.m. in Children's Park located at 39 Crane CT., Heber, CA 92249.	Friday, November 19, 2021
4.	Bid Opening at 2:00 p.m. at Heber Public Utility District Office, 1078 Dogwood Road, Suite 103, Heber, CA 92249.	Tuesday, December 7, 2021
5.	Bid Documents Review for Conformance with Bid Requirements.	Tuesday, December 7, 2021 through Thursday, December 9, 2021
6.	Award of Contract for Project Construction at the Regularly Scheduled HPUD Board Meeting.	Thursday, December 16, 2021
7.	Processing of Contract Documents. Receive Insurance Certificates, Performance Bond and Payment Bond from Contractor. Review of Insurance and Bond Documents by District Attorney. Execution of Agreement and Notice to Proceed after approval of Insurance and Bond Documents by District Attorney.	Friday, December 17, 2021 through Friday, December 31, 2021

<u>ITEM NO.</u>	<u>ITEM</u>	<u>SCHEDULE</u>
8.	Project Construction Material Submittal Documents Review Period	Friday, December 17, 2021 through Friday, January 21, 2022
9.	Pre-Construction Conference at Heber Public Utility District Office at 10:00 a.m.	Friday, January 7, 2022
10.	Issuance of Notice to Proceed to Contractor.	Friday, January 7, 2022
11.	Construction Start Day	Monday, January 17, 2022
12.	Project Construction – 210 Calendar Days. (60 Days estimated for Permitting Process and 150 Calendar Days estimated for Material Procurement and Construction).	Monday, January 17, 2022 through Sunday, August 14, 2022
13.	Final Project Inspection with Contractor, HPUD and County of Imperial Building and Health Departments.	Monday, August 8, 2022
14.	Contractor to address "Punch List" items and finish project construction.	Friday, August 12, 2022
15.	Filing of Notice of Completion at County of Imperial Recorder's Office.	Monday, August 15, 2022
16.	Grand Opening of Children's Park	Monday, August 15, 2022