



**City of St. Helena
Water Advisory Board
Regular Meeting
Friday, August 6, 2021 @ 10:00 AM**

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

In accordance with Executive Order N-29-20, and guidance from the California Department of Public Health on gatherings, remote public participation is allowed. We will address the Order in the following ways: Members of the public may not physically attend meetings. The Water Advisory Board meeting will be live-streamed on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Water Advisory Board meetings will be accepted via email to publiccomment@cityofstheleena.org. All public comments must be emailed by 4:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Water Advisory Board agenda.

In the event a quorum of the Water Advisory Board loses electrical power or suffers an internet connection outage that is not corrected within 10 minutes, the meeting will automatically be adjourned. Any items noticed as public hearings will be continued to the next regularly scheduled evening meeting of the Water Advisory Board. Any other items on the agenda that the Board has not taken action on will be placed on a future agenda.

Please see the end of the agenda for detailed PUBLIC PARTICIPATION instructions.

Please click the link below to join the meeting:

<https://us02web.zoom.us/j/82070802157>

Or One tap mobile :

US: +16699006833,,82070802157# or +13462487799,,82070802157#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099
or +1 301 715 8592 or +1 312 626 6799

Meeting ID: 820 7080 2157

International numbers available: <https://us02web.zoom.us/j/82070802157>

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1. CALL TO ORDER
 2. ROLL CALL
- Chair: Brent Randol

Vice Chair: Dianna Ortiz
Board Member: George Schisler
City Council Representative: Anna Chouteau
Planning Commission Representative: Daniel Hale

3. PUBLIC FORUM:

An opportunity for the public to directly address the Board on items of interest to the public that are not listed on the agenda. Any person addressing the Board should provide his or her name and address, and limit comments to four minutes. Because of restrictions imposed by **the Brown Act, the Board may not engage in substantive discussion, nor take action on matters not described on the agenda.**

4. REPORTS BY STAFF AND BOARD

Reports by staff and/or Board on items of general interest. Brief questions for clarification may be posed and answered, and Board may request that items be placed on a future agenda. Except under certain circumstances, **the Brown Act prohibits any other discussion or action by the Water Advisory Board.**

5. CONSENT CALENDAR:

Members of the Water Advisory Board or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.

- 5.1. Water Advisory Board Meeting Minutes of June 4, 2021, June 18, 2021 and July 16, 2021

5 - 10

Prepared By: Cindy Tzaopoulos, City Clerk

Recommendation:

Approve

[06-04-21 Water Advisory Board - Minutes](#)

[06-18-21 Water Advisory Board - Minutes](#)

[07-16-21 Water Advisory Board - Minutes](#)

6. OLD BUSINESS:

- 6.1. None

7. NEW BUSINESS:

- 7.1. Discussion, direction, and possible adoption of Water Advisory Board Leak Adjustment Policy (~~Staff report forthcoming~~ Provided 8-5-21)

11 - 28

Prepared By: April Mitts, Administrative Services Director

[Water Advisory Board Staff Report Leak Penalties](#)

[P-FI-0005 Leak Adjustment Policy Revision #1](#)

[P-FI-0022 Leak Policy - Penalties while in Water Restrictions](#)

[P-FI-0022 Leak Policy - Penalties while in Water Restrictions](#)

- 7.2. *THIS ITEM WILL NOT BE HEARD ~~Consideration of Leak Adjustment Appeals: Scofield, Depot Associates, Gatens, Schmidt, Smith, and Glenn. (Staff report forthcoming)~~

Prepared By: April Mitts, Administrative Services Director

8. ADJOURNMENT

The next regular Water Advisory Board meeting is scheduled for August 20, 2021 at 10:00 am.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on August 3, 2021 at 9:50 a.m.



Cindy Tzaferopoulos, City Clerk

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 968-2742. Notification 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

MINUTES
City of St. Helena
Water Advisory Board Meeting
Friday, June 4, 2021 @ 10:00 AM

Present: Diana Ortiz, Brent Randol, George Schisler, Council Member Council Member
Anna Chouteau, and Vice Chair Daniel Hale

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC FORUM:

No public comment was received.

4. REPORTS BY STAFF AND BOARD

Interim City Engineer John Wanger provided a water usage update.

5. CONSENT CALENDAR:

- 5.1. Water Advisory Board Special Meeting Minutes of May 26, 2021
Prepared By: Cindy Tzaopoulos, City Clerk

Council Member Anna Chouteau moved to approve item 5.1. The motion was seconded by George Schisler and on roll call carried by the following vote:

AYES: Diana Ortiz, Brent Randol, George Schisler, Council Member Anna Chouteau, and Daniel Hale

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

6. OLD BUSINESS:

- 6.1. Consideration and Proposed Approval of Revision #1 to SOP-FI-0021
Application and Use of Exception Permits Water Emergency
Prepared By: April Mitts, Administrative Services Director

Administrative Services Director April Mitts reported on this item.

No public comment was received.

Water Advisory Board
June 4, 2021

George Schisler moved to approve revision #1 to SOP-FI-0021 Application and Use of Exception Permits Water Emergency and update the application to match the SOP. The motion was seconded by Daniel Hale and on roll call carried by the following vote:

AYES: Diana Ortiz, Brent Randol, George Schisler, Council Member Anna Chouteau, and Daniel Hale

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

7. NEW BUSINESS:

7.1. None

8. ADJOURNMENT

Chair Randol adjourned the meeting at 10:25 p.m.

The regular Water Advisory Board meeting minutes of June 4, 2021 were adopted at the regular Water Advisory Board meeting of August 6, 2021.

APPROVED:

ATTEST:

Brent Randol, Chair

Cindy Tzaopoulos, City Clerk

MINUTES
City of St. Helena
Water Advisory Board Meeting
Friday, June 18, 2021 @ 10:00 AM

Present: Diana Ortiz, Brent Randol, George Schisler, Council Member Council Member
Anna Chouteau, and Vice Chair Daniel Hale

Absent: None

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC FORUM:

4. REPORTS BY STAFF AND BOARD

5. CONSENT CALENDAR:

- 5.1. Water Advisory Board Meeting Minutes of June 4, 2021
Prepared By: Cindy Tzaopoulos, City Clerk

George Schisler moved to approve item 5.1. The motion was seconded by Daniel Hale and on roll call carried by the following vote:

AYES: George Schisler, Diana Ortiz, Brent Randol, Council Member Anna Chouteau, and Daniel Hale

NOES: None

ABSENT: None

ABSTAIN: None

RECUSE: None

6. OLD BUSINESS:

- 6.1. Consideration of Water Allocation Exception – Belt, T.
Prepared By: April Mitts, Administrative Services Director

Administrative Services Director April Mitts reported on this item.

Tom Belt addressed the Board.

George Schisler moved to deny the allocation application. The motion was seconded by Daniel Hale and on roll call carried by the following vote:

Water Advisory Board
June 18, 2021

AYES: Diana Ortiz, Brent Randol, George Schisler, Council Member Anna Chouteau, and Daniel Hale
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

7. NEW BUSINESS:

- 7.1. Consideration of Water Allocation Exception - Hall, C. (~~staff report forthcoming~~)
Prepared By: Martin Beltran, Management Analyst

Administrative Services Director April Mitts reported on this item.

Charles Hall addressed the Board.

George Schisler moved to approve the allocation application. The motion was seconded by Daniel Hale and on roll call carried by the following vote:

AYES: Diana Ortiz, Brent Randol, George Schisler, Council Member Anna Chouteau, and Daniel Hale
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None

8. ADJOURNMENT

Chair Randol adjourned the meeting at 10:28 p.m.

The regular Water Advisory Board meeting minutes of June 18, 2021 were adopted at the regular Water Advisory Board meeting of August 6, 2021.

APPROVED:

ATTEST:

Brent Randol, Chair

Cindy Tzafopoulos, City Clerk

MINUTES
City of St. Helena
Water Advisory Board Meeting
Friday, July 16, 2021 @ 10:00 AM

Present: Diana Ortiz, Brent Randol, George Schisler, and Council Member Council Member Anna Chouteau

Absent: Vice Chair Daniel Hale

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC FORUM:

No public comment.

4. REPORTS BY STAFF AND BOARD

No reports were made.

5. NEW BUSINESS:

- 5.1. Update on Phase II Water Emergency
Prepared By: Martin Beltran, Management Analyst

Martin Beltran, Management Analyst reported on this item.

No public comment was received.

- 5.2. June 2021 Water Meter Reads and Penalty Overview
Prepared By: Mark T. Prestwich, City Manager

Mark Prestwich, City Manager reported on this item.

No public comment was received.

8. ADJOURNMENT

Chair Randol adjourned the meeting at 10:38 p.m.

The regular Water Advisory Board meeting minutes of July 16, 2021 were adopted at the regular Water Advisory Board meeting of August 6, 2021.

Water Advisory Board
July 16, 2021

APPROVED:

Brent Randol, Chair

ATTEST:

Cindy Tzafoopoulos, City Clerk



Report to the City Council
Water Advisory Board - 06 August 2021

Agenda Section: NEW BUSINESS

Subject: Discussion, direction, and Possibly adoption of Water Advisory Board Leak Adjustment Policy – Phase II and Phase III Water Penalties

CEQA Determination: Not a CEQA project

Prepared By: April Mitts, Administrative Services Director

Reviewed By: April Mitts, Administrative Services Director

Approved By: Mark T. Prestwich, City Manager

BACKGROUND

On October 27, 2020, the City Council established Phase II Water Regulations and, in accordance with the St. Helena Municipal Code (SHMC), established the Water Advisory Board consisting of one City Council member, one Planning Commissioner, one winery customer, and two public members, one of whom shall solely be a residential customer.

The Water Advisory Board shall have access to all records in the possession of the water enterprise necessary in its judgement to perform its duties, including customer records. The Board shall maintain confidentiality of individual customer records unless the Board determines by resolution that release of such information is necessary in the pursuit of its duties.

The Water Advisory Board shall meet at least monthly and may grant permits for uses of water, for exceptions to water conservation measures, or for water connections otherwise prohibited. The Water Advisory Board shall prescribe necessary procedures for application for and use of exception permits pursuant to SHMC Section 13.04.280.

On April 30, 2021, the Water Advisory Board approved SOP-FI-0021 *Application and Use of Exception Permits Water Emergency* and the applicable *Exception Form*.

On July 13, 2021, the City Council held a Special Meeting and was presented the June 2021 Water Meter Reads and Penalty Overview. At this meeting the City Council directed staff to proceed with the Water Ad Hoc Committee recommendation to (1) suspend 75% of June 2021 water penalties and 50% of July 2021 water penalties with an opportunity for all customers with water penalties to receive a full waiver/reimbursement of any June and July 2021 penalties if their August 2021, September 2021, October 2021, and November 2021 water usage meets applicable conservation requirements in each of the designated months and (2) designate that the Water Advisory Board can hear/make a determination for reduction of penalties for those customers who received a penalty as a result of a water leak. A resolution was adopted by City Council on July 27, 2021 ratifying this direction.

DISCUSSION

At both the July 13, 2021 Special City Council meeting and at the July 27, 2021 City Council meeting, the Council stated it is critical the Water Advisory Board has an objective policy that can be used by the Board use to review the leak adjustment applications that is based on the City Council's existing Leak Adjustment Policy *P-FI-0005 – Leak Adjustment Policy* (Attachment 1) with a few minor revisions to make it more applicable to the current situation.

City staff has prepared an initial draft policy to be used as a starting point for the Water Advisory Board – DRAFT *P-FI-0022 – Leak Adjustment Policy – Penalties* and is provided as Attachment 2.

Considerations directed by City Council include:

1. Parameters are taken from the current leak policy – P-FI-0005
2. The leak must be fixed in a timely manner, if possible, and there is proof of a decrease in use.
3. Consideration of how much of the penalty would be waived. For instance, if a detailed report can be obtained from the individual meter and the report indicates the leak contributed to only a portion of the percent the customer went over, would the entire penalty be waived or only the portion related to the leak itself – if this information is attainable. However, this is not guaranteed but may be detectable in such circumstances as an irrigation leak where a detailed meter reading is possible and staff is able to isolate the time the irrigation system was running.

As directed by City Council, Attachment 2 – DRAFT *P-FI-0022 – Leak Adjustment Policy – Phase II and Phase II Water Penalties*, is the starting point for the Water Advisory Board. Staff recommends the Water Advisory Board review the attached DRAFT policy, make recommendations, and adopt a final Leak Adjustment Policy for penalties incurred during Phase II and Phase III water emergency as a result of a corrected water leak.

FISCAL IMPACT

The fiscal impact will be dependent on the policy set by the Water Advisory Board and the number of requests received/granted.

RECOMMENDED ACTION

Discuss and provide direction for water exception request.

ATTACHMENTS

Attachment 1 – *P-FI-0005 – Leak Adjustment Policy*

Attachment 2 – *P-FI-00022 – Leak Adjustment Policy – Phase II and Phase III Water Penalties*

	City of St. Helena Council Policy Finance	Policy Water Leak Adjustment Policy
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Title: Leak Adjustment Policy		Policy #	P-FI-0005
		Revision #	1
		Implementation Date	2017-01-09
		Last Update Date	2019-03-12
Approval by City Council	Resolution No. 2019-29	Date Approved	2019-03-12

I. Purpose, Overview and Scope of this Policy

The City of St. Helena is committed to preventing water waste but also understands that, infrequently, a water leak may occur. When a leak does occur, customers can request a credit to their utility bill for a portion of the excess water.

This policy rescinds all previous leak adjustment policies and remains in effect until rescinded by City Council.

II. Authority

The City Council has authority to update this policy.

III. Policy - Residential

1. To be eligible for a leak adjustment bill credit, the excess water usage must be 100% higher than normal usage based on an average of the same billing period for the previous three years or the available history for the account.
2. All leak(s) must be beyond the control of the owner, agents, tenants, contractors, or anyone occupying the property or using the property that could have reasonably foreseen such a possible leak.
3. The leak(s) cannot be the result of negligent, willful nor neglectful behavior.
4. Leak adjustments will not be granted if the City is in a Phase I or higher water emergency or subject to water use limitations by the State of California. Leak adjustments will also not be granted if a local natural disaster has been declared.
5. Leak adjustments will not be granted if water use does not comply with other existing laws.
6. Customers will be reminded that low-flow fixtures such as faucets, toilets and shower heads help save water and will be encouraged to sign up for the developer water retrofit list if fixtures are non-compliant.
7. One leak adjustment may be granted no more than once every 60 months per account.
8. The leak adjustment is in the form of a bill credit. It is 50% of the cost of the excess water usage only. This is determined by finance staff using the three-year average or available account history. There will be no adjustment to the base rate.
9. Bill credits are for water only and not wastewater.

P-FI-0005

	City of St. Helena Council Policy Finance	Policy Water Leak Adjustment Policy Page 2 of 4
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10. The credit is for one month only.
11. The maximum credit amount is \$300.
12. Hardship Agreements may be used to pay the higher bill.
13. Proof that the repairs were completed must be included with all requests for a leak adjustment. Examples include a copy of the plumber's invoice or hardware store receipts showing items purchased.
14. If any insurance payment, reimbursement from any other entity other than the City, or equivalent is received, the customer must immediately notify the City. The customer may be required to pay back the adjustment.
15. Leak adjustments will be funded from the General Fund.
16. Leak Adjustments will be approved by the Finance Director, or designee. If a leak adjustment is denied or outside the scope of the current Leak Adjustment Policy, an appeal may be made to the City Manager for bill credits and/or policy exceptions up to \$5,000. Bill credit and/or policy exception appeals in excess of \$5,000 must be made to the City Council.

IV. Policy – Non-Residential

1. To be eligible for a leak adjustment bill credit, the excess water usage must be 100% higher than normal usage based on an average of the same billing period for the previous three years or the available history for the account.
2. All leak(s) must be beyond the control of the owner, agents, tenants, contractors, or anyone occupying the property or using the property that could have reasonably foreseen such a possible leak.
3. The leak(s) cannot be the result of negligent, willful nor neglectful behavior.
4. Leak adjustments will not be granted if the City is in a Phase I or higher water emergency or subject to water use limitations by the State of California. Leak adjustments will also not be granted if a local natural disaster has been declared.
5. Leak adjustments will not be granted if water use does not comply with other existing laws.
6. Customers will be reminded that low-flow fixtures such as faucets, toilets and shower heads help save water and will be encouraged to sign up for the developer water retrofit list if fixtures are non-compliant.
7. One leak adjustment may be granted no more than once every 60 months per account.
8. Bill credits for Non-Residential customers are for water and for wastewater.
9. The water leak adjustment is in the form of a bill credit and is 50% of the cost of the excess water usage. This is determined by finance staff using the three-year average or available account history. There will be no adjustment to the base rate.

P-FI-0005

	City of St. Helena Council Policy Finance	Policy Water Leak Adjustment Policy
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10. The wastewater adjustment will only be made if the leak occurred outdoors and the water never entered into City's sewer system. This adjustment will be made using the three-year average or available account history for water consumption, the calculated excess water used would be reversed in the City's financial system. There will be no adjustments to the base rate.
11. The adjustment is for one month only.
12. The maximum adjustment amount for water is \$500.
13. The maximum unit adjustment for wastewater is limited to the calculated excess water use for the one-month period.
14. Hardship Agreements may be used to pay the higher bill.
15. Proof that the repairs were completed must be included with all requests for a leak adjustment. Examples include a copy of the plumber's invoice or hardware store receipts showing items purchased.
16. If any insurance payment, reimbursement from any other entity other than the City, or equivalent is received, the customer must immediately notify the City. The customer may be required to pay back the adjustment.
17. Water leak adjustments will be funded from the General Fund.
18. Leak Adjustments will be approved by the Finance Director, or designee. If a leak adjustment is denied or outside the scope of the current Leak Adjustment Policy, an appeal may be made to the City Manager for bill credits and/or policy exceptions up to \$5,000. Bill credit and/or policy exception appeals in excess of \$5,000 must be made to the City Council.

V. Procedures

1. Customers must formally request a leak adjustment by completing the Leak Adjustment Request Form available online and in the Finance Department.
2. Leak Adjustment requests must be submitted to the City of St. Helena Finance Department within thirty days of issuance of the initial bill covering the period in which leak occurred.
3. Utility Billing staff verifies a complete request was submitted, and verifies the request meets the terms outlined in the policy such as meeting the required excess water usage, receipts or proof of repairs, low flow fixtures, time since last request, etc. This is completed within 5 business days of receipt by the Finance Department.
4. Finance Director or designee makes determination to grant or deny leak adjustment request within 15 days of a completed form.
5. Customer is notified via phone or email of decision within 3 business days of the decision.
6. If leak adjustment is granted, staff will enter adjustment as a bill credit within 15 days of decision.

P-FI-0005

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7. Quarterly, funds are transferred from the General Fund 101-4000-2408 – Leak Adjustment Contributions to 561-3470-0000 – Water Other Revenue.
8. Leak adjustment transfers are reported in the Finance Department Quarterly Report.

VI. Attachments

1. Leak Adjustment Form

P-FI-0005



Residential Leak Application

DATE SUBMITTED: _____
RECEIVED BY: _____

PROPERTY & BILLING INFORMATION			
Date Applying:			
Account Holders Name	Daytime Phone Number	Other Phone Number	
Service Address			
Email			
Mailing Address (if different than above)	City	State	Zip Code
TYPE OF SERVICE			
☐ Single Family			
☐ Multi-Family			
WATER LEAK DESCRIPTION			
Describe how and where the leak occurred; in addition to how the leak was repaired.			
Billing Period in which leak occurred:	Does Property have Low Flow Fixtures?	Sign up for Developer Water Retrofit Program?	
	☐ Yes ☐ No ☐ Unsure	☐ Yes ☐ No	

Updated 03/12/19

Page 1 of 2

PLEASE READ & SIGN THE FOLLOWING STATEMENTS AS ACKNOWLEDGED AND REQUIRED BY THIS AGREEMENT		
I certify that I have read, understand and agree to the terms and conditions of a water leak adjustment policy identified below. - I am aware of and agree to comply with the Water and Waste Water System Rules and Regulations identified in the St. Helena Municipal Code: http://www.codepublishing.com/CA/StHelena - The water meter is property of the City of St. Helena. Turning on or off, tampering with or adjusting the meter is prohibited. - I am aware the excess water usage must be 100% higher than normal usage based on an average of the same billing period for the previous three years or the available account history. - I certify that the leak was not the result of negligent, willful or neglectful behavior. - I am aware leak adjustments will not be granted if the City is in a Phase 1 or higher water emergency or subject to water use limitations by the State of California. Also, leak adjustments will not be granted if a local natural disaster has been declared. - I am aware leak adjustments will not be granted if water use does not comply with other existing laws. - I am aware that one (1) leak adjustment may be granted no more than once every 60 months per account. - I am aware adjustments are for one month only. - I am aware if any insurance payment, reimbursement from any other entity other than the City, or equivalent is received, I must immediately notify the City and may be required to pay back the adjusted amount. If I have received reimbursement for this leak, I must provide copies of the documentation with this form. I am requesting relief under P-FI-0005 Leak Adjustment Policy set by the City of St. Helena. By signing this form, I certify the information provided is accurate and true, and agree to comply with all requirements as set forth in the policy. Failure to comply with Water and Waste Water System Rules and Regulations or falsifying information subjects water/waste water service to termination and possible criminal prosecution.		
Signature	Print Name	Date
PLEASE SUBMIT APPLICATIONS TO:		QUESTIONS?
City of St. Helena: Utility Billing 1480 Main Street St. Helena, CA 95404		Email: water@cityofsthelena.org Website: www.cityofsthelena.org/water Phone: 707-968-2745
STAFF USE ONLY		
Billing month the leak occurred:	Prior Leak adjustment on file: ☐ Yes ☐ No Date:	Documentation of Repair attached? ☐ Yes ☐ No
Leak Verified by City Employee & Date of Verification: ☐ Yes ☐ No ____/____/____	Leak Letter Received? ☐ Yes ☐ No	Average Water Usage calculated for adjustment
Total Water Usage adjusted:	Total Dollar Amount Adjusted:	Verified adjusted dollar amount with customer: ☐ Yes ☐ No
Additional Notes:		
Leak adjustment request is hereby: ☐ Approved ☐ Rejected Reason for rejection:		
Signature	Print Name (Finance Director)	Date



Non-Residential Leak Application

DATE SUBMITTED: _____
RECEIVED BY: _____

PROPERTY & BILLING INFORMATION			
Date Applying:			
Account Holders Name		Daytime Phone Number	Other Phone Number
Service Address			
Email			
Mailing Address (if different than above)	City	State	Zip Code
TYPE OF SERVICE			
☐ Water			
☐ Sewer			
WATER LEAK DESCRIPTION			
Did the Leak Occur Outdoors? ☐ Yes ☐ No If Yes, where: _____			
Describe how and where the leak occurred; in addition to how the leak was repaired.			
Billing Period in which leak occurred:	Does Property have Low Flow Fixtures? ☐ Yes ☐ No ☐ Unsure		Sign up for Developer Water Retrofit Program? ☐ Yes ☐ No

Updated 03/12/19

PLEASE READ & SIGN THE FOLLOWING STATEMENTS AS ACKNOWLEDGED AND REQUIRED BY THIS AGREEMENT		
I certify that I have read, understand and agree to the terms and conditions of a water leak adjustment policy identified below. - I am aware of and agree to comply with the Water and Waste Water System Rules and Regulations identified in the St. Helena Municipal Code: http://www.codepublishing.com/CA/StHelena - The water meter is property of the City of St. Helena. Turning on or off, tampering with or adjusting the meter is prohibited. - I am aware the excess water usage must be 100% higher than normal usage based on an average of the same billing period for the previous three years or the available account history. - I am aware the excess sewer adjustment only applies to leaks that occurred outdoors. - I certify that the leak was not the result of negligent, willful or neglectful behavior. - I am aware leak adjustments will not be granted if the City is in a Phase 1 or higher water emergency or subject to water use limitations by the State of California. Also, leak adjustments will not be granted if a local natural disaster has been declared. - I am aware leak adjustments will not be granted if water use does not comply with other existing laws. - I am aware that one (1) leak adjustment may be granted no more than once every 60 months per account. - I am aware adjustments are for one month only. - I am aware if any insurance payment, reimbursement from any other entity other than the City, or equivalent is received, I must immediately notify the City and may be required to pay back the adjusted amount. If I have received reimbursement for this leak, I must provide copies of the documentation with this form. I am requesting relief under P-FI-0005 Leak Adjustment Policy set by the City of St. Helena. By signing this form, I certify the information provided is accurate and true, and agree to comply with all requirements as set forth in the policy. Failure to comply with Water and Waste Water System Rules and Regulations or falsifying information subjects water/waste water service to termination and possible criminal prosecution.		
Signature	Print Name	Date
PLEASE SUBMIT APPLICATIONS TO:		QUESTIONS?
City of St. Helena: Utility Billing 1480 Main Street St. Helena, CA 95404		Email: water@cityofsthelena.org Website: www.cityofsthelena.org/water Phone: 707-968-2745
STAFF USE ONLY		
Billing month the leak occurred:	Prior Leak adjustment on file: ☐ Yes ☐ No Date:	Documentation of Repair attached? ☐ Yes ☐ No
Leak Verified by City Employee & Date of Verification: ☐ Yes ☐ No __/__/__	Leak Letter Received? ☐ Yes ☐ No	Average Water Usage calculated for adjustment
Total Water Usage adjusted:	Total Dollar Amount Adjusted:	Verified adjusted dollar amount with customer: ☐ Yes ☐ No
Total Sewer Usage adjusted:		
Additional Notes:		
Leak adjustment request is hereby: ☐ Approved ☐ Rejected Reason for rejection:		
Signature	Print Name (Finance Director)	Date

CITY OF ST. HELENA

RESOLUTION NO. 2019-29

Resolution approving Revision #1 to City of St. Helena City Council Policy P-FI-0005 Leak Adjustment Policy and repealing and rescinding Resolution 2016-161 and any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0005, Revision #1.

RECITALS

- A. On November 29, 2016 via Resolution 2016-161, City Council revised and updated it Water Leak Adjustment Policy; and
- B. This policy allows residential customers experiencing a water leak to seek a leak adjustment of 50% off the difference of the three-year average; and
- C. At the January 22, 2019 City Council meeting, Council directed staff to provide policy options to allow for an extension of a leak adjustment policy to commercial properties; and
- D. At the February 12, 2019 City Council meeting, Council provided staff the policy direction; and
- E. Based on City Council direction P-FI-0005 Leak Adjustment Policy has been updated based on City Council direction and is presented to City Council for adoption; and
- F. To avoid any inconsistencies with policy application, it is necessary to repeal and rescind any previous policies and procedures which conflict with City Council Policy P-FI-0005 Leak Adjustment Policy, Revision #1.

RESOLUTION

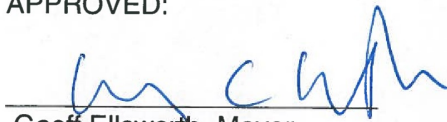
NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

- 1. Approves Revision #1 to City of St. Helena City Council Policy P-FI-0005 Leak Adjustment Policy; and
- 2. Repeals and rescinds Resolution 2016-161 and any previous policies or administrative memoranda which are inconsistent with City Council Policy P-FI-0005 Leak Adjustment Policy, Revision #1.

Approved at a Regular Meeting of the St. Helena City Council on March 12, 2019, by the following vote:

Mayor Ellsworth:	Yes
Vice Mayor Dohring:	Yes
Councilmember Koberstein:	Yes
Councilmember Chouteau:	Yes
Councilmember Knudsen:	Yes

APPROVED:


Geoff Ellsworth, Mayor

ATTEST:


Cindy Tzafopoulos, City Clerk



	City of St. Helena Water Advisory Board Policy Finance	Policy Water Leak Adjustment Policy - Penalties Page 1 of 2
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Title: Leak Adjustment Policy – Phase II and Phase III Water Penalties	Policy #	P-FI-0022
	Revision #	Implementation
	Implementation Date	
	Last Update Date	
Approval by Water Advisory Board	Resolution No.	Date Approved

I. Purpose, Overview and Scope of this Policy

The City of St. Helena is committed to preventing water waste but also understands that, infrequently, a water leak may occur. When a leak does occur, customers can request a credit to their utility bill for a portion of the excess water. This policy addresses penalties incurred during a water emergency in which were triggered by a water leak.

This policy remains in effect until rescinded by Water Advisory Board or City Council.

II. Authority

The Water Advisory Board has authority to update this policy.

III. Policy

1. To be eligible for a penalty leak adjustment, the excess water usage must be **100%** higher than normal usage based on an average of the same billing period for the previous three years or the available history for the account.
2. To be eligible for a penalty leak adjustment the customer must have not received a leak letter for **2** or more consecutive months.
3. All leak(s) must be beyond the control of the owner, agents, tenants, contractors, or anyone occupying the property or using the property that could have reasonably foreseen such a possible leak.
4. The leak(s) cannot be the result of negligent, willful nor neglectful behavior.
5. Only **one** penalty leak adjustment may be granted for the duration of the existing water emergency.
6. The penalty leak adjustment is in the form of a bill credit in which the customer can request a refund check once the credit has been applied.
7. The penalty leak adjustment will be **50%** of penalty only (e.g. if the penalty is \$100 the penalty leak adjustment will be \$50).
8. The maximum credit amount is \$.
9. Hardship Agreements may be used to pay the remaining penalty.
10. Proof that the repairs were completed must be included with all requests for a penalty leak adjustment. Examples include a copy of the plumber's invoice or hardware store

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receipts showing items purchased or proof provided by the City that water use had returned to normal levels during subsequent months.

11. Penalty Leak Adjustments will be approved by the Water Advisory Board. If a penalty leak adjustment is denied or outside the scope of the current Penalty Leak Adjustment Policy, an appeal may be made to the City Council.

IV. Procedures

1. Customers must formally request a Penalty Leak Adjustment by completing the Penalty Leak Adjustment Request Form available online and in the Finance Department.
2. Penalty leak adjustment requests must be submitted to the City of St. Helena Finance Department within 60 days of: (1) issuance of the initial bill covering the period in which leak occurred; or (2) from the date of the penalty letter issued.
3. Finance staff verifies a complete request was submitted, and verifies the request meets the terms outlined in the policy.
4. Penalty leak adjustment requests will be heard by the Water Advisory Board as soon as it is practical. The Water Advisory Board meets at a minimum once per month.
5. Customer is notified via email of decision within 10 business days of the decision.
6. If penalty leak adjustment is granted, staff will enter adjustment as a bill credit within 30 days of decision.

V. Attachments

1. Penalty Leak Adjustment Form (will be developed upon adoption of policy)

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