



May 30, 2018

TO: LOCSD Board of Directors
FROM: Renee Osborne, General Manager
SUBJECT: **Agenda Item #12A – 6/7/2018 Board Meeting**
Hear and Consider Appeal of High Water Bill

President
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Vice President
Marshall E. Ochylski

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Charles L. Cesena
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General Manager
Renee Osborne

District Accountant
Robert Stilts, CPA

Unit Chief
Scott M. Jalbert

Battalion Chief
Greg Alex

DESCRIPTION

To hear and consider a request from a water customer, who is the owner of the property, to appeal a high water bill beyond the scope of the General Manager's authority.

STAFF RECOMMENDATION

Motion: I move that the Board continue to extend the water customer's payment plan, and allow the resident to pay back the outstanding amount with no late fees being assessed. If the resident refuses to pay the amount, a tax lien will be placed on the property.

or

Motion: I move that the Board authorize staff to prepare the necessary documents for the collection of these delinquent charges on the 2018/2019 County Tax Rolls.

or

Motion: I move that the Board waive the outstanding amount of \$1,438.87 due to financial stress.

DISCUSSION

The Board is receiving a request from a property owner to remove an outstanding amount of \$1,438.87 due to a leak on the customer's side of the meter.

In November of 2016, the resident received a bill for \$1,503.77, her average bill is \$64.90. The General Manager is only authorized to extend the payment plan for one year.

The Board will need to decide whether or not to waive the outstanding amount, put the outstanding amount on her property tax bill, or extend the payment plan.

Ms. Coleman was given the opportunity to pay back her bill at whatever level of payment she could afford and I agreed to waive her late fees until her debt was paid. At one year's time, we would revisit her remaining amount and ask the Board for an extension to allow her to continue payments. As long as we

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P.O. Box 6064
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received monthly payments she would not be assessed any late fees. She was still not satisfied with this arrangement.

Ms. Coleman went to the County for financial assistance as she felt the tree that caused the problem was theirs and therefore their fault. The County denied her claim. She called me back and agreed to the arrangements. She started paying approximately \$20 more than her current bill. In March of this year (2018) she sent us a note stating she was not going to pay the "extra any more". She has made her "extra payments" again and is coming to the Board for the request to waive her debt.

SUMMARY

The Los Osos Community Services District Water Shortage Contingency Plan, Stage 3 Emergency clearly states: *"No leak adjustment credits will be awarded"*. It is not in the General Manager's prevue to waive a water debt. Ms. Coleman is requesting the Board waive her debt due to financial stress. Staff is recommending direction on how to work with Ms. Coleman's debt.

Attachments

Customer Transaction Summary

Customer Information

Account No: 01968
 CINTHEA COLEMAN
 1399 14TH ST
 LOS OSOS, CA 93402

Location Information

Location No: 07199
 1399 14TH ST
 LOS OSOS, CA 93402

Date	Type	Read Date	Reading	Usage	Prior Balance	Transaction Amount	Balance
01/03/2014	Charge	12/30/2013	532	8	0.00	61.95	61.95
01/10/2014	Payment				61.95	-61.95	0.00
02/20/2014	Charge	02/11/2014	540	8	0.00	61.95	61.95
03/04/2014	Payment				61.95	-61.95	0.00
04/21/2014	Charge	04/10/2014	547	7	0.00	58.94	58.94
05/02/2014	Payment				58.94	-58.94	0.00
06/20/2014	Charge	06/11/2014	556	9	0.00	64.96	64.96
07/02/2014	Payment				64.96	-64.96	0.00
08/20/2014	Charge	08/08/2014	562	6	0.00	55.10	55.10
09/02/2014	Payment				55.10	-55.10	0.00
10/20/2014	Charge	10/09/2014	569	7	0.00	60.05	60.05
10/29/2014	Payment				60.05	-60.05	0.00
12/19/2014	Charge	12/10/2014	572	3	0.00	50.65	50.65
01/05/2015	Payment				50.65	-50.65	0.00
02/19/2015	Charge	02/11/2015	578	6	0.00	56.98	56.98
03/06/2015	Payment				56.98	-56.98	0.00
04/20/2015	Charge	04/09/2015	583	5	0.00	53.91	53.91
05/01/2015	Payment				53.91	-53.91	0.00
06/19/2015	Charge	06/10/2015	588	5	0.00	53.91	53.91
07/06/2015	Payment				53.91	-53.91	0.00
08/20/2015	Charge	08/07/2015	592	4	0.00	55.76	55.76
09/10/2015	Payment				55.76	-55.76	0.00
10/20/2015	Charge	10/08/2015	596	4	0.00	60.36	60.36
11/06/2015	Payment				60.36	-60.36	0.00
12/18/2015	Charge	12/10/2015	601	5	0.00	62.36	62.36
01/12/2016	Payment				62.36	-62.36	0.00
02/19/2016	Charge	02/10/2016	606	5	0.00	62.36	62.36
03/02/2016	Payment				62.36	-62.36	0.00
04/20/2016	Charge	04/11/2016	609	3	0.00	58.36	58.36
04/29/2016	Payment				58.36	-58.36	0.00
06/20/2016	Charge	06/08/2016	614	5	0.00	62.36	62.36
07/06/2016	Payment				62.36	-62.36	0.00
08/19/2016	Charge	08/10/2016	618	4	0.00	68.51	68.51
09/06/2016	Payment				68.51	-68.51	0.00
10/20/2016	Charge	10/11/2016	624	6	0.00	75.47	75.47
11/14/2016	Payment				75.47	-75.47	0.00
12/21/2016	Charge	12/13/2016	790	166	0.00	1503.77	1503.77
01/03/2017	Payment				1503.77	-100.00	1403.77
02/17/2017	Charge	02/08/2017	797	7	1403.77	79.87	1483.64
03/07/2017	Payment				1483.64	-100.00	1383.64
04/20/2017	Charge	04/10/2017	799	2	1383.64	64.02	1447.66
05/05/2017	Payment				1447.66	-100.00	1347.66
06/21/2017	Charge	06/12/2017	802	3	1347.66	66.37	1414.03
06/27/2017	Payment				1414.03	-66.37	1347.66
08/21/2017	Charge	08/08/2017	807	5	1347.66	80.53	1428.19
09/06/2017	Payment				1428.19	-80.80	1347.39

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Location Information

Location No: 07199
 1399 14TH ST
 LOS OSOS, CA 93402

Date	Type	Read Date	Reading	Usage	Prior Balance	Transaction Amount	Balance
09/07/2017	Payment				1347.39	-20.00	1327.39
10/20/2017	Charge	10/10/2017	812	5	1327.39	90.00	1417.39
11/01/2017	Payment				1417.39	-110.00	1307.39
12/20/2017	Charge	12/11/2017	816	4	1307.39	85.00	1392.39
01/02/2018	Payment				1392.39	-105.00	1287.39
02/20/2018	Charge	02/07/2018	820	4	1287.39	85.00	1372.39
03/05/2018	Payment				1372.39	-85.00	1287.39
04/20/2018	Charge	04/11/2018	830	10	1287.39	123.75	1411.14
05/01/2018	Payment				1411.14	-150.00	1261.14

Liz Radvansky

From: Miss Coleman <cintheacoleman@gmail.com>
Sent: Wednesday, December 28, 2016 3:02 PM
To: jdiodati@co.slo.ca.us; dflynn@co.slo.ca.us
Cc: kcardoza@co.slo.ca.us; Miss Coleman; Margaret Falkner; Liz Radvansky
Subject: Re: Tea Garden
Attachments: LOCSD water bill.jpg

Hello All,

I'm attaching the bill I just received for the "accident" (on County property) resulting in the enormous amount owed.

Liz Radvansky at the LOCSD says GM Falkner has decided I owe this money but they'll let me "make payments with no late fees" for 1 year and then it will come up for review.

I offered to send \$100 in Good Faith.

I figure my bill was around \$70 for 2 months.

I'm asking nicely for San Luis Obispo County Public Works Department to send me a check for \$1400.00 to cover the rest.

I will never be able to pay this off...ever.

If I hadn't had the laterals put in like I wanted to do, I would've noticed the leak.

But I did.

I'll also be in touch with Ken Cardoza about the "financial aid" he mentioned for assistance in paying the \$165 a month for the sewer fees or whatever you call them.

If there are any application forms available, I'd appreciate receiving one.

Thank you very much for your prompt attention to this disturbing (for me) matter.

Sincerely,

Miss Cinthea T Coleman

On Thu, Dec 22, 2016 at 7:28 AM, Miss Coleman <cintheacoleman@gmail.com> wrote:

Hi John,

Greetings of the Seasons.

I contacted Ken Cardoza the other day about SLO Co helping me with something that happened which is unbelievable....even for me. I wanted to reach out to you as well because of our long, relatively pleasant History over the years.

I told you I got the USDA RD grant from Armando Aparicio, right?

Well, Matt Gellerman started the work on a Monday. They had to dig under the fence and cut the concrete in front.

It's right by the Eucalyptus tree I objected to them hacking the branches off.

The water meter is right there on the North side of the trunk of the tree. I usually walk my dog every day by there but couldn't because of the open trenches, piles of dirt, etc.

On Saturday, when Matt's guys were filling in the holes before that big rain, I was able to walk by there and noticed water bubbling out of the meter at an alarming rate.

"Nate" from the CSD came out and said the root of the tree had broken the concrete box and the pipe...on MY side of the meter.

There was no one to contact at the County.

I got a guy to repair the pipe and Nate brought a new concrete box that wasn't installed for a number of days. When they (CSD) did put it in, they had to shave more off the root (with a power tool) to get it to go in. I asked they be aware of the tree which may not even be alive weren't it for me and my care of it for 20+ years.

Tuesday, when I arrived home, "Clint" from the LOCS D was "re-reading" the meter because my usage was "the most of anyone all year".

I went from using 2-3 units (750 gallons per unit) a month to 170.

Over \$1500.

"Liz" at the CSD says I have to pay it because it "went thru your meter", although I didn't "USE" the water. It was pumped, at no cost to them, and returned to the Earth, whence it came.

The tree, meter, offending root are on County property with the CSD having an "encroachment permit" to work on it.

There was NO way for me to have noticed the leak or prevented the leak. In the Spirit of all that's Fair, I'm asking you to pay this bill for me.

I'm on SSI & try to live on less than \$900 a month. With the increased property taxes (\$1900 to over \$3300) and the \$165 a month with a vague possibility of some County assistance, I'll be having to live on less than \$500 a month.

It's a Struggle.

Thanks for your time,

Cinthea

Please Detach and Remit Stub with Payment

RECEIVED MAR 05 2018

lu

Please write your account number on your check.
Make checks payable to LOCSD.

Route: 210

Customer:
CINTHEA COLEMAN

Service Address:
1399 14TH ST

Remit Payment To:

Los Osos CSD
P.O. Box 6669
Los Osos, CA 93412-6669

*I won't be
paying extra
any more!
Please cancel
Debt.
etc*

Account Number	01968
Due Date	03/15/2018
AMOUNT DUE	1372.39
If Paid After Due Date	1509.63
Amount Enclosed	\$ <u>85.00</u>

RECEIVED
MAY 01 2018
AB

MAY 1, 2018

TO LOCAL BOARD + STAFF
I BELIEVE LAWS, RULES,
POLICIES ARE NECESSARY
IF THEY'RE FAIR.
I OPPOSE JUDGES BEING
FORCED TO USE "SENTENCING
GUIDELINES" AS IT DOESN'T
ALLOW FOR PERSONAL
CONSIDERATIONS.
SO IT IS WITH YOUR POLICY
OF FORCING ME TO PAY FOR
A. BREAK IN THE WATER
PIPE WHICH SHOULD HAVE
BEEN NOTICED BY YOUR
METER READERS AND WAS
IMPOSSIBLE FOR ME NOT
ONLY TO PREVENT BUT TO
NOTICE FOR 5 DAYS AS
LATERALS WERE PUT IN
- THAT IS NOT FAIR

RECEIVED
MAY 02 2018

COLEMAN appeal - part 2

the break on my side of the meter was caused by the root of the Eucalyptus tree (on county property that I tend) breaking thru the concrete box enclosing the meter.

this is LACS equipment & I feel is your responsibility.

this didn't happen overnight. Why wouldn't your "reader" notice the root had breached the box & was threatening to do damage to the pipes, meter, my life? Thank you for your time.

1299-1444 | Miss Cynthia T. Coleman

PART 3

RECEIVED
MAY 15 2018
BY: *[Signature]*

15 May 2018

Coleman Appeal:

Matt Gellerman / Gellerman*
Construction (439-4950 / 1028
Santa Ynez) installed my
laterals with a grant from
USDA RD (Armando Aparicio)
there was no way to see
or know the leak was there.
David, the foreman, repaired
the break in the pipe for
\$50 instead of \$200.
Since it's your equipment on
county property, I'd like
some "credit" for the \$50.

*available

Miss Ot Co