

Spreckels Memorial District
REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday April 6, 2022 5:30 pm
 Spreckels Veterans Memorial Building, 5th & Llano, Spreckels, CA 93962

AGENDA

Agenda order may be adjusted by Chair for purposes of meeting flow and to be respectful of the time concerns of guests present.

1. CALL TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL & ESTABLISHMENT OF QUORUM:

Rick Magno, President
 Walan Chang, Vice-President
 David Kuhlmann, Director
 Jill Kramm, Director
 Saren Pierson, Secretary

4. PUBLIC COMMENTS: *At this time any person may comment on any item which is not on the agenda. Please state your name and address for the record. Action will not be taken on any item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Board members may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of five (5) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Board of Directors.*

5. APPROVAL OF MINUTES:

a. SMD Regular Board Meeting March 2, 2022

6. GENERAL MANAGER'S REPORT:

a. Financial Reports February.

1. Fund Balances as of 3/31/2022
2. Budget FY 2021 FYTD to 3/31/2022
3. Review of Deposits: County Fund 668 January [Period 8]

Spreckels Memorial District • P.O. Box 7266 • Spreckels, CA 93962
 Park & Memorial Building Rental (831) 455-2022 • District Business (831) 455-7855
 Email: spreckelsmd.main@gmail.com • www.spreckelsmd.specialdistrict.org

4. Review of Deposits: Wells Fargo Payroll Checking March
5. Review of Wells Fargo Bank Statements/Reconciliations February 2022.
6. Review of Expenditures February 2022.

7. ACTION ITEMS: DISCUSSION AND POSSIBLE APPROVAL

- a. Approve Transfer of \$40,000 from County Fund 668 to Wells Payroll Account.

8. USE REQUESTS:

9. FUNCTION RECAP:

10. NEW BUSINESS:

- a. Park Sewer Lateral Failure:
 1. Report on efforts with Cal Am and Supervisor Lopez.
 2. Possible Approval of Estimate 673777563 from Roto-Rooter for Sewer Line Replacement.

11. CONTINUED BUSINESS:

- a. Spreckels 4th of July Celebration 2022.
- b. Update Facilities Manager Employment Agreement.
- c. Report on Audit in Progress FY's 2020 & 2021
- d. Upcoming Projects.

12. REGULAR MONTHLY FACILITIES REPORTS:

- a. Review of Building/Equipment Inspection Report.
- b. Review of Park Operations and Safety Report

13. FUTURE AGENDA ITEMS:

- a. Repurpose Racquetball Court Structure.

14. ADJOURN REGULAR MEETING: Next meeting Wednesday May 4, 2022 5:30 PM.

2022 Meeting Dates: January 12, February 2, March 2, April 6, May 4, June 2, June 29, July 6, August 3, September 7, October 5, November 2, December 7.

ADA COMPLIANCE

In compliance with the American Disabilities Act (ADA), disabled individuals requiring special accommodations to access, attend, or participate in District Board meetings, should contact the

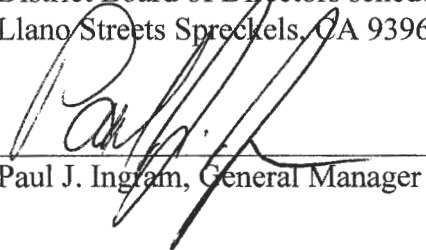
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District Administrative Office, [831] 455-7855. To ensure that your request is granted please notify this office at least one business day prior to the scheduled public meeting.

In Compliance with Government Code section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at Spreckels Veterans Memorial Building, 5th and Llano Streets, Spreckels, CA 93962, or at the scheduled meeting. In addition, if you would like a copy of any record related to an item on the agenda, please contact the District during normal business hours. Email requests please use spreckelsmd.main@gmail.com.

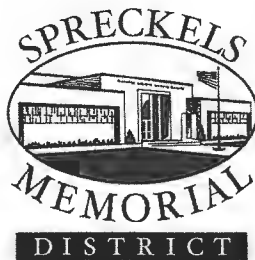
Certification

I, Paul J. Ingram, General Manager/Board Clerk for Spreckels Memorial District, do hereby declare that the foregoing agenda was posted at least (72) hours prior to the April 6, 2022 Regular Meeting of the District Board of Directors scheduled for 5:30 pm at Spreckels Veterans Memorial Building, 5th and Llano Streets Spreckels, CA 93962


 Paul J. Ingram, General Manager

Date 3/30/2022

To download the full agenda packet, please go to www.spreckelsmd.specialdistrict.org and click on the meeting date. Click on the link to the agenda.



Spreckels Memorial District
MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
Wednesday March 2, 2022 5:30 pm
 Spreckels Veterans Memorial Building, 5th & Llano, Spreckels, CA 93962

1. CALL TO ORDER:

The meeting was called to order by President Magno at 5:30 PM.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL & ESTABLISHMENT OF QUORUM:

Rick Magno, President
 Walan Chang, Vice-President
 David Kuhlmann, Director
 Jill Kramm, Director
 Saren Pierson, Secretary

Present: Magno, Chang, Kuhlmann, Kramm, Pierson
Absent: None

QUORUM ESTABLISHED

4. PUBLIC COMMENTS:

5. APPROVAL OF MINUTES:

a. SMD Regular Board Meeting February 2, 2022

Motion to approve [Kramm] 2nd [Pierson].
Ayes: Magno, Chang, Kuhlmann, Kramm, Pierson
Noes: None

MOTION CARRIED

6. GENERAL MANAGER'S REPORT:

a. Financial Reports February.

1. Fund Balances as of 2/28/2022
2. Budget FY 2021 FYTD to 2/28/2022
3. Review of Deposits: County Fund 668 January [Period 7]
4. Review of Deposits: Wells Fargo Payroll Checking February

5. Review of Wells Fargo Bank Statements/Reconciliations January 2022.
6. Review of Expenditures January 2022.

7. ACTION ITEMS: DISCUSSION AND POSSIBLE APPROVAL

- a. Approve Transfer of \$10,000 from County Fund 668 to Wells Payroll Account.

Motion to approve [Chang] 2nd [Pierson].

Ayes: Magno, Chang, Kuhlmann, Kramm, Pierson

Noes: None

MOTION CARRIED

- b. Approve Spreckels 4th of July Celebration 2022 Contract for Event Coordinator Services with Danielle Parker.

Motion to approve contract and go forward with the 2022 4th of July Celebration [Chang] 2nd [Pierson], with the following conditions:

1. *Board Member shall be added to Paragraph 6 along with General Manager for any changes.*
2. *If 5 and 10k races are not held, contract amount shall be reduced from \$6000 to \$3000.*
3. *Payment schedule shall be 25% by date of February regular board meeting, 25% by date of regular April meeting and remaining 50% upon final report of event or no later than August regular board meeting.*

Ayes: Magno, Chang, Kuhlmann, Pierson

Noes: Kramm

MOTION CARRIED

8. USE REQUESTS:

- a. 28th Division American Legion Car Show/Vanity Fair
- b. Joann Garcia Wedding

Motion to approve all [Chang] 2nd [Kramm].

Ayes: Magno, Chang, Kuhlmann, Kramm, Pierson

Noes: None

MOTION CARRIED

9. FUNCTION RECAP:

10. NEW BUSINESS:

11. CONTINUED BUSINESS:

- a. Spreckels 4th of July Celebration 2022.
- b. Update Facilities Manager Employment Agreement.
- c. Upcoming Projects.

12. REGULAR MONTHLY FACILITIES REPORTS:

- a. Review of Building/Equipment Inspection Report.
- b. Review of Park Operations and Safety Report

13. FUTURE AGENDA ITEMS:

- a. Repurpose Racquetball Court Structure.

14. ADJOURN REGULAR MEETING: Next meeting Wednesday April 6, 2022 5:30 PM.

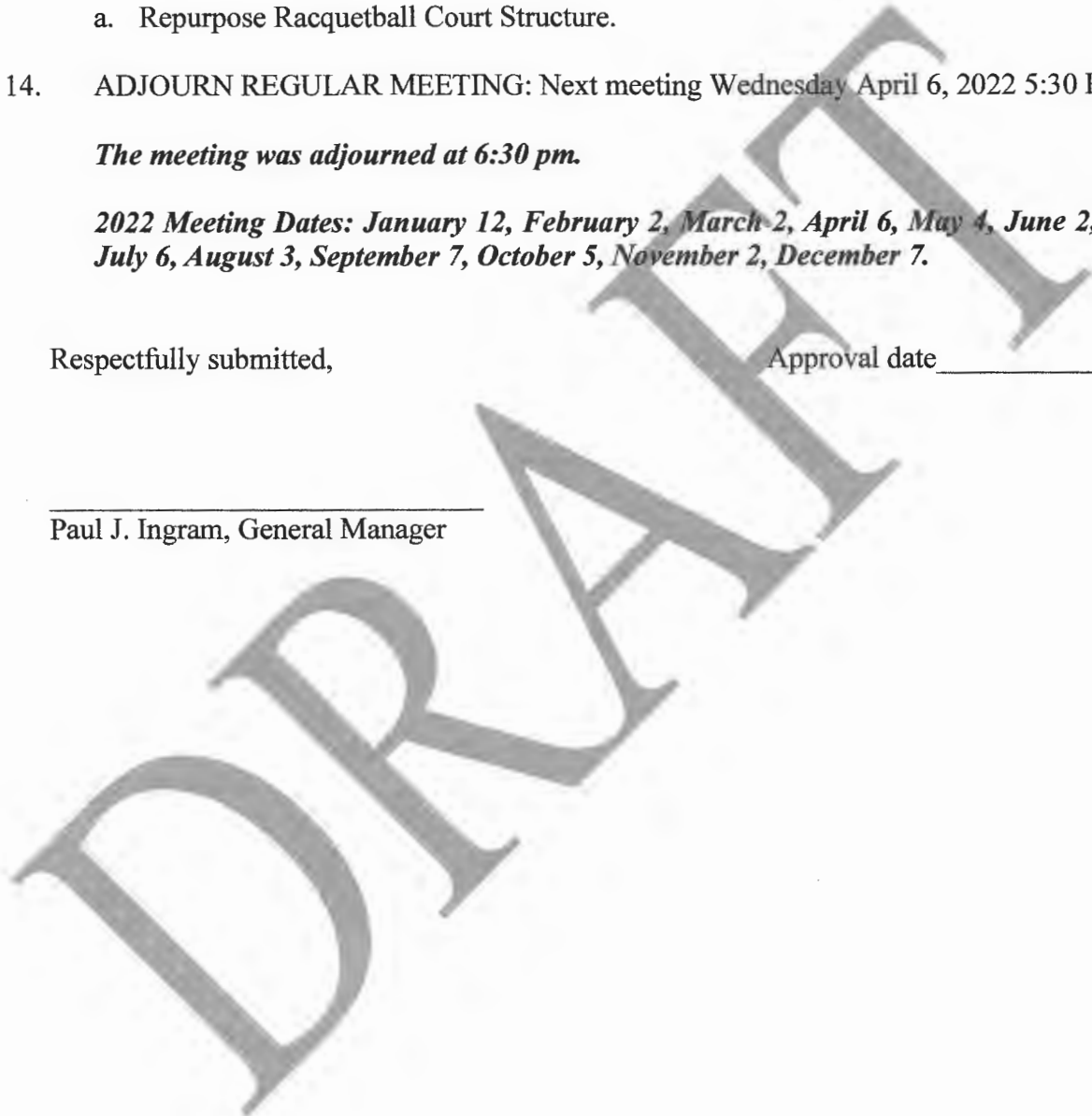
The meeting was adjourned at 6:30 pm.

2022 Meeting Dates: January 12, February 2, March 2, April 6, May 4, June 2, June 29, July 6, August 3, September 7, October 5, November 2, December 7.

Respectfully submitted,

Approval date _____

Paul J. Ingram, General Manager



**SPRECKELS MEMORIAL DISTRICT FUND
BALANCES AS OF 3/31/2022**

COUNTY FUND 668	\$ 127,135.53
WELLS FARGO	
GENERAL CHECKING	\$ 2,742.84
WELLS FARGO	
PAYROLL CHECKING	<u>\$ 15,135.53</u>
TOTAL	\$145,013.90

Spreckels Memorial District
Adopted Budget FYTD to 3/30/2022

Income	Budget	FYTD		
July 4th	\$10,000.00		\$10,000.00	0.00%
Memorial Building & Park rent	\$20,000.00	\$34,075.00	-\$14,075.00	170.38%
Sub Total	\$30,000.00	\$34,075.00	-\$4,075.00	113.58%
Per Capita Grant	\$177,960.00	\$177,960.00	\$0.00	100.00%
COVID Relief from CA		\$33,815.00		
Property Tax	\$235,000.00	\$153,904.35	\$81,095.65	65.49%
Special Assessment	\$44,500.00	\$27,146.39	\$17,353.61	61.00%
Interest on Pooled Investments	\$2,000.00	\$190.51	\$1,809.49	9.53%
Sub Total	\$459,460.00	\$393,016.25	\$66,443.75	85.54%
Total Income	\$489,460.00	\$427,091.25	\$62,368.75	87.26%
Expense				
Salaries				
Pay Roll Expenses	\$90,000.00	\$71,686.64	\$18,313.36	79.65%
Employee Benefits				
Workers Comp	\$2,500.00	-\$256.76		-10.27%
Total Salary and Benefits	\$92,500.00	\$71,429.88	\$21,070.12	77.22%
Operations Budget				
4th of July	\$10,000.00		\$10,000.00	0.00%
Professional Services				
Audits	\$8,000.00	\$300.00	\$7,700.00	3.75%
Administration Fees	\$3,000.00	\$423.00	\$2,577.00	14.10%
Advertising	\$1,200.00	\$348.75	\$851.25	29.06%
Legal Services	\$2,000.00	\$792.00	\$1,208.00	39.60%
Parcel Management	\$3,875.00	\$3,800.00	\$75.00	98.06%
Bank Fees	\$50.00		\$50.00	0.00%
Property Tax	\$450.00	\$444.80	\$5.20	98.84%
Sub Total	\$18,575.00	\$6,108.55	\$12,466.45	32.89%
Education				
Board and Staff Education	\$1,500.00	\$548.50	\$951.50	36.57%
Dues and Subscriptions	\$2,500.00	\$1,245.00	\$1,255.00	49.80%
Sub Total	\$4,000.00	\$1,793.50	\$2,206.50	44.84%
MAINTENANCE				
Building Materials	\$1,200.00	\$506.68	\$693.32	42.22%
Electrical Repairs Hall	\$1,000.00	\$898.47	\$101.53	89.85%
Electrical Repairs Park	\$250.00		\$250.00	0.00%
Equipment Purchase	\$1,000.00	\$700.02	\$299.98	70.00%
Equipment Rental	\$500.00	\$1,863.58	-\$1,363.58	372.72%

Spreckels Memorial District
Adopted Budget FYTD to 3/30/2022

Power Equipment Repairs	\$200.00		\$200.00	0.00%
Plumbing Repairs Hall	\$250.00	\$113.15	\$136.85	45.26%
Plumbing Repairs Park	\$250.00	\$3,643.50	-\$3,393.50	1457.40%
HVAC	\$2,000.00		\$2,000.00	0.00%
Equipment Maint & Repairs Hall	\$1,000.00	\$2,133.50	-\$1,133.50	213.35%
Equipment Maint & Repairs Park	\$1,000.00	\$3,709.79	-\$2,709.79	370.98%
Sprinkler Supplies	\$500.00	\$2,427.73	-\$1,927.73	485.55%
Sprinkler System Repairs	\$850.00	\$6,740.00	-\$5,890.00	792.94%
Park Plants	\$250.00	\$543.78	-\$293.78	217.51%
Fuel	\$850.00	\$867.89	-\$17.89	102.10%
Pest Control	\$600.00	\$325.00	\$275.00	54.17%
Landscape Maintenance Contract	\$25,000.00	\$21,300.00	\$3,700.00	85.20%
Tree Maintenance	\$2,500.00	\$675.00	\$1,825.00	27.00%
Turf Treatment	\$6,500.00	\$4,831.00	\$1,669.00	74.32%
Water Treatment	\$1,400.00	\$1,098.28	\$301.72	78.45%
Sub Total	\$47,100.00	\$52,377.37	-\$5,277.37	111.20%
Utilities				
PG&E Park	\$5,000.00	\$1,796.02	\$3,203.98	35.92%
PG&E Hall	\$12,000.00	\$12,538.56	-\$538.56	104.49%
Water / Park	\$20,000.00	\$12,210.22	\$7,789.78	61.05%
Water / Hall	\$3,500.00	\$2,812.00	\$688.00	80.34%
Sewer	\$1,300.00	\$1,000.96	\$299.04	77.00%
Telephone and Internet	\$5,500.00	\$3,576.44	\$1,923.56	65.03%
Sub Total	\$47,300.00	\$33,934.20	\$13,365.80	71.74%
Supplies				
Janitorial Supplies	\$4,000.00	\$2,869.13	\$1,130.87	71.73%
Sub Total	\$4,000.00	\$2,869.13	\$1,130.87	71.73%
Office/Operating Expenses				
Office Supplies	\$500.00	\$307.12	\$192.88	61.42%
Office Equipment	\$100.00		\$100.00	0.00%
Post Office Box	\$225.00		\$225.00	0.00%
Website	\$600.00		\$600.00	0.00%
Postage and Delivery	\$55.00	\$58.00	-\$3.00	105.45%
Sub Total	\$1,480.00	\$365.12	\$1,114.88	24.67%
Insurance				
General Liability / Property Insurance	\$3,000.00	\$8,757.83	-\$5,757.83	291.93%
Sub Total	\$3,000.00	\$17,515.66	-\$14,515.66	583.86%
Total Operations	\$227,955.00	\$186,393.41	\$41,561.59	81.77%
Capital Expense				
Building		9800	-\$9,800.00	#DIV/0!
Park	\$370,000.00	357504.36	\$12,495.64	96.62%
Sub Total	\$370,000.00	367304.36		99.27%
Emergency Reserve	-\$108,145.00			
Total Expense	\$489,810.00	\$553,697.77	(\$63,887.77)	113.04%

Fund 668 - Spreckels Memorial District
Account Type Liability
BSA/Obj/Rev B-2530 - Assets Held as Agency for Others
Sub BSA/Obj/Rev 4010 - Current Secured

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
JV,1110,PTAX29_22_CS		02/24/2022	Curr Sec - Jan 2022		0.00	(5,059.28)	
Total for Sub-BSA 4010 - Current Secured				(2,006,581.85)	0.00	(5,059.28)	(2,011,641.13)

Sub BSA/Obj/Rev 4015 - Current Unsecured

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
					0.00	0.00	
Total for Sub-BSA 4015 - Current Unsecured				(82,061.61)	0.00	0.00	(82,061.61)

Sub BSA/Obj/Rev 4025 - Prior Secured

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
JV,1110,PTAX28_22_PRSEC		02/24/2022	Prior Secured - Jan 2022		0.00	(80.62)	
Total for Sub-BSA 4025 - Prior Secured				(39,110.28)	0.00	(80.62)	(39,190.90)

Sub BSA/Obj/Rev 4030 - Prior Unsecured

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
					0.00	0.00	
Total for Sub-BSA 4030 - Prior Unsecured				(764.46)	0.00	0.00	(764.46)

Sub BSA/Obj/Rev 4035 - Current Supplemental

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
					0.00	0.00	

Report ID : MC-FIN-BS-0301	County of Monterey	Page 4 of 4
Run Date : 03/10/2022	Trial Balance By Accounting Distribution	
Run Time : 10:23 AM	Fiscal Year 2022 / 8 through 8	

Fund 668 - Spreckels Memorial District
Account Type Liability
BSA/Obj/Rev B-2530 - Assets Held as Agency for Others
Sub BSA/Obj/Rev 5415 - Special Assessments

Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
JV,1110,PTAX29_22_CS		02/24/2022	Curr Sec - Jan 2022		0.00	(995.01)	
Total for Sub-BSA 5415 - Special Assessments				(501,302.02)	0.00	(995.01)	(502,297.03)
Sub BSA/Obj/Rev No Sub-BSA Specified							
Transaction ID	Jrnl Doc Ref (Code,Dept,ID)	Transaction Date	Description	Beginning Balance	Debits	Credits	Ending Balance
JV,1110,0000034401		02/07/2022	ACH/EFT To record: February Payables		10,000.00	0.00	
Total for Sub-BSA No Sub-BSA Specified				2,616,482.94	10,000.00	0.00	2,626,482.94
Total for B-2530 - Assets Held as Agency for Others				(145,723.54)	10,000.00	(6,134.91)	(141,858.45)
Total for Fund 668 - Spreckels Memorial District				(0.00)	16,134.91	(16,134.91)	(0.00)
Grand Total				(0.00)	16,134.91	(16,134.91)	(0.00)

Deposit Summary

Spreckels Memorial District

Summary of Deposits to Wells Payroll Checking on 03/01/2022

Chk No.	PmtMethod	Rcd From	Memo	Amount
		Spreckels Memorial District	Office Rent	100.00
Less Cash Back:				
Deposit Total:				100.00

Deposit Summary

Spreckels Memorial District

Summary of Deposits to Wells Payroll Checking on 03/09/2022

Chk No.	PmtMethod	Rcd From	Memo	Amount
	Cash	Tom Starvweather	Deposit	500.00
	Cash	Kristina Ramirez	Park Rent	100.00
	Check	Jaime Valdez	Deposit	500.00
	Check	Enrique Godinez	Park Rent	100.00
	Check	Jeffery Walbeck	Deposit	500.00
	Check	Cristal Wilcox	Deposit	500.00
	Check	Fred McCuistion	Bulding Rent	800.00
	Check	Peter Williams	Park Rent	100.00
	Check	Peter Williams	Park Deposit	45.00
	Check	Dallen Coronel	Deposit	500.00

Less Cash Back:**Deposit Total:****3,645.00**

Deposit Summary

Spreckels Memorial District

Summary of Deposits to Wells Payroll Checking on 03/23/2022

Chk No.	PmtMethod	Rcd From	Memo	Amount
	Check	Spreckels Community Services District	Office Rental	100.00
	Check	Paul Ingram	Cash from Amanda Cervantes Park Re...	100.00
	Check	Sign With Us 3	Building Rent	300.00
	Check	Christal Wilcox	Building Rent	1,500.00
	Check	Tonantzin Ocampo	Park Rent	45.00

Less Cash Back:**Deposit Total:****2,045.00**

Deposit Summary

Spreckels Memorial District

Summary of Deposits to Wells Payroll Checking on 03/23/2022

Chk No.	PmtMethod	Rcd From	Memo	Amount
		Priscilla Torrance	Park Deposit	100.00
		Priscilla Torrance	Park Rent	45.00
Less Cash Back:				
Deposit Total:				145.00

Spreckels Memorial District

From: Spreckels Memorial District <spreckelsmd.main@gmail.com>
Sent: Tuesday, March 29, 2022 5:22 PM
To: Chris Lopez (district3@co.monterey.ca.us)
Cc: Rick Magno (torch5611@yahoo.com); Joe Velasquez (jvelasquez0608@gmail.com)
Subject: Spreckels Memorial Park Sewer Lateral Failure
Attachments: Park Restroom Sewer Lateral Map.pdf; Cal Am Response to Sewer Failure.pdf; Spreckels Park Restroom Sewer Lateral_Roto Rooter Estimate.pdf

Dear Supervisor Lopez,

In July of 2021 Spreckels Memorial District went forward with a full remodel and ADA upgrade of the existing Spreckels Memorial Park restroom, located at 60 Llano Street. Total cost to SMD for this much needed project was \$356,674.46. After having the restroom offline since July, at the beginning of December the project was completed and the restroom was hooked up once again to the existing sewer lateral. For two months the facility was in full operation and working well. Around the middle of February, we started experiencing sewer back-ups that ultimately led to complete failure. After extensive investigation by the plumbing contractor for the project and another plumber the District uses, the decision was made to call in Roto Rooter for a full diagnosis. After water blasting the sewer lateral clear, Roto Rooter performed a full video recording of the condition of the lateral.

The video file shows the sewer lateral as completely deteriorating, with clay pipe joints no longer aligning and several holes and root intrusions. I will send the video to you via Dropbox. Roto Rooter sent the attached estimate for relining the lateral without opening the street. They also advised us not to restart use of the sewer as fluid will cause dirt to quickly intrude and necessitate another water blast clearing. We have been paying \$450 per month for two portable toilets for use while the restroom is offline. Also attached is a Google Earth shot of the lateral location across Llano Street and tying into another lateral located at the residence at 51 Llano Street before it continues to the sewer main on 2nd Street. We made inquiries with California American Water, which owns the Spreckels sewer system. Their response [attached] is that they are only responsible for repairs to the sewer main and that the customer is responsible for repairs to the sewer lateral, whether on private property or in the public street. District Counsel was consulted and confirmed that would generally be their response.

Far above use by park patrons, the Spreckels Memorial Park restroom has long been known by the public as the best and most accessible public restroom in the unincorporated county. And now with the full remodel, it is even more accessible for the disabled. It is very easy to pull right up to the curb for a short wheelchair ride to the restroom doors. During daylight hours there is a constant stream of vehicles, both private and commercial stopping to use the facility.

Spreckels Memorial District has been a good steward of our finances, striving to maintain and improve all District facilities. This was a well thought out remodel for which we planned over several years. We were ready to move on to the next major project, which is a complete redo of the group picnic area. Those plans will have to be on hold if we have to carry the full financial weight of this repair. We are asking if you would go before the full Board of Supervisors to help us with this emergency repair. The work is in a county street for a facility that serves the larger county population. We thank you for your kind attention.

For closer inspection of the site, please contact Facilities Manager Joe Velasquez at [831] 756-2269.

Sincerely,
Paul J. Ingram, General Manager
[831] 601-6518



Roto-Rooter Plumbers Division of RotoCo., Inc. Remit to: 2141 Industrial Ct., Ste.D • Vista, CA 92081 (800) 491-7686
 Accounts Receivable (844) 490-7686 • Fax: (760) 598-1657 Lic# 422155 • Federal ID #: 81-3573122

BILL TO

Spreckels Memorial Building
 90 Fifth Street
 Spreckels, CA 93962 USA

ESTIMATE 673777563	ESTIMATE DATE Feb 25, 2022
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JOB ADDRESS

Spreckels Memorial Building
 90 Fifth Street
 Spreckels, CA 93962 USA

Job: 673753299
Technician: Juan Rico
Technician: Reuben Limon Vega

ESTIMATE DETAILS

Sewer line replacement: Estimate is to replace sewer line from cleanouts in grass by park restrooms to lateral tie in residential property across the street. Will need to use two different systems using trenchless sewer pull for approximately 70' to right before sidewalk ends in grass area, will then shoot new liner inside of existing line into residential property to lateral tie in. Will not disrupt any part of residential property with either part of repair. Will remove both cleanouts at park restrooms and install one 2 way cleanout. Will backfill holes in grass as necessary.
 Estimate includes all labor, permits and material

SUB-TOTAL	\$38,560.00
TAX	\$0.00
TOTAL	\$38,560.00

WE DO WATER RESTORATION

(Fix it, Clean it, Dry it)

Conditions & Exclusions apply. Please see below for details

COVID-19 ACKNOWLEDGMENT / WAIVER; Effective as of 3/20/2020:

In an effort to reduce the spread of COVID-19, Roto-Rooter will be limiting the interaction between our customers and technicians through a mandated Touch-Free policy until further notice. During this time, our technicians will take verbal authorization for work to be performed, as well as payment for work completed all over a recorded phone call or without touching of devices or payment methods to help maintain the health and safety of all. Technicians will write "VERBAL" in place of a customer signature for work authorization, completion, and payment purposes and document call details for verification and tracking purposes. By accepting work verbally over a recorded line, you are acknowledging an audible signing of the invoice/contract agreement.

CUSTOMER AUTHORIZATION

WORK ORDER AUTHORIZATION / WAIVER:

I authorize Roto-Rooter to perform the described services and I agree to pay the amounts indicated. I understand that Roto-Rooter is not responsible for broken, settled, rusted, deteriorated, or lead pipes, fixtures, or clean outs and any damage resulting from cleaning or repairing such lines.

I have asked Roto-Rooter to provide services, Under Section 1689.13 of the California Civil Code, in order to induce Roto-Rooter to provide these services; 1) Initiated negotiation and contract; 2) executed this contract in connection with the making of emergency or immediate necessary repairs or services necessary for the immediate protection of persons or personal property detailed on this invoice; and 3) I expressly acknowledge and waive the right to cancel this contract within three or seven business days, whichever applies.

ACH PAYMENT AUTHORIZATION / WAIVER:

In the event that payment is required and bank account information or a check is provided as a form of payment, I hereby authorize RotoCo, Inc., herein called Roto-Rooter, to (i) initiate a debit entry to my account, and to debit the same to such account, (ii) use information from my check to make a one-time electronic fund transfer from my account or (iii) process the payment as a check transaction, as determined by Roto-Rooter and as applicable. I acknowledge that the origination of ACH transactions to my account must comply with the provision of U.S. law and that I may only revoke this authorization by notifying Roto-Rooter as provided below. This authorization is to remain in full force and effect for the payment on this invoice, until Roto-Rooter has received written notification from me of its termination in such time and in such manner as to afford Roto-Rooter a reasonable opportunity to act on it. If you believe any of the above information to be in error or to contact Roto-Rooter for information on revoking this authorization, please contact us at (844) 490-7686.

Sign here

Date

THREE DAY RIGHT TO CANCEL

**Only applies if the contract is greater than \$750.*

Sign here

Date

CONDITIONS AND EXCLUSIONS

Roto-Rooter guarantees the services performed set forth in this invoice to be free from defect in materials or workmanship for the applicable time period stated above. If within the Guarantee Period a drain stoppage or other defect in the repair of plumbing fixtures plumbing parts installed by Roto-Rooter occurs, Roto-Rooter will clear the drain stoppage or, repair or replace (at Roto-Rooter's option) the plumbing fixture of plumbing part previously installed at no cost to the customer, subject to the following exclusions and limitations:

1. This Guarantee applies only to the specific sewer lines cleaned, or plumbing fixtures or plumbing parts supplied and installed by Roto-Rooter
2. Roto-Rooter must receive notice of the defect within the Guarantee Period.
3. This Guarantee does not apply to:
 - a. Materials furnished, or work performed by other than Roto-Rooter.
 - b. Drains, sewer lines, plumbing fixtures and plumbing parts which have been misused, abused, damaged, or modified by others;
 - c. Drain or sewer line stoppages caused by foreign materials and objects, including but not limited to grease, sanitary articles, paper towels, toys etc., or
 - d. Drains, sewer lines, plumbing fixtures on septic systems
 - e. Pipes lifted by roots
 - f. Repairs made by cast in place lining that have subsequently been cleaned with a drain cleaning machine with rotating cutter heads. LINED PIPES MUST BE CLEANED WITH A WATER JET.
4. The Guarantee Period commences on the date or original service and shall not be extended by subsequent services or repairs made pursuant to the terms of the Guarantee. The Guarantee hereunder extends to the customer invoiced for the services and is not transferable.
5. Roto-Rooter's liability hereunder shall be limited to recleaning of drain or sewer stoppage(Max. Two repeat visits) or the repair or replacement of defective plumbing fixtures or plumbing parts: Roto-Rooter shall not be liable for (1) Incidental or consequential damages; (2) Water or other damage; (3) Loss of use; or (4) Loss of anticipated benefits or profits, any of which result from the furnishing of services or products, or from the breach of the Guarantee, even if Roto-Rooter knew of the likelihood of such damages.
6. Any implied warranty of merchantability, or fitness for a particular purpose of use, shall be limited to the duration of the foregoing written guarantee. *The foregoing written guarantee is the customer's sole and exclusive remedy and in lieu of all other guarantees and warranties express or implied, written or oral.* This guarantee may only be modified in writing, signed by an officer of Roto-Rooter.
7. This guarantee does not apply in the event customer breaches any of the Terms and conditions of service, including but not limited to timely payment of all charges.
8. COLLECTIONS: Owner agrees to pay all collection fees and charges including but not limited to all legal and attorney fees that result should Owner default in payment of this contract. Overdue accounts are subject to interest charged at the rate of 18% per annum.
9. LEGAL FEES: In the event litigation arises out of this contract, prevailing party(ies) are entitled to all legal, arbitration, and attorney fees. The court shall not be bound to award fees based on any set, court fee schedule but shall if it so chooses, aware the true amount of all costs, expenses and attorney fees paid or incurred.

A FINANCE CHARGE will be computed on the unpaid balance by a single period rate of 1-1/2% per month, which is an annual percentage rate of 18%. A \$35.00 FEE WILL BE CHARGED FOR ALL RETURNED CHECKS.

"State law requires anyone who contracts to do construction work to be licensed by the Contractors State License Board in the license category in which the contractor is going to be working - if the total price of the job is \$750.00 or more (including labor and materials).

Licensed contractors are regulated by laws designed to protect the public. If you contract with someone who does not have a license. The Contractors State License Board may be unable to assist you with a complaint. Your only remedy against an unlicensed contractor may be in civil court, and you may be liable for damages arising out of any injuries to the contractor or his or her employees.

You may contact the Contractors State License board to find out if this contractor has a valid license. The board has complete information on the history of licensed contractors including any possible suspensions, revocations, judgements and citations. The board has offices throughout California. Please check the government pages of the white pages for the office nearest you or call (800) 321-CSLB for more information."