

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT  
MEMORANDUM  
June 7, 2021

TO: FRAQMD BOARD OF DIRECTORS  
FROM: Christopher D. Brown AICP, APCO  
SUBJECT: Request for Fee Waiver from P23228-CSS inc., dba Elite Universal Security

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RECOMMENDATION:

Elite Universal Security has requested the District waive the fees of \$229.75. The District recommends the Board not waive the fees as they were appropriately assessed under District Regulations and are consistent with fees assessed in the permit closure process to cover District expenses and staff time.

ALTERNATIVES:

The Board can request the District waive the requested amount if they find that good cause exists, and it is in the best interest of the District to waive the fees.

BACKGROUND:

The attached Table 1 summarizes the recent charges in question.

DISCUSSION:

District Regulation VII establish fees to recover the reasonable costs of District operations and to recover state costs pursuant to section 44380 of the California Health and Safety Code. To the extent allowed by law, the District Board may waive any fees required under Regulation VII when, in the judgment of the Board, good cause exists for waiving the fees and the waiver of such fees would be in the District's best interest.

There is no need to waive any fees assessed in error since District staff can already correct those fees. The applicant has not identified any error.

Each itemized fee is appropriate and true, there has been no error in assessing these fees. District staff can find no good cause to waive these fees and cannot support a finding that the waiver of these fees is in the best interest of the District.

Waiving true and correct fees is bad policy and will likely signal to other permit holders that any legitimate District fee can be waived leaving it difficult for the District to plan and budget appropriately. Costs of any waived fees will need to spread among other sources to cover District costs.

**FISCAL IMPACT:**

The fiscal impact of waiving this single fee would not be significant, however it would create a precedent which would have a significant impact on District's future financial viability.

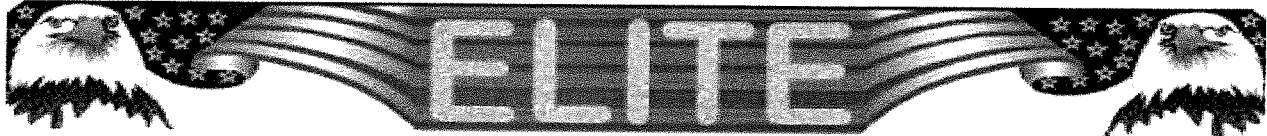
**Table 1 - District Charges**

DATE	ACTION	BILLED	INVOICE #	PAID
12/2/2019	FFY 19-20 Annual Inspection	1.75 hrs @ \$87.00/hr		
9/4/2020	Permit revised for Maintenance/Testing and emergency hour limits – all source category	0.5 hr @ \$90.00/hr		
10/1/2020	Permit Renewal sent Includes the following Charges: 1.75 @ \$87 = \$152.25 0.5 @ \$90 = \$45.00 Universal Renewal - \$108.00 Universal Processing - \$135.00 Emissions for 2021 - \$22.25		23228-2021 Renewal \$462.50	
10/20/2020	Request to cancel permit received. Invoice 23228-2021 Renewal withdrawn upon notification of permit closure Removed following Charges: Universal Renewal - \$108.00 Universal Processing - \$135.00 Emissions for 2021 - \$22.25	0.25 hr @ \$90.00/hr	Invoice Withdrawn	
10/22/2020	Staff verified the equipment still hooked up via drive by – owner to call when the engine is removed	1 hr @ \$90.00/hr		

<b>DATE</b>	<b>ACTION</b>	<b>BILLED</b>	<b>INVOICE #</b>	<b>PAID</b>
12/15/2020	No contact from owner so follow-up by staff to confirm engine removed, Drive by conducted to verify. Permit Closure Procedures	2.75 hrs @ \$90.00/hr		
2/12/2021	Final Invoice sent Includes the following Charges: 1.75 @ \$87 = \$152.25 0.5 @ \$90 = \$45.00 4 @ \$90 = \$360.00 Universal Processing - \$135.00		23228-2021 \$692.25	
3/16/2021	Final Invoice Paid			\$695.00
3/24/2021	Refund check for \$2.75 issued for overpayment of fees			

California Security Service Inc.

DBA



**Universal Security**

5548 Feather River Blvd.

Olivehurst, California 95961

Phone: (530) 749-0280 Fax: (530) 741-9194

License # PPO 14694 / DVBE #0032131

Business hours: Mondays through Fridays 8:30 a.m. to 5:00 p.m.

[www.eliteuniversalsecurity.com](http://www.eliteuniversalsecurity.com)

May 3, 2021

Feather River Air Quality Management District  
Board of Directors  
541 Washington Ave  
Yuba City, Ca 95991

Re: Request agenda hearing on Invoice

To whom it may concern;

This letter is to address the invoice I received when I closed out my generator and went solar with battery. I notified the District when I sent solar that I am shutting down the generator permanently and have gone to solar. I received a bill in the mail on October 1, 2020 for \$462.50 (invoice 23228-2021), I was then told not to pay that one they will send me a updated bill since I will be closing the account out. I then get another invoice dated February 12, 2021 same invoice number for \$692.25 (an increase of \$229.75) but with no break down of what the increase was for. I proceeded to contact the office and spoke with Carla about the complaint. I also contacted Seth Fuhrer about the issue as well. I was text messaged by Seth that he spoke to a Chris Brown and was advised the reason for the difference in the bill was an invoicing error the district had made in 2019 and closeout fees. However, there is no break down for any of this anywhere, I was advised to contact the board if I had any issue, but the board had already meant for the month of February and the next meeting would be April 24, 2021.

I attended the April 24, 2021 meetings via Zoom and was advised then I needed to send a letter in with the reason I wanted it waived as they could not deal with new business as it was not on the agenda.

The reason for the issue here is I am being told there was an error on the part of the district 2 years ago and some form of closing fees but there is nothing itemized in the invoice and nothing mentioned originally. I was told there was no inspection due to COVID so there differently should not be any kind of inspection fee at all. I have no issue paying the original invoice for \$462.50 but do take great exception to the updated invoice due to the reasons listed above.

Therefore, I am asking to be placed on the agenda for the board so I can address the board over waving the additional charges and returning the invoice to its original amount of \$462.50. I am also attaching to two invoices for reference as well.

If you have any questions or concerns, please feel free to contact me at 530-749-0280.

Sincerely,

Monty Hecker – President

California Security Services, Inc DbA Elite Universal Security

[Type here]



Serving Sutter and Yuba Counties

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**Christopher D. Brown, AICP**  
**Air Pollution Control Officer**

May 20, 2021

Mr. Monty Hecker  
CSS Inc., dba Elite Universal Security  
5548 Feather River Blvd.  
Olivehurst, CA 95961

**RE: REQUEST AGENDA HEARING ON INVOICE #23228-2021**  
**PERMIT #23228-CSS INC. DBA ELITE UNIVERSAL SECURITY**

Dear Mr. Hecker,

The District received your request on May 3, 2021 to request placement on the board agenda for a discussion of waiving a fee. Fee waivers can only be granted by the Board upon a determination that the waiver is in the best interest of the District. Your item has been placed on the agenda.

I would like to address some issues you raised in your letter regarding an alleged error on the part of the District and the itemized charges on the final invoice. When I spoke with you, I explained there was no error in the invoicing on the first invoice. District invoices cover the federal fiscal year (10/1 to 9/30) and therefore some charges from 2019 were included on the renewal invoice. Because your request to close the permit was received after the renewal invoices were sent, you were instructed not to pay the renewal invoice. When I spoke with you, I described the itemized charges to you and asked you if you wanted a copy of these itemized charges to which you declined. For your reference, I have itemized the charges and timeline in the attached table.

If you do believe an error occurred, please send the District a letter outlining your concerns. If an error did occur that can be fixed without going to the Board.

The Board Meeting is scheduled via zoom on June 7, 2021 at 4:00 p.m. It rests on you to present your case to the Board for them to determine if waiver of any fees is in the best interest of the District.

Sincerely,

Karla Sanders  
Air Quality Compliance Supervisor

Enclosures: Table of Inspection Charges

CC: Board of Directors  
Deborah Micheli, District Counsel

**Table of Inspection Charges**

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