

REGULAR BOARD MEETING AGENDA

August 18, 2015 2:00 PM

NOTE CHANGED LOCATION: Saddle Creek Spa Fitness Club
1280 Saddle Creek Drive, Copperopolis, CA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CHANGES TO ORDER OF AGENDA
5. **PUBLIC COMMENT** (Each speaker is limited to two (2) minutes)

Members of the public appreciated for taking the time to attend this meeting and provide comments on matters of District business. Any member of the public may address the Board relating to any matter within the Board's jurisdiction. This need not be related to any item on the agenda; however, the Board cannot act on an item unless it was noticed on the agenda.

6. CONSENT CALENDAR

Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion on these items unless a member of the Board, Staff or a member of the Public requests specific items be set aside for separate discussion.

- a. Review of monthly financial report and approval of bills and claims for the month of July 2015.
- b. Approval of the minutes of the Regular Board Meeting of July 21, 2015.

7. OLD BUSINESS

- a. Report on the status and projections for water supply to support Saddle Creek CSD, Castle & Cooke and Golf Course operations and permit compliance.

8. NEW BUSINESS

- a. Review and discussion of the purpose and powers of the District as it relates to all public services in general and specifically related to roads.

9. STAFF AND DIRECTOR REPORTS:

Brief reports may be provided by District staff and/or Board members as information on matters of general interest. No action will be taken by the Board during Reports, however items discussed may be recommended for discussion and action on a future meeting agenda.

10. CLOSED SESSION

Public employee performance evaluation – General Manager

11. ADJOURNMENT

SADDLE CREEK COMMUNITY SERVICES DISTRICT
MINUTES FOR THE MEETING OF THE BOARD OF DIRECTORS
July 21, 2015

CALL TO ORDER:

The Saddle Creek Community Services District (CSD) Board of Directors held their monthly meeting on Tuesday July 21, 2015. President Robinson called the meeting to order at 2:00 PM in the Members Lounge and led Directors and staff in the Pledge of Allegiance.

ROLL CALL: Roll call indicated the following directors were present:

President:	Charlie Robinson
Vice President	Sue Russ
Director	Lawrence Hoffman
Director	Kent Lazarus
Director	Kenneth Alberson

Staff:	The following staff members were present:	
	General Manager/	Peter Kampa
	Treasurer	
	Site Manager:	Greg Hebard
	Clerk	Michele Menzies

Public:	Larry Bain	CPA
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PLEDGE OF ALLEGIANCE:

CHANGES TO THE ORDER OF AGENDA:

None suggested.

PUBLIC COMMENT:

None

CONSENT CALENDAR: Consent Calendar items are considered routine and will be acted upon by one motion. There will be no separate discussion of these items unless a member of the Board, Staff or a member of the public requests specific items to be set aside for separate action.

- a. Review of monthly financial report and approval of bills and claims for the month of June 2015.
- b. Approval of the minutes of the Regular Board Meeting of June 16, 2015 with the changes as mentioned.

- c. M/ by Director Lazarus and S/ by Director Hoffman to move approval of expenditures incurred by the district during the month of June and approval of the minutes. M/ passed unanimously.

OLD BUSINESS:

- a. Report on the status and projections for water supply to support Saddle Creek CSD, Castle & Cooke and Golf Course operations and permit compliance.

Castle & Cooke's lawyers wrote a 4 page letter which was reviewed by the Board outlining their concerns with CCWD rescinding the NPDES permit and providing evidence to CCWD that the wetland (water quality ponds) are an integral part of the golf course irrigation and thus the CCWD wastewater disposal system.

Dave Eggerton, CCWD manager is looking into a solution to meet water demands.

CCWD wants a report produced that specifically identifies the ponds needing water and how much water needed. It is the Board's understanding that they should already have the numbers needed and that we have done everything we can to not only prove that water supply is needed for the ponds, that CCWD is required to give us water for the ponds, that the ponds need water now and that damage to the wetlands or ponds caused by CCWD not delivering water, is not a liability to the CSD.

The Board recommends continuing to pursue Castle & Cooke for a more descriptive map showing which ponds need water added during the summer/specific water levels, and to convince CCWD that water is necessary. The Board also is of the opinion that CCWD cannot rescind the NPDES permit that currently allows treated wastewater to be discharged into the ponds.

NEW BUSINESS:

- a. Presentation and acceptance of the final draft 2014 annual financial audit.
Larry Bain provided a brief overview of the audit stating that we are a well-run district and that we have good carry over and reserve. The accounting deficiencies identified in past audits have been remedied this year and no new deficiencies noted. There were no material weaknesses identified in the District's accounting system and procedures.
M/ by Director Russ and S/ by Director Hoffman to accept the final draft 2014 annual financial audit. M/ passed unanimously.
- b. Approval of a Resolution amending the District's Sick Leave Policy in compliance with Section 245 et seq. of the California Labor Code.
Manager Kampa reviewed the changes to the Labor Code effective July 1, 2015 and their impact on District operations. The current District sick leave policy is proposed to be amended to include new language, and that language was reviewed by the Board. M/ by Director Hoffman and S/ by Director Lazarus to

approve a resolution amending the District's Sick Leave Policy in compliance with Section 245 et seq. of the California Labor Code. M/ passed unanimously

- c. Discussion regarding the schedule and scope of road maintenance activities.
GM Kampa is going perform an assessment of the road condition and develop a capital improvement program for road repair and maintenance, and associated budget. The result may be to look into assessing a property related fee and moving forward with a solution.
- d. Discussion regarding parking regulations and parking enforcement responsibilities in the community.
The Board held brief general discussion regarding road responsibilities and explained that the roads are public and parking is enforced solely by the Sheriff.
- e. Discussion regarding the installation of the second privacy gate proposed to be located near the north end of Saddle Creek.
County approved a second gate; Castle & Cooke has the money. We should put in request to Castle & Cooke, along with the road maintenance request.

STAFF REPORTS:

Site Manager Greg-CSD Regional meeting of mosquito association was very productive. We have a little water in the ponds. We are working on wilted trees. Irrigation has taken a hit we are still fixing and fixing, it's taken a big hit because of the drought.

Clerk Michele Menzies-In the process of updating Weed Abetment records that are over 8 years old. We had to physically drive through Saddle Creek using maps to update the vacant lots. Having some technical difficulties with mail merge, hoping to have letters sent within a week.

GM Peter Kampa- I had my first CSDA meeting as a return Board member.

President Robinson – Peter is due for annual review, need to do that at next meeting.
V/President Russ – None
Secretary Albertson – None
Director Hoffman – None
Director Lazarus – None

ADJOURNMENT – Having no further business, President Robinson adjourned the meeting at 3:48 PM. CSD's next board meeting date is August 18, 2015.

Michele Menzies CSD Clerk

Peter Kampa, General Manager

APPROVED BY:

Charlie Robinson, Board President

Sue Russ, V/President

SEAL



Saddle Creek Community Services District

Treasurer's Report

July 31, 2015

Saddle Creek Comm Srvs District
Statement of Cash Flows

For the 7 Months Ending July 31, 2015

	Umpqua Bank Checking	Calaveras Co Fund 2188	Umpqua Bank CD #7405	Umpqua Bank CD #46165	Umpqua Bank CD #46207	Umpqua Bank CD #46249	Umpqua Bank CD #46124	YTD Total
OPERATING ACTIVITIES								
Net Income	204,534.92	(311,981.51)	22.75	25.06	25.06	22.52	22.52	(107,328.68)
Adjustments to reconcile Net Income to Net Cash provided by Operations:								-
IN03 JE 5.6 Interest Income			22.03					22.03
2000 Accounts Payable	20,791.06							20,791.06
2040 CSDA Bank of the West MC	4,961.66							4,961.66
2060 CSD Visa - MLB	-5,247.38							(5,247.38)
2100 Payroll Liabilities	-1,396.51							(1,396.51)
2150 Accrued Payroll	1,105.84							1,105.84
2201 Sales Tax Adjustment	0.22							0.22
Board of Equilization Payable	-19.54							(19.54)
Net cash provided by operating activities	224,730.27	(311,981.51)	44.78	25.06	25.06	22.52	22.52	(87,111.30)
Net cash increase for period	224,730.27	(311,981.51)	44.78	25.06	25.06	22.52	22.52	(87,111.30)
Cash at beginning of period	205,544.43	311,981.51	25,788.57	25,119.06	25,119.06	25,086.45	25,086.45	643,725.53
Cash at end of period	430,274.70	-	25,833.35	25,144.12	25,144.12	25,108.97	25,108.97	556,614.23

Prepared by: Dolores Baker
14-Aug-15

Saddle Creek Comm Srvs District

Balance Sheet

As of July 31, 2015

ASSETS

Current Assets

1000 Umpqua Bank Checking	430,274.70
1080 Umpqua Bank CD Accounts	
1081 CD #7405	25,833.35
1082 CD #46165	25,144.12
1083 CD #46207	25,144.12
1084 CD #46249	25,108.97
1085 CD #46124	25,108.97

Total 1080 Umpqua Bank CD Accounts **\$ 126,339.53**

Total Bank Accounts **\$ 556,614.23**

Total Current Assets \$ 556,614.23

Fixed Assets

1500 Capital Assets	
1501 Equipment	267,138.76
1503 Roads	2,360,462.00
1504 Easements	10,344,000.00
1505 Buildings	79,000.00

Total 1500 Capital Assets **\$ 13,050,600.76**

1600 Accumulated Depreciation	
1601 Equipment	-184,679.03
1603 Roads	-616,865.62
1605 Buildings	-16,590.00

Total 1600 Accumulated Depreciation **-\$ 818,134.65**

Total Fixed Assets \$ 12,232,466.11

TOTAL ASSETS \$ 12,789,080.34

LIABILITIES AND EQUITY

Liabilities

2000 Accounts Payable	30,233.99
Total Accounts Payable	\$ 30,233.99

Credit Cards	
2040 CSDA Bank of the West MC	4,961.66
Total Credit Cards	\$ 4,961.66

Other Current Liabilities	
2100 Payroll Liabilities	-524.40
2150 Accrued Payroll	10,883.17
Board of Equalization Payable	5.80

Total Other Current Liabilities **\$ 10,364.57**

Total Current Liabilities **\$ 45,560.22**

Total Liabilities \$ 45,560.22

Equity

3800 Developer Capital Contributions	12,198,795.62
3900 Retained Earnings	652,053.18
Net Income	-107,328.68

Total Equity \$ 12,743,520.12

TOTAL LIABILITIES AND EQUITY \$ 12,789,080.34

SADDLE CREEK COMMUNITY SERVICES DISTRICT
BUDGET AND PROFIT & LOSS REPORT
 July 2015

	Current Year - 2015				Prior Year - 2014			
	Approved BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget	Adjusted BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget
EXPENSES								
Operating Expenses								
OE01 Audit Expense	\$ 7,500	\$ -	\$ 7,500	100%	\$ 7,500	\$ -	\$ 7,500	100%
OE02 Accounting & Bookkeeping	\$ 500	\$ 31	\$ 125	25%	\$ 6,000	\$ 388	\$ 4,344	72%
OE03 On-line Back-up/Notary Fees/Bonds	\$ 351	\$ -	\$ 326	93%	\$ 1,000	\$ -	\$ 351	35%
OE04 Legal Expenses	\$ 1,500	\$ -	\$ -	0%	\$ 1,500	\$ -	\$ 500	33%
OE05 Management Fees	\$ 57,000	\$ 4,750	\$ 33,250	58%	\$ -	\$ 4,750	\$ 4,750	
OE06 Insurance (Property Loss/Liability)	\$ 8,000	\$ -	\$ 8,001	100%	\$ 8,000	\$ -	\$ 6,359	79%
OE07 Miscellaneous/Contingency	\$ 2,000	\$ -	\$ 854	43%	\$ 5,000	\$ 575	\$ 575	12%
OE08 Professional Development (Travel/Training)	\$ 6,000	\$ 218	\$ 4,040	67%	\$ 5,000	\$ 80	\$ 4,074	81%
OE09 Dues, Certifications & Subscriptions	\$ 4,000	\$ 209	\$ 2,885	72%	\$ 4,000	\$ -	\$ 1,790	45%
OE10 Uniform Expenses	\$ 2,200	\$ 884	\$ 1,604	73%	\$ 1,600	\$ -	\$ 1,862	116%
OE11 Electric Power/Water/Sewer	\$ 6,000	\$ 623	\$ 2,682	45%	\$ 5,000	\$ 567	\$ 2,856	57%
OE12 Telephone/Pager Service	\$ 5,000	\$ 338	\$ 2,120	42%	\$ 5,000	\$ 357	\$ 2,451	49%
OE13 Internet Service	\$ 1,200	\$ 90	\$ 630	53%	\$ 1,200	\$ 75	\$ 525	44%
OE14 Office Supplies/Postage	\$ 5,000	\$ 329	\$ 3,049	61%	\$ 4,500	\$ 707	\$ 3,113	69%
OE15 Office Equipment Repair/Replacement	\$ 3,000	\$ -	\$ 3,021	101%	\$ 2,300	\$ -	\$ 1,788	78%
OE16 Gate Maintenance & Opener Purchase	\$ 4,000	\$ 1,884	\$ 2,724	68%	\$ 4,000	\$ 163	\$ 1,814	45%
OE17 Street & Main Gate Lighting Maint/Repair	\$ 13,500	\$ -	\$ 5,227	39%	\$ 13,500	\$ 120	\$ 5,636	42%
OE18 Landscape Supplies & Repairs	\$ 21,000	\$ 126	\$ 18,642	89%	\$ 21,000	\$ 427	\$ 18,776	89%
OE19 Landscape Equipment Repair/Replacement	\$ 10,000	\$ -	\$ 11,284	113%	\$ 16,500	\$ -	\$ 16,466	100%
OE21 Landscape Equipment Gas & Oil	\$ 7,000	\$ -	\$ 3,403	49%	\$ 7,000	\$ 1,022	\$ 2,558	37%
OE22- Mosquito Control Products	\$ 14,513	\$ -	\$ 5,071	35%	\$ 13,500	\$ -	\$ 12,317	91%
OE22- Mosquito Abatement Monitoring & Testing	\$ 3,000	\$ -	\$ 1,432	48%	\$ 3,000	\$ 53	\$ 1,157	39%
OE22- Mosquito Abatement Vehicles Gas & Oil	\$ 13,000	\$ 965	\$ 5,825	45%	\$ 13,000	\$ -	\$ 7,677	59%
OE22- Mosquito Abatement Equipment Maintenance	\$ 5,890	\$ 862	\$ 3,680	62%	\$ 5,000	\$ -	\$ 5,890	118%
OE26 County Fees/LAFCO	\$ 6,000	\$ -	\$ 2,953	49%	\$ 6,500	\$ -	\$ 2,805	43%
OE30 Reimbursable Maint/Repair Expense (2)	\$ 10,000	\$ 193	\$ 9,917	99%	\$ -	\$ -	\$ 4,204	
OE31 Records Management Services	\$ 2,400	\$ -	\$ -	0%				
Total Operational Expenses:	\$ 219,554	\$ 11,502	\$ 140,245	64%	\$ 160,600	\$ 9,284	\$ 122,138	76%
Personnel Expenses								
PE01 Worker Compensation Insurance	\$ 14,241	\$ -	\$ 18,724	131%	\$ 16,000	\$ -	\$ 5,144	32%
PE02 Health Insurance	\$ 60,000	\$ 4,927	\$ 31,201	52%	\$ 58,780	\$ 3,845.00	\$ 27,687	47%
PE03 Payroll Taxes	\$ 23,972	\$ 1,489	\$ 12,551	52%	\$ 28,000	\$ 1,337.00	\$ 12,173	43%
PE04 Processing Fees	\$ 1,400	\$ 113	\$ 867	62%	\$ 1,400	\$ 111.00	\$ 805	58%
PE05 Directors Stipend	\$ 6,000	\$ -	\$ -	0%	\$ 6,000			0%
PE06 Employee Wages	\$ 264,558	\$ 18,982	\$ 143,141	54%	\$ 310,000	\$ 16,975.00	\$ 136,707	44%
Total Personnel Expenses:	\$ 370,171	\$ 25,511	\$ 206,484	56%	\$ 420,180	\$ 22,268	\$ 182,516	43%

SADDLE CREEK COMMUNITY SERVICES DISTRICT
BUDGET AND PROFIT & LOSS REPORT
 July 2015

	Current Year - 2015				Prior Year - 2014			
	Approved BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget	Adjusted BUDGET	CURRENT MONTH	YEAR TO DATE	% of Budget
Capital Outlay								
CO04 2015 Chevrolet Silverado (2014)					\$ 30,799			
CO04 (2) Workman MDX Cart (2014)					\$ 22,768			
CO04 Workman HD w/Bed (2014)					\$ 17,499			
Total Capital Outlay:	\$ -	\$ -	\$ -		\$ 71,066	\$ -	\$ -	
						\$ -	\$ -	
TOTAL EXPENSES	\$ 589,725	\$ 37,013	\$ 346,729	59%	\$ 651,846	\$ 31,552	\$ 304,654	47%

INCOME

Assessment Income

Payment No. 1:	\$ 228,910	\$ 224,421
Payment No. 2:		
Payment No. 3:		
Total Assessment Income	\$ 572,275	\$ 561,053

(2) **Reimbursement Income/Receivable**

SDRMA Gate Repairs	\$ 6,723	
SDRMA Gate repairs	\$ 1,472	
G. Hebard - Personal portion Lodging/Meals	\$ 248	
SDRMA - Loss Prevention Allocation	\$ 1,000	
Castle & Cooke Tractor/Equipment Repairs	\$ 357	\$ 4,204
Total Reimbursement Income	\$ 10,000	\$ 4,204

Miscellaneous Income

Castle & Cooke Weed Abatement	\$ -	\$ -		
Lot Owners Weed Abatement	\$ -	\$ -		
IN03 Lot Owners Gate Openers/Cards	\$ 74	\$ 289	\$ 74	\$ 287
IN05 Umpqua Bank CD Interest	\$ 28	\$ 118		\$ 125
IN06 Calaveras County Interest Received		\$ 284		\$ 154
Various Other Miscellaneous				\$ 14
Total Miscellaneous Income	\$ 8,000	\$ 102	\$ 691	\$ 580
TOTAL INCOME	\$ 590,275	\$ 102	\$ 239,400	\$ 229,205

Net Income	\$ 550	\$ (36,911)	\$ (107,329)	\$ (90,793)	\$ (31,478)	\$ (75,449)
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995010956

COUNTY OF CALAVERAS, STATE OF CALIFORNIA
LOCAL AGENCY FORMATION COMMISSION
(LAFCO)

August 18, 1995

RESOLUTION NO: 95-03

RESOLUTION MAKING DETERMINATIONS AND APPROVING THE FORMATION OF
THE SADDLE CREEK COMMUNITY SERVICES DISTRICT

RESOLVED, by the Local Agency Formation Commission of the County of Calaveras, State of California, that

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Calaveras Local Agency Formation Commission pursuant to the Cortese/Knox Local Government Reorganization Act (Title 5, Division 3, commencing with Section 56000 of the Government Code) and the Community Services District Law, commencing with section 61000 of the California Government Code; and

WHEREAS, at the times and in the manner required by law the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report and recommendation thereon, the proposal and report having been presented to and considered by the Commission; and

WHEREAS, the Commission held a public hearing on the proposal on August 18, 1995 and at the hearing all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, at the hearing the Commission heard and received all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination and applicable General and Specific Plans; and

WHEREAS, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, the affected property is not being annexed to any existing agency as a result of this proposal; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interests of the affected area and the total organization of local governmental agencies within Calaveras County.

NOW, THEREFORE, the Local Agency Formation Commission of the County of Calaveras DOES HEREBY IT RESOLVE, DETERMINE AND ORDER as follows:

1. Subject to the terms and conditions herein after specified, the proposal is hereby approved.

2. The boundaries of the proposal district are found to be definite and certain as approved and set forth in Exhibit A, attached hereto and by reference incorporated herein.

3. The proposal is assigned the following distinctive short-term designation:

Formation of the Saddle Creek Community Services District

4. The affected territory is found to be uninhabited.

5. The Commission certifies it has reviewed and considered the information contained in the EIR for the Calaveras Country Club Specific Plan.

6. The proposal is subject to the following terms and conditions:

A. The Saddle Creek Community Services District shall be authorized to perform the following services pursuant to Government Code Section 61600 and such other purposes as the Legislature may authorize the District to provide; however the specific services to be provided in any particular year shall be determined by the Board of Directors of the District:

1. The collection or disposal of storm water.
2. The collection or disposal of garbage or refuse matter.
3. Protection against fire, including weed abatement and wildfire fuel control.
4. Public recreation by means of parks, including, but not limited to parks, tennis courts, playgrounds, golf courses, swimming pools, or recreation buildings.
5. Street lighting - procedure
6. Mosquito abatement
7. The equipment and maintenance of a police department and other police protection to protect and safeguard life and property, including restricting access to streets where provided by law..
8. To acquire sites for, construct, and maintain library buildings, and to cooperate with other governmental agencies for library service.
9. The opening, widening, extending, straightening, surfacing, and maintaining, in whole or in part of any street in said district, subject to the consent of the governing body of the county or city in which the improvement is to be made.
10. The construction and improvement of bridges, culverts, curbs, gutters, drains, storage ponds, wetland habitats and works incidental to the purposes specified in paragraph 10 above subject to the consent of the governing body of the county or city in which the improvement is to be made.

11. The conversion of existing overhead electric and communication facilities to underground locations.
 12. To contract for ambulance service to serve the residents of said district as convenience requires, if a majority of the voters in said district, voting in an election thereof, approve.
 13. To provide transportation services.
 14. To abate graffiti
- B. The board of directors shall consist of five members. The initial board of directors shall consist of the Board of Supervisors who shall continue to serve until such time as a local board of directors is duly elected by the voters of the district.
- C. Satisfactory proof having been given that the subject area is uninhabited, all landowners within the affected territory have given their written consent to the proposal and there are no annexing agencies, conducting authority proceedings for this proposal are hereby waived pursuant to Government Code Section 56837(c).
- D. Inasmuch as no local agencies have provided during the prior fiscal year those services which the new district will assume within the proposal area, it is determined there shall be no transfer of property tax revenues with the new district and the Executive Officer is directed to notify the County Auditor pursuant to Government Code Section 56842.
- E. The appropriations limit of the Saddle Creek Community Services District for fiscal year 1995-96 shall be \$480,000 pursuant to Government Code Section 56842.5.
- F. The required State Board of Equalization filing fee shall be submitted to the Executive Officer prior to the recordation of the Certificate of Completion for the formation.
- G. The regular County assessment roll will be utilized.

995010956

The foregoing Resolution was introduced at a regular meeting of the Local Agency Formation Commission of the County of Calaveras on the 18th of August, 1995, by Commissioner Tryon who moved its adoption, seconded by Commissioner Falendorf and adopted by the following vote of the Commission, and is effective on the date signed by the Chair.

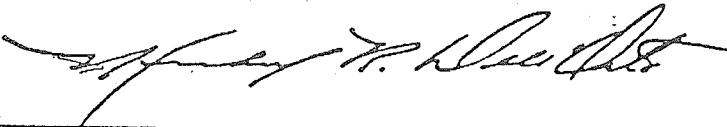
AYES: Tryon, Falendorf, Peterson, Dell'Orto, Hathaway

NOES: None

ABSENT: None

ABSTAINS: None

Dated: 8/19/95



Chair
Calaveras Local Agency Formation Commission

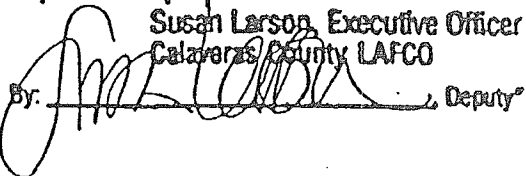
ATTEST:



LAFCO Executive Officer

"This is a true certified copy of the record if it bears the seal of the Executive Officer imprinted in purple ink.

Susan Larson, Executive Officer
Calaveras County LAFCO

By:  Deputy

GOVERNMENT CODE - GOV
TITLE 6. DISTRICTS [58000 - 61226.5]

(Title 6 added by Stats. 1951, Ch. 331.)

DIVISION 3. COMMUNITY SERVICES DISTRICTS [61000 - 61226.5]

(Division 3 repealed and added by Stats. 2005, Ch. 249, Sec. 3.)

PART 3. PURPOSES, SERVICES, AND FACILITIES [61100 - 61226.5]

(Part 3 repealed and added by Stats. 2005, Ch. 249, Sec. 3.)

CHAPTER 1. Authorized Services and Facilities [61100 - 61107]

(Chapter 1 repealed and added by Stats. 2005, Ch. 249, Sec. 3.)

61100.

Within its boundaries, a district may do any of the following:

(a) Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(b) Collect, treat, or dispose of sewage, wastewater, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

(c) Collect, transfer, and dispose of solid waste, and provide solid waste handling services, including, but not limited to, source reduction, recycling, and composting activities, pursuant to Division 30 (commencing with Section 40000), and consistent with Section 41821.2 of the Public Resources Code.

(d) Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code.

(e) Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

(f) Organize, promote, conduct, and advertise programs of community recreation, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

- (g) Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.
- (h) Provide for the surveillance, prevention, abatement, and control of vectors and vectorborne diseases in the same manner as a mosquito abatement and vector control district formed pursuant to the Mosquito Abatement and Vector Control District Law, Chapter 1 (commencing with Section 2000) of Division 3 of the Health and Safety Code.
- (i) Provide police protection and law enforcement services by establishing and operating a police department that employs peace officers pursuant to Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.
- (j) Provide security services, including, but not limited to, burglar and fire alarm services, to protect lives and property.
- (k) Provide library services, in the same manner as a library district formed pursuant to either Chapter 8 (commencing with Section 19400) or Chapter 9 (commencing with Section 19600) of Part 11 of the Education Code.
- (l) Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. A district shall not acquire, construct, improve, or maintain any work owned by another public agency unless that other public agency gives its written consent.
- (m) Convert existing overhead electric and communications facilities, with the consent of the public agency or public utility that owns the facilities, to underground locations pursuant to Chapter 28 (commencing with Section 5896.1) of Part 3 of Division 7 of the Streets and Highways Code.
- (n) Provide emergency medical services pursuant to the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, Division 2.5 (commencing with Section 1797) of the Health and Safety Code.
- (o) Provide and maintain public airports and landing places for aerial traffic, in the same manner as an airport district formed pursuant to the California Airport District Act, Part 2 (commencing with Section 22001) of Division 9 of the Public Utilities Code.
- (p) Provide transportation services.
- (q) Abate graffiti.
- (r) Plan, design, construct, improve, maintain, and operate flood protection facilities. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities within the boundaries of another special district that provides those facilities unless the other special district gives its written consent. A district shall not plan, design, construct, improve, maintain, or operate flood protection facilities in unincorporated territory unless the board of supervisors gives its written consent. A district shall not plan, design, construct, improve, maintain,

or operate flood protection facilities within a city unless the city council gives its written consent.

(s) Acquire, construct, improve, maintain, and operate community facilities, including, but not limited to, community centers, libraries, theaters, museums, cultural facilities, and child care facilities.

(t) Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code. For that purpose, the board of directors shall be deemed to be a "board of supervisors" and district employees shall be deemed to be the "persons" designated by Section 14890 of the Health and Safety Code.

(u) Acquire, construct, improve, maintain, and operate hydroelectric power generating facilities and transmission lines, consistent with the district's water supply and wastewater operations. The power generated shall be used for district purposes, or sold to a public utility or another public agency that generates, uses, or sells electrical power. A district shall not acquire hydroelectric power generating facilities unless the facilities' owner agrees.

(v) Acquire, construct, improve, maintain, and operate television translator facilities.

(w) Remove snow from public streets, roads, easements, and rights-of-way. A district may remove snow from public streets, roads, easements, and rights-of-way owned by another public agency, only with the written consent of that other public agency.

(x) Provide animal control services pursuant to Section 30501 of the Food and Agricultural Code. Whenever the term "board of supervisors," "county," "county clerk," or "animal control officer" is used in Division 14 (commencing with Section 30501) of the Food and Agricultural Code, those terms shall also be deemed to include the board of directors of a district, a district, the general manager of the district, or the animal control officer of a district, respectively. A district shall not provide animal control services in unincorporated territory unless the county board of supervisors gives its written consent. A district shall not provide animal control services within a city unless the city council gives its written consent.

(y) Control, abate, and eradicate pests, in the same manner as a pest abatement district, formed pursuant to Chapter 8 (commencing with Section 2800) of Division 3 of the Health and Safety Code. A district's program to control, abate, or eradicate local pine bark beetle infestations shall be consistent with any required plan or program approved by the Department of Forestry and Fire Protection.

(z) Construct, maintain, and operate mailboxes on a district's property or rights-of-way.

(aa) Provide mail delivery service under contract to the United States Postal Service.

(ab) Own, operate, improve, and maintain cemeteries and provide interment services, in the same manner as a public cemetery district, formed pursuant to the Public Cemetery District Law, Part 4 (commencing with Section 9000) of Division 8 of the Health and Safety Code.

(ac) Finance the operations of area planning commissions formed pursuant to Section 65101.

(ad) Finance the operations of municipal advisory councils formed pursuant to Section 31010.

(ae) Acquire, own, improve, maintain, and operate land within or without the district for habitat mitigation or other environmental protection purposes to mitigate the effects of projects undertaken by the district.

(af) If a private person or entity is unable or unwilling to deploy broadband service, construct, own, improve, maintain, and operate broadband facilities and to provide broadband services. For purposes of this section, broadband has the same meaning as in subdivision (a) of Section 5830 of the Public Utilities Code. The district shall first make a reasonable effort to identify a private person or entity willing to deploy service. The authority granted by this subdivision shall expire when a private person or entity is ready, willing, and able to acquire, construct, improve, maintain, and operate broadband facilities and to provide broadband services, and to sell those services at a comparable cost and quality of service as provided by the district. At that time, the district shall do one of the following:

(1) Diligently transfer its title, ownership, maintenance, control, and operation of those broadband facilities and services at a fair market value to that private person or entity.

(2) Lease the operation of those broadband facilities at a fair market value to that private person or entity.

(Amended by Stats. 2008, Ch. 70, Sec. 1. Effective January 1, 2009.)

61101.

A district may provide the facilities and services authorized by Section 61100 outside its boundaries, subject to Section 56133.

(Repealed and added by Stats. 2005, Ch. 249, Sec. 3. Effective January 1, 2006.)

61102.

A district may provide electricity within its boundaries if the local agency formation commission designated the district as the successor to another special district that

was extinguished as the result of any change of organization or reorganization, and that other special district had provided electricity pursuant to the principal act under which that other special district had operated.

(Repealed and added by Stats. 2005, Ch. 249, Sec. 3. Effective January 1, 2006.)

61103.

(a) A district that acquires, constructs, improves, and maintains streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works pursuant to subdivision (l) of Section 61100 shall have the powers, duties, and authority of a county for those works, including, but not limited to, the following:

(1) Chapter 2 (commencing with Section 940), Chapter 5.5 (commencing with Section 1450), and Chapter 6 (commencing with Section 1480) of Division 2 of the Streets and Highways Code.

(2) Part 3 (commencing with Section 8300) of the Streets and Highways Code.

(3) Division 11 (commencing with Section 21000) of the Vehicle Code.

(4) Article 4 (commencing with Section 35700) of Chapter 5 of Division 15 of the Vehicle Code.

(b) A district shall not exercise those powers, duties, and authority for any of those works if it is owned by another public agency unless that other public agency gives its written consent.

(Repealed and added by Stats. 2005, Ch. 249, Sec. 3. Effective January 1, 2006.)

61105.

(a) The Legislature finds and declares that the unique circumstances that exist in certain communities justify the enactment of special statutes for specific districts. In enacting this section, the Legislature intends to provide specific districts with special statutory powers to provide special services and facilities that are not available to other districts.

Saddle Creek Community Services District

Management Performance Report 2014-2015

Peter J. Kampa, General Manager

August 12, 2015

1 REPORT OVERVIEW

1.1 PURPOSE

Kampa Community Solutions, LLC (herein referred to as KCS) was retained in June 2014 to provide contract management services for the Saddle Creek Community Services District. I am pleased to present the District Board of Directors with its first Performance Report that measures not only accomplishment of approved management goals and objectives, but also areas where our team has stretched beyond the tangible plan objectives to participate in projects and initiatives which directly accomplish the Board's vision. The report describes from the eyes of your manager what seems to have gone wrong, what went right, roadblocks encountered that hampered performance and provides thoughts on potential future priorities. The report is to be made public to inform our community on the performance of the District over the past year and to assist the Board of Directors in conducting its annual performance evaluation of the manager.

1.2 TRANSPARENCY

Although the Board will meet with its manager in a closed session meeting to openly discuss performance of Peter Kampa, this report and any actions related to the contractual arrangement with Kampa Community Solutions, LLC must be discussed in open session.

1.3 NOTEWORTHY ACCOMPLISHMENTS FOR THE YEAR

The first year in the Manager/Board relationship can be the most challenging for all involved in developing trust, building confidence in the management competency, and establishing the initial direction of the Board and District. The District established its first ever slate of management objectives in October 2014, intended to provide the General Manager with clear direction on priorities that reflect the collective vision of the Board. Summarized below and described in more detail in the following sections of this report are several key accomplishments for the year:

1. Developed the first set of management objectives
2. Hired competent Bookkeeper and Board Clerk to replace retiring long time employees
3. Kampa re-appointed to the Board of Directors of the California Special Districts Association
4. Filled in significant gaps in the District records related to the wetlands and water quality pond operation and maintenance, and raising the Board's awareness of water issue in general
5. Developed summary presentations for the Board and historical record regarding wetlands
6. Identified significant conflicts and fatal flaws with the CCWD proposal to rescind the NPDES permit
7. Updated numerous critical Board policies
8. Resolved six financial accounting deficiencies identified in the District's 2013 annual audit

9. Increased the District's financial position in both cash and net position (profit)

2 PERFORMANCE TO MANAGEMENT OBJECTIVES

On October 21, 2014 the Board adopted management objectives intended to reflect the priority work for the upcoming 18 months and beyond. Below is an overview of accomplishment of the objectives.

2.1 IMMEDIATELY

- ▶ **Resolve the 2014 Saddle Creek Water Wars** – *During development of the management objectives it became painfully apparent that Saddle Creek was headed for a battle over adequate water supply from CCWD to meet the requirements of the US Army Corps of engineers 404 permit requirements. Unfortunately regardless of the amount of documentation provided to CCWD by the CSD, both parties had a different interpretation of “adequate” water supply necessary to maintain the wetlands and wetland water quality basins (ponds).*
 - ▶ **Increase Board, partner and community understanding of water needs and issues** – *This effort is still ongoing and has involved multiple meetings with CCWD and Castle & Cooke. Monthly reports and two formal presentations were provided to the CSD Board during meetings and in written reports and memoranda. Many hours of research was required to gain a clear understanding of all of the integrated agreements, permit conditions, roles and responsibilities spanning multiple managers in all entities and a significant lack of complete records in the possession of the CSD.*
 - ▶ **Develop clarifying agreements** – *The information and background gained in the research on this issue will be used to develop agreements clarifying the role and responsibilities of all parties. Castle & Cooke currently has their legal team, engineering and environmental planning firms working on consolidating and clarifying the water situation.*
 - ▶ **Improve infrastructure capabilities** – *In reality, the infrastructure delivering water to the wetlands and ponds being managed by the District is under the ownership of the golf course and Castle & Cooke. The installation of fill pipes to deliver Lake Tulloch water to the ponds was completed by CCWD.*
 - ▶ **Increase water use efficiency** – *Based on the new look of the community, it is obvious that we have very much reduced water use, and increased the beneficial use of the water we do receive. We have been working consistently with the state in development of the turf and toilet rebate programs, which were released publicly on August 12, 2015. We assisted in development of the scope of work for the Tuolumne-Stanislaus Regional Water Use Efficiently Program, which received \$3 million in grant funding to assist property owners in reducing water consumption. This money is expected to be available to individual property owners in Saddle Creek and throughout the region, administered by the Tuolumne County Resource Conservation District within the next three months.*

- ▶ **Increase CCWD understanding, cooperation and communication** – *As described above, lacking complete and clear records, coupled with an outright refusal on the part of some CCWD management to recognize the Saddle Creek wetlands operating requirements has caused this issue to drag on. However Castle & Cooke now has a team working on this very issue and we continue to support this effort.*
- ▶ **Evaluate the District administrative staffing needs** – *This effort is completed and resulted in revised pay scales and responsibilities for our landscape maintenance employees, as well as the purchase of replacement equipment which freed up significant work hours which allowed the completion of extensive irrigation system modifications resulting from the mandate to eliminate turf in medians.*
 - ▶ **Reestablish full staffing in the Board Secretary and Bookkeeper positions** – *Both positions were filled and responsibilities assumed.*
- ▶ **Develop a tracking system for regular evaluation of management objective performance** – *In progress, but not yet completed. Progress was reported formally at the six month mark and informally in verbal management reports throughout the last six months.*

2.2 FIRST SIX MONTHS

- ▶ **Develop Board Orientation/Information Program** – *In progress. We have discovered that the records of the District have been kept in such a manner that determining what policies have, and have not been adopted over the years is difficult, but we are making progress and this effort is currently gaining momentum. Kampa Community Solutions, LLC has engaged the services of an additional long time district manager to assist with projects such as this.*
- ▶ **Establish plans for permanent CSD Yard, Office and Meeting Facilities** – *Held several meetings with Castle & Cooke and have agreed that future phases of their project will result in a more permanent facility for the CSD either in the current location or within facilities contained in future phases of their project. Our current arrangement for free meeting facilities within the Saddle Creek complex will continue into the foreseeable future.*
- ▶ **Seek workable solution to the security gate issue** – *Currently performing research on how other communities and districts with security gate responsibilities function. This issue will be further evaluated in the road assessment currently in progress.*
- ▶ Evaluate cost, benefit and capability of performing additional “force account” work
 - ▶ **Street repairs** – *This project was further defined by direction of the Board at the July 2015 meeting, in which a more formal road assessment and capital improvement plan was directed. Currently, KCS has hired a consulting manager with significant road management experience to conduct the legwork research and documentation on this project; which is currently envisioned to span a period of three to four months.*
- ▶ **Enhance water conservation efforts** – *Discussed above under water use efficiency, and currently planning additional irrigation system renovations to ensure trees and other functional landscape remain healthy while the street turf is being eliminated.*

- ▶ **Establish physical and electronic recordkeeping system** – *In progress. All files are being scanned as prepared and saved on a PC hard drive, using Cloud storage technology and backed up on a portable hard drive.*

2.3 12 TO 18 MONTHS

- ▶ **Develop Board policy manual** – *The new policy format and manual layout has been developed. New and upgraded Board policies have been continuously developed and adopted over the past year. The manual will be a priority this year and will be completed by early 2016.*
- ▶ **Develop a Capital Improvement Program for all District facilities and equipment** – *In progress for roads as discussed above. We have implemented a rolling stock replacement plan that includes replacing old vehicles with new based on years of service and condition versus spending staff time working as mechanics. The evaluation of the other assets of the District has stalled due to time constraints primarily caused by the drought emergency.*
 - ▶ **Establish a public engagement process to involve community in priority setting** – *this was done during development of the management objectives however we have found it difficult to engage the general public for non-controversial matters.*
 - ▶ **Establish an index for prioritization of capital improvement implementation** – *In progress with the road assessment and maintenance/improvement project development.*
 - ▶ **Evaluate funding/financing means to implement CIP** – *In progress*
- ▶ **Implement improved records management system** – *in progress as discussed above*
- ▶ **Develop an information piece showing all important relationships, permits and agreements that impact the District** – *This effort has begun and much of the internal background research completed; and currently in the hands of Castle and Cooke’s legal and engineering team; where the clear background documentation is being developed, and I will translate the final product into a simple graphic....hopefully.*

2.4 ONGOING

- ▶ **Develop standard operating procedures**
- ▶ **Ensure compliance with 404 Permit** – *We have done our part and the response is in the hands of others.*
- ▶ **Participate locally, regionally and statewide to stay informed and influence solid policy** – *Kampa was again selected to serve on the California Special Districts Association Board of Directors and continues to instruct for the CSDA Leadership Academy and participate in local and regional water and special district events.*
- ▶ **Oversee budget** – *The District’s financial condition continues to improve as described below.*

- ▶ **Pursue grant funds** – *successful in securing \$3 million for the region for water conservation, plus assisted in the state’s turf and toilet rebate program development. The CSD will access these grant funds for irrigation system and landscape improvements over the next two years.*
- ▶ Advise Board on policies, programs, finances, long and short range service plans
- ▶ Solid District investments
- ▶ Develop and maintain productive relationships with key partners

3 FINANCIAL PERFORMANCE

As a government entity, the District is not a profit making entity. We are considered financially sound when our annual revenue covers the annual expenses and we continue to invest in infrastructure and other capital assets. We continue to carry a cash balance of approximately 65% of our total annual budget, comprised of over \$375,000 in combined checking account and certificates of deposits. The 2014 calendar year came to an end in December with approximately \$72,000 revenue over expenses; and this available cash subsequently reinvested in the purchase or replacement capital assets including a truck and three new landscape carts. From 2013 to 2014, cash increased by \$4,500 and our assets, net of depreciation increased by \$30,000. Our total net position increased by approximately \$37,000; a 6% increase in net worth. With over ½ of the 2015 calendar year past, we expect a continued increase in net worth this year over last.

4 IDENTIFIED AREAS FOR IMPROVEMENT

4.1 MORE (MANAGEMENT) TIME ALLOCATION NEEDED

- More management time must be dedicated to evaluation of the operation and replacement of capital assets over the long term.
- Additional effort is needed to straighten out the District records and make the process low maintenance going forward
- This will be accomplished through consultant(s) hired by KCS and dedicated to specific priority management projects such as the road evaluation.

4.2 EXTERNAL COMMUNICATIONS

Our ability to communicate effectively and in a timely manner with our community needs to improve. This will be completed through consultants hired by KSC to specifically increase high quality, relevant information output by the District.