



## LAKE SHASTINA COMMUNITY SERVICES DISTRICT

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### RESOLUTION 3-04

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT REQUESTING THE SISKIYOU COUNTY CLERK TO PLACE BEFORE THE VOTERS A SPECIAL TAX LEVY MEASURE FOR FIRE PROTECTION AND EMERGENCY SERVICES.**

**WHEREAS**, the Board of Directors, has adopted Ordinance 1-91 establishing a tax for fire protection and emergency services; and

**WHEREAS**, the Board of Directors is approving a tax increase measure for the fire department that must be approved by the voters of the District; and

**WHEREAS**, the District is authorized by law to conduct an election to be included on the November 2004 official ballot; and

**WHEREAS**, passage of this measure will provide funds to obtain, furnish, operate and maintain fire department personnel, equipment, buildings and fire related services for the protection of fire and emergency services in the Lake Shastina Community Services District.

#### **NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

The Siskiyou County Clerk is hereby requested to allow this measure to be included on the November 4, 2004 official ballot, and to include the words and figures as follows:

Shall the Lake Shastina Community Services District levy a special tax increase for fire protection and emergency services, and obtain, furnish, operate and maintain fire department personnel, equipment, buildings and fire related services for the protection of fire and emergency services in the Lake Shastina Community Services District on the terms and conditions set forth below?

- 1). Improved Residential and Non-Residential parcels, except as set forth below, \$120.00 per year.
- 2). Unimproved Residential and Non-Residential parcels, except as set forth below, \$75.00 per year.
- 3). The following is exempt from this tax: Any road, greenbelt, or any property belonging to any county, state or federal government agency.
- 4). For the purposes of this measure, the following definitions shall apply:
  - a). "Year" means the fiscal year
  - b). "Parcel" means a parcel of real property having a separate assessor's parcel number, as shown on the secured tax rolls of the County of Siskiyou.
- 5). Upon adoption of this tax, all District ordinances for fees, assessments, and other charges previously levied or approved by the District for Fire Protection and Emergency Services, except those for the 2004-2005 fiscal year, are hereby rescinded, provided however, that the then current outstanding indebtedness for same shall not be deemed forgiven. If the tax adopted by this measure is at any time

found to be invalid, the rescission of previous fee ordinances, etc., shall be null and void, and they shall thereupon be reinstated.

- 6). The board recognizes that because of special circumstances applicable to particular properties, including but not limited to size, shape, topography, location, surroundings, and incombustibility of improvements, variances from the strict application of the provisions of this measure may be equitable and appropriate. Any property owner may apply, in writing, to the District Board for a variance based on such circumstances. The District Board is hereby authorized to adopt rules and regulations, and include time limits on the filing of applications for relief, to implement this section. The decision of the District Board of Directors in regard to such applications for relief shall be final.
- 7). This tax shall become effective immediately upon approval by the voters. During the 2004-2005 fiscal year, a prorated amount of this tax shall be levied from January 1, 2005, or the effective date of the measure, whichever is later.

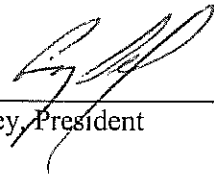
Yes \_\_\_\_\_ No \_\_\_\_\_

(Requires approval of 2/3 of votes cast).

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I hereby certify that the forgoing is a full, true and correct copy of Resolution 3-04 duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof duly held on the 19<sup>th</sup> day of May 2004, by the following vote:

AYES: Directors Dean, Negro and Roths  
 NOES: Director Dilley  
 ABSENT: Director Brezinsky  
 ABSTAIN: None

  
 \_\_\_\_\_  
 Craig Dilley, President

ATTEST:  
  
 \_\_\_\_\_  
 James Lea, District Secretary

**Item 9. OLD BUSINESS:**

- A. Status of Medical Clinic: Pres. Dilley reported that construction is on schedule. A meeting with Mercy Medical is scheduled for Thursday, May 20, 2004, regarding details of ground lease.
- B. Status of Emerald Crescent Estates (ECE) – **Received and Filed**: Pres. Dilley reported that the ECE project was denied by the County Board of Supervisors on May 4, 2004. GM Lea reported that the Board would receive a copy of Dale LaForest & Associates' report in the June meeting packet.
- C. Status of Shasta View Golf Village (SVG) – **Received and Filed**: Pres. Dilley reported that a check in the amount of \$41,668.20 was received at the close of escrow for the SVGV development (\$958.28 for water assessments and the balance for LSPOA assessments). GM Lea reported the District will receive additional money from the sale as soon as the funds are released by the County.
- D. Approval of preliminary budget 2004/2005 – **Received and Filed**: Board directed FC Montreuil and staff to re-evaluate the Fire Dept. budget and report to Board at the June meeting, along with the Police Dept. budget.
  - 1. Administration 2. Fire 3. Sewer 4. Water

**Motion by Dir. Roths second by Dir. Dean to approve Administration, Sewer and Water preliminary budget 2004/2005.**

**Ayes: Directors Dean, Dilley, Negro and Roths**

**Noes: None**

**Absent: Director Brezinsky**

- E. Ordinance 1-04: Fireworks Rules and Regulations (Fireworks Display Permit) – **Received and Filed**:
  - 1. Second Reading
  - 2. Public Hearing
  - 3. Approval of Second Reading and Adoption
 Pres. Dilley gave the Second Reading, by title page, of Ordinance 1-04, Fireworks Rules and Regulations (Fireworks Display Permit). The Ordinance will be effective June 18, 2004. A copy of the Ordinance presented for Second Reading will be available at the Administration Office. Pres. Dilley opened a Public Hearing. A comment was received from Chuck Smith. The Board approved the Second Reading and Adoption of Ordinance 1-04.

**Motion by Dir. Roths second by Dir. Dean to approve Second Reading and Adoption of Ordinance 1-04, Fireworks Rules and Regulations (Fireworks Display Permit).**

**Ayes: Directors Dean, Dilley, Negro and Roths**

**Noes: None**

**Absent: Director Brezinsky**

**F. Status of Special Tax Assessment Increase**

- 1. **Fire – Received and Filed**
  - a. **Approval of Resolution 3-04 for Siskiyou County Clerk to place Fire Special Tax Increase before voters:**

Pres. Dilley reported that Directors Brezinsky and Dean, FC Montreuil and staff met as a Committee regarding placing a Fire special tax increase before voters in order for the Fire Dept. to cover new equipment costs and the hiring of personnel. The Committee is recommending annual Fire increases of \$80.00 for improved parcels (from \$40.00 to \$120.00) and \$50.00 for unimproved parcels (from \$25.00 to \$75.00). Board agreed to amend Resolution by changing the wording within the forth Whereas by removing "for: Hiring up to two (2) full-time fire personnel; cover partial payment of new quick response fire truck purchased in May 2004: and", and changing "building" to "buildings" wherever noted. Board directed staff to check with the Siskiyou County Clerk regarding required wording for ballot, to see if the proposed wording could be simplified. OM Wishart read Resolution 3-04, as amended by Board, in its entirety. Pres. Dilley stated that he had concerns regarding the amount of the proposed increase; that he had previously recommended the Committee request an increase no more than double the present amounts.

**Motion by Dir. Roths second by Dir. Dean to approve Resolution 3-04 for Siskiyou County Clerk to place Fire Special Tax Increase before voters, as amended by Board and with wording on ballot clarified by the Siskiyou County Clerk.**

**Ayes: Directors Dean, Negro and Roths**

**Noes: Director Dilley**

**Absent: Director Brezinsky**

- 2. Police: No Report

6. Water Department ----- GM Lea  
 \* a. Written Report: No Report  
 b. Verbal Report: No Report

**Item 9. OLD BUSINESS:**

- A. Status of Medical Clinic: GM Lea reported that the construction of the Medical Clinic is ahead of schedule. Board directed GM Lea to check with Mercy Medical regarding whether or not an open house will be held for Lake Shastina residents prior to the opening of the clinic.
- B. Approval of preliminary budget 2004/2005 – **Received and Filed**
1. Fire
  2. Police

**Motion by Dir. Dean second by Dir. Roths to approve preliminary budget 2004/2005 for Fire and Police Depts.**

**Ayes: Directors Brezinsky, Dean and Roths**

**Noes: None**

**Absent: Directors Dilley and Negro**

- ✓ C. **Status of Fire Special Tax Assessment Increase – Received and Filed:** GM Lea reported that, due to the LSCSD being a governmental agency, District Staff and Board are not able to solicit votes. The general public could solicit votes; LSPOA as a private corporation could solicit votes.

1. Approval of amended Resolution 3-04

OM Wishart reported that the Board approved Resolution 3-04 at the May meeting with direction to have the County Clerks Office review the wording for the ballot. Based on the County Clerks Office review, the Board needs to approve Resolution 3-04 as amended with re-wording for the ballot.

**Motion by Dir. Roths second by Dir. Dean to approve amended Resolution 3-04, as presented to Board on June 16, 2004.**

**Ayes: Directors Brezinsky, Dean and Roths**

**Noes: None**

**Absent: Directors Dilley and Negro**

- D. Approval of C.O.L.A. increase, effective July 2004 – **Received and Filed**
1. Police

**Motion by Dir. Dean second by Dir. Roths to approve C.O.L.A. increase for Police Dept., effective July 2004.**

**Ayes: Directors Brezinsky, Dean and Roths**

**Noes: None**

**Absent: Directors Dilley and Negro**

- E. Approval of updated Personnel Policy – **Received and Filed**

**Motion by Dir. Roths second by Dir. Dean to approve the updated personnel policy implemented using CSDA's sample policy program.**

**Ayes: Directors Brezinsky, Dean and Roths**

**Noes: None**

**Absent: Directors Dilley and Negro**

- F. Road Improvement: Hogan Drive and Big Springs Road – **Received and Filed:** GM Lea reported that he had previously reported to the Board that the road improvement would fall under the District, not the LSPOA, due to the road improvement being outside of the LSPOA boundaries, which, after an in-depth conversation, is not the case. The LSPOA is not a locked gate community, as originally planned, which has resulted in limited ingress and egress. In addition, the LSPOA owns the roads and believes the road improvement will increase safety, so the Association has the authority to acquire property and develop the road improvement. Item will be on LSPOA agenda.