

SCOTIA COMMUNITY SERVICES DISTRICT NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE BOARD OF DIRECTORS

### WILL BE HELD AT: 122 MAIN STREET SCOTIA, CALIFORNIA <u>Thursday, July 28, 2016</u> <u>Regular Meeting at 5:30 P.M.</u>

### AGENDA

A. CALL TO ORDER/ ROLL CALL The Presiding officer will call the meeting to order and call the roll of members to determine the presence of a quorum.

#### PLEDGE OF ALLEGIANCE

#### **B.** SETTING OF AGENDA

The Board may adopt/ revise the order of the agenda as presented.

#### C. CONSENT CALENDAR

#### **C1.** Approval of Minutes from Previous Meetings

June 16, 2016

June 23, 2016

#### D. PUBLIC COMMENT & WRITTEN COMMUNICATION

Regularly scheduled meetings provide an opportunity for members of the public to directly address the SCSD Board Members on any action item that has been described in the agenda for the meeting, before or during consideration of that item, or on matters not identified on the agenda within the Board jurisdiction. Comments are not generally taken on non-action items such as reports or information. Comments should be limited to three minutes.

#### E. PUBLIC HEARING - NONE

#### F. **BUSINESS**

F1. New Business –

- a. Discussion: Overall services update, Prop 218 election #2, and next steps for the SCSD
- b. Discussion: Assessment Fee collection for Parks and Recreation, and Streets and Street Lighting
- c. Draft Ordinance Workshop for Parks and Recreation
- d. Consider a Special Meeting in August

- F2. Old Business
  - a. Consider adoption of Resolution 2016-8 A Resolution of the Board of Directors of the Scotia Community Services District to Accept Dedicated Ownership, Financial Responsibility and Maintenance for all Non-County or Private Streets and Alleyways
  - b. Consider adoption of Resolution 2016-9 A Resolution of the Board of Directors of the Scotia Community Services District to Accept Dedicated Ownership, Financial Responsibility and Maintenance for all Non-County or Private Drainage

#### G. **REPORTS**

No specific action is required on these items, but the Board may briefly discuss any particular item raised.

- **1. President's Report:**
- 2. Board Director Reports:
- 3. Interim Manager's Report:
- 4. Special Counsel's Report:
- 5. Engineer's Report:
- 6. Fire Chief's Status Report:
- 7. Board Clerk Report: SDRMA Insurance Quote Update

#### H. ADJOURNMENT

Next Regular Meeting of the SCSD will be August 18, 2016 at 5:30 PM. A Special meeting may be held prior to that.

Notice regarding the Americans with Disabilities Act: The District adheres to the <u>Americans with Disabilities Act</u>. Persons requiring special accommodations or more information about accessibility should contact the District Office. Notice regarding Rights of Appeal: Persons who are dissatisfied with the decisions of the SCSD Board of Directors have the right to have the decision reviewed by a State Court. The District has adopted <u>Section 1094.6</u> of the <u>Code of Civil Procedure</u> which generally limits the time within which the decision may be judicially challenged to 90 days.

#### Minutes of the Special Board Meeting of the Scotia Community Services District Thursday, June 16, 2016 Regular Meeting at 5:30 P.M.

#### A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE

The regular meeting of the Board of Directors of the Scotia Community Services District convened at 5:30 pm with the following directors in attendance:

present
present
present
present
- present

Staff: S. Davidson, Leslie Marshall, Colette Metz, Steve Tyler

#### B. SETTING OF AGENDA - NONE

#### C. CONSENT CALENDAR

**C1.** Approval of Minutes from Previous Meetings

May 19, 2016 – Actually Held May 25th

#### June 9, 2016

# **C2.** Approval of Minor Content and Formatting Changes to Adopted Resolution 2016-7 a Resolution of the Scotia Community Services District Board of Directors Filling Vacancy on the Board of Directors

**Motion:** To approve minutes of previous meetings and Minor Content and Formatting Changes to Adopted Resolution 2016-7 a Resolution of the Scotia Community Services District Board of Directors Filling Vacancy on the Board of Directors

Motion: McKnight Second: Newmaker

**Motion Vote:** Ayes  $-\underline{5}$  Opposed  $-\underline{0}$  Absent  $-\underline{0}$  Abstain  $-\underline{0}$ 

#### D. PUBLIC COMMENT & WRITTEN COMMUNICATION

R. Abrams commented on her previously stated concerns over conflicts of interest, and expressed her support of the Board. She asks that staff and the Board are more aware of situations that may require recusal.

T. Vivatson, of Eel River Brewery does not agree with SHN's analysis of the user fees and assessments. He asks that users such as Hoby's and the Scotia Inn be addressed individually. Claims that he does not believe the rates to be fair or equitable.

#### E. PUBLIC HEARING

#### E1. Proposition 218 Public Hearing for Proposed User Fees and Assessments

The Board will hold a public hearing for the proposed User Fees (Water and Wastewater) and Assessments (Fire Protection, Parks and Recreation, Streets and Street Lighting, and Storm Drainage. The procedures for this public hearing are summarized below:

- Chair announces and opens public hearing
- Staff presentation

- Board receives public testimony and may impose reasonable time limits on both the length of the entire hearing and the length of each speaker's testimony. – **limit of 3 minutes imposed -**

- Chair requests "last call" for final submittal of all ballots, and closes public hearing.

- Chair calls recess for tabulation to be held in the SCSD conference room (next door; open to the public).

- Clerk tabulates ballots and provides results to Chair.

- Chair calls meeting back to order, and announces the results and whether a majority protest exists.

- Board discusses item and directs staff to bring final resolutions for adoption at a special meeting scheduled for June 23rd, 2016 at 5:30 p.m.

The above procedure ensued. Staff pointed out that the Proposition 218 Process began in April, with Resolution 2016-4.

#### Public Testimony:

R. Abrams expressed concern with the budget. Asked how the meter reading, done by TOS over the last month affects the rates. District Engineer said that as of yet, the District had not received data on meter reads, and therefore does not have "average" usage nymbers for water. R. Abrams expressed concern of much lower actual usage than forecasted in the engineers reports and user fees analysis. Board President enforced time limit.

T. Vivatson of Eel River Brewery concerned with fair and equitable rates. Claims that the proposed rates would impose charges amounting to 40% of the ERB net profit. Also claims that there are holes in the SHN reports, re-expressed that other individual users are not called out in the reports, only ERB. Agrees with the BOD and TSS rates, but does not want to be double charged in the current methodology of the engineer's reports. Staff expressed that the SCSD will address individual business owners after the 218 process.

Board president ended public Testimony, and called for a Recess to tabulate ballots.

[Recess 5:55pm – 6:39pm]

Results:

User Fee/Assessment	Non-Protest Ballots	Protest Ballots	Result
	(Yes Votes)	(No Votes)	Pass/Fail
Water	22.22%	77.78%	Failed
Wastewater	22.22%	77.78%	Failed
Fire	42.24%	57.76%	Failed
Parks and Recreation	51.51%	48.49%	Passed
Streets and Street Lighting	63.85%	36.15%	Passed
Storm Drainage	43.06%	56.94%	Failed

#### **Board Discussion:**

Board directed staff to bring resolutions to the next special meeting to adopt the results of the Proposition 218 vote.

Board solicited for comments on results.

F. Bacik spoke on the results of the 218 election and updated the board on other news concerning the subdivision process. Said the first phase of subdivision would happen soon. He confirmed that rates for current tenants in Scotia are in fact subsidized. He asked the Board to consider another 218 process to set rates. Discussed other options if the Board chooses not to proceed with another 218 process.

Director McKnight asked why the Board didn't originally wait for the first phase of subdivision.

R. Abrams asked if a new 218 process would change the weight; and asked if the rates would be reassessed. Staff replied in the affirmative.

# E2. Consider adoption of Resolution 2016-10 A Resolution of the Board of Directors of the Scotia Community Services District to Adopt FY 2016-2017 Fee Schedule

Tabled indefinitely, will come before the Board again after another 218 process, if the Board chooses.

# E3. Consider adoption of Resolution 2016-11 A Resolution of the Board of Directors of the Scotia Community Services District to Adopt FY 2016-2017 Final Budget

President Walsh introduced. No public Comment.

Motion: Read	by title onl	У		
Motion: Pryor	Sec	ond: Bristol		
Motion Vote:	Ayes - <u>5</u>	Opposed $-\underline{0}$	Absent - <u>0</u>	Abstain - <u>0</u>

Motion: Adopt Resolution 2016-11 A Resolution of the Board of Directors of the Scotia CommunityServices District to Adopt FY 2016-2017 Final BudgetMotion: NewmakerSecond: PryorMotion Vote:Ayes -  $\underline{0}$ Opposed -  $\underline{0}$ Absent -  $\underline{0}$ Abstain -  $\underline{0}$ 

#### F. BUSINESS

F1. New Business -

# a. Consider adoption of Resolution 2016-12 A Resolution of the Scotia Community Services District Board of Directors Adopting the FY 2016-2017 Appropriations Limit

S. Tyler introduced. No public comment

Motion: Read by title onlyMotion: BristolSecond: McKnightMotion Vote: Ayes - 5Opposed - 0Absent - 0Abstain - 0

**Motion:** Adopt Resolution 2016-12 A Resolution of the Scotia Community Services District Board of Directors Adopting the FY 2016-2017 Appropriations Limit

Motion: Pryor Second: Walsh

**Motion Vote:** Ayes -  $\underline{5}$  Opposed -  $\underline{0}$  Absent -  $\underline{0}$  Abstain -  $\underline{0}$ 

F2. Old Business –

a. Consider adoption of Resolution 2016-8 A Resolution of the Board of Directors of the Scotia Community Services District to Accept Dedicated Ownership, Financial Responsibility and Maintenance for all Non-County or Private Streets and Alleyways

Table to July 21, 2016

b. Consider adoption of Resolution 2016-9 A Resolution of the Board of Directors of the Scotia Community Services District to Accept Dedicated Ownership, Financial Responsibility and Maintenance for all Non-County or Private Drainage

Table to July 21, 2016

#### G. **REPORTS**

1. President's Report: None

**2. Board Director Reports:** Scotia Parade on August 13<sup>th</sup>, 3 Board members will be judging. Clerk to post notice.

**3. Interim Manager's Report:** Congratualted Board on completing a first 218 rate setting process, as required by law. A special meeting is scheduled for June 23<sup>rd</sup>. PW scope will come before the Board then.

- 4. Special Counsel's Report: None
- 5. Engineer's Report: None
- 6. Fire Chief's Status Report: None
- 7. Board Clerk Report: SDRMA Insurance Quote Update

#### H. ADJOURNMENT

Meeting adjourned at 7:10 pm by Board President Rick Walsh.

These minutes were approved by the Board of Directors of the Scotia Community Services District on July 28, 2016 at its duly-noticed regular meeting in Scotia, CA. APPROVED:

Rick Walsh, President Board of Directors Scotia Community Services District Date

ATTEST:

Leslie Marshall, Board Clerk Scotia Community Services District

Date

Minutes of the Special Board Meeting of the Scotia Community Services District Thursday, June 23, 2016 Special Meeting at 5:30 P.M.

#### A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE

The regular meeting of the Board of Directors of the Scotia Community Services District convened at 5:38 pm with the following directors in attendance:

Diane Bristol	Director - present
Gayle McKnight	Director – present
Paul Newmaker	Director – present
Susan Pryor	Director – present
Rick Walsh	President - present

Staff: T. Boobar, S. Tyler, L. Marshall

- B. SETTING OF AGENDA None
- C. PUBLIC COMMENT None
- D. PUBLIC HEARING None
- E. BUSINESS

#### E1. New Business -

a. Resolutions Presenting the results of Proposed User Fees and Assessments

Motion: Resol	lutions 201	6-14 through 2016-	19 shall be read by	title only.
Motion: Pryor	Sec	ond: McKnight		
Motion Vote:	Ayes - <u>5</u>	Opposed $-\underline{0}$	Absent - <u>0</u>	Abstain - <u>0</u>

• Resolution 2016-14 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results for Water User Fees

Motion: To adopt Resolution 2016-14 A Resolution of the Scotia Community Services District Board<br/>of Directors Accepting the Proposition 218 Results for Water User FeesMotion: NewmakerSecond: BristolMotion Vote:Ayes - 5Opposed - 0Absent - 0Abstain - 0

 Resolution 2016-15 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results for Wastewater User Fees

Motion: To adopt Resolution 2016-15 A Resolution of the Scotia Community Services District Boardof Directors Accepting the Proposition 218 Results for Wastewater User FeesMotion: BristolSecond: McKnightMotion Vote:Ayes - 5Opposed - 0Absent - 0Abstain - 0

 Resolution 2016-16 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results for Fire Protection Assessment Motion: To adopt Resolution 2016-16 A Resolution of the Scotia Community Services District Boardof Directors Accepting the Proposition 218 Results for Fire Protection AssessmentMotion: McKnightSecond: BristolMotion Vote:Ayes - 5Opposed - 0Absent - 0Abstain - 0

 Resolution 2016-17 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results and Establishing a Parks and Recreation Assessment, Commencing Fiscal Year 2016-17

**Motion:** To adopt Resolution 2016-17 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results and Establishing a Parks and Recreation Assessment, Commencing Fiscal Year 2016-17

Motion: Newn	naker	Second: Pryor		
Motion Vote:	Ayes - <u>5</u>	Opposed – <u>0</u>	Absent - <u>0</u>	Abstain - <u>0</u>

 Resolution 2016-18 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results and Establishing a Streets and Street Lighting Assessment, Commencing Fiscal Year 2016-17

Motion: To adopt Resolution 2016-18 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results and Establishing a Streets and Street Lighting Assessment, Commencing Fiscal Year 2016-17
Motion: Bristol Second: Newmaker

<b>Notion vote:</b> Ayes $-\underline{b}$ Opposed $-\underline{b}$ Absent $-\underline{b}$ Absent $-\underline{b}$	Motion Vote:	Ayes - <u>5</u>	Opposed – <u>0</u>	Absent - <u>0</u>	Abstain - <u>0</u>
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• Resolution 2016-19 A Resolution of the Scotia Community Services District Board of Directors Accepting the Proposition 218 Results for Storm Drainage Assessment

Motion: To adopt Resolution 2016-19 A Resolution of the Scotia Community Services District Boardof Directors Accepting the Proposition 218 Results for Storm Drainage AssessmentMotion: PryorSecond: McKnightMotion Vote:Ayes - 5Opposed - 0Absent - 0Abstain - 0

President Walsh would like a map of all facilities, including parks and recreation.

R. Abrams asked how and when the accrual happens at the county for assessments. Staff explained.

#### b. Planwest Partners Staffing Contract

Board and staff discussed. R. Abrams asked about old billables. Board Directed President Walsh to sign.

#### c. Nancy Diamond Staffing Contract

T. Boobar introduced. This is the same contract as before, with new dates. R. Abrams asked questions about length and payment of contract. Board asked questions. Board directed President Walsh to sign contract.

#### E2. Old Business -

#### a. Discussion of results of the Prop 218 election and next steps for the SCSD

Board and staff discussed. Public comment was received from R. Abrams concerning the garages, and the breakdown of fire department calls, mostly in concern for medical. The Board directed staff to work with parties (County, TOS, etc.) and report back at the July 21,2016 regular Board Meeting.

[Recess 7:08pm – 7:29pm]

#### F. ADJOURN TO CLOSED SESSION – 7:29pm

#### F1. Call to Order

F2. Roll Call – All Present

**F3. Government Code §54956.8 Real Property Negotiations.** Agency Negotiators: Tracy M Boobar & President Rick Walsh. Negotiating Parties: Scotia Community Services District & Town of Scotia Company LLC.

#### F4. Closed Session Discussion

#### G. ADJOURN TO OPEN SESSION – 8:40pm

**G1. Report out of Closed Session -** Board has advised Legal Counsel to amend Transition Agreement

#### H. ADJOURNMENT

Meeting adjourned at 8:42 pm by Board President Rick Walsh.

These minutes were approved by the Board of Directors of the Scotia Community Services District on July 28, 2016 at its duly-noticed regular meeting in Scotia, CA. APPROVED:

Rick Walsh, President Board of Directors Scotia Community Services District ATTEST: Date

Leslie Marshall, Board Clerk Scotia Community Services District Date

# Scotia Community Services District Staff Report

DATE: July 28, 2016

TO: Scotia CSD Board of Directors

FROM: Steve Tyler, Interim General Manager

SUBJECT: Discussion and Update on Services, Prop 218, and Next Steps

#### **RECOMMENDATION:**

Receive a staff report detailing events in the last few weeks and discuss services, Prop 218, and next steps.

#### **DISCUSSION:**

#### Water

- The Water Board (Drinking Water Division) has issued a citation to TOS, see attachment.
- The Water Board is concerned about the condition of the filters and backwash system, as well as the treatment plant transferring in this condition to a public agency (SCSD).
- The Water Board informed that there are state grants available to both public and private entities for water treatment funding.
- The Water Board stated that a TMF must be completed before transfer.

#### Wastewater

- Staff participated in a State (Regional Water Quality Control Board) requested inspection of the treatment facility and associated ponds.
- The inspector stated that although Scotia does not currently qualify as a disadvantaged community, there are methods, including re-surveying, to better qualify for grant funding.
- Rich McKnight has announced his retirement to TOS, and TOS is currently pursuing a new water and wastewater operator.

#### **Parks and Recreation**

- o The Mt. Tamalpias Interpretive Center called again about the locomotives.
- o See "Other".

#### Streets and Street Lighting

• See Other.

#### Storm Drainage

- o SHN is working on separating the TOS and HRC drainage systems.
- SCSD will move forward considering an "Opt Out" option for HRC in the next benefit assessment; a yearly inspection by SCSD will be required, with a fee to be included in the fee schedule.

#### **Fire Service**

- The Fire Benefit Assessment failed, and in consultation with TOS and the County of Humboldt, TOS has elected to retain the Fire Department and provide fire services to the community through the remained of the subdivision process.
- It is currently unknown who will provide fire services after the completion of the subdivision.

#### Other

- Staff is currently working on developing Parks and Recreation & Streets and Street Lighting Ordinances, which the Board will provide input on at the July Meeting.
- The Transition Agreement is revised and will be provided to TOS on Friday July 15, 2016.
- The Engineer Reports are being revised to exclude fire and reduce the drainage fee structure based on the disconnected HRC drainage system. This should result in the rates (other than Storm and Fire) remaining the same and a reduction in the total monthly charge per customer.

#### ACTION:

Give Staff direction on next steps.

#### FISCAL IMPACT:

Costs covered by current Scope of Services.

## **Scotia Community Services District**

### **Staff Report**

DATE:	July 28, 2016
TO:	Scotia CSD Board of Directors
FROM:	Steve Tyler, Interim General Manager
SUBJECT:	Discussion of Assessment Revenue Collection for Parks and Recreation, and
	Streets and Street Lighting for Fiscal Year 2016-17

#### **RECOMMENDATION:**

Staff recommends the Board consider assessment revenue collection options for fiscal year 2016-17 and provide additional direction to staff.

#### **DISCUSSION:**

A public hearing for the Proposition 218 process was held on July 16, 2016, and two assessments passed (Parks and Recreation, and Streets and Street Lighting). The assessments may be levied beginning with the 2016-17 fiscal year and continued every year thereafter, so long as the Board approves an annual resolution for continuation of the assessments.

The County Assessor recently released the 2016 assessment roll information, which provides parcel-level data for purpose of levying assessments during the 2016-17 fiscal year.

"The information that will be provided free of charge will be Assessment/Fee Parcel Number, Assessee Name, Situs, Tax Rate Area, Use Code, and Exemption Code. The data will be in an excel spreadsheet. We will also provide a list of Use Codes and Exemption Codes with descriptions.

If your district wants mailing address and/or value information included there will be a cost for that information and you should contact me directly for the amount.

If you want to place charges on public owned/non-taxable parcels through the tax bill process contact the Auditor at 707-476-2452."

The following sections discuss assessment revenue collection options, including collection by the County Assessor's Office or by the District.

#### **Options:**

#### County Assessor's Office Collection

The County Assessor's Office may collect assessment revenue on behalf of the District as part of property taxes due annually in December and April. The District must provide its assessment charge lists to the Auditor by August 10<sup>th</sup>. This option would require a formal agreement with the County Assessor's Office and an administrative fee would be required.

#### Direct Billing by the District

The District may choose to bill customers directly this first year, or indefinitely. This will eventually require billing software to accomplish. For the first year's billing, staff believes it would be manageable to collect assessments without formal billing software (which would be an added expense). This may also provide more flexibility, allowing bills to be sent directly after the transition agreement is finalized and assets are transferred.

It is at the District's discretion to collect the assessments either through the County, or themselves.

#### ACTION:

Give Staff direction on how to the District wishes to collect assessments at this time. This method may be changed at any time by the District.

#### FISCAL IMPACT:

Costs associated with County collection, or acquisition of billing software, computer, etc. for billing by the District.

# Scotia Community Services District Staff Report

DATE: July 28, 2016

TO: Scotia CSD Board of Directors

FROM: Steve Tyler, Interim General Manager

SUBJECT: Draft Ordinance Workshop for Parks and Recreation

#### **RECOMMENDATION:**

Receive a staff report detailing events in the last few weeks and discuss services, Prop 218, and next steps.

#### **DISCUSSION:**

Give Direction and input on Parks and Recreation Ordinaince content, including open/close

hours, rental rates (based off other local examples), any special facility requirements, etc.

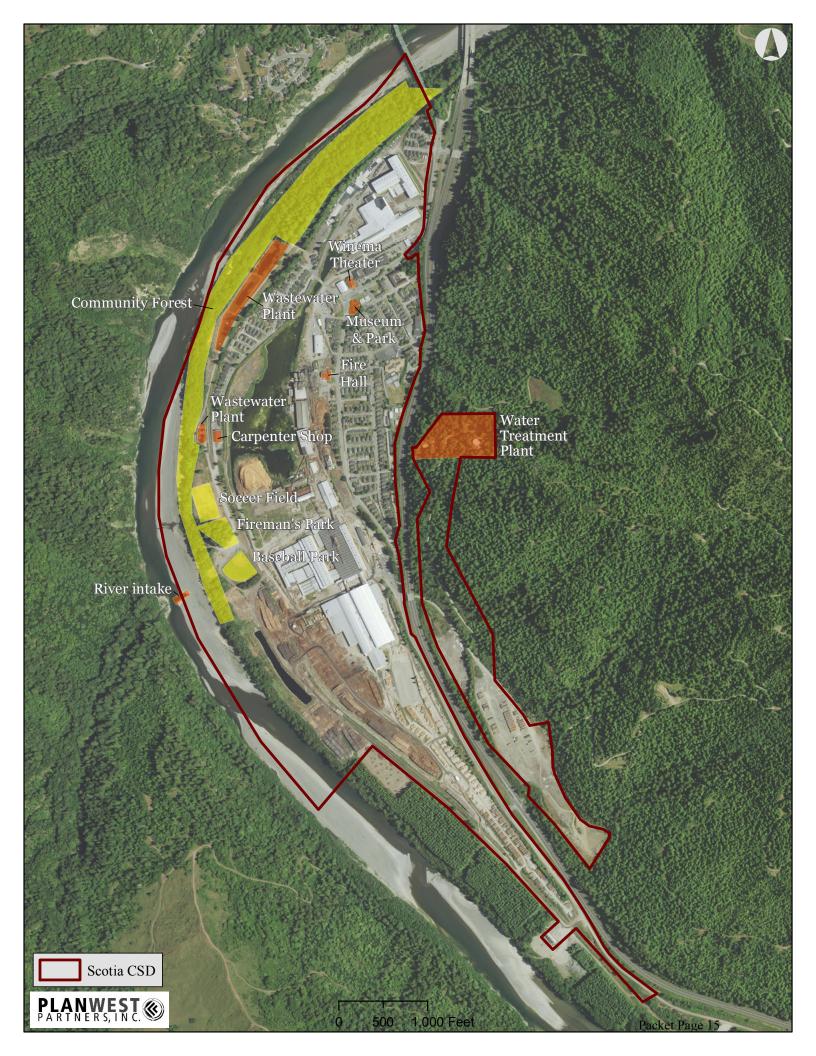
Parks and Recreation					
Name	Hours	<b>Rental Rates</b>	Special Requirements		
Winema Theater					
Museum					
Community Forest					
Soccer Field					
Fireman's Park					
Baseball Park					

#### ACTION:

Give Staff input for Draft Ordinance.

#### FISCAL IMPACT:

TBD.



#### **RESOLUTION NO. 2016-08**

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SCOTIA COMMUNITY SERVICES DISTRICT TO ACCEPT DEDICATED OWNERSHIP, FINANCIAL RESPONSIBILITY AND MAINTENANCE FOR ALL NON-COUNTY OR PRIVATE STREETS AND ALLEYWAYS

WHEREAS, the Town of Scotia currently owns the non-County streets and alleyways; and

**WHEREAS,** the Town of Scotia is subdividing the Town in phases in accordance with the Subdivision Map Act; and

WHEREAS, for each subdivided phase, the Town of Scotia intends to dedicate to the Scotia Community Services District, by easement or parcel map dedication, all streets and alleyways as described in Exhibit A; and

**WHEREAS,** the subdivision final parcel map for each subdivided phase will delineate the separate County of Humboldt public right of way and Scotia Community Services District street and alleyway easements; and

WHEREAS, the County of Humboldt has requested a Resolution by the Scotia Community Services District memorializing the separation of street and alleyway ownership, responsibility and maintenance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Scotia Community Services District as follows:

<u>Section 1</u>: The Recitals set forth above and the Exhibit A attached are incorporated herein and made an operative part of this Resolution.

Section 2: The Scotia Community Services District will own and maintain all dedicated streets and alleyways as described in Exhibit A.

Section 3: The Scotia Community Services District will maintain the street known as "Mill Lane", from the Mill Street County right of way to the end of said street, coincident with private lot lines.

This resolution shall be effective upon adoption of sewer and water rates and transfer of the water and wastewater facilities.

Attached: Exhibit A - Sheet G-10 of the Scotia Infrastructure Improvements – Phase 1: Proposed Station Lines and Right-of-Way

Dated: July 28, 2016

APPROVED:

ATTEST:

Rick Walsh, Board President, Scotia CSD

#### CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2016-8, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Service District, County of Humboldt, State of California, held on the 28<sup>th</sup> day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

**ABSTENTIONS:** 

#### **RESOLUTION NO. 2016-09**

#### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SCOTIA COMMUNITY SERVICES DISTRICT TO ACCEPT DEDICATED OWNERSHIP, FINANCIAL RESPONSIBILITY AND MAINTENANCE FOR ALL NON-COUNTY OR PRIVATE DRAINAGE

WHEREAS, the Town of Scotia currently owns and maintains all non-County drainage; and

**WHEREAS,** the Town of Scotia is subdividing the Town in phases in accordance with the Subdivision Map Act; and

**WHEREAS,** for each subdivided phase, the Town of Scotia intends to dedicate to the Scotia Community Services District, by easement or parcel map dedication, all drainage as described in Exhibit A; and

WHEREAS, the County of Humboldt has requested a Resolution by the Scotia Community Services District memorializing the separation of drainage ownership, responsibility and maintenance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Scotia Community Services District as follows:

<u>Section 1</u>: <u>Section 1</u>: The Recitals set forth above and the Exhibit A attached are incorporated herein and made an operative part of this Resolution.

<u>Section 2</u>: The Scotia Community Services District will own and maintain all dedicated drainage as described in Exhibit A.

<u>Section 3</u>: The Scotia Community Services District will own and maintain the drainage in the street known as "Mill Lane", from the Mill Street County right of way to the end of said street, coincident with private lot lines.

<u>Section 4</u>: The Scotia Community Services District will allow County access to the closest District drainage structure, in order to maintain County drainage responsibility.

This resolution shall be effective upon adoption of sewer and water rates and transfer of the water and wastewater facilities.

Attached: Exhibit A - Sheets G-5 & G-5.1 of the Scotia Infrastructure Improvements – Phase 1: Storm Drain & Storm Drain 9.0 Line, respectively

Dated: July 28, 2016

APPROVED:

ATTEST:

Rick Walsh, Board President, Scotia CSD

#### CLERK'S CERTIFICATE

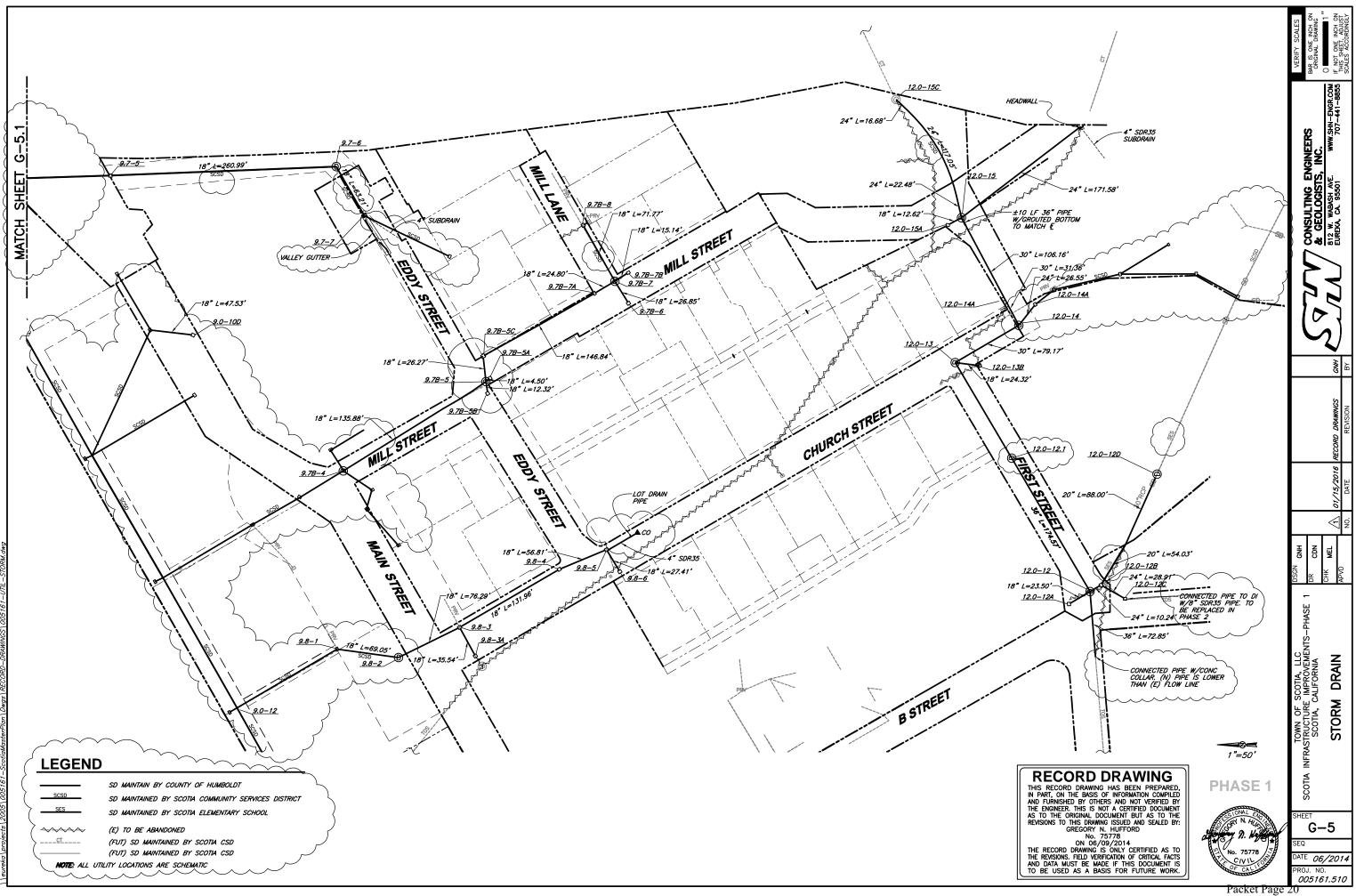
I hereby certify that the foregoing is a true and correct copy of Resolution No. 2016-09, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Services District, County of Humboldt, State of California, held on the 28<sup>th</sup> day of July, 2016, by the following vote:

AYES:

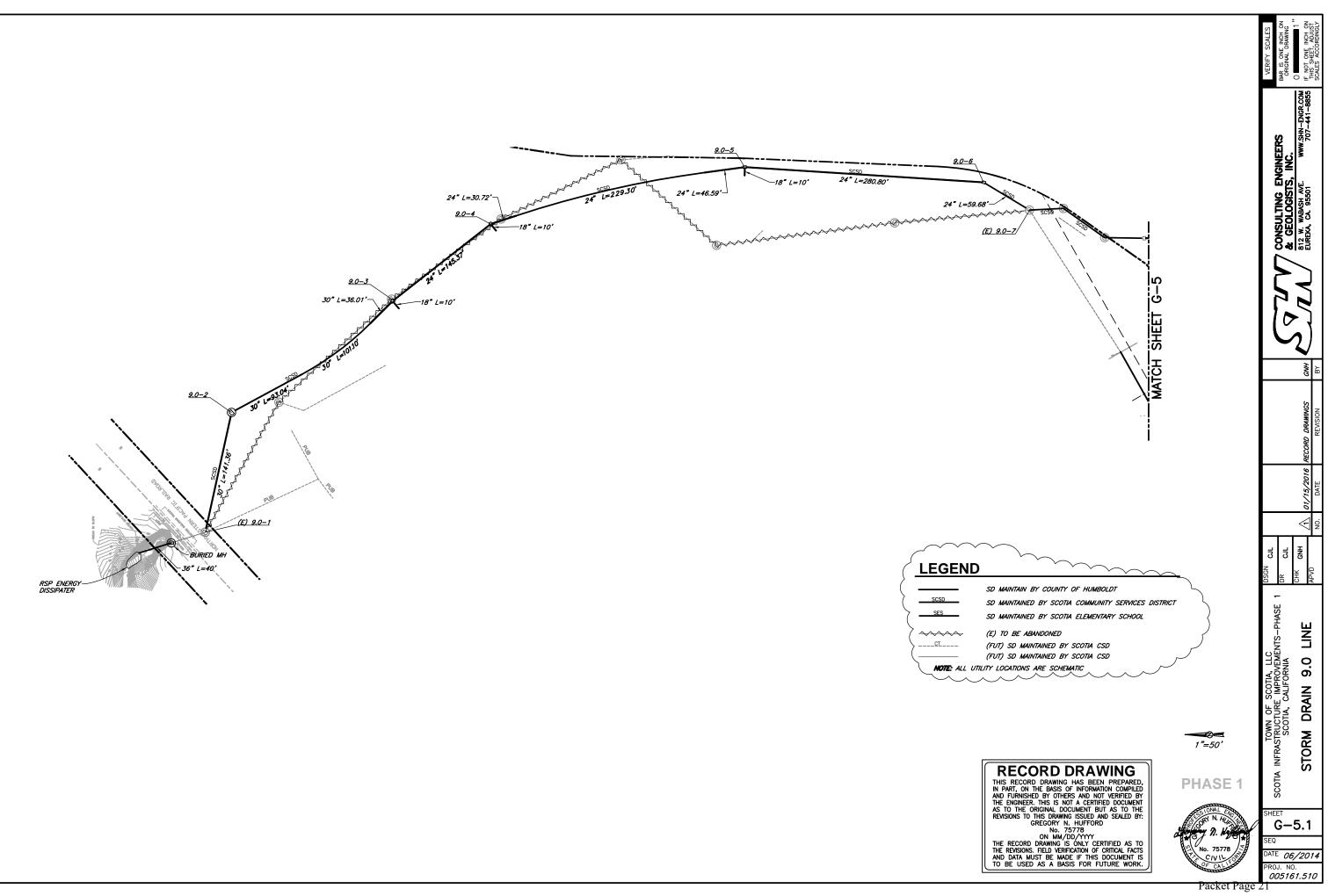
NOES:

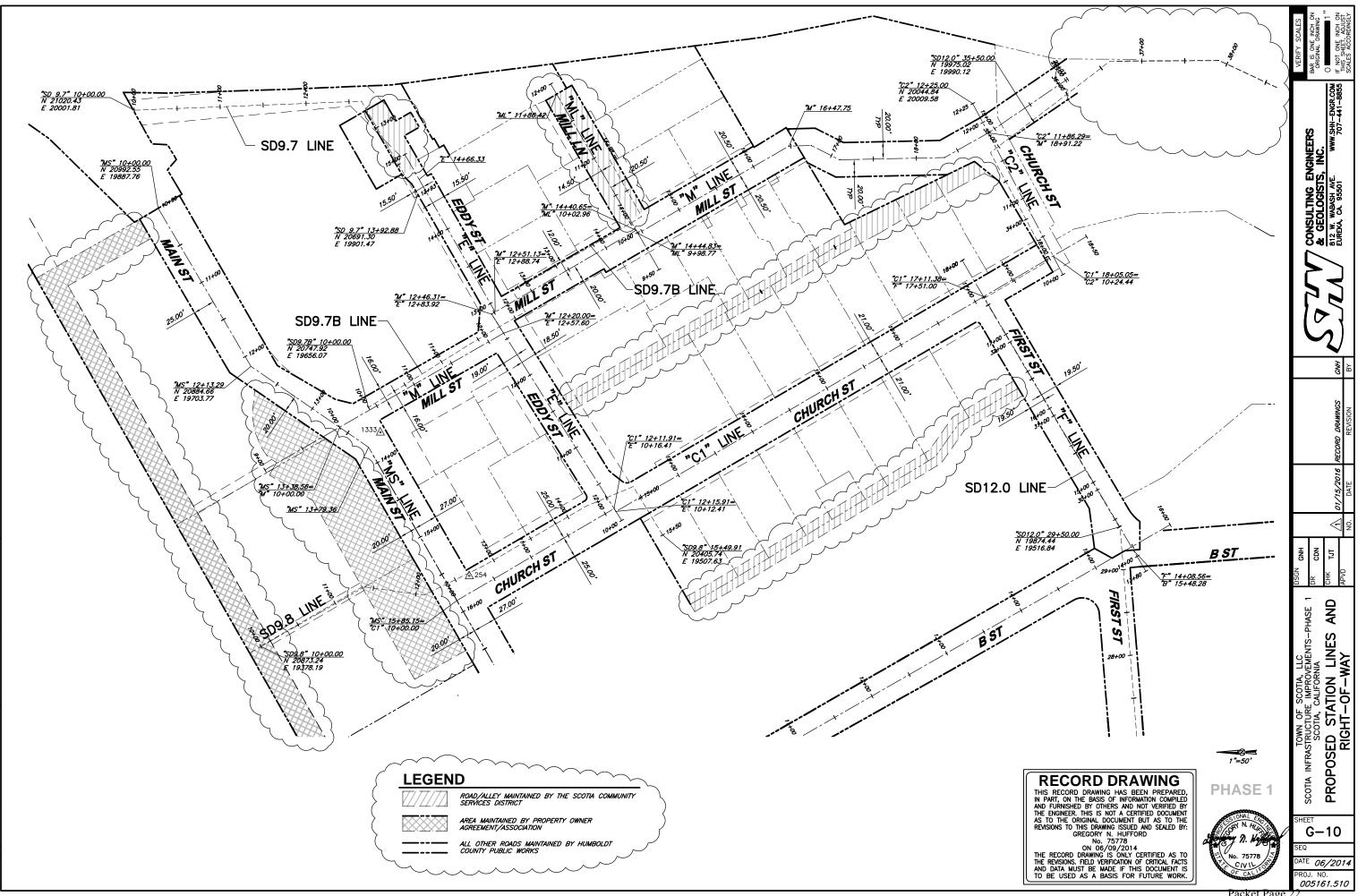
ABSENT:

**ABSTENTIONS:** 



SAVED: 5/20/2016 9:27 AM CNEWELL, PLOTTED: 5/20/2016 2:34 PM GREGORY HUFFORD \\eventsymbolsects12005\005161-ScotiaMasterPlan\0was\RECOMPD-DAMMINES\005161-UTL-ST





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