



Notice is hereby given that a
REGULAR MEETING
Of the Board of Directors will be held at:
400 Church Street, Scotia, CA 95565

Thursday, September 16, 2021 at 5:30 P.M.

AGENDA

- A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE** The Presiding Officer will call the meeting to order and the Board Clerk will call the roll of members to determine the presence of a quorum. **PLEASE REMEMBER TO SILENCE ALL CELL PHONES**

In accordance with the Governor's Executive Orders N-25-20 and N-29-20 SCSD Board of Directors shall conduct the District's business via teleconference as the Board chambers are closed at this time. **This meeting may be accessed by using the following call-in number: 1 669 900 6833. When prompted enter the meeting i.d. 846 0613 0560 and the following password 853795.** Please submit public comments in writing 24 hours ahead of the meeting, if possible. If anyone who wishes to teleconference the meeting and has ADA access needs, please call the SCSD Administrative Office not less than 24 hours in advance of the meeting time to make accommodations.

- B. SETTING OF THE AGENDA** The Board may adopt/revise the order of the agenda as presented.
- C. CONSENT CALENDAR** Consent Calendar items are routine, to be acted upon by the Board of Directors at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Consent Calendar, it shall be moved so that it may be acted upon separately in business.

1. Approval of Previous Meeting Minutes—Regular Meeting August 19, 2021 pp. 3
2. Approval of RCB Check Registers August 1-31, 2021 pp.7
3. Approval of Umpqua Check Registers August 1-31, 2021 pp. 13
4. Approval of RCB Mastercard Statement – July Statement pp. 18
5. Approval of Umpqua Visa Statement – July Statement pp. 27
6. Approval of Planwest Partners Invoice— August 2021 pp. 30

- 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. ADJOURN TO CLOSED SESSION**

1. Call to Order
2. Roll Call
3. Government Code §54956.9; Discuss pending litigation with District Legal Counsel
4. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel
5. Closed session discussion

- F. ADJOURN TO OPEN SESSION**

- a. Report out of closed session

G. PUBLIC HEARING – None

H. BUSINESS

1. New Business -

- a. Second Reading and Adoption of Ordinance 2021-7: An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-1 Title V Streets & Street Lighting pp. 33
- b. Second Reading and Adoption of Ordinance 2021-8: An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-4 Title VI Storm Drainage pp. 44
- c. Adopt Resolution 2021-12: A Resolution of the Scotia Community Services District Board of Directors Amending the Board Policies Manual pp. 55
- d. North Coast Regional Water Quality Control Board Mandatory Minimum Penalty Letter

2. Old Business – None

I. REPORTS

(5 minutes each)

The Board may briefly discuss any particular item raised; no action will be taken on these items.

- 1. **President’s Report:**
- 2. **Board Director Reports:**
- 3. **General Manager’s Report:**
- 4. **Board Clerk’s Report:**
- 5. **District Counsel’s Report:**
- 6. **Engineer’s Report:**
- 7. **Fire Chief’s Report:**

J. BOARD TRAINING – None

K. ADJOURNMENT

Next Regular Meeting of the SCSD will be October 21, 2021 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 [Americans with Disabilities Act](#). 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 [Section 1094.6](#) of the [Code of Civil Procedure](#) which generally limits the time within which the decision may be judicially challenged to 90 days.

Minutes of the REGULAR Board Meeting for the
Scotia Community Services District
Thursday, August 19, 2021 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:35 PM

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

Leslie Marshall, GM; Julie Hawkins, Board Clerk; Amanda Urhammer, District Legal Counsel; Renee Abrams, Public Attendee

B. SETTING OF THE AGENDA

No Changes

C. CONSENT CALENDAR

1. Approval of Previous Meeting Minutes—Regular Meeting July 15, 2021
2. Approval of RCB Check Registers July 1-31, 2021
3. Approval of Umpqua Check Registers July 1-31, 2021
4. Approval of RCB Mastercard Statement – June Statement
5. Approval of Umpqua Visa Statement – June Statement
6. Approval of Planwest Partners Invoice— July 2021
7. Fiscal 20/21 Year End Financial Statements

No Public Comment

Motion: To Approve Consent Calendar

Motion: Sellen **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

D. PUBLIC COMMENT & WRITTEN COMMUNICATION

None

E. ADJOURN TO CLOSED SESSION at 5:43 PM

1. Call to Order

2. Roll Call

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

3. Government Code §54956.9; Discuss pending litigation with District Legal Counsel
4. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel
5. Closed session discussion

F. ADJOURN TO OPEN SESSION 5:58 PM

- a. Report out of closed session

Board discussed. Direction was given to staff, no action to report.

G. PUBLIC HEARING – None

H. BUSINESS

1. New Business -

- a. First Reading and Consider Adoption of Ordinance 2021-7: An Ordinance of the Scotia Community Services District Amending Ordinance 2021-1 Title V Streets & Street Lighting

LM introduced and explained details listed in staff report.

Board Discussed. No Public Comments

Motion: To Introduce and Waive First Reading of Ordinance 2021-7: An Ordinance of the Scotia Community Services District Amending Ordinance 2021-1 Title V Streets & Street Lighting

Motion: Black **Second:** Newmaker

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

- b. First Reading and Consider Adoption of Ordinance 2021-8: An Ordinance of the Scotia Community Services District Amending Ordinance 2021-4 Title VI Storm Drainage

LM introduced and Board Discussed.

No Public Comment.

Motion: To Introduce & Waive First Reading of Ordinance 2021-8: An Ordinance of the Scotia Community Services District Amending Ordinance 2021-4 Title VI Storm Drainage

Motion: Pryor **Second:** Ansted

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

- c. Adopt Resolution No. 2021-10 Approving a Remote Board Clerk for Board Meetings

JH introduced. Board Discussed.

No Public Comment

Motion: To Adopt Resolution 2021-10 Approving a Remote Board Clerk for Board Meetings

Motion: Black **Second:** Sellen

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None
Abstain: None

d. Adopt Resolution No. 2021-11 Updating the Master Fee Schedule

LM introduced. Board Discussed.

No Public Comment

Motion: To Adopt Resolution No. 2021-11 Updating the Master Fee Schedule

Motion: Newmaker **Second:** Black

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

2. Old Business – None

I. REPORTS

1. President’s Report: None

2. Board Director Reports:

-Vice-President Black Reports that the small tree by the picnic tables is dead and needs to be cut down.

3. General Manager’s Report:

-Reviewed the updated River Pumps Schedule

-Potential New Position Recommended: “Crew Leader” Ops Supervisor, Heavy Equipment Operator Experience

-Tesla Contract docs received, President Newmaker signed.

-Working with SHN re: log pond core bore drilling Sept 7-10

-Meeting with HRC re: NPDES permit next week

-Theater pest exclusion postponed until October

-Baseball Restroom will most likely move forward. Progress made on flood proofing requirements

-Museum ADA estimates received. Finalizing plans – will go to bid.

-Soccer ADA is complete

-North Coast Paintball signed a new lease for the current year

-Vehicles are driving up from the river bar on manmade embankments. CSD purchased additional boulders to prevent this from continuing.

-LM working with John Broadstock on identifying privately owned garages being used as dwellings which could be an encroachment issue that could impact alleys, storm drainage, etc.

-Considering hiring someone for document sorting and storage at the museum. Board discussed the potential opportunities for community support/volunteers with that.

4. Board Clerk’s Report: None

5. District Counsel’s Report: None

6. Engineer’s Report: None

7. Fire Chief’s Report: None

J. BOARD TRAINING – None

K. ADJOURNMENT at 6:55 PM

Approved:

Paul Newmaker, President

Board of Directors

Scotia Community Services District

Date

Attest:

Board Clerk

Scotia Community Services District

Date

Scotia Community Services District

Account QuickReport

As of August 31, 2021

Type	Date	Num	Name	Memo	Amount	Balance
10000 - RCB Checking 28239						510,671.50
Deposit	08/02/2021			Deposit	3,482.38	514,153.88
Bill Pmt -Check	08/04/2021		PG&E	QuickBooks generated zer...	0.00	514,153.88
Bill Pmt -Check	08/04/2021		PG&E	QuickBooks generated zer...	0.00	514,153.88
Bill Pmt -Check	08/04/2021		AT&T	QuickBooks generated zer...	0.00	514,153.88
Bill Pmt -Check	08/04/2021		PG&E	QuickBooks generated zer...	0.00	514,153.88
Bill Pmt -Check	08/04/2021		PG&E	QuickBooks generated zer...	0.00	514,153.88
Bill Pmt -Check	08/05/2021	EFT	Umpqua Bank VISA ...	07.21 STMT	-15,656.19	498,497.69
Bill Pmt -Check	08/05/2021	EFT	AT&T		-1,396.10	497,101.59
Bill Pmt -Check	08/05/2021		PG&E	QuickBooks generated zer...	0.00	497,101.59
Bill Pmt -Check	08/05/2021		Umpqua Bank VISA ...	QuickBooks generated zer...	0.00	497,101.59
Deposit	08/05/2021			Deposit	601.63	497,703.22
Bill Pmt -Check	08/05/2021		PG&E	QuickBooks generated zer...	0.00	497,703.22
Bill Pmt -Check	08/09/2021	EFT	PG&E	VOID: 5776604566-0 07.21	0.00	497,703.22
Bill Pmt -Check	08/09/2021	51676	Alternative Business...	INV#MA21080207	-51.20	497,652.02
Bill Pmt -Check	08/09/2021	51677	Fortuna Ace	Inv#331392	-39.02	497,613.00
Bill Pmt -Check	08/09/2021	51678	Industrial Electric	Inv#IN40704	-1,523.32	496,089.68
Bill Pmt -Check	08/09/2021	51679	Keenan Supply	W173498	-20.35	496,069.33
Bill Pmt -Check	08/09/2021	51680	North Coast Laborat...	07.21 Stmt	-1,300.00	494,769.33
Bill Pmt -Check	08/09/2021	51681	Penny's Creations &...		-210.00	494,559.33
Bill Pmt -Check	08/09/2021	51682	Prentice, Long PC	Inv#4460	-1,700.00	492,859.33
Bill Pmt -Check	08/09/2021	51683	Recology Eel River	20214	-183.87	492,675.46
Bill Pmt -Check	08/09/2021	51684	Rogers Machinery	Inv#1278914	-462.50	492,212.96
Bill Pmt -Check	08/09/2021	51685	SDRMA	7724	-1,376.08	490,836.88
Bill Pmt -Check	08/09/2021	51686	Sunbelt Rentals, Inc	INV#115755196-0001	-685.03	490,151.85
Deposit	08/09/2021			Deposit	94.80	490,246.65
Bill Pmt -Check	08/09/2021		PG&E	QuickBooks generated zer...	0.00	490,246.65
Bill Pmt -Check	08/09/2021	51687	Valley Pacific Petrol...	Inv#CL-21-397686	-758.88	489,487.77
Bill Pmt -Check	08/09/2021	EFT	Suddenlink Business	08.21 Stmt	-226.37	489,261.40
Check	08/09/2021	ACH	Redwood Capital Ba...	Stop Payment Fee	-25.00	489,236.40
Liability Check	08/10/2021	E-pay	EDD	093-5926-6 QB Tracking # ...	-252.90	488,983.50
Liability Check	08/10/2021	E-pay	United States Treas...	82-1570573 QB Tracking #...	-1,446.70	487,536.80
Liability Check	08/10/2021	E-pay	EDD	093-5926-6 QB Tracking # ...	-53.64	487,483.16
Check	08/10/2021	51688	John Hancock USA	PARS #86360	-694.66	486,788.50
Bill Pmt -Check	08/10/2021		Redwood Capital Ba...	QuickBooks generated zer...	0.00	486,788.50
Paycheck	08/12/2021	EFTDD	Brandon W Wishneff	VOID:	0.00	486,788.50
Paycheck	08/12/2021	EFTDD	Julie A Hawkins		-142.42	486,646.08
Paycheck	08/12/2021	EFTDD	Kathleen A Sandum		-940.73	485,705.35
Paycheck	08/12/2021	EFTDD	Jason E Manning		-1,478.49	484,226.86
Paycheck	08/12/2021	EFTDD	Brandon W Wishneff		-1,521.73	482,705.13
Deposit	08/12/2021			Deposit	3,296.99	486,002.12
Bill Pmt -Check	08/13/2021	EFT	PG&E		-175.79	485,826.33
Bill Pmt -Check	08/16/2021	EFT	PG&E		-813.47	485,012.86
Deposit	08/16/2021			Deposit	6,800.93	491,813.79
Bill Pmt -Check	08/17/2021	EFT	PG&E		-148.62	491,665.17
Bill Pmt -Check	08/18/2021	51689	Penny's Creations &...	Inv#080217-938	-135.00	491,530.17
Bill Pmt -Check	08/18/2021	51690	Planwest Partners Inc.	INV#21-226-07	-13,522.11	478,008.06
Bill Pmt -Check	08/18/2021	51691	SDRMA	7724	-908.77	477,099.29
Bill Pmt -Check	08/18/2021	51692	Whitchurch Enginee...		-5,885.70	471,213.59
Deposit	08/18/2021			Deposit	10,097.35	481,310.94
Bill Pmt -Check	08/18/2021		PG&E	QuickBooks generated zer...	0.00	481,310.94
Bill Pmt -Check	08/19/2021	51693	Downey Brand LLP	Inv#563597	-324.00	480,986.94
Bill Pmt -Check	08/19/2021	51694	SHN Consulting Eng...	Inv#110130	-2,988.75	477,998.19

Scotia Community Services District Account QuickReport As of August 31, 2021

Type	Date	Num	Name	Memo	Amount	Balance
Bill Pmt -Check	08/19/2021	51695	Steves Septic	Inv#28551	-750.00	477,248.19
Deposit	08/19/2021			Deposit	12,024.16	489,272.35
Deposit	08/23/2021			Deposit	40,023.02	529,295.37
Deposit	08/23/2021			Deposit	13,242.81	542,538.18
Liability Check	08/24/2021	E-pay	EDD	093-5926-6 QB Tracking # ...	-255.55	542,282.63
Liability Check	08/24/2021	E-pay	United States Treas...	82-1570573 QB Tracking #...	-1,471.64	540,810.99
Liability Check	08/24/2021	E-pay	EDD	093-5926-6 QB Tracking # ...	-59.54	540,751.45
Deposit	08/24/2021			Deposit	14,285.96	555,037.41
Bill Pmt -Check	08/25/2021	51697	NTU Technologies	INV#11643	-3,562.50	551,474.91
Check	08/25/2021	51698	CA DWR Division of...	Scotia Log Pond Dam #205	-1,500.00	549,974.91
Check	08/25/2021	51699	Hum Co Clerk Recor...	Scotia Log Pond Dam Emb...	-50.00	549,924.91
Paycheck	08/26/2021	EFTDD	Kathleen A Sandum		-940.76	548,984.15
Paycheck	08/26/2021	EFTDD	Jason E Manning		-1,478.48	547,505.67
Paycheck	08/26/2021	EFTDD	Brandon W Wishneff		-1,528.31	545,977.36
Paycheck	08/26/2021	EFTDD	Julie A Hawkins		-273.45	545,703.91
Check	08/26/2021	51696	John Hancock USA	PARS #86360	-673.66	545,030.25
Bill Pmt -Check	08/26/2021	51700	Mobley Construction...		-1,470.00	543,560.25
Bill Pmt -Check	08/26/2021	51701	Advanced Security, I...		-394.50	543,165.75
Deposit	08/26/2021			Deposit	20,490.34	563,656.09
Deposit	08/30/2021			Deposit	71,685.62	635,341.71
Bill Pmt -Check	08/30/2021	EFT	Redwood Capital Ba...	7/9/21-8/8/21 stmt	-1,098.83	634,242.88
Bill Pmt -Check	08/31/2021		PG&E	QuickBooks generated zer...	0.00	634,242.88
Deposit	08/31/2021			Deposit	20,247.85	654,490.73
Deposit	08/31/2021			Deposit	5,948.21	660,438.94
Total 10000 · RCB Checking 28239					149,767.44	660,438.94
TOTAL					149,767.44	660,438.94

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12150 · RCB Clarifier savings							167,651.23
Deposit	08/31/2021			Interest	40210 · Interes...	8.54	167,659.77
Total 12150 · RCB Clarifier savings						8.54	167,659.77
TOTAL						8.54	167,659.77

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Memo	Original Amount	Paid Amount	Balance
12100 · RCB Cust Deposit Savings 10797						16,502.89
Deposit	08/31/2021		Interest	0.84	0.84	16,503.73
Total 12100 · RCB Cust Deposit Savings 10797					0.84	16,503.73
TOTAL					0.84	16,503.73

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12001 - RCB Sav Generator Grant							300,007.24
Deposit	08/31/2021			Interest	40210 · Interes...	2.55	300,009.79
Total 12001 - RCB Sav Generator Grant						2.55	300,009.79
TOTAL						2.55	300,009.79

Scotia Community Services District
Account QuickReport
As of August 31, 2021

Type	Date	Num	Name	Memo	Original Amount	Paid Amount	Balance
12000 · RCB Savings 10367							501,186.73
Deposit	08/31/2021			Interest	25.54	25.54	501,212.27
Total 12000 · RCB Savings 10367						25.54	501,212.27
TOTAL						25.54	501,212.27

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12153 · Umpqua CD Drainage							36,234.17
Total 12153 · Umpqua CD Drainage							36,234.17
TOTAL							36,234.17

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12154 · Umpqua CD Streets & Streetlight							108,325.05
Total 12154 · Umpqua CD Streets & Streetlight							108,325.05
TOTAL							108,325.05

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12155 · Umpqua CD Wastewater							202,930.01
Total 12155 · Umpqua CD Wastewater							202,930.01
TOTAL							202,930.01

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12152 · Umpqua Checking BT Loan							938,622.42
Deposit	08/31/2021			Interest	40210 · Interes...	23.92	938,646.34
Total 12152 · Umpqua Checking BT Loan						23.92	938,646.34
TOTAL						23.92	938,646.34

Scotia Community Services District
Account QuickReport
 As of August 31, 2021

Type	Date	Num	Name	Memo	Split	Amount	Balance
12151 · Umpqua Park & Rec Savings							272,970.74
Deposit	08/31/2021			Interest	40210 · Interes...	2.32	272,973.06
Total 12151 · Umpqua Park & Rec Savings						2.32	272,973.06
TOTAL						2.32	272,973.06



SCOTIA COMM SVCS DIST
Account Number: XXXX XXXX XXXX 0143

Billing Questions:
800-367-7576

Website:
www.cardaccount.net

Send Billing Inquiries To:
Card Service Center, PO Box 569120, Dallas, TX 75356

REDWOOD CAPITAL BANK Credit Card Account Statement
June 8, 2021 to July 8, 2021

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$170.21
- Payments	\$170.21
- Other Credits	\$0.00
+ Purchases	\$909.21
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$909.21

PAYMENT INFORMATION

New Balance:	\$909.21
Minimum Payment Due:	\$27.28
Payment Due Date:	August 2, 2021

Account Number XXXX XXXX XXXX 0143
Credit Limit \$27,000.00
Available Credit \$26,090.00
Statement Closing Date July 8, 2021
Days in Billing Cycle 31

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/28	06/28	F1127005K00CHGDDA	AUTOMATIC PAYMENT - THANK YOU	\$170.21-
			TOTAL XXXXXXXXXXXXX0143	\$170.21-
06/22	06/23	55432865D5V47Q3QG	AMZN MKTP US*219Y85VC0 AMZN.COM/BILL WA	\$91.55 ✓
06/23	06/23	55432865E5S94N1MA	AMZN MKTP US*211WA9IG1 AMZN.COM/BILL WA	\$39.82 ✓
06/24	06/25	55458855FLQP7D4NR	USCELL RECURRING 1111111111 IL	\$320.27 ✓
06/25	06/27	55432865G5V1G1VEJ	AMAZON.COM*210JX32ND AMZN.COM/BILL WA	\$125.26 ✓
06/27	06/28	55432865J5SKGAPR7	INTUIT *PAYROLLEE USAG 833-830-9255 CA	\$6.00 ✓

Transactions continued on next page

Please see reverse side of page 1 for important information.

5762 0001 BHH 001 7 4 210708 0

PAGE 1 of 2

15

1127

6709

VB5

01A85762

8181

REDWOOD CAPITAL BANK
1550 N BROWN RD 150
LAWRENCEVILLE GA 30043



Account Number: XXXX XXXX XXXX 0143
New Balance: \$909.21
Minimum Payment Due: \$27.28
Payment Due Date: August 2, 2021

Please use enclosed envelope to remit payment.

Amount Enclosed: \$

Indicate name or address change on reverse side and check here.

Make Check Payable to:

CARD SERVICE CENTER
PO BOX 569100
DALLAS TX 75356-9100

SCOTIA COMM SVCS DIST 8181
PO BOX 104
SCOTIA CA 95565-0104



559061470970014300002728000909212

POSTED
JUL 26 2021

CREDITING OF PAYMENTS

All payments received by 5:00 PM during the Card issuer's normal business day at the address indicated on the reverse side of this statement will be credited to your account as of the date of receipt of the payment. If payment is made at any location other than that address, credit of the payment may be delayed up to 5 days.

BILLING RIGHTS SUMMARY

What to do if You Think You Find a Mistake on Your Statement

If you think there is an error on your statement, write to us at BBGS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043 as soon as possible. In your letter, give us the following information: your name and account number; the dollar amount of the suspected error; and if you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any Interest or other fees related to that amount.
- While we do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

Your Rights if You are Dissatisfied with Your Credit Card Purchases

If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, all of the following must be true:

- The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
- You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
- You must not yet have fully paid for the purchase. If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: BBGS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

EXPLANATION OF INTEREST CHARGES

The Interest Charge shown on the front is the sum of the Interest Charges computed by applying the Periodic Rate(s) to the Average Daily Balance and adding any applicable transaction charge authorized in the Cardholder Agreement. The method for computing the balance subject to interest Charge is an average daily balance (including new purchases) method.

We figure the interest charge on your account by applying the periodic rate(s) to the "average daily balance" of your account (including in some instances current transactions). To get the "average daily balance", we take the beginning balance of your account each day, add any new cash advances and subtract any payments or credits and any unpaid interest charges. If you paid in full the Previous Balance shown on this statement by the payment due date shown on the previous statement, we subtract from each day's beginning balance the amount of such Previous Balance included in that beginning balance and also do not add in any new purchases. Otherwise the amount of the Previous Balance is not subtracted and we add in any new purchases. This gives us the daily balance. Then we add all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle. This gives us the "average daily balance."

HOW TO AVOID INTEREST CHARGES: You have until the payment due date shown on your periodic statement to repay your balance before an interest charge on purchases will be imposed.

ANNUAL FEE DISCLOSURES

If an annual fee is shown on the front of the statement, see the front for information about the following matters: the annual percentage rate for purchases, certain information regarding any variable rate feature, the amount of the annual fee, any minimum interest charge, and any transaction charges for purchases. The method for computing the balance subject to Interest charge on your account is an Average Daily Balance (including new purchases) method and is explained above.

If you terminate your account within 30 days from the Closing Date shown on the front of this statement, you will not owe the annual fee (and have the right to have it credited to your account) and may use your card(s) during that 30 day period without becoming obligated for the annual fee. To terminate your account you should give us written notice sent to the address for billing inquiries as shown on the front of this statement. All cards should be cut in half and returned with your termination notice.

CREDIT BALANCES

Any credit balance on your account (indicated by a "-" on the front of this statement) is money we owe you. You can make charges against this amount or request and receive a full refund of this amount by writing us at: Card Service Center, PO Box 569120, Dallas, TX 75356-9120. Any amount not charged against or refunded upon request that is over \$1.00 (equal to or in excess of \$1.00 if you live in MA or any amount in NY) will be refunded automatically within six months after the credit balance was created (four billing cycles in MD).

O1AB5762 - 3 - 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

City

State

Zip Code

Effective Date: Month, Day, Year

Signature

Home Phone

Work Phone



SCOTIA COMM SVCS DIST
Account Number: XXXX XXXX XXXX 0143

TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/28	06/29	55432865K5SXXQ1KT	AMZN MKTP US*2913H70Z1 AMZN.COM/BILL WA	\$62.42
07/02	07/02	55432865P5SX96KF2	CLEARPATHGPS, INC. 805-979-3442 CA	\$65.00
07/04	07/05	55432865T5SP3G1SM	ARLO TECHNOLOGIES INC 408-638-3750 CA	\$129.00
LESLIE D MARSHALL				
TOTAL XXXXXXXXXXXXXXX1117				\$839.32
06/11	06/14	854383954WGNMQ2AK	HARPER MOTORS EUREKA CA	\$53.63
06/26	06/28	02305375K00EXKXS3	TRACTOR SUPPLY CO #179 FORTUNA CA	\$16.26
BRANDON W WISHNEFF				
TOTAL XXXXXXXXXXXXXXX1133				\$69.89

Handwritten notes:
 50420-150
 50420-99 1.10
 32.00 20 30 60
 50433-10
 weed spray 6/30
 shigs ✓

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	14.24% (v)	\$0.00	31	\$0.00
Cash Advances	14.24% (v)	\$0.00	31	\$0.00

(v) - variable

To avoid additional interest charges, pay your New Balance in full on or before the Payment Due Date.

Exciting news! Go online today and check out the all-new enhancements to the Card Service Center website. E-statements, additional payment options, links to Preferred Points website, and other helpful sites. Visit us today at www.cardaccount.net to enroll your credit card account(s) on the newly enhanced website.

Thank you for the opportunity to serve your credit card needs. Should your future plans include travel, please contact us at 1-800-367-7576.

Please see reverse side of page 1 for important information.

1-2

BHH



LESLIE D MARSHALL
 Account Number: XXXX XXXX XXXX 1117

Billing Questions:
 800-367-7576

Website:
 www.cardaccount.net

Send Billing Inquiries To:
 Card Service Center, PO Box 569120, Dallas, TX 75356

REDWOOD CAPITAL BANK Credit Card Account Statement
 July 8, 2021

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$0.00
- Payments	\$0.00
- Other Credits	\$0.00
+ Purchases	\$0.00
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$0.00

PAYMENT INFORMATION

New Balance:	\$0.00
Minimum Payment Due:	\$0.00
Payment Due Date:	August 2, 2021

Account Number XXXX XXXX XXXX 1117
 Credit Limit \$15,000.00
 Available Credit \$15,000.00
 Statement Closing Date July 8, 2021
 Days in Billing Cycle 0

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/22	06/23	55432865D5V47Q3QG	AMZN MKTP US*219Y85VC0 AMZN.COM/BILLWA	\$91.55
06/23	06/23	55432865E5S94N1MA	AMZN MKTP US*211WA9IG1 AMZN.COM/BILLWA	\$39.82
06/24	06/25	55458855FLQP7D4NR	USCELL RECURRING 1111111111 IL	\$320.27
06/25	06/27	55432865G5V1G1VEJ	AMAZON.COM*210JX32N0 AMZN.COM/BILLWA	\$125.26
06/27	06/28	55432865J5SKGAPR7	INTUIT *PAYROLLEE USAG 833-830-9255 CA	\$6.00

Transactions continued on next page

Please see reverse side of page 1 for important information.

5762 0001 BHH 001 7 4 210708 0 PAGE 1 of 2 1.5 1127 6709 V85 01AB5762 8182

REDWOOD CAPITAL BANK
 1550 N BROWN RD 150
 LAWRENCEVILLE GA 30043



Account Number: XXXX XXXX XXXX 1117
 New Balance: \$0.00
 Minimum Payment Due: \$0.00
 Payment Due Date: August 2, 2021

Please use enclosed envelope to remit payment.

Amount Enclosed: \$

Indicate name or address change on reverse side and check here.

Make Check Payable to:

CARD SERVICE CENTER
 PO BOX 569100
 DALLAS TX 75356-9100

LESLIE D MARSHALL 8182
 SCOTIA COMM SVCS DIST
 PO BOX 104
 SCOTIA CA 95565-0104



5590614709701117000000000000000003

CREDITING OF PAYMENTS

All payments received by 5:00 PM during the Card issuer's normal business day at the address indicated on the reverse side of this statement will be credited to your account as of the date of receipt of the payment. If payment is made at any location other than that address, credit of the payment may be delayed up to 5 days.

BILLING RIGHTS SUMMARY

What to do if You Think You Find a Mistake on Your Statement

If you think there is an error on your statement, write to us at BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043 as soon as possible. In your letter, give us the following information: your name and account number; the dollar amount of the suspected error; and if you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While we do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

Your Rights if You are Dissatisfied with Your Credit Card Purchases

If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, all of the following must be true:

- The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
- You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
- You must not yet have fully paid for the purchase. If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

EXPLANATION OF INTEREST CHARGES

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O1AB5762 - 3 - 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

City

State

Zip Code

Effective Date: Month, Day, Year

Signature

Home Phone

Work Phone



LESLIE D MARSHALL
 Account Number: XXXX XXXX XXXX 1117

TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/28	06/29	55432865K5SXXQ1KT	AMZN MKTP US*2913H70Z1 AMZN.COM/BILLWA	\$62.42
07/02	07/02	55432865P5SX96KF2	CLEARPATHGPS, INC. 805-979-3442 CA	\$65.00
07/04	07/05	55432865T5SP3G1SM	ARLO TECHNOLOGIES INC 408-638-3750 CA	\$129.00
07/08	07/08	000000000000COMP	TOTAL PURCHASES \$839.32	
			TOTAL \$839.32	

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	14.24% (v)	\$0.00	0	\$0.00
Cash Advances	14.24% (v)	\$0.00	0	\$0.00

(v) - variable

To avoid additional interest charges, pay your New Balance in full on or before the Payment Due Date.

Exciting news! Go online today and check out the all-new enhancements to the Card Service Center website. E-statements, additional payment options, links to Preferred Points website, and other helpful sites. Visit us today at www.cardaccount.net to enroll your credit card account(s) on the newly enhanced website.

Thank you for the opportunity to serve your credit card needs. Should your future plans include travel, please contact us at 1-800-367-7576.

Please see reverse side of page 1 for important information.

1-2



BRANDON W WISHNEFF
 Account Number: XXXX XXXX XXXX 1133

Billing Questions:
 800-367-7576

Website:
 www.cardaccount.net

Send Billing Inquiries To:
 Card Service Center, PO Box 569120, Dallas, TX 75356

REDWOOD CAPITAL BANK Credit Card Account Statement
 July 8, 2021

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$0.00
- Payments	\$0.00
- Other Credits	\$0.00
+ Purchases	\$0.00
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$0.00

PAYMENT INFORMATION

New Balance:	\$0.00
Minimum Payment Due:	\$0.00
Payment Due Date:	August 2, 2021

Account Number XXXX XXXX XXXX 1133
 Credit Limit \$1,000.00
 Available Credit \$1,000.00
 Statement Closing Date July 8, 2021
 Days in Billing Cycle 0

TRANSACTIONS

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/11	06/14	854383954WGNMQ2AK	HARPER MOTORS EUREKA CA	\$53.63
06/26	06/28	02305375K00EXKXS3	TRACTOR SUPPLY CO #179 FORTUNA CA	\$16.26
07/08	07/08	000000000000COMPC	TOTAL PURCHASES \$69.89	
			TOTAL \$69.89	

Please see reverse side of page 1 for important information.

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PAGE 1 of 2

15 1127 4709 VB5 01A85762 8183

REDWOOD CAPITAL BANK
 1550 N BROWN RD 150
 LAWRENCEVILLE GA 30043



Account Number: XXXX XXXX XXXX 1133
 New Balance: \$0.00
 Minimum Payment Due: \$0.00
 Payment Due Date: August 2, 2021

Please use enclosed envelope to remit payment.

Amount Enclosed: \$

Indicate name or address change on reverse side and check here.

Make Check Payable to:

CARD SERVICE CENTER
 PO BOX 569100
 DALLAS TX 75356-9100

BRANDON W WISHNEFF 8183
 SCOTIA COMM SVCS DIST
 PO BOX 104
 SCOTIA CA 95565-0104



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CREDITING OF PAYMENTS

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- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
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If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, all of the following must be true:

- The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
- You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
- You must not yet have fully paid for the purchase. If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

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O1AB5762 - 3 - 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

City

State

Zip Code

Effective Date: Month, Day, Year

Signature

Home Phone

Work Phone



BRANDON W WISHNEFF
 Account Number: XXXX XXXX XXXX 1133

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	14.24% (v)	\$0.00	0	\$0.00
Cash Advances	14.24% (v)	\$0.00	0	\$0.00

(v) - variable

To avoid additional interest charges, pay your New Balance in full on or before the Payment Due Date.

Exciting news! Go online today and check out the all-new enhancements to the Card Service Center website. E-statements, additional payment options, links to Preferred Points website, and other helpful sites. Visit us today at www.cardaccount.net to enroll your credit card account(s) on the newly enhanced website.

Thank you for the opportunity to serve your credit card needs. Should your future plans include travel, please contact us at 1-800-367-7576.

1-3

Please see reverse side of page 1 for important information.



UMPQUA BANK

BL ACCT 00002823-20000001

SCOTIA CSD

Account Number: #### #### #### 3769

Page 1 of 3



Account Summary

Billing Cycle		07/30/2021
Days In Billing Cycle		30
Previous Balance		\$600.00
Purchases	+	\$15,656.19
Cash	+	\$0.00
Balance Transfers	+	\$0.00
Special	+	\$0.00
Credits	-	\$0.00
Payments	-	\$600.00
Other Charges	+	\$0.00
Finance Charges	+	\$0.00

NEW BALANCE \$15,656.19

Credit Summary

Total Credit Line	\$40,000.00
Available Credit Line	\$24,343.81
Available Cash	\$0.00
Amount Over Credit Line	\$0.00
Amount Past Due	\$0.00
Disputed Amount	\$0.00

Account Inquiries



Call us at: (866) 777-9013
Lost or Stolen Card: (866) 839-3485



Go to www.umpquabank.com



Write us at PO BOX 1952, SPOKANE, WA
99210-1952

Payment Summary

NEW BALANCE	\$15,656.19
MINIMUM PAYMENT	\$15,656.19
PAYMENT DUE DATE	08/25/2021

NOTE: Grace period to avoid a finance charge on purchases, pay entire new balance by payment due date. Finance charge accrues on cash advances until paid and will be billed on your next statement.

Corporate Activity

Trans Date	Post Date	Reference Number	Transaction Description	Amount
07/07	07/07	2400179	INTERNET PMT-THANK YOU	\$600.00-
TOTAL CORPORATE ACTIVITY				\$600.00-

Cardholder Account Summary

Cardholder Name	Payments & Other Credits	Purchases & Other Charges	Cash Advances	Total Activity
LESLIE D MARSHALL #### #### #### 3777	\$0.00	\$15,656.19	\$0.00	\$15,656.19

Cardholder Account Detail

Trans Date	Post Date	Plan Name	Reference Number	Description	Amount
07/01	07/04	PPLN01	24692161183100389912999	PG&E/EZ-PAY 800-743-5000 CA	\$15,656.19

PLEASE DETACH COUPON AND RETURN PAYMENT USING THE ENCLOSED ENVELOPE - ALLOW UP TO 7 DAYS FOR RECEIPT

UMPQUA BANK
PO BOX 1952
SPOKANE WA 99210-1952



UMPQUA BANK

Account Number

3769

Check box to indicate
name/address change
on back of this coupon

AMOUNT OF PAYMENT ENCLOSED

Closing Date	New Balance	Total Minimum Payment Due	Payment Due Date
07/30/21	\$15,656.19	\$15,656.19	08/25/21

\$

BL ACCT 00002823-20000001
SCOTIA CSD
PO BOX 104
SCOTIA CA 95565



45197

MAKE CHECK PAYABLE TO:



UMPQUA BANK
PO BOX 2310
SPOKANE WA 99210-2310

POSTED
AUG 05 2021



IMPORTANT INFORMATION

Finance Charge Calculation Methods and Computation of Average Daily Balance Subject to Finance Charge: The Finance Charge Calculation Method applicable to your account for Cash Advances and Credit Purchases of goods and services that you obtain through the use of your card is specified on the front side of this statement and explained below:

Method A - Average Daily Balance (including current transactions): The Finance Charge on purchases begins on the date the transaction posted to your account. The Finance Charge on Cash Advances begins on the date you obtained the cash advance, or the first day of the billing cycle within which it is posted to your account, whichever is later. There is no grace period.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of your account. To get the average daily balance, we take the beginning balance of your account each day, add any new purchases or cash advances, and subtract any payments, credits, non-accruing fees, and unpaid finance charges. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Method E - Average Daily Balance (excluding current transactions): To avoid incurring an additional Finance Charge on the balance of purchases (and cash advances if Method E is specified as applicable to cash advances) reflected on your monthly statement, you must pay the New Balance shown on your monthly statement on or before the Payment Due Date. The grace period for the New Balance of purchases extends to the Payment Due Date.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of purchases (and if applicable, cash advances). To get the average daily balance, we take the beginning balance of your account each day and subtract any payments, credits, non-accruing fees, and unpaid finance charges. We do not add in any new purchases or cash advances. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Method G - Average Daily Balance (including current transactions): To avoid incurring an additional Finance Charge on the balance of purchases (and cash advances, if Method G is specified as applicable to cash advances) reflected on your monthly statement and, on any new purchases (and if applicable, cash advances) appearing on your next monthly statement, you must pay the New Balance, shown on your monthly statement, on or before the Payment Due Date. The grace period for the New Balance of purchases extends to the Payment Due Date.

The Finance Charges for a billing cycle are computed by applying the Periodic Rate to the "average daily balance" of purchases (and if applicable, cash advances). To get the average daily balance, we take the beginning balance of your account each day, add any new purchases or cash advances, and subtract any payments, credits, non-accruing fees, and unpaid finance charges. This gives us the daily balance. Then we add up all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle.

Payment Crediting and Credit Balance: Payments received at the location specified on the front of the statement after the phrase "MAKE CHECK PAYABLE TO" will be credited to the account specified on the payment coupon as of the date of receipt. Payments received at a different location or payments that do not conform to the requirements set forth on or with the periodic statement (e.g. missing payment stub, payment envelope other than as provided with your statement, multiple checks or multiple coupons in the same envelope) may be subject to delay in crediting, but shall be credited within five days of receipt. If there is a credit balance due on your account, you may request in writing, a full refund. Submit your request to the Account Inquiries address on the front of this statement.

By sending your check, you are authorizing the use of the information on your check to make a one-time electronic debit from the account on which the check is drawn. This electronic debit, which may be posted to your account as early as the date your check is received, will be only for the amount of your check. The original check will be destroyed and we will retain the image in our records. If you have questions please call the customer service number on the front of this billing statement.

Closing Date: The closing date is the last day of the billing cycle; all transactions received after the closing date will appear on your next statement.

Annual Fee: If your account has been assessed an annual fee, you may avoid paying this annual fee by sending written notification of termination within 30 days following the mailing date of this bill. Submit your request to the Account Inquiries address on the front of this statement. You may use your card(s) during this 30 day period but immediately thereafter must send your card(s), which you have cut in half, to this same address.

Negative Credit Reports: You are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations.

BILLING RIGHTS SUMMARY

In Case of Errors or Inquiries About Your Bill: If you suspect there is an error on your account or you need information about a transaction on your bill, send your written inquiry to the Account Inquiries address on the front of this statement within 60 days of the date of the statement containing the transaction in question. You may telephone us, however a written request is required to preserve your rights.

In your letter, give us the following information:

- Your name and account number.
The dollar amount of the suspected error.
Describe the error and explain, if you can, why you believe there is an error. If you need more information, describe the item you are unsure about.

You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts of your bill that are not in question. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question.

Please provide a legal document evidencing your name change, such as a court document. Please use blue or black ink to complete form

NAME CHANGE

Last
First Middle

ADDRESS CHANGE

Street

City State ZIP Code

Home Phone () - Business Phone () -

Cell Phone () - E-mail Address

SIGNATURE REQUIRED TO AUTHORIZE CHANGES

Signature



BL ACCT 00002823-20000001

SCOTIA CSD

Account Number: #### #### #### 3769

Page 3 of 3

Finance Charge Summary / Plan Level Information									
Plan Name	Plan Description	FCM ¹	Average Daily Balance	Periodic Rate *	Corresponding APR	Finance Charges	Effective APR Fees **	Effective APR	Ending Balance
Purchases									
PPLN01 001	PURCHASE	E	\$0.00	0.06024%(D)	21.9900%	\$0.00	\$0.00	0.0000%	\$15,656.19
Cash									
CPLN01 001	CASH	A	\$0.00	0.06572%(D)	23.9900%	\$0.00	\$0.00	0.0000%	\$0.00
* Periodic Rate (M)=Monthly (D)=Daily							Days In Billing Cycle: 30		
** includes cash advance and foreign currency fees							APR = Annual Percentage Rate		
¹ FCM = Finance Charge Method									
(V) = Variable Rate If you have a variable rate account the periodic rate and Annual Percentage Rate (APR) may vary.									

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INVOICE

DATE: September 10, 2021
TO: Paul Newmaker, Board President
Scotia Community Services District

INVOICE # 21-226-08

Approved for Payment

PROJECT: Scotia Community Services District Staffing Services for August 2021

Task 1 – Administrative Duties

1.1 Administrative Duties

General Admin tasks- filing, document prep, travel for meetings/staffing, responded to all incoming correspondence. Checked SCSD mail, phone messages. Staff meetings, operations meetings, etc.

1.2 Policies, Procedures, Ordinances

Reviewed Personnel Policies, Financial Management Policy.

1.3 Community Meetings Preparation and Attendance

Met with parties on various District matters. Construction Meetings and continued coordination for Corridor Project/Phase 3 Subdivision plans via conference call.

1.4 CSD Board Meeting Preparation

Prepared agenda and board packet and attended regular and special board meetings. Zoom conference meetings for COVID-19. Coordinated with remote Board Clerk, Asst. GM on agenda.

1.5 Bookkeeping, Billing, Invoicing, and Banking

Accounts receivable and payable. QuickBooks and financial accounting. Banking. Payroll.

1.6 Website Postings, Emails, File Management

Regular website maintenance and development. Website posting and document publishing. General e-mail responses/correspondence. Filing records, etc. Email responses.

1.7 Budgeting

Mid-Year budget review. Journal Entry corrections. Reclassifications.

1.8 Grant Research and Writing

Continued correspondence with SHN on water and wastewater planning grant applications. Reached out regarding Cal OES grant application.

1.9 Personnel

Management and coordination of personnel, scheduling, policy review, etc.

Task 2 – Operations/Management of District Assets

Continued operations for water, wastewater, parks and recreation, streets and street lighting, and storm drainage. WW Board meeting/inspection NPDES review and coordination with all staff, CIWQS/Lyris reporting, required annual agency reporting, local limits study, log pond vegetation removal, park rentals, etc.



Services August 2021

Senior Planner	0 hours @ \$97.60 per hour	\$ 0.00
General Manager*	258.75 hours @ \$82.75 per hour	\$ 21,411.56
Asst. GM	36 hours @ \$61.53 per hour	\$ 2,215.08
W/WW Operations Superintendent**	14 hours @ \$61.53 per hour	\$ 861.42
GIS Analyst	1 hours @ \$76.38 per hour	\$ 76.38
Asst. Planner/Clerk*	0 hours @ \$65.78 per hour	\$ 0.00
Mileage Expenses	0 miles @ \$ 0.575/ mile	\$ 0.00
AMOUNT THIS INVOICE # 21-226-08		\$ 24,564.44

* time and activities may include travel.

** Ops Superintendent hours now include license stipend hours and other licensure reimbursements.

Please make check payable to: Planwest Partners
P.O. Box 4581
Arcata, CA 95518
Tax Identification Number: 90-0262382

Scotia CSD: Planwest Partners Staffing - August 2021

Task	Planwest Partners Inc.										
	Budget	July	Senior Planner	General Manager LM	Asst. GM ST	Ops Super-intendent BG	GIS Analyst JB	Expense	Month Total	Year to Date Total	Remaining Budget
	Rate										
	\$180,000.00		\$97.60	\$82.75	\$61.53	\$61.53	\$76.38				
Task 1 - Administrative Duties	\$108,000.00								\$11,692.11	\$20,186.15	\$87,813.85
1.1 Administrative Duties		\$1,918.61		17.75	3.00	10.00	1.00	\$0.00	\$2,345.08	\$4,263.70	
1.2 Policies, Procedures, Ordinances		\$806.28		2.00	3.00				\$350.09	\$1,156.37	
1.3 Community Meetings prep & attendance		\$662.00		13.00					\$1,075.75	\$1,737.75	
1.4 CSD Board Meeting (Prep & Attendance, Minutes)		\$1,012.09		14.50	3.00				\$1,384.47	\$2,396.56	
1.5 Bookkeeping, Banking, Billing, and Invoicing		\$2,523.88		29.50					\$2,441.13	\$4,965.00	
1.6 Website/Emails/File Management		\$1,034.38		19.50					\$1,613.63	\$2,648.00	
1.7 Budgeting		\$165.50		9.00					\$744.75	\$910.25	
1.8 Grant Research and Writing		\$247.19		14.25	1.00				\$1,240.72	\$1,487.90	
1.9 Personnel		\$124.13		6.00					\$496.50	\$620.63	
Task 2 - Operations/Management	\$72,000.00								\$12,872.34	\$17,900.41	\$54,099.60
2.1 Treated Water, Raw Water, and Distribution		\$1,735.60		41.50	12.00	2.00			\$4,295.55	\$6,031.15	
2.2 Wastewater Collection, Treatment, Discharge, NPDES		\$2,363.13		57.50	10.00	2.00			\$5,496.49	\$7,859.61	
2.3 Stormwater and Drainage		\$61.53		1.50	1.00				\$185.66	\$247.19	
2.4 CSD Streets & Alleys, Street Lighting		\$433.91		0.00	1.00				\$61.53	\$495.44	
2.5 Parks Recreation: Community Forest, Theater, Museum, Carpenter shop, Parks Landscaping		\$309.78		19.75	2.00				\$1,757.37	\$2,067.15	
2.6 Land & Easements		\$124.13		13.00					\$1,075.75	\$1,199.88	
Staff Hours			0.00	258.75	36.00	14.00	1.00	Total Hrs	309.75		
Total	\$180,000.00	\$13,522.11	\$0.00	\$21,411.56	\$2,215.08	\$861.42	\$76.38	\$0.00	\$24,564.44	\$38,086.55	\$141,913.45

Monthly Expenses	Expense
Mileage: 25.80 @ \$0.575/mile (miles)	\$0.00
Monthly Expense Total	\$0.00

Scotia Community Services District Staff Report

DATE: September 16, 2021

TO: Scotia Community Services District Board of Directors

FROM: Leslie Marshall, General Manager

SUBJECT: Second Reading of Ordinance No. 2021-7; An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-1 Title V, Streets and Street Lighting.

RECOMMENDATION:

The administrative staff recommends the Board read and adopt, by title only, Ordinance 2021-7; An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-1 Title V, Streets and Street Lighting.

ACTION:

Read and adopt, by title only, of Ordinance No. 2021-7, An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-1 Title V, Streets and Street Lighting.

DISCUSSION:

All District Ordinances are periodically reviewed, by administrative staff, for accuracy, clarification, and content. The District's Ordinance 2021-1 Title V, Streets and Street Lighting was last amended and adopted on March 18, 2021.

The revised Ordinance adds one (1) new item, in **Chapter 2-District Designated Streets, alleys, and Lighting, in Sec. 2.02 Designated Lighting item D.**, which address requests for new streetlights. **Chapter 3 - General Provisions**, includes one (1) new section **Sec. 3.05. Encroachment Permit**, which defines encroachment permits required for all District right-of-way areas. Additional revisions were made for accuracy, clarification and administrative purposes within the Ordinance.

Ordinance No. 2021-7 revisions have been reviewed by the District's Legal Counsel.

FISCAL IMPACT:

See Master Fee Schedule

ATTACHMENTS:

Attachment A: Ordinance No. 2021-7 An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-1 Title V, Streets and Street Lighting. (with revisions).

ORDINANCE NO. 2021 - ~~74~~

**AN ORDINANCE OF THE SCOTIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS
AMENDING ORDINANCE ~~2017~~2021-71 TITLE V – STREETS AND STREET LIGHTING**

The Board of Directors of the Scotia Community Services District does ordain as follows:

Section 1: Title V (Streets and Street Lighting) is hereby adopted as follows:

TITLE V - STREETS AND STREET LIGHTING

CHAPTER 1 – BASIS OF AUTHORITY AND PURPOSE

SEC. 1.01. BASIS OF AUTHORITY. Ordinance 2017 – 1 dated 2/16/2017, Amended with Ordinance 2021-1 dated March 18, 2021.

SEC. 1.02. PURPOSE AND POLICY. This article sets forth the standards, processes and fees associated with streets and street lighting services. The District desires to encourage the long-term maintenance of streets and street lighting under District ownership where the maintenance is either required by the Humboldt County Board of Supervisors (County) or requested by residents of a specific area under the responsibility of the District. This article is intended to implement the provisions of the Improvement Act of 1911 (Division 7 of the Streets & Highways Code §5000 *et seq.*) herein referred to as the "Act."

CHAPTER 2 – DISTRICT DESIGNATED STREETS, ALLEYS, AND LIGHTING

SEC. 2.01. DESIGNATED STREETS AND ALLEYS. The streets and alleys of District responsibility are defined by resolution and approved by the Board of Directors of the District and designated on maps of the District, as prepared and compiled by SHN Engineers and Geologists (SHN) or another organization and are on file in the District office. Any additions to the District responsibility which have been accepted and approved by ~~the County~~the County and the District Board of Directors in future phases of subdivision will be adopted in the same manner.

SEC. 2.02. DESIGNATED LIGHTING.

A. The lights of District responsibility are defined by resolution and approved by the Board of Directors of the District and designated on maps of the District, as prepared and compiled by SHN or another organization, and are on file in the District office. Any additions to the District responsibility which have been accepted and approved by the ~~County and~~County and District Board of Directors in future phases of subdivision will be adopted in the same manner.

- B. The District owns and maintains approximately twenty (20) historic decorative lights that primarily front Main Street. These lights are maintained by District staff or a sub-contractor, at the District's discretion. The historic decorative lights are separately metered and the ~~District pays~~District pays associated electric charges to PG&E.
- C. The District is responsible for payment of the electric charges associated with lights that PG&E ownsLights, which includes any maintenance costs. These PG&E Lights are owned and maintained by PG&E and located throughout the residential streets in Scotia.
- ~~C.D.~~ Any property owner requesting installation of any additional street light, on or adjacent to their property, shall be required to pay for the cost of installing the street light and the cost to maintain the street light.

CHAPTER 3 - GENERAL PROVISIONS

SEC 3.01. RULES, REGUALTIONS, AND RATES. The Board reserves the right and power to from time to time by resolution adopt rules and regulations for the operation and maintenance of the streets and street lighting facilities of the District, and may likewise by resolution establish and modify the rates, charges, and penalties, consistent with , the Engineer's Report for Assessment of Streets and Street Lighting Benefits completed by SHN Engineers and Geologists, which is on file in the District office and on the website.

SEC 3.02. FEE CHARGE FIXED BY RESOLUTION. The District Board shall, by resolution, adopt an annual Master Fee Schedule of service charges and fees which enable the District to operate and maintain District facilities including the streets and street lighting system. The charges/fees shall be levied against the owner or tenant of any developed parcel of property that is served by the District's streets and street lighting system.

SEC 3.03. BILLING. The regular billing period will be for each calendar month, or bimonthly, as determined by the Board. Benefit Assessments, such as the Streets and Street Lighting Assessment, is billed on an annual basis, typically on the August bill. Opening and closing bills for less than the normal billing period shall be prorated on a daily-use basis. Bills for service shall be rendered at the beginning of each billing period and are payable upon presentation and due within 30 days.

SEC. 3.01. VANDALISIM OF STREET LAMPS. No person shall vandalize, break, or damage any lamppost or public lamp; nor extinguish any public light or any light maintained at any place for public convenience or safety, except when ~~he is~~ authorized to do so; nor remove, or cause the removal of, any portion from any public lamp or post; nor obliterate, deface, destroy or interfere with the lights.

SEC. 3.02. FENCE PROHIBITIONS. No person shall place, use or maintain any fence, blockage, etc. within a public easement or right of way.

SEC. 3.03. BARBED WIRE PROHIBITED. No person shall place, use or maintain any barbed wire on any fence, etc. thereof, fronting on a public lane, alley, avenue, street, highway, sidewalk, crosswalk, park or place.

SEC. 3.04. WATER DISCHARGE FROM PRIVATE PROPERTY. No person shall cause or permit water from private property to be discharged in or to flow into or on any District street, alley or easement or cause erosion problems.

SEC. 3.05. ENCROACHMENT PERMIT. A District Encroachment Permit (Permit) is required for any activities, materials, and equipment which will occupy the District's right-of-way, including but not limited to, alleys, sidewalks, and streets. The Permit is required for any excavation within the District's right-of-way.

An encroachment shall include, but ~~are~~is not limited to, any tower, pole, pipeline, private pipe, private pipeline, non-standard driveway, private road, fence, billboard, stand or building, or any structure or object of any kind, which is placed in, under, or over any portion of the District's right-of-way.

The Permit provides the necessary regulation for the encroachment process, to safeguard the public interests in the District roadway facilities, and pedestrian access areas for the safety and convenience of the traveling public.

The Permit ~~is~~constitutes written permission, from the District, to ~~excavate or~~ encroach within the District's right-of-way as set forth in the Permit. A Permit may be granted, by the District, to a property owner, a contractor, or a public utility. A Permit for a property owner shall specify whether the work is to be performed by the property owner or a contractor. Any property owner, contractor, or public utility, performing work within the District's right-of-way, shall provide the District with the required Certificate(s) of Insurance and Endorsement(s) as identified in the District's Application for Encroachment Permit form. The applicant(s) shall also provide additional project and design information as required by the District's Application for Encroachment Permit form.

All Permits, other than those issued to public agencies or a public utility with legal authority to occupy the public road right-of-way, are revocable on five (5) days' notice. The encroachment must be removed or relocated, as specified by the District General Manager. Encroachments not removed within the specified time shall be removed by the District, or their authorized contractor, at the cost of the property owner. Any encroachment determined, by the District, to obstruct or prevent public use of the District right-of-way, consisting of refuse, causing a traffic hazard, or impeding pedestrian access shall be removed immediately.

Costs associated with Encroachment Permits shall be reflected in the District's Master Fee Schedule. Encroachment violation fees will be charged to the property owner in addition to an encroachment permit for investigation of unpermitted construction at actual cost to the District.

SEC. 3.06. WHEELED DEVICES IN POSTED AREAS. No person shall bicycle, roller skate, skateboard or use any other wheeled device propelled, in whole or in part, by human power in any District public area posted against such activities or uses. The

provisions of this section shall not apply to wheeled devices which are reasonably necessary to assist those with a temporary or permanent disability.

CHAPTER 4 - OBSTRUCTION OF STREETS AND SIDEWALKS

SEC. 4.01. OBSTRUCTION OF STREETS AND SIDEWALKS PROHIBITIONS AND — EXCEPTIONS.

A. It is declared a nuisance and is unlawful for any person to place an obstruction of any kind in a District street or alley, or to authorize, procure or permit any obstruction to be placed therein or thereon; provided that businesses, merchants and others receiving and delivering goods, whose premises are not served by an alley, shall be allowed two (2) hours from the time such goods are deposited on a sidewalk or parkway until they are removed. ~~A space~~ A space five (5) feet in width shall at all times be kept clear for a combination of persons passing. Each day any such obstruction is maintained or permitted in any such street or alley shall be deemed a separate offense.

B. The provisions of this section shall not apply to:

1. The temporary obstruction of streets or alleys while buildings or structures are being moved from one place to another.
2. Temporary obstructions for which encroachment permits have first been obtained from the District General Manager.
3. Potted shrubs, plants, or other landscaping, clocks, drinking fountains and public telephones placed or maintained upon a public parkway or sidewalk within the District by any person who has first obtained an encroachment permit in writing to do so from the District General Manager.

SEC. 4.02. GATES. It is unlawful to place or leave any gate extended across or upon any District street, alleyway or easement resulting in an obstruction to persons passing thereon.

SEC. 4.03. STORING PRIVATE PROPERTY. No person shall store private property upon any District street, alley, or easement or other public place in the District, so as to obstruct the free use of these areas, as determined by the District General Manager. Items prohibited include, but are not limited to, appliances, inoperable vehicles, firewood, construction materials, wagons, bikes, scooters, trampolines, basketball hoops, trash, garbage, compost piles, cans, or debris. Operable vehicles may be parked, in the District right-of-way, no longer than 24 hours. Long term operable vehicle parking is prohibited and subject to tow away per the California Vehicle Code and as determined by the District General Manager.

CHAPTER 5 - WIRES OVER STREETS

SEC. 5.01. PERMIT REQUIRED. No one without an existing easement shall run, stretch or maintain through, along or across any District street, alley or easement any wire, cable, rope or cord, on poles or otherwise, without first obtaining a District Permit to do so from the District General Manager.

SEC. 5.02. ELECTRIC OR NON-ELECTRICAL WIRES. Any person now holding, or who may hereafter obtain, ~~an~~ easement permitting the use of public streets, avenues, alleys, highways or public places in the District for the purpose of running or stretching wires therein, shall comply with the regulations set out in this section concerning the running or stretching of such wires. All wires used for the purpose of conducting an electric current or electricity for the purpose of producing electric light or non-electrical shall be run or stretched at least thirty feet above the ground and all other wires shall be placed at least two feet below the electric light or non-electrical wires.

CHAPTER 6 – EXCAVATIONS

SEC. 6.01. LIGHTING DANGEROUS PLACES. Any District approved person ~~by whom makes dangerous excavation on~~ a public street, avenue, alley, sidewalk, public ~~park~~, or place that may be determined ~~made~~ dangerous shall require ~~do~~ the following:

- A. Obtain a District Permit ~~n appropriate permit from the District~~; and
- B. Erect adequate lighting, as nd, so long as the danger may continue, and maintain an appropriate and substantial barrier approved by District around the portion ~~thereof~~ sof the project made dangerous, ~~– as long as the danger may continue~~ an appropriate substantial barrier approved by District; and
- C. ~~Cause to be~~ Lighting and barriers shall be maintained during every night, from sunset to daylight, suitable warning lights at the ends of every portion of the area so made dangerous, and at every side of a street crossing so made dangerous.

SEC. 6.02. PROPERTY OWNER RESPONSIBILITY FOR MAINTENANCE.

- A. The District may permit a property owner to maintain trees within a District alley easement, provided the type of tree planted therein is approved by the District General Manager.
- B. All trimming and other maintenance work upon such trees shall be done by a licensed tree trimmer or by the owner under the general supervision ~~of District of~~ District staff and in accordance with this chapter.

SEC. 6.03. PROPERTY OWNER RESPONSIBILITY FOR REMOVAL.

- A. ~~The District General Manager,~~ The District General Manager may permit a property owner to remove trees from District property or easement adjoining or within ~~their~~ property ~~their property~~.

SEC. 6.04. NUISANCE ON PRIVATE PROPERTY.

- A. Whenever any tree adjacent to or overhanging any District street, alley or public area is in such condition as to constitute a hazard or impediment to public travel, it shall be declared a public nuisance.
- B. If the owner of the private property on which the tree is located does not correct or remove the nuisance within ten (10) days after receipt of written notice thereof from the District General Manager, the District shall cause the nuisance to be corrected or removed and the cost thereof shall be assessed to the owner.
- C. Property owners are prohibited from using any pesticide or herbicide within District streets, alleys or easements and shall control such usage on private property from encroaching on District property, easement or public space.

SEC. 6.05. LIABILITY. Nothing contained in this chapter shall be deemed to impose any liability upon the District, its officers or employees, nor to relieve the owner of private property from the duty to keep any tree on his property from constituting a public nuisance.

SEC. 6.06. EXCAVATION APPEAL.

- A. Any person aggrieved by the action or proposed action of the District acting under this chapter may appeal the decision to the District Board of Directors, whose decision shall be final.
- B. Such person shall file a notice of appeal, in writing, with the District ~~Clerk~~ within seven (7) business days after the action or proposed action of the District.

SEC. 6.07. UTILITY MAINTENANCE. Any person owning, maintaining or operating any gas pipes, or mains beneath the surface or any District planting strip, street, easement or public area shall properly maintain such utilities to prevent damage to District property or easement. If such person neglects to provide proper maintenance of such utilities and such neglect results in damage to District property or easement, the full cost of repair shall be borne by such person

CHAPTER 7 – BENEFIT ASSESSMENT INTERPRETATION AND APPEAL

SEC. 7.01. INTERPRETATION. The Streets and Street Lighting Benefit Assessment (Assessment) uses a weighted method of apportionment, known as an Equivalent Benefit Unit (EBU) methodology, which uses a single-family home as the basic unit of assessment. One EBU is equivalent to ten (10) trips/day, representative of traffic generated by a single-family dwelling unit, based upon land use driven trip generation. Further details may be found in the SHN Engineer’s Report.

The Assessment was established with an annual 1.5% escalation factor to account for cost-of-living increases for an initial five (5) year period, beginning in fiscal year 2016/2017. The Assessment may also be increased, annually, to an amount not to exceed 3.0% based on the consumer price index (CPI) if approved by the District Board of Directors.

Additionally, proposed changes to the Assessment may also occur based on “pass through” costs, which include the purchase of uncontrolled, mandatory services (such as, utility costs). Further details and explanation may be found in the SHN Engineer’s Report.

Any new or increased Assessment, above the allowed CPI increase or “pass through” costs, would require a Proposition 218 proceeding and property owner approval.

SEC. 7.02. APPEALS. Any property owner who claims that the Assessment levied on their property is in error as a result of inaccurate or incorrect information being used to apply the method of assessment, may file a written appeal with the District General Manager. Any appeal is limited to the current fiscal year (July 1st through June 30th). The District General Manager will review the appeal and determine what information will be required, by the District, from the property owner. The required information may include, but is not limited to, the number of employees, an engineering firm analysis, floor plans, property parcel maps, the number of vehicles used, and the type of business. All costs for the required information will be paid by the property owner.

Any Assessment dispute over the decision of the District General Manager shall be referred to the District Board of Director’s. The decision of the District Board of Director’s shall be final.

Any approved changes to the Assessment, by the District Manager or the District Board of Director’s, ; within the current fiscal year, will be refunded by the District.

CHAPTER 8. – ENFORCEMENT

SEC. 8.01 AUTHORITY. California Government Code Section 61064(a) states the “violation of any rule, regulation, or ordinance adopted by a board of directors is a misdemeanor punishable pursuant to Section 19 of the Penal Code.” California Government Code Section 61064(b) allows any citation issued by the District for the violation of a rule, regulation, or ordinance adopted by the Board “may be processed as an infraction pursuant to subdivision (d) of Section 17 of the Penal Code.” Finally, Cal. Gov’t Code 61064(c) allows the Board to confer on “designated uniformed district employees the power to issue citations for misdemeanor and infraction violations of state law, city or county ordinances, or district rules, regulations, or ordinances when the violation is committed within a facility and in the presence of the employee issuing the citation.

District employees shall issue citations pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.”

SEC. 8.02 DESIGNATED EMPLOYEES. A violation of this section is punishable as a misdemeanor or infraction, chargeable at the District General Manager’s or District Legal Counsel’s discretion. Each act that violates this Streets and Street Lighting Ordinance is a violation of the District’s laws and shall constitute a separate offense.

SEC. 8.03 PENALTY.

- A. It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this ordinance or the provisions of any ordinance adopted by reference by this ordinance. Any person violating any of such provisions or failing to comply with any of the mandatory requirements of this ordinance shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this ordinance shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for every day during any portion of which any violation of any provision of this ordinance, or the provisions of any ordinance adopted by reference by this ordinance, is committed, continued, or permitted by such person and shall be punishable accordingly. Any violation of this ordinance which is declared to be a misdemeanor shall be considered and treated as an infraction subject to the procedures described in Cal. Penal Code §§ 19.6 and 19.7, when:
1. The District General Manager or District Legal Counsel files a complaint charging the offense as an infraction unless the defendant, at the time he is arraigned, after being informed of his rights, elects to have the case proceed as a misdemeanor; or
 2. The court, with the consent of the defendant, determines that the offense is an infraction in which event the case shall proceed as if the defendant had been arraigned on an infraction complaint.
- B. In addition to the penalties provided by this section, any condition caused or permitted to exist in violation of any of the provisions of this ordinance, or the provisions of any ordinance adopted by reference by this ordinance, shall be deemed a public nuisance and may be summarily abated by this District, and each day such condition continues shall be regarded as a new and separate offense.
- C. Each violation of this ordinance expressly declared to be an infraction is punishable by:
1. A fine not exceeding \$50 for the first violation;
 2. A fine not exceeding \$100 for the second violation of the same ordinance within one year;
 3. A fine not exceeding \$250 for each additional violation of the same ordinance within one year.

Section 2: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The Board of Directors hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 3: California Environmental Quality Act (CEQA) Determination. Under the EIR that was completed upon the formation of the Scotia Community Services District, a determination was made that the District would not result in a significant environmental impact. This ordinance is also exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 4: Limitation of Actions. Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: _____, 2021

ATTEST:

APPROVED:

Clerk, Scotia Community Services District

President, Scotia Community Services District

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-~~71~~, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Services District, Humboldt County, California on the ~~18th~~ 16th day of ~~March~~ September, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Board Clerk, Scotia Community Services District

Scotia Community Services District Staff Report

DATE: September 16, 2021

TO: Scotia Community Services District Board of Directors

FROM: Leslie Marshall, General Manager

SUBJECT: Second Reading of Ordinance No. 2021- 8; An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-4 Title VI, Storm Drainage.

RECOMMENDATION:

The administrative staff recommends the Board read and adopt, by title only, Ordinance 2021- 8; An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-4 Title VI, Storm Drainage.

ACTION:

Read and adopt, by title only, of Ordinance No. 2021- 8, An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-4 Title VI, Storm Drainage.

DISCUSSION:

All District Ordinances are periodically reviewed, by administrative staff, for accuracy, clarification, and content. The District's Ordinance 2021-4 Title VI, Storm Drainage was last amended and adopted on April 15, 2021.

The revised Ordinance in **Chapter 3 – General Provisions, Sec. 3.05** changes the section title from **Permit Required** to **Encroachment Permit** which defines and identifies the requirements for an encroachment permit to perform any work in the District's right-of-way. Additional revisions were made for accuracy, clarification and administrative purposes within the Ordinance.

Ordinance No. 2021-8 revisions have been reviewed by the District's Legal Counsel.

FISCAL IMPACT:

See Master Fee Schedule

ATTACHMENTS:

Attachment A: Ordinance No. 2021- 8 An Ordinance of the Scotia Community Services District Board of Directors, Amending Ordinance 2021-4 Title VI, Storm Drainage (with revisions).

ORDINANCE NO. 2021 - 8
AN ORDINANCE OF THE SCOTIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS
AMENDING ORDINANCE 2021-4 ADOPTING TITLE VI – STORM DRAINAGE

The Board of Directors of the Scotia Community Services District does ordain as follows:

Section 1: Title VI (Storm Drainage) is hereby adopted as follows:

TITLE VI - STORM DRAINAGE

CHAPTER 1 – BASIS OF AUTHORITY AND PURPOSE

SEC. 1.01. BASIS OF AUTHORITY. Ordinance 2017 – 2 dated 2/16/2017. ~~UPDATED April 15, 2021;~~ Amended with Ordinance 2021-4 dated 4/15/21.-

SEC. 1.02. PURPOSE AND POLICY. The purpose of this ordinance is to provide for the ongoing operation, maintenance, expansion, enhancement, construction, renovation, and rehabilitation of the District storm drainage improvements and facilities that provide special benefits to properties within the District, including incidental expenses and debt services for any bond(s), loans, or other repayment plans incurred to finance capital improvements. This article is intended to implement the provisions of Article 4 of Chapter 6.4, of the Benefit Assessment Act of 1982, [Act] of the California Government Code (State of California, 1982) herein referred to as the "Act." Pursuant to the Act, the District is the legislative body for the Storm Drainage District and may levy annual assessments and act as the governing body for the operations and administration of the District. This title sets forth the standards, processes and fees associated with storm drainage services, adequate regulation of use, construction, and maintenance; and to provide procedures for complying with the requirements placed upon the District by other regulatory agencies.

CHAPTER 2 – DISTRICT DESIGNATED STORM DRAINAGE

SEC 2.01. STORM DRAINAGE RESPONSIBILITY AND DEFINITION. The District will own and maintain all dedicated storm drainage as adopted by resolution of the District. Storm drainage facilities are defined as the system of ditches, pipes, catch basins, gutters, drain inlets, manholes, outfalls, and all other associated infrastructure owned and/or operated by the District, which carries stormwater and surface waters or groundwater and drainage, but excludes wastewater and polluted industrial wastewater.

CHAPTER 3 - GENERAL PROVISIONS

SEC 3.01. RULES, REGULATIONS, AND RATES. The Board reserves the right and power to from time to time by resolution adopt rules and regulations for the operation and maintenance of the storm drainage facilities of the District, and may likewise by resolution

establish and modify the rates, charges, and penalties, consistent with ~~District SHN Engineers and Geologists Engineer's Geologists, the Engineer's~~ Report for Assessment of Storm Drainage Benefits completed by SHN Engineers and Geologists, which is on file in the District office and on the website.

SEC 3.02. FEE CHARGE FIXED BY RESOLUTION. The District Board shall, by resolution, adopt an annual Master Fee Schedule of service charges and fees which enable the District to operate and maintain District facilities including the storm drainage system. The charges/fees shall be levied against the owner or tenant of any developed parcel of property that discharges stormwater runoff into the District's drainage system.

SEC 3.03. BILLING. The regular billing period will be for each calendar month, or bimonthly, as determined by the Board. Benefit Assessments, such as the Storm Drainage Assessment, is billed on an annual basis, typically on the August bill. Opening and closing bills for less than the normal billing period shall be prorated on a daily-use basis. Bills for service shall be rendered at the beginning of each billing period and are payable upon presentation and due within 30 days.

SEC 3.04. VANDALISM. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the District's storm drainage system. Any person violating this provision shall be subject to the penalties provided by law.

SEC 3.05. ENCROACHMENT PERMIT REQUIRED. A District Encroachment Permit (Permit) is required for any activities, materials, and equipment which will occupy the District's right-of-way, including but not limited to, alleys, sidewalks, and streets. The Permit is required for any excavation within the District's right-of-way.

~~An encroachment shall include, but not beis not limited to, any tower, pole, pipeline, private pipe, private pipeline, non-standard driveway, private road, fence, billboard, stand or building, or any structure or object of any kind, which is placed in, under, or over any portion of the District's right-of-way.~~

The Permit provides the necessary regulations for the encroachment process, to safeguard the public interests in the District roadway facilities, and pedestrian access areas for the safety and convenience of the traveling public.

The Permit ~~isconstitutes~~ written permission, from the District, to ~~excavate or~~ encroach within the District's right-of-way as set forth in the Permit. A Permit may be granted, by the District, to a property owner, a contractor, or a public utility. A Permit for a property owner shall specify whether the work is to be performed by the property owner or a contractor. Any property owner, contractor, or public utility, performing work within the District's right-of-way, shall provide the District with the required Certificate(s) of Insurance and Endorsement(s) as identified in the District's Application for Encroachment Permit form. The applicant(s) shall also provide additional project and design information as required by the District's Application for Encroachment Permit form.

All Permits, other than those issued to public agencies or a public utility with legal authority to occupy the public road right-of-way, are revocable on five (5) days' notice. The encroachment must be removed or relocated, as specified by the District General Manager. Encroachments not removed within the specified time shall be removed by the District, or their authorized contractor, at the cost of the property owner. Any encroachment determined, by the District, to obstruct or prevent public use of the District's right-of-way, consisting of refuse, causing a traffic hazard, or impeding pedestrian access shall be removed immediately.

No unauthorized person shall uncover, make any connection with or opening into, use, alter, regrade, or disturb any portion of the District's storm drainage system or appurtenances or perform any work on any portion of the system without first obtaining a written ~~P~~ permit from the District.

Costs associated with Encroachment Permits shall be reflected in the District's Master Fee Schedule. Encroachment violation fees will be charged to the property owner in addition to an encroachment permit for investigation of unpermitted construction at actual cost to the District.

SEC 3.06. DISCHARGE OF POLLUTANTS.

- A. The discharge of non-stormwater into storm drains is prohibited. All discharges of material other than stormwater must comply with a National Pollutant Discharge Elimination System (NPDES) permit issued by the North Coast Regional Water Quality Control Board (RWQCB) for the discharge.
- B. Exceptions to Discharge Prohibition. The following discharges are exempt from the prohibition set forth in subsection (A) of this section:
 1. The prohibition on discharges shall not apply to any discharge regulated under a NPDES permit issued to the discharger and administered by the RWQCB under authority of the United States Environmental Protection Agency (EPA); provided, that the discharger is in full compliance with all requirements of the permit and other applicable laws or regulations.
 2. Discharges from the following activities will not be considered a source of pollutants to waters of the United States when properly managed: water line flushing and other discharges from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising ground waters, infiltration to storm drains, uncontaminated pumped ground water, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washing, fundraising car washing that does not exceed two consecutive days, flows from riparian habitats and wetlands, flows from firefighting, or permitted use of reclaimed water.

SEC 3.07. DISCHARGE IN VIOLATION OF PERMIT. The ~~RWQCB~~ may RWQCB may issue an NPDES permit for stormwater discharges to the District. Any discharge that would result in or contribute to a violation of that permit and any amendment, revision or

re-issuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person(s) so causing or responsible for the discharge, and such persons shall defend, indemnify and hold harmless the District in any administrative or judicial enforcement action relating to such discharge.

SEC 3.08. UNAUTHORIZED DISCHARGE AND UNAUTHORIZED CONNECTIONS.

The establishment, use, maintenance, or continuance of unauthorized connections into the District storm drains, and/or the commencement or continuance of unauthorized discharges into the District storm drains is prohibited. This prohibition is expressly retroactive and applies to connections made in the past, regardless of whether made under a permit or other authorization or whether permissible under the law or practices applicable or prevailing at the time of the connection.

SEC 3.09. REDUCTION OF POLLUTANTS. Any person engaged in activities which will or may result in pollutants entering the District storm drains shall undertake all practicable measures to cease such activities, and/or eliminate or reduce such pollutants. Such activities shall include, but are not limited to, ownership and use of parking lots, gasoline stations, agricultural facilities, industrial facilities, commercial facilities, restaurants, and stores fronting District streets or runoff into any District ~~watercourse.~~ infrastructure.

- A. Littering. Except for pollutants lawfully disposed of by way of containers or at a licensed dumping ground, no person shall throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, including but not limited to, any refuse, rubbish, garbage, yard waste, automotive waste, or other discarded or abandoned objects, articles, and accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private lot of land or other premises in the District, so that the same might be or become a pollutant discharged to any watercourse.
- B. Standard for Parking Lots and Similar Structures. Persons owning or operating a parking lot, gas station, area of pavement, or similar impervious structure shall remove pollutants and litter as frequently and thoroughly as practicable in a manner that does not result in discharge of pollutants to the District storm drains.
- C. All construction plans and applications for building permits shall consider the potential for erosion and sedimentation ~~runoff—from~~runoff from the construction site and shall include appropriate erosion and sedimentation controls. Appropriate controls shall be determined in accordance with the guidance provided in the CALTRANS handbook or similar technical manual and may include site planning considerations, construction staging and timing, and installation of temporary detention ponds or other treatment facilities.

Prior to and/or during construction, the District General Manager or authorized designee may establish controls on the volume and rate of stormwater runoff from new construction as may be appropriate to minimize peak flows or total runoff volume. These controls may include limits on impervious or area provisions for detention and retention of runoff on site.

SEC 3.10. WATERCOURSE PROTECTION.

- A. Every person owning, occupying, leasing, renting, or in control of premises through which a watercourse passes shall:
1. Keep and maintain that part of the watercourse within the property reasonably free of trash, debris, excessive vegetation, and other obstacles which would and/or could pollute, contaminate, or significantly hinder the flow of water through the watercourse;
 2. Protect and prevent deterioration of existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse; and
 3. Shall not remove healthy bank vegetation without District approval.
- B. No person shall commit or cause to be committed any of the following acts, unless a written Permit has first been obtained from the District General Manager:
1. Discharge into or connect any pipe or channel to a watercourse;
 2. Modify the natural flow of water in a watercourse;
 3. Deposit in, plant in, or remove any material from a watercourse including its banks, except as required for necessary maintenance;
 4. Construct, alter, enlarge, connect to, change, or remove any structure in a watercourse; or
 5. Place any loose or unconsolidated material adjacent to or within a watercourse to cause a diversion of the flow, or to cause a probability of such material being carried away by stormwater passing through such watercourse.

SEC. 3.11. ANNUAL INSPECTION OF PRIVATE FACILITIES. The District General Manager or authorized designee has the duty and the responsibility to annually inspect all private facilities for any violation of the provisions of this ordinance.

The District General Manager or authorized designee may, within the limitations of the law, enter such building or premises at reasonable times to inspect the same for violations of this ordinance or to perform any duty imposed upon the District General Manager or authorized designee by this ordinance; provided, that the District General Manager or authorized designee presents proper credentials to, and obtains consent from, the owner or occupant to enter.

In the event the owner and/or occupant refuse entry, the District General Manager shall request assistance of the District Legal Counsel to obtain an administrative warrant for the premises, pursuant to the provisions of California Sstate Law.

Private facilities shall be responsible for the cost of inspection and any associated inspection costs including but not limited to testing. Inspection costs shall be determined by the District by resolution of the Board.

CHAPTER 4 – BENEFIT ASSESSMENT INTERPRETATION and APPEALS

SEC. 4.01. INTERPRETATION. The Storm Drainage Benefit Assessment (Assessment) uses a weighted method of apportionment, known as an Equivalent Benefit Unit (EBU) methodology, which uses a single-family home as the basic unit of assessment. The average structural area for residential properties in the District is represented by one EBU, which is calculated as 1500 square feet. The EBU methodology for assigning proportionality of benefit assessment was chosen because a majority of structures located within the District are of similar wood frame construction and all installed within a similar time period. Other land uses are converted to a weighted EBU based on an assessment formula that equates the properties specific characteristics associated with density factors to compare proportional benefit of each property as compared to a single-family home. Further details may be found in the SHN Engineer’s Report.

The Assessment was established with an annual 1.5% escalation factor to account for cost-of-living increases for an initial five (5) year period, beginning in fiscal year 2016/2017. The Assessment may also be increased, annually, to an amount not to exceed 3.0% based on the consumer price index (CPI) if approved by the District Board of Directors (BOARD).

Additionally, proposed changes to the Assessment may also occur based on “pass through” costs, which include the purchase of uncontrolled, mandatory services (such as, utility costs). Further details and an explanation may be found in the SHN Engineer’s Report.

Any new or increased Assessment, above the allowed CPI increase or “pass through” costs, would require a Proposition 218 proceeding and property owner approval.

SEC. 4.02. APPEALS. Any property owner who claims that the Assessment levied on their property is in error as a result of inaccurate or incorrect information being used to apply the method of assessment, may file a written appeal with the District General Manager. Any appeal is limited to the current fiscal year (July 1st, through June 30th). The District General Manager will review the appeal and determine what information will be required, by the District, from the property owner. The required information may include, but is not limited to, an engineering firm analysis, floor plans, and a property parcel map. All costs for the required information will be paid by the property owner.

Any assessment dispute over the decision of the District General Manager shall be referred to the District Board. The decision of the District Board shall be final. Any approved changes, by the District General Manager or District Board, to the Assessment, within the current fiscal year, will be refunded by the District.

CHAPTER 5– ENFORCEMENT

SEC. 5.01. AUTHORITY. California Government Code Section 61064(a) states the “violation of any rule, regulation, or ordinance adopted by a board of directors is a misdemeanor punishable pursuant to Section 19 of the Penal Code.” California Government Code Section 61064(b) allows any citation issued by the District for the violation of a rule, regulation, or ordinance adopted by the Board “may be processed as an infraction pursuant to subdivision (d) of Section 17 of the Penal Code.” Finally, Cal. Gov’t Code 61064(c) allows the Board to confer on “designated uniformed District employees the power to issue citations for misdemeanor and infraction violations of state law, city or county ordinances, or District rules, regulations, or ordinances when the violation is committed within a facility and in the presence of the employee issuing the citation. District employees shall issue citations pursuant to Chapter 5C (commencing with Section 853.5) of Title 3 of Part 2 of the Penal Code.”

SEC. 5.02. DESIGNATED EMPLOYEES. Each act that violates this Storm Drainage Ordinance is a violation of the Scotia Community Services District’s rules and shall constitute a separate offense. A violation of this section is punishable as a misdemeanor or infraction, chargeable at the District General Manager’s or District’s Legal Counsel’s discretion.

SEC. 5.03. VIOLATIONS, ABATEMENT, RESOLUTION. Any condition caused or allowed to exist in violation of any of the provisions of this ordinance constitutes a threat to the public health, safety and welfare, and is deemed and declared to be a public nuisance. This public nuisance may be summarily abated, and/or the property restored to its original condition, and/or enjoined or otherwise be compelled to cease and desist, by the District General Manager or authorized designee, or by actions taken by the District Legal Counsel.

A. Inspections and Sampling – Authority and Procedure.

1. The General Manager or authorized designee has the duty and the responsibility to inspect all locations for any violation of the provisions of this ordinance. The General Manager or authorized designee may, within the limitations of law, enter such building or premises at reasonable times to inspect the same for violations of this ordinance or to perform any duty imposed upon the District General Manager or authorized designee by this ordinance; provided, that the District General Manager or authorized designee presents proper credentials to, and obtains consent from, the owner or occupant to enter. In the event the owner and/or occupant refuse entry, the District General Manager shall request assistance of the District Legal Counsel to obtain an administrative warrant for the premises, pursuant to the provisions of state law.
2. The District General Manager or authorized designee has the right to and shall conduct routine sampling and monitoring on or adjacent to the premises under review. The cost of such routine sampling and/or monitoring activities, including test reports and results, shall be paid for by the property owner. The District General Manager or authorized designee may, within the limitations of law, enter

such premises at reasonable times to conduct sampling and monitoring operations; provided, that the District General Manager or authorized designee presents proper credentials to, and obtains consent from, the owner or occupant to enter. In the event the owner and/or occupant refuse entry, the District General Manager shall request assistance of the District Legal Counsel to obtain an administrative warrant for the premises, pursuant to the provisions of state law.

3. Whenever the General Manager or authorized designee has reasonable cause to believe that the owner and/or occupant of a premises is engaged in an activity and/or operating a facility that is causing or contributing to stormwater pollution or contamination, unauthorized discharges, and/or the discharge of non-stormwater or other unlawful material to the storm drains, the District General Manager or authorized designee may require the owner and/or occupant to conduct sampling and/or monitoring activities on the premises, and to furnish such test results and reports as the District General Manager or authorized designee may determine. The burden and cost of undertaking such sampling and monitoring activities, including test results and reports, shall be paid for by the owner of the premises under review. The type and method of sampling and monitoring shall bear a reasonable relationship to the need for testing and monitoring and to the benefits to be obtained, as determined by the enforcement of the District General Manager or authorized designee.
4. Exigent Circumstances. Whenever a condition is found to exist in violation of this ordinance that presents an immediate and present danger to the public health, safety and welfare requiring immediate remedial action to prevent injury to persons or property, the District General Manager or authorized designee shall take whatever reasonable and appropriate action is necessary to neutralize the danger, including, but not limited to, entry upon private premises for inspection, sampling and monitoring, and abatement.

SEC. 5.04. PENALTY.

- A. It shall be unlawful for any person to violate any provision or to fail to comply with any of the requirements of this ordinance or the provisions of any ordinance adopted by reference by this ordinance. Any person violating any of such provisions or failing to comply with any of the mandatory requirements of this ordinance shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this ordinance shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this ordinance, or the provisions of any ordinance adopted by reference by this ordinance, is committed, continued, or permitted by such person and shall be punishable accordingly. Any violation of this ordinance which is declared to be a misdemeanor shall be considered and treated as an infraction subject to the procedures described in Cal. Penal Code §§ 19.6 and 19.7, when:

1. The District General Manager or District Legal Counsel files a complaint charging the offense as an infraction unless the defendant, at the time he/she is arraigned, after being informed of his/her rights, elects to have the case proceed as a misdemeanor; or
 2. The court, with the consent of the defendant, determines that the offense is an infraction in which event the case shall proceed as if the defendant had been arraigned on an infraction complaint.
- B. In addition to the penalties provided by this section, any condition caused or permitted to exist in violation of any of the provisions of this ordinance, or the provisions of any ordinance adopted by reference by this ordinance, shall be deemed a public nuisance and may be summarily abated by this District, and each day such condition continues shall be regarded as a new and separate offense.
- C. Each violation of this ordinance expressly declared to be an infraction is punishable by:
1. A fine not exceeding \$100 for the first violation;
 2. A fine not exceeding \$200 for the second violation of the same ordinance within one year;
 3. A fine not exceeding \$500 for each additional violation of the same ordinance within one year.

Section 2: Severability. If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The Board of Directors hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 3: California Environmental Quality Act (CEQA) Determination. Under the EIR that was completed upon the formation of the Scotia Community Services District, a determination was made that the District would not result in a significant environmental impact. This ordinance is also exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Section 4: Limitation of Actions. Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 5: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: _____, 2021

ATTEST:

APPROVED:

Clerk, Scotia Community Services District

President, Scotia Community Services District

Clerk's Certificate

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 2021-~~8-4~~, passed and adopted at a regular meeting of the Board of Directors of the Scotia Community Services District, Humboldt County, California on the ~~16th~~¹⁵~~th~~ day of ~~September~~ ~~April~~, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Clerk, Scotia Community Services District

Scotia Community Services District Staff Report

DATE: September 16, 2021

TO: Scotia Community Services District Board of Directors

FROM: Leslie Marshall, General Manager; Julie Hawkins, Board Clerk

SUBJECT: Consider Adopting Resolution 2021-12: A Resolution of the Scotia Community Services District (SCSD) Board of Directors Amending the Board Policies.

RECOMMENDATION:

The Administrative staff recommends that the SCSD Board consider Adopting Resolution 2021-12: Amending the Scotia CSD Board Policies

ACTION:

Review the Amendments and Adopt Resolution 2021-12.

DISCUSSION:

Executive order N-08-21 passed by Governor Newsom in June 2021 rescinds Executive Order N-29-20 and sets a date of October 1st, 2021 for public agencies to return to full compliance with the Brown Act, meaning meetings will be held in person once again. The Board Clerk will continue to attend meetings virtually and the public will have the option to attend via teleconference as well. In order to facilitate this, a section was added to the Board Policies defining Hybrid Meetings and the requirements that must be met for them to be compliant with the Brown Act.

FISCAL IMPACT:

None

ATTACHMENTS:

Resolution 2021-12 with the revised Board Policies.

RESOLUTION NO. 2021-12

**A RESOLUTION OF THE SCOTIA COMMUNITY SERVICES
DISTRICT BOARD OF DIRECTORS
TO AMEND THE SCOTIA COMMUNITY SERVICES DISTRICT BOARD
POLICES**

WHEREAS, the Scotia Community Services District (“Scotia CSD”) is organized and operates pursuant to the California Government Code Section 61000, *et seq.*; and

WHEREAS, California Government Code Section 61045(g) requires the Board to adopt administrative policies for the operation of the Scotia Community Services District; and

WHEREAS, to ensure the orderly process and function of the Scotia CSD, it is necessary to adopt and periodically update administrative board policies which set out Board operating procedures; and

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

Section 1: The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

Section 2: The Board Policies of the Scotia Community Services District dated September 16, 2021 attached hereto and by this reference made a part hereof, are hereby adopted as the official Board Policies of this District.

This resolution shall be effective upon its adoption.

Dated: September 16, 2021

APPROVED:

Paul Newmaker, Board President, Scotia CSD

ATTEST:

Board Clerk, Scotia CSD

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2021-12, 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 16th day of September 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

Board Clerk, Scotia CSD



BOARD POLICIES MANUAL

OF

SCOTIA COMMUNITY SERVICES DISTRICT

ADOPTED

July 7, 2015

AMENDED

September 16, 2021

SECTION 1.0 PURPOSE OF BOARD POLICIES

1.1 Intent

- 1.1.1** It is the intent of the Board of Directors of the Scotia Community Services District to maintain a Board Policies Manual. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Board Policies Manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

- 1.1.2** The Board prefers a *flexible and informal* meeting and business process, rather than one conducted solely under parliamentary procedure and in strict adherence with formal codes, such as Rosenberg's Rules of Order. The policies and procedures in this manual are intended to provide guidance, however, and Directors should strive to substantially comply with these Policies.

1.2 Authority

- 1.2.1** If any policy or portion of a policy contained within the Board Policies Manual is in conflict with State or Federal law, rules or regulations having authority over the Scotia Community Services District, said State or Federal law, rules or regulations shall prevail.

SECTION 2.0 BASIS OF AUTHORITY

2.1 Basis of Authority

2.1.1 The Board of Directors is the unit of authority for establishing policy within the District. Apart from their normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

2.1.2 Directors do not represent any fractional segment of the community within which the District is located, but are, rather, a part of the body, which represents and acts for the community as a whole.

2.2 Attendance at Meetings

2.2.1 Members of the Board of Directors shall make every effort to attend all regular and special meetings of the Board unless there is good cause for absence.

2.2.2 A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three (3) consecutive months except as authorized by the Board of Directors and except as otherwise provided by California law.

2.3 Board President

2.3.1 The President of the Board of Directors shall serve as Presiding Officer at all Board meetings. He/she shall have the same rights as the other members of the Board with voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

2.3.2 In the absence of the President, the Vice President of the Board of Directors shall serve as Presiding Officer over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as the presiding officer for that particular meeting.

2.4 Members of the Board of Directors

2.4.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings, except as may otherwise be limited or prohibited by California law including, but not limited to, the requirements of the Ralph M. Brown Act/Open Meeting law.

2.4.2 Information that is exchanged before meetings shall be distributed through

Board Policies Manual Section 2.0

| *ADOPTED* July 7, 2015, *AMENDED* ~~March 21, 2019~~, September 16, 2021

the General Manager or their designee, and all Directors will receive all information being distributed. Distribution of information may be limited by time and notice restrictions under the Ralph M. Brown Act/Open Meeting law.

- 2.4.3** Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the public present at Board meetings.
- 2.4.4** Directors shall defer to the President for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All public comments should be limited to time expressed in the agenda.
- 2.4.5** Directors shall abstain from participating in consideration on any item involving a conflict of interest as set forth in the applicable provisions of California law. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.
- 2.4.6** Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager or their designee.

2.5 Election of Board Officers

In December of each year, the Board shall hold elections of President and Vice President of the Board.

2.6 Oath of Office

Directors who are elected at a regular election (i.e., to serve on a pre-existing District Board) shall take office at noon on the first Friday in December following their regular election upon administering of the oath of office. Directors not elected at a regular election shall be administered the oath of office in accordance with the provisions of the law. Generally, the oath of office will be administered at the next regular Board meeting.

2.7 Membership in Associations

The Board of Directors are encouraged to ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

SECTION 3.0 BOARD MEETING POLICIES BOARD COMMITTEE, WORKSHOP AND REGULAR MEETINGS, MEETING AGENDAS AND MINUTES

3.1 Board Meeting Place

3.1.1 All Board meetings will be held at the Board Meeting Room located at 400 Church Street, Scotia, California, unless otherwise noticed.

3.2 Regular Board Meetings

3.2.1 Regular Board meetings will be held on the third Thursday of each calendar month, with open session beginning at 5:30 p.m. If a closed session is to be held at the meeting, it may be held at the end or the beginning of the regular meeting, as noticed pursuant to the Ralph M. Brown Act.

3.2.2 Regular Board meetings will be held to conduct regular Board business. Items requiring Board action will be considered at these meetings. The General Manager and Division Heads may present monthly reports as needed and/or as requested by the Board of Directors.

3.3 Non-Emergency Special Board Meetings

3.3.1 Non-emergency Special Board meetings may be called by the Board President or by a majority of the Board in accordance with the Ralph M. Brown Act.

3.3.2 All Directors, the General Manager, District Counsel, pertinent Department Heads and the Board Secretary will be notified of the Special Board Meeting and the purpose for which it is called. Notification shall be in writing, at least twenty-four (24) hours prior to the meeting and shall be noticed and conducted in accordance with the Ralph M. Brown Act.

3.3.3 Newspapers of general circulation in the District, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall receive written notice in accordance with the Ralph M. Brown Act. The Board Secretary will attempt to provide electronic notification to entities requesting such notification but such notification is not guaranteed nor will it replace written notification.

3.3.4 An agenda shall be prepared as specified for regular Board meetings in Section 3.10 herein, and shall be delivered with the notice of the special meeting to those specified above.

- 3.3.5 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

3.4 Emergency Special Meetings

- 3.4.1 In the event of an emergency involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the twenty-four (24) hour notice required in Section 3.5.2, above. An emergency means a crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the Board or work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board.
- 3.4.2 Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the General Manager, or his/her designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.
- 3.4.3 No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in a public place at the District office as soon after the meeting as possible.

3.5 Board Workshops

- 3.5.1 Board workshops will be held on an as needed basis.

3.6 Board Committees

- 3.6.1 Standing committees may be created by the Board for a specifically defined purpose. Agenda topics for Committee consideration are to be established by the Board, and additional topics are to be authorized by the

Board before being considered.

Standing Committees: To Be Determined

- 3.6.2** Committees consider matters before the Board does and may formulate recommendations, but only in the capacity as Directors on a Committee.
- 3.6.3** No formal action may be taken by a Committee.
- 3.6.4** Committees may report to the Board at each regular Board meeting.
- 3.6.5** Ad-hoc Committees must have a focused agenda and limited life span.
- 3.6.6** Standing Committees must conduct business in open session, post agendas, take minutes and otherwise comply with the Ralph M. Brown Act.

3.7 Adjourned Meetings

- 3.7.1** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment and fewer than a quorum may so adjourn from time to time, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in Section 3.5.3 above.

3.8 Public Notification of Meetings

- 3.8.1** Agendas for upcoming Board Meetings shall be posted in accordance with the provisions of Section 3.10.4, 3.10.5, and 3.10.6 below and in accordance with the Ralph M. Brown Act.
- 3.8.2** Notice of upcoming meetings may appear in such other places as the local paper, in newsletters sent out with bills and in other places available to the District.

3.9 Annual Board Meeting Schedule

- 3.9.1** In December of each year, a Board Meeting schedule for the next year will be adopted. The annual Board Meeting schedule will identify dates for the regular Board Meetings for the year, which will usually be the third Thursday of the month for regular Board Meetings, but may vary due to conflicts, holidays, conferences or other meetings.

3.10 Board Meeting Agendas

- 3.10.1** The General Manager and Board Clerk, in cooperation with the Board President, shall prepare an agenda for each regular meeting of the Board of Directors. Any Director may call the General Manager and request any item to be placed on the regular meeting agenda at a regular Board meeting or workshop.
- 3.10.2** If a member of the public requests that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, the request shall be subject to the following conditions:
- 3.10.2.1** The request must be in writing and be submitted to the General Manager together with supporting documents and information;
 - 3.10.2.2** The General Manager shall bring the request to the Board President, who shall consider the request, and may schedule the matter for a future regular meeting, or refer the matter to the whole Board for consideration as to whether to include the matter on the agenda for a future meeting of the Board;
 - 3.10.2.3** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.
- 3.10.3** This policy does not prevent the Board from taking testimony at regular and special meetings of the Board, during the public comment portion of the Board meeting, on matters that are not on the agenda, which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting. However, Directors may briefly respond to statements made or questions posed during public comment portions of a meeting. In addition, on their own initiative, or in response to questions raised by the public, Directors may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Directors may also provide a reference to District staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.
- 3.10.4** At least (5) five days prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted on the District

Website Homepage, in accordance with applicable laws, and conspicuously for public review at the District office and at the Board Meeting room.

- 3.10.5** The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same locations noted in Section 3.10.4.
- 3.10.6** Board meeting agendas and agenda packets will be provided upon request to any person who has filed a written request for such materials per the Ralph M. Brown Act. Electronic copies are available at no charge. Printed copies requested in addition to the public copy made available at each meeting will be made available at the current rates within the SCSD Public Records Policy. Per CA Government Code Section 54957.5(c), charges shall not be imposed on persons with disabilities.

3.11 Board Meeting Minutes

- 3.11.1** Board Meeting Minutes must be recorded for all Standing Board Committee meetings, Workshops and Board meetings. Such minutes should be concise, identifying the items considered, and any action taken.
- 3.11.2** If a written report is submitted for the item, then reference should be made to the written report rather than restating the report contents. General reference should be made to discussion of an item, rather than a detailed description. Action taken should be clearly identified in terms of motions made, who made the motion and second, and the results of the voting.
- 3.11.3** Copies of minutes shall be made for distribution to and for approval by Directors with the agenda at regular Board meetings.
- 3.11.4** The official minutes of the regular and special meetings of the Board shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.
- 3.11.5** An audio recording of regular and workshop meetings of the Board of Directors may generally be made and maintained for one (1) year.
- 3.11.6** Motions, resolutions or ordinances shall be recorded as having passed or failed and individual votes will be recorded in the minutes.
- 3.11.7** All resolutions adopted by the Board shall be numbered consecutively starting new at the beginning of each chronological year.
- 3.11.8** The minutes of Board meetings shall be maintained as hereinafter outlined:
- 3.11.9** Procedure:

- Date, place and type of each meeting;
- Roll Call- Directors present and absent by name;
- Call to order;
- Arrival of tardy Directors by name;
- Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon;
- Adjournment of the meeting;
- Record of written notice of special meetings; and,
- Record of items to be considered at special meetings.

3.11.10 Board Actions:

- Approval or amended approval of the minutes of preceding meetings;
- Complete information as to each subject of the Board's deliberation;
- Complete information as to each subject including the roll call record of the vote;
- The complete title of all Board resolutions and ordinances, numbered serially for each chronological year;
- A record of all contracts entered into;
- A record of all bid procedures, including calls for bids authorized, bids received, and other action taken;
- Adoption of the annual budget;
- A record of the General Manager's report to the Board;
- Approval of all policies and Board-adopted regulations; and, a record of all visitors and delegations appearing before the Board. However, in accordance with the Ralph M. Brown Act, a member of the public shall not be required, as a condition to attendance, to register his or her name or to provide any other information.

3.12 Board Meeting Conduct

3.12.1 Meetings of the Board of Directors shall be conducted by the President (or Vice President in the President's absence, or in the absence of the Vice President, by the Director selected to be the presiding officer by the remaining Directors) in a manner consistent with the policies set forth herein.

3.12.2 In accordance with the Ralph M. Brown Act, all Board meetings should commence at the time stated on the agenda and should be guided by the same. The purpose of Board meetings is to enable the Board to conduct the business of the District. As such, the following guidelines should be substantially followed, to the extent practicable, depending on the circumstances surrounding each meeting:

- 3.12.2.1 After the "Call to Order, Pledge of Allegiance, Roll Call, and Approval of Agenda" , the Board will act on the "Consent Agenda"; approving these items with one motion unless any are requested to be pulled from Consent by a Director. In this case, each item pulled will be discussed and voted upon separately.
 - 3.12.2.2 Each regular agenda item shall then be taken in agenda order unless the order is altered by the Board President. A brief report from the General Manager or other designated staff will be given.
 - 3.12.2.3 After hearing the staff report, the Board may ask questions of staff, discuss the issues involved, and comment on the issues. These deliberations shall be guided by the President.
 - 3.12.2.4 After Board deliberations are concluded or prior to Board deliberations, the President shall ask the audience for public comment prior to calling for a vote.
 - 3.12.2.5 After public comment, the Board shall vote on the matter before them and proceed to the next agenda item.
- 3.12.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:
- 3.12.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,
 - 3.12.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.
- 3.12.4 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting, or to otherwise address the Board on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:
- 3.12.4.1 A "public comment" period will be designated for the public to discuss matters of interest, whether on the agenda or not. Speakers are requested to give their name. The Board may take no action on any item brought up at a public comment time except to refer the matter to staff and/or place it on a future agenda. This "public comment" period applies to Regular Meetings only. During Special Meetings the public comments are limited to only the issues before the Board.

3.12.4.2 Three (3) minutes may be allotted to each speaker to each subject matter;

3.12.4.3 No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous or disruptive conduct shall be grounds for summary termination, by the President, of that person's privilege of address to the Board and the President may take such action in accordance with the Ralph M. Brown Act.

3.12.5 The District is required to follow certain legal requirements in connection with disclosure of information regarding District employees and personnel matters. Therefore, the Board will conduct any discussion of personnel matters in compliance with such laws. As a result, it will be the policy of the Board that no oral presentation shall include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference, which tends to identify. All charges or complaints against employees shall be submitted to the General Manager for investigation

3.12.6 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. In accordance with the Ralph M. Brown Act, if the Board of Directors finds that there is in fact willful disruption of any meeting of the Board, they may order the room cleared and subsequently conduct the Board's business without the audience present.

3.12.7 In such an event, only matters appearing on the agenda may be considered in such a session.

3.12.8 After clearing the room, the Board of Directors may permit those persons who were not responsible for the willful disruption to reenter the meeting room.

3.12.9 Duly accredited representatives of the news media, whom the Board of Directors finds not to have participated in the disruption, shall be allowed to attend the remainder of the meeting.

3.13 Closed Session

3.13.1 Certain circumstances allow the board to meet in closed session, they are as follows:

- To meet with its negotiator to grant authority regarding the price and terms of payment for the purchase, sale, exchange, or lease of real property;
- to confer with, or receive advice from, its legal counsel regarding

- pending litigation when discussion in open session concerning those matters would prejudice the position of the local agency in the litigation;
- to meet with the Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, or a threat to the public's right of access to public services or public facilities;
- to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee;
- to meet with the local agency's designated representatives regarding the salaries, salary schedules, or fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation

3.13.2 Closed Session Procedures:

- Prior to closed session, the board must disclose **in open session** the items to be discussed in closed session. The announcement can either repeat all of the information already stated on the agenda, or it may simply refer to the items as they are listed on the agenda by the number or letter.
- After closed session, the board must reconvene in open session (prior to adjournment) and report any action taken in closed session, including the vote or absence of every member present. The report may be made orally or in writing
- Any documents referred to in a report of final action must be made available on the next business day following the meeting or, in the case of substantial amendments, when any necessary rewriting is complete.

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3.14 Hybrid Meetings

A hybrid meeting is a meeting where a subset of attendees are located in the same place and others attend virtually via web-based meeting software or teleconference. Hybrid meetings offer the public an alternative option for public participation that does not require in person attendance. Public comment may be made in person or via web-based meeting software or teleconference.

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All hybrid meetings will be required to have a quorum of in person Board Members meeting in the same place, and all requirements of the Brown Act must be met. Staff may participate remotely.

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SECTION 4.0 DIRECTOR COMPENSATION AND RULES AND REGULATIONS REGARDING PAYMENT OF COMPENSATION

4.1 Purpose

4.1.1 This section is enacted pursuant to Government Code Sections 53232.1 and 61047, to establish rules and regulations regarding payment of compensation for members of the Board of Directors of the Scotia Community Services District.

4.2 Director Compensation

4.2.1 Members of the Board of Directors may receive compensation per state law for each meeting of the Board attended by him/her, or for each day's service rendered as a Director by request of the Board. A "day of service" means each meeting conducted pursuant to the Ralph M. Brown Act regardless of whether or not the meetings are held on the same day and authorized meetings as defined in the following section. The SCSD Board receives compensation in the amount of \$50.00 for a "day of service".

4.3 Authorized Meetings

4.3.1 Regular Board meetings, Workshops, and Special Board meetings which are properly noticed and at which a quorum of the Board is in attendance.

4.3.2 Standing committee meetings.

4.3.3 Attendance at meetings that have been previously approved by the Board of Directors where attendance is in the best interests of the District. Examples of such meetings include, but are not limited to:

- a) Association of California Water Agencies (ACWA)
- b) Special Districts Association (CSDA)
- c) California Special Districts Association Humboldt Area Chapter
- d) Local Agency Formation Commission (LAFCo)

Such meetings also include meetings that come to the attention of the General Manager and the District with insufficient time to seek Board approval at a regular Board meeting. At the General Manager's discretion, he/she may determine that attendance by a Director at these meetings is in the best interest of the District.

4.4 Authorization for Attendance at Meetings

The following is the procedure for obtaining approval for attendance at public meetings of other organizations, seminars, conferences, and other public meetings for which a Director may be compensated when sufficient time to request such approval exist:

4.4.1 At each Regular Board meeting there will be an agenda item entitled "Director Meetings." This agenda item will allow Directors to seek Board prior approval for attendance at public meetings of other organizations, seminars, conferences, and other public meetings not previously planned for. Retroactive approval of non-authorized meetings is not allowed under the Government Code.

4.5 Meeting Attendance Reports.

4.5.1 A Director who has attended an authorized meeting, seminar, or conference, as provided for in Section 4.3 or 4.4 of this Policy for which the Director seeks compensation shall present a verbal report, and may present a verbal report regarding the meeting, seminar, or conference at the next Regular Board meeting following such attendance.

4.6 Meeting and Conference Expense

4.6.1 Members of the Board of Directors shall be reimbursed for all actual expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with Sections 4.3.3 and as allowed by Government Code Section 53232.2.

4.6.2 Reimbursement for the cost of the use of a personal vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

4.6.3 Reimbursements and costs incurred by directors including meeting stipends shall be reported publicly as required by law.

SECTION 5.0 CODE OF ETHICS

5.1 General

- 5.1.1** The Board of Directors of Scotia Community Services District is committed to providing excellence in legislative leadership that result in the provision of the highest quality of services to its constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following rules shall be observed.

5.2 Priorities and Commitment

- 5.2.1** The dignity, style, values and opinions of each Director shall be respected.
- 5.2.2** Responsiveness and attentive listening in communication is encouraged.
- 5.2.3** The needs of the District's constituents should be the priority of the Board of Directors.
- 5.2.4** The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters and the day-to-day management and operation of the District are within the purview of the professional staff members of the District.
- 5.2.5** Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
- 5.2.6** Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocs based on personalities rather than issues should be avoided.
- 5.2.7** Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

5.3 Procedures

- 5.3.1** Directors should practice the following procedures:

- 5.3.1.1** In seeking clarification on informational items, Directors may directly approach professional staff members to obtain

information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

- 5.3.1.2** In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.
- 5.3.1.3** The appropriate handling of issues related to safety, concerns for safety or observed hazards is to report them to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- 5.3.1.4** In presenting items for discussion at Board meetings, see Section 3.10.
- 5.3.1.5** In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

5.4 Board and Staff Relationships

- 5.4.1** When approached by District personnel concerning specific District policy, Directors should refer inquiries to the General Manager. The chain of command should be followed.
- 5.4.2** The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.
- 5.4.3** When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.
- 5.4.4** Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
- 5.4.5** Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
- 5.4.6** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

SECTION 6.0 BOARD ACTIONS AND DECISIONS

6.1 Possible Actions

- 6.1.1** Actions by the Board of Directors may include but are not limited to the following:
- 6.1.1.1** Adoption, rejection, revision or amendment of an ordinance;
 - 6.1.1.2** Adoption, rejection, revision or amendment of regulations or policies;
 - 6.1.1.3** Adoption, rejection, revision or amendment of a resolution;
 - 6.1.1.4** Approval, rejection, revision or amendment of any contract or expenditure above the General Manager's threshold;
 - 6.1.1.5** Approval, rejection, revision or amendment of any proposal which commits District funds or facilities; and,
 - 6.1.1.6** Approval, disapproval or alteration of matters, which require or may require the District or its employees to take action and/or provide services.
- 6.1.2** Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three (3) votes to be effective (unless a 4/5 vote is required by policy or other law).

6.2 Methods for Taking Action

- 6.2.1** If a Director abstains from voting on a matter, the abstention cannot be counted as an affirmative vote.
- 6.2.1.1 Example.** If three (3) of five (5) Directors are present at a meeting, a quorum exists and business can be conducted. However, if one (1) Director abstains on a particular action and the other two (2) cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.
 - 6.2.1.2 Example.** If an action is proposed requiring a two-thirds vote and two (2) Directors abstain, the proposed action cannot be approved because four (4) of the five (5) Directors would have to vote in favor of the action.

6.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in favor of the appointment for it to be approved. If two (2) of the four (4) Directors present abstain, the appointment is not approved.

6.2.1.4 Example. If a vacancy exists on the Board and a *vote* is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in *favor* of the appointment for it to be approved. If two (2) of the four (4) Directors present abstain, the appointment is not approved.

6.3 Informal Action

6.3.1 The Board may give directions, which are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager or their designee.

6.3.2 The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a *voice vote* and a physical vote may be requested.

6.3.3 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

6.3.4 "Informal" action by the Board is still Board action and shall only occur regarding matters which appear on the agenda for the Board meeting during which said informal action is taken and for which more formal action is not required.

SECTION 7.0 RULES OF ORDER FOR BOARD AND COMMITTEE MEETINGS

7.1 General

7.1.1 Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, *does not conduct its meetings under formalized rules* – like Rosenberg's Rules of Order. While these Rules are instinctive, the intent of this Policies and Procedures Manual is to provide *guidance* for the conduct of meetings, and the Board should strive to substantially comply with these rules of order.

7.1.2 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a *point of order* - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

7.2 Obtaining the Floor

7.2.1 Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

7.3 Motions

7.3.1 Any Director, including the President, may make or second a motion after presentation of the item and public comment. A motion shall be brought and considered as follows:

7.3.1.1 The President shall state the agenda item.

7.3.1.2 The President shall request a presentation of a staff report, if any.

7.3.1.3 The President shall open the item for public comment.

7.3.1.4 A Director shall make a motion; another Director shall second the motion.

7.3.1.5 The motion is open for discussion and debate by the Board.

7.3.1.6 At the close of discussion, the President will call for the vote.

7.3.1.7 Any director may move to immediately bring the question being

debated to a vote, suspending any further debate. The motion to suspend debate and move to a vote must itself be made, seconded, and approved by a majority vote of the Board.

7.3.2 Secondary Motions. Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business is considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion. Secondary motions include the following:

7.3.2.1 Motion to Amend. A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

7.3.2.2 Motion to Table. A main motion may be indefinitely tabled before it is voted on by *motion made to table*, which is then seconded and approved by a majority vote of the Board.

7.3.2.3 Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

7.3.2.4 Motion to Refer to Committee. A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

7.3.2.5 Motion to Close Debate and Vote Immediately. As provided above, any Director may move to close debate and immediately vote on a main motion.

7.3.2.6 Motion to Adjourn. A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

7.4 Decorum

7.4.1 In accordance with the Ralph M. Brown Act, the President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The Board may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

7.4.2 The President may also declare a short recess during any meeting.

7.5 Amendment of Rules of Order

7.5.1 By motion made, seconded and approved by a majority vote, the Board may, at its discretion, at any meeting, and in accordance with California law:

- a) Temporarily suspend these rules in whole or in part;
- b) Amend these rules in whole or in part; or,
- c) Both.

SECTION 8.0 TRAINING, EDUCATION, AND CONFERENCES

8.1 General

- 8.1.1** Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Therefore, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District. Directors should be aware that requirements of the Ralph M. Brown Act may apply depending on the circumstances of any such meeting.
- 8.1.2** "Junkets" (a tour or journey for pleasure at public expense), will not be permitted.

8.2 Policy

- 8.2.1** It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals. Directors will be reimbursed for their expenses as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District.
- 8.2.2** The General Manager or his designate is responsible for making arrangements for Directors for conference and registration expenses. When appropriate, the District shall also reimburse a Director for meal expenses, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the General Manager or his designate, together with validated receipts.

8.3 Approval

- 8.3.1** Attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors, in accordance with District policy, prior to incurring any reimbursable costs.

8.4 Reimbursement

- 8.4.1** Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the General Manager and by:

8.4.1.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

8.4.1.2 Directors traveling together whenever feasible and economically beneficial.

8.4.1.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.

8.4.2 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

8.5 Reporting

8.5.1 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors are required to prepare a written report for distribution to the Board, and make a verbal report during the next regular meeting of the Board. Said report should detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District minutes book for the future use of other Directors and staff.