

# AGENDA

## Resort Improvement District No. 1 and Shelter Cove Sewer and Other Facilities

### Maintenance District No. 1

## REGULAR BOARD MEETING AND PUBLIC HEARING TO CONSIDER

## A PROPOSED ADDITIONAL FIRE PROTECTION TAX

**Location:** Shelter Cove Fire Hall Meeting Room  
9126 Shelter Cove Road, Shelter Cove, California  
**Date:** July 20, 2017  
**Time:** 9:00 a.m.  
**Posted:** July 17, 2017

*We welcome you to this meeting. Members of the Public may be heard on any business item on this Agenda before or during the Board's consideration of the item. The public may also directly address the Board on any item of interest to the public that is not on the Agenda during the public comment time; however, the Board generally cannot take action on an item not on the Agenda. The meeting room is wheelchair accessible. Accommodations and access to District board meetings for people with other handicaps must be requested of District staff at 707-986-7447 five (5) working days in advance of the meeting.*

*A person addressing the Board will be limited to five (5) minutes (Board Policy 5030) unless the Chairperson of the Board grants a longer period of time. While not required, we would appreciate it if you would identify yourself with your name and address when addressing the Board.*

### I. CALL TO ORDER

### II. ROLL CALL

Susan Fox, President  
 David Sommer, Vice President  
 Michael Caldwell, Director  
 Nanette Corley, Director  
 Jac Hargrave, Director

### III. PLEDGE OF ALLEGIANCE

### VI. PUBLIC COMMENT

*Any member of the public may directly address the Board of Directors on a matter of public interest not on the Agenda but which is within the jurisdiction of the Board; however, the Board generally cannot take action on an item not on the Agenda. A person addressing the Board will be limited to five (5) minutes (Board Policy 5030) unless the chairperson of the Board grants a longer period of time.*

## V. PUBLIC HEARING

In accordance with Section 13070 (c) of Chapter 5 Powers, of Division 11, Resort Improvement District Law of the Public Resources Code, the District is authorized to exercise any of the powers, functions, and duties which are vested in, or imposed upon, a fire protection district pursuant to the Fire Protection District Law of 1987, Part 3 (commencing with Section 13800) of Division 12 of the Health and Safety Code., and the Shelter Cove Fire Department is a department of the District and provides fire protection throughout the District.

Pursuant to the authority of Sections 13911 and 13913 of the California Health and Safety Code, and other applicable law, the District may levy a special tax on all parcels of real property in the District for the purpose of providing fire protection and emergency services, subject to the approval by a two-thirds vote of the qualified voters of the District voting in an election on the issue.

Part of the process to levy a special tax is to hold a noticed Public Hearing to hear public testimony before considering adoption of a new ordinance (Ordinance #74) and resolution (Resolution 17-08) to impose an additional special fire tax on properties within the Resort Improvement District No. 1.

Should the board vote to adopt the new ordinance and resolution after hearing public testimony the special tax measure will be placed on the November 7<sup>th</sup>, 2017 election ballot to be voted on by voters in the district.

Draft Resolution # 17-08, draft Ordinance #74 with proposed amendments and public comments are available for consideration of the following items:

1. Adoption of Ordinance No. 74: Imposing an additional Fire Protection and Suppression Special Tax on Real Property Within the Resort Improvement District No. 1. (Final Reading)
2. Adoption of Resolution 17-08: Levy of Additional Fire Protection Tax.

## VI. CONSENT CALENDAR

*All matters listed under the Consent Calendar are to be considered routine and without opposition. The Consent Calendar may be enacted by one motion. There will be no separate discussion of these items unless a Board member or the General Manager/designee requests that a specific item(s) be removed from the Consent Calendar for separate action. Any items so removed will be considered after the motion to approve the Consent Calendar. If a member of the public wants further discussion on any of these items, we would appreciate it if you make your request prior to the meeting.*

1. Approve the Minutes of the June 15, 2017 Regular Board Meeting.
2. Approve Bills for Month of June 2017: Reports regarding payment of monthly operating bills for the District which are approved expenditures in the current budget.

## VII. CORRESPONDENCE / DISCUSSION ITEMS

*Items in this category may be discussed, and/or reports presented, but no action may be taken.*

1. Schatz Energy Research Center Completion of Solar Feasibility Study.
2. Financing Options for the Community Center.
3. Fire Department Second Quarter and Semi-annual Reports.

## VIII. BOARD MEMBER/STAFF REPORTS

*The indicated individuals will report to the Board about various matters involving District departments. There will be no Board discussion except to ask questions or refer matters to staff. No action will be taken unless listed on subsequent agenda.*

1. Directors' Reports/Comments.
2. Operational Status Report Re: Golf Course, Airport, Recreation, Water, Sewer, Electrical, Fire Department.

## IX. ACTION ITEMS

*All Agenda Action Items for discussion and possible action by the Board of Directors.*

1. Clubhouse Rental Requests.
2. Consider a Side Letter of Agreement Regarding Longevity Pay Contained in the Memorandum of Understanding with IBEW.
3. Consider Modifications to Ordinance 70 and Ordinance 69 to Remove Conflict Regarding Temporary Power Hookups. (First Reading)
4. Consider Employee Incentive Award.
5. Janell Page Accident Restitution Options.
6. Consider Candidate to Serve on CSDA Board.

## X. OVERLOOKED ISSUES

*No actions can be taken.*

## XI. ADJOURNMENT OF MEETING

*This notice is posted in compliance with Government Code § 54954.2. The next Regular Meeting of the Resort Improvement District No.1 Board of Directors will be held on Thursday, August 17th, 2017, in the Fire Hall Meeting Room at 9:00 AM.*

**RESORT IMPROVEMENT DISTRICT NO. 1  
AND  
SHELTER COVE SEWER AND OTHER  
FACILITIES MAINTENANCE DISTRICT NO. 1**

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Meeting Date: July 20, 2017 Public Hearing Agenda Item No.: V. 1

Agenda Item Title: Public Hearing to Consider Adoption of Following Ordinance:

Ordinance No 74: Imposing an additional Fire Protection and  
Suppression Special Tax on Real Property Within the  
Resort Improvement District No. 1. (Final Reading)

Presented by: Philip Young, General Manager

Type of Item:  Action  Discussion  Information  
Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Special taxes from properties in Shelter Cove (including vacant lots) are required to provide all the revenue required for daily operations and capital purchases of the Shelter Cove Fire Department but over the past few years the fire department has been subsidized by other District revenues. The \$25 annual per parcel fire tax has not been increased since its passage in 1995 and is in fact being reduced every year by many lot mergers. It has always been understood that the Fire Department should be self-sustaining with tax rates based on the actual cost of providing service.

Past Boards have had a hard time considering raising taxes to keep up with increasing costs in fear that it may stifle much needed growth but it has come to the point that without additional funds the fire department's services will regress, making Shelter Cove's residents less safe.

**FINANCIAL IMPACT:**

The proposed new special tax will generate much needed revenue for the fire department's present and future daily operations, maintenance and it will eliminate the need for the department to be subsidized by other District funds. The proposed tax is estimated to raise \$329,150 which will enable the fire department to modernize its unreliable and noncompliant equipment and provide the community with a professional department well into the future.

**RECOMMENDATION:**

Motion to adopt Ordinance #74: Imposing an additional Fire Protection and Suppression Special Tax on Real Property Within the Resort Improvement District No. 1.

**RESORT IMPROVEMENT DISTRICT NO. 1  
AND  
SHELTER COVE SEWER AND OTHER  
FACILITIES MAINTENANCE DISTRICT NO. 1**

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Meeting Date: July 20, 2017 Public Hearing Agenda Item No.: V. 2

Agenda Item Title: Public Hearing to Consider Adoption of Following Resolution:

Resolution 17-08: Authorizing a Levy of an additional Fire Protection and Suppression Special Tax on Real Property Within the Resort Improvement District No. 1.

Presented by: Philip Young, General Manager

Type of Item:  Action  Discussion  Information  
Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Part of the requirements to place a special tax measure on the election ballot is for the District Board to pass a resolution calling a special election to submit to the voters of the District the adoption of an ordinance proposing an additional fire protection special tax measure and ordering that the special election be consolidated with the District election to be conducted on November 7<sup>th</sup>, 2017. See attached draft resolution.

**FINANCIAL IMPACT:**

The proposed new special tax will generate much needed revenue for the fire department's present and future daily operations, maintenance and it will eliminate the need for the department to be subsidized by other District funds. The proposed tax is estimated to raise \$329,150 which will enable the fire department to modernize its unreliable and noncompliant equipment and provide the community with a professional department well into the future.

**RECOMMENDATION:**

Motion to adopt Resolution 17-08: Authorizing a Levy of an additional Fire Protection and Suppression Special Tax on Real Property Within the Resort Improvement District No. 1.

Motion to Close Public Hearing.

**RESORT IMPROVEMENT DISTRICT NO. 1  
AND  
SHELTER COVE SEWER AND OTHER  
FACILITIES MAINTENANCE DISTRICT NO. 1**

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Meeting Date: July 20, 2017 Agenda Item No.: IX. 1

Agenda Item Title: Clubhouse Rental Request.

Presented by: Mary Ann Machi.

Type of Item:  Action  Discussion  Information

Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Staff received the following requests for renting Abalone Hall which require Board consideration:

1. Request from Mary Ann Machi to serve beer and wine at a family reunion to be held on August 12th, 2017.

**FINANCIAL IMPACT:**

Applicant will cover rental fees, deposit and insurance requirements.

**RECOMMENDATION:**

TBD



**RESORT IMPROVEMENT DISTRICT NO. 1  
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FACILITIES MAINTENANCE DISTRICT NO. 1**

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Meeting Date: July 20, 2017 Agenda Item No.: IX. 3

Agenda Item Title: Consider Modifications to Ordinance 70 and Ordinance 69 to Remove Conflict Regarding Temporary Power Hookups. (First Reading)

Presented by: Philip Young, General Manager.

Type of Item:  Action  Discussion  Information

Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

In April, 2010 a customer brought an action item to the Board for their consideration. The customer was requesting an electrical hookup to his residential construction project before a framing sign-off was obtained from Humboldt County. This was never a requirement of the District but the Board amended Ordinance 69 to include language to allow customers to obtain temporary power for construction purposes with the understanding that the service must be converted to a permanent connection within 12 months.

Ordinance 70 contains language defining temporary service as no longer available.

An amendment is needed to one of the ordinances to resolve the conflict.

**FINANCIAL IMPACT:**

None

**RECOMMENDATION:**

Staff is recommending taking out the language in Ordinance 69 which allows temporary power connections.

If the Board decides to go forward with allowing temporary connections then Ordinance 70 should be amended to reflect that.

The amendment to be brought back for final Board approval next month.



**RESORT IMPROVEMENT DISTRICT NO. 1  
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FACILITIES MAINTENANCE DISTRICT NO. 1**

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Meeting Date: July 20, 2017 Agenda Item No.: IX. 4

Agenda Item Title: Consider Employee Incentive Award.

Presented by: Philip Young, General Manager.

Type of Item:  Action  Discussion  Information

Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Employees earning an annual evaluation rating of “Highly Successful” or “Outstanding” will be eligible for a one-time annual Incentive Award as determined by the General Manager. The Board must approve all incentive awards.

Susan Sack achieved an outstanding evaluation rating and has been selected to receive an award.

**FINANCIAL IMPACT:**

TBD

**RECOMMENDATION:**

TBD.

**RESORT IMPROVEMENT DISTRICT NO. 1  
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Meeting Date: July 20, 2017 Agenda Item No.: IX. 5

Agenda Item Title: Janell Page Accident Restitution Options.

Presented by: Philip Young, General Manager.

Type of Item:  Action  Discussion  Information

Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Janell Page was involved in a car vs. pole collision on November 4<sup>th</sup>, 2016 causing \$8,064.11 in damages to the District. Staff have repeatedly tried to collect on the claim but have received no payment at this time.

**FINANCIAL IMPACT:**

Ms. Page's insurance carrier, Titan Insurance has offered to settle the claim with a \$5,000 payment if we release both the carrier and Ms. Page from liability for the remainder in the amount of \$3,064.11. The District could take the case to small claims court but is limited to a \$5,000 award. The other option is to take the case to Superior Court to claim the whole amount as well as attorney fees.

**RECOMMENDATION:**

TBD.

**RESORT IMPROVEMENT DISTRICT NO. 1  
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Meeting Date: July 20, 2017 Agenda Item No.: IX. 6

Agenda Item Title: Consider Candidate to Serve on CSDA Board.

Presented by: Philip Young, General Manager.

Type of Item:  Action  Discussion  Information  
Action Required:  No Action  Voice Vote  Roll Call Vote

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**BACKGROUND:**

Three candidates have applied for a four-year term of office vacancy to represent our region (Seat C) on the California Special District Association (CSDA) Board.  
See attached information and candidate statements.

**FINANCIAL IMPACT:**

None.

**RECOMMENDATION:**

Motion to nominate candidate of choice.