

CROCKETT COMMUNITY SERVICES DISTRICT

Regular Business Meeting AGENDA FOR WEDNESDAY, DECEMBER 15, 2021

TIME: 7:00 PM

PLACE: ** TELECONFERENCE - SEE BELOW **

IMPORTANT NOTICE REGARDING COVID-19 AND TELECONFERENCED MEETINGS:

Based on the mandates by the Governor in *Executive Order 33-20* and the County Public Health Officer to shelter in place and the guidance from the CDC, to minimize the spread of the coronavirus, please note the following changes to the District's ordinary meeting procedures:

- The District offices are not open to the public at this time. (See *Resolution No. 19/20-18*)
- The meeting will be conducted via teleconference using Zoom.
- All members of the public seeking to observe and/or to address the local legislative body may participate in the meeting telephonically or otherwise electronically in the manner described below. See end of agenda for information on How to Submit Public Comments.

HOW TO OBSERVE THE MEETING:

Telephone: Listen to the meeting live by calling Zoom at +1 669 900 9128.

Enter the Meeting ID# 875 3105 4399 followed by the pound (#) key.

More phone numbers can be found on Zoom's website at <https://zoom.us/u/aeON0A5qL>.

Computer: Watch the live streaming of the meeting from a computer by navigating to <https://zoom.us/j/87531054399> using a computer with internet access that meets Zoom's system requirements (see <https://support.zoom.us/hc/en-us/articles/201362023-System-Requirements-for-PC-Mac-and-Linux>)

Mobile: Login through the Zoom mobile app on a smartphone and enter Meeting ID# 875 3105 4399.

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1. CALL TO ORDER – ROLL CALL
 2. CALL FOR REQUESTS TO CONSIDER ITEMS OUT OF ORDER
 3. PUBLIC COMMENTS ON NON-AGENDA ITEMS:
(The Board is prohibited from discussing items not on this agenda. Matters brought up that are not on the agenda may be referred to staff for action or calendared on a future agenda.)
 4. PUBLIC HEARING: (Public comments limited to two minutes for each person with full discussion limited to twenty minutes unless extended by Board President.)
 5. UPDATE BY DIRECTOR:

Update District Board on actions taken by Director Barassi.
 6. MANAGERS' REPORTS/REPORTS FROM COMMISSIONERS: (These items are typically for exchange of information only. No action will be taken at this time.)
 - a. Recreation Department.

- b. Maintenance Department.
- c. Port Costa Sanitary Department.
- d. Crockett Sanitary Department.
- e. Governmental matters.
- f. Announcements and discussion.

7. CONSENT CALENDAR: Consideration of a motion to approve the following items:
(Items are subject to removal from Consent Calendar by request of any Board Member on request for discussion by a member of the public. Items removed from the Consent Calendar will be considered with the Administrative Items.)

- a. Approve Minutes of November 17, 2021.
- b. Approve payment of District bills.
- c. Receive Minutes of Commissions and Committees.
- d. Receive annual report on use of Recreation Taxes (Gov. Code Sec. 50075.3).
- e. Receive annual report on compliance with identity theft regulations (FACTA program).
- f. Approve Payroll Schedule for 2022.

8. ADMINISTRATIVE:

- a. Consider consent Items removed from Consent Calendar.
- b. Election of officers.
- c. Consider Resolution No. 21/22-10 re-appointing Tom Cusack, Anne Scheer and Joe Surges to the Port Costa Sanitary Commission for two years.
- d. Consider Resolution No. 21/22-11 authorizing remote teleconferencing meetings for the period of December 30, 2021 through January 29, 2022 pursuant to Brown Act provisions.
- e. Revise Pay Schedule of Wages required by minimum wage increase January 1, 2022.

9. BUDGET AND FINANCE:

- a. Consider monthly Summary Worksheets and Investment Reports and staff report on financial matters.
- b. Discuss TRA's and allocations.

10. REPORTS FROM BOARD MEMBERS:

(These items are typically for exchange of information only. No action will be taken at this time.)

- a. Personnel Committee – Members Barassi, Bartlebaugh, Cusack and Wilson
- b. Budget & Finance Committee – Members Mackenzie and Peterson
- c. Inter-agency meetings:

11. CLOSED SESSION:

- a. Consider claim for Sanitary Sewer Overflow damage at 17 Baldwin, Pursuant to Government Code Section §54957.1.
- b. Consider Resolution No. 21/22-12 authorizing the General Manager to perform certain functions pertaining to claims against the District, Pursuant to Government Code Section §54957.1.

- c. CONFERENCE WITH LABOR NEGOTIATOR(S): Agency Designated Representative(s) to confer with Crockett Community Services District Board regarding Administrative Services Manager and District Secretary positions, Pursuant to Government Code Section §54957.6.

OPEN SESSION:

12. ANNOUNCEMENT OF ACTIONS TAKEN DURING CLOSED SESSION:
13. FUTURE AGENDA ITEMS:
- Discuss Accessory Dwelling Units.
 - Discuss policy on delegation of authority to Commissions.
 - Adopt capital asset depreciation schedule.
 - Adopt capacity charge ordinance on Accessory Dwelling Units.
 - Review and adopt ADA compliance plan.
 - Adopt policy for use of private devices and e-accounts.
 - Develop policy on proposals for new programs without established funding.
14. BOARD COMMENTS:
15. ADJOURNMENT to January 26, 2022

HOW TO SUBMIT PUBLIC COMMENTS:

Written/ Read Aloud: Please email your comments to manager@town.crockett.ca.us, write "*Public Comment*" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (*not to exceed three minutes at staff's cadence*), prominently write "*Read Aloud at Meeting*" at the top of the email. All comments received before 3:00 PM the day of the meeting will be included as an agenda supplement on the District's website under the relevant meeting date and provided to the Directors at the meeting. Comments received after this time will be treated as telephonic/electronic comments.

Telephonic / Electronic Comments: During the meeting, the Board President or designee will announce the opportunity to make public comments and identify the cut off time for submission. The public can speak up at that time or use the Zoom chat feature to indicate they want to make a public comment. If needed, a short recess (generally less than 10 minutes) will take place during the time public comment is open to allow the comments to be collected. Use Zoom chat or email your comments to manager@town.crockett.ca.us, write "Public Comment" in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. Once the public comment period is closed, all submitted comments timely received will be read aloud. Comments received after the close of the public comment period will be added to the record after the meeting.

You will find the Minutes of this meeting posted on our website at www.town.crockett.ca.us Visit our website for more information on meetings and activities of the Crockett Community Services District and the towns of Crockett and Port Costa.

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a District meeting, or if you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the General Manager at (510) 787-2992. Notification of at least 48 hours prior to the meeting or time when services are needed will assist District staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

CROCKETT COMMUNITY SERVICES DISTRICT

P.O. Box 578 - Crockett, CA 94525
850 Pomona Street
Telephone (510) 787-2992
Fax (510) 787-2459
e-mail: manager@town.crockett.ca.us
website: www.town.crockett.ca.us

MINUTES OF REGULAR MEETING, NOVEMBER 17, 2021

1. CALL TO ORDER: The meeting was called to order at 7:00 PM by President Barassi. Present were Board Members Bartlebaugh, Kirker, Mackenzie and Peterson, along with General Manager Murdock, Recreation Department Manager Wilson, Sanitary Dept. Manager Barnhill and Administrative Services Manager Gunkelman. Asst. District Secretary Witschi was absent but excused.

2. AGENDA ORDER: Item 9.c. was moved up after Item 3.

3. PUBLIC COMMENTS: None.

9.c. APPEAL OF SEWER USE CHARGES – 1334 WANDA STREET: The owner, Susan Purcell, was in attendance. Mr. Murdock reported that the owner was over charged for sewer fees. He said Susan Purcell was being charged for three apartments and a single family residence (SFR). Mr. Murdock said he has verified there are only one SFR and two apartments. Staff's recommendation is to reclassify and refund the amount that was overpaid by the owner. Mr. Gunkelman said Susan Purcell overpaid \$1,318.00. A motion to approve refund request for appeal of Sewer Use Charges assessed at 1334 Wanda Street in the amount of \$659.00 now and \$659.00 when the second installment of taxes are paid in the spring carried unanimously (kp/mk).

4. PUBLIC HEARING: None

5. UPDATE BY DIRECTORS: Director Barassi reported he signed the employment agreement for Mr. Murdock on November 5, so he is officially the General Manager. He continues to have weekly staff meetings with the Sanitary Department. Director Barassi said there have been some emails back and forth about the Hosselkus benches and the disposition of them. The benches were considered surplus property and since no one purchased them at the yard sale they were disposed of.

6.a. RECREATION DEPT. REPORT: Mr. Wilson reported he met with Villa Landscaping, and they are very interested in the Wall and Stairs Project. He is still waiting on the estimate. He said the pool is in desperate need of resurfacing, so in March he will apply for a grant. He said there have been some problems with the high school kids since school has resumed in person. There was a group of kids in the back of the Community Center with a large boom box and blasting music starting at 8:00 am, which resulted in a neighbor coming down from Duperu and confronting the kids. This resulted in a physical altercation, just so that you are aware of what is going on there. Mr. Wilson said he has parents complaining to him that they are fearful of bringing their kids down to the park because of the kids hanging out of the bathrooms. He said there is so much marijuana smoking going on down there and the public is very fearful of going through the park.

6.b. MAINTENANCE DEPARTMENT: Mr. Wilson reported he put up a solar light on the flagpole at Memorial Hall, so the flags now stay up 24 hours a day. He said \$8K was received from the Walk of Honor, a \$5K match from the Crockett Community Foundation and a \$10K grant from Phillips 66 for a total of \$23K.

6.c. PORT COSTA SANITARY DEPT.: Mr. Barnhill reported there were no sewer overflows and no exceedances last month.

6.d. CROCKETT SANITARY DEPT.: Mr. Murdock reported there have been two full line replacements that have been completed, one at 185 Winslow and the other at Third and Ceres behind the school. He said there is an ongoing project on Baldwin Street and the project was stalled by PG&E who demanded we hand trench the segment down Baldwin Street for 150 feet. The job should be finished next week. Mr. Murdock reported staff had a meeting with Aaron Wiener, Head of Maintenance at West County Wastewater District (WCWD) on November 9. WCWD is trying to firm up the contract they have with the Sanitary Department and mentioned they no longer want to be responsible for the Loring Street Pump Station. He said they view it as a distraction and a lot of extra work. Mr. Murdock said he thinks staff should be handling it themselves. Mr. Barnhill said WCWD will continue to do their weekly maintenance checks. He said they are concerned with the random power outages, which they have the same issues in their district.

6.e. STAFF REPORT ON GOVERNMENTAL MATTERS: Mr. Gunkelman reported on November 9 he met with Mike Thompson at the old Bass Club and they discussed the Waterfront. He said on November 19 he is meeting with Vicki from State Lands Commission (SLC) and they are going to do a quick walk down by the outfall and the Nantucket area. He said on Monday, November 29 he will be attending a Zoom meeting with several people from SLC to discuss the status of the permit application. Director Barassi said he thinks that Director Peterson and Mr. Murdock should also attend the meeting on November 29. He said you can also have the chairperson of the Sanitary Commission attend the meeting. Commissioner Manzione pointed out that this would be appropriate under the Wastewater Committee of the Sanitary Commission, and then to the whole Sanitary Commission. He said Mr. Gunkelman has arranged some staff contact with SLC. The Sanitary Commission and the Wastewater Committee will work with staff and strategize on how to get that lease renewed.

6.f. STAFF ANNOUNCEMENTS: None

7. CONSENT CALENDAR: The consent items were approved unanimously (kp/mk):

- a. Approve Minutes of October 27, 2021.
- b. Approve payment of District bills (warrants Rec. 9490-9507; PCSan, 1370-1374; CVSan 6566-6578; Maintenance 456-460).
- c. Receive Minutes of Commissions and Committees.

8.a. CONSENT ITEMS REMOVED: None

8.b. APPROVE MEETING AND HOLIDAY SCHEDULE: The Board reviewed the meeting and holiday schedule. Two holidays need to be added: Martin Luther King's birthday on January 17 and Cesar Chavez Day on March 31. The September meetings for Port Costa, Crockett Sanitary and the District Board should be moved out a week. A motion to approve the meeting and holiday schedule for 2022, as amended, carried unanimously (sb/mk).

8.c. REMOTE TELECONFERENCING MEETINGS: A motion to approve Resolution No. 21/22-08 authorizing remote teleconferencing meetings for the period of November 30 through December 29, 2021 pursuant to Brown Act provisions carried unanimously (kp/sb).

8.d. RESIGNATION OF ANNE SCHEER: A motion to approve resignation of Anne Scheer from the Crockett Recreation Commission carried unanimously (sb/kp).

8.e. RESIGNATION OF GREG MAULER: A motion to approve resignation of Greg Mauler from the Crockett Sanitary Commission carried unanimously (sb/kp).

8.f. INTEREST STATEMENT: A motion to approve Resolution 21/22-09 appointing D'Arcy Trask to the Crockett Sanitary Commission carried unanimously (kp/mk).

8.g. POTENTIAL DEVELOPMENT IN UPPER VALONA: Mr. Murdock reported he met with David Fowler and Robert Ford and they have two separate requests. Robert Ford owns two lots on Third Street. He asked if he could share a sump pump with his neighbor. He said the plot that he lives on is not easy just to get a gravity feed to his neighbor. He may need a pump to get to his neighbor's sump. He could possibly move the neighbor's sump to a new location and be able to pump or be able to gravity drain to that sub, but there are issues allowing them to share a sump. Director Peterson said the applicant has not provided a written application and wants you to informally comply. He said we have a district code and this request is not in compliance, and that is what governs. Mr. Murdock reported that David Fowler has 40 properties and he would like to join in also. Director Mackenzie said each parcel would have to pay the connection fee and connect directly, not through a neighbor. He thinks you are talking about an injector pump, not a sump pump. A sump pump is usually an open system, whereas an injector pump is a closed system and tightly sealed. Director Barassi said if the properties are within the District boundaries we should bring our system to their property lines through the public right-of-way. Commissioner Manzione said this is just an informational item from a verbal discussion where prospective applicants needed some preliminary information. He said staff will inform the Sanitary Commission if they receive an actual application for service. Mr. Murdock said the second request from David Fowler is the 40 lots he owns are on a steep hillside and some could join the sewer system without any issues but may end up increasing the amount of sewage going through some areas. Director Peterson said this is not pertinent to the District's jurisdiction other than the possibility of some additional homes. If and when this happens there will be an application that will go to the Sanitary Commission and later to the Board.

9.a. FINANCIAL REPORT: The monthly statements of District finances and reports on investments were examined by the Board. Mr. Gunkelman said the hillside maintenance behind the Community Center came to \$21K and he said traditionally it looks like that was paid by the Recreation Department, but he it looks like it is coming out of the Maintenance Department. Director Peterson said that property belongs to the Recreation Department and should be paid out of Recreation. Mr. Murdock expects the \$21K grant will arrive before January from the Crockett Community Foundation.

9.b. CHANGE ORDER FOR PROJECT #2122: Mr. Murdock presented a Change Order for a 6-inch trenched sewer main replacement on Baldwin which resulted from PG&E's discovery of the inch and a half gas line. He said PG&E has demanded that the contractor hand dig the 150 feet of sewer and the change order came out to \$70,000 on top of the \$105,000 contract. Director Mackenzie asked if this job has been completed. Mr. Murdock said it is

nearly complete. Director Peterson said staff would be the one who writes the change order and issue it to the contractor during the job rather than it being a verbal change order, which is not safe. He asked how was the \$70K calculated. Mr. Murdock said it is not itemized on the change order. Director Mackenzie asked if staff could get a breakdown of hours and time and materials for the additional \$70K. Director Peterson said the District is serving the public and staff needs to have something on file to validate the number. Commissioner Manzione said this was not an ordinary construction project. He said it was an emergency project necessitated by a sanitary sewer overflow and a failed sewer. The original bid and scope of work was approved as an emergency project without going to the Sanitary Commission. Director Barassi said he authorized this project before Mr. Murdock became the General Manager.

10.a. PERSONNEL COMMITTEE REPORT: None

10.b. BUDGET & FINANCE COMMITTEE REPORT: None

10.c. AD HOC COMMITTEE REPORTS: None

10.d. INTER-AGENCY MEETINGS: None

13. FUTURE AGENDA ITEMS:

- Election of officers (Dec.).
- Discuss Accessory Dwelling Units.
- Discuss policy on delegation of authority to Commissions.
- Adopt capital asset depreciation schedule.
- Adopt capacity charge ordinance on Accessory Dwelling Units.
- Review and adopt ADA compliance plan.
- Adopt policy for use of private devices and e-accounts.
- Develop policy on proposals for new programs without established funding.

14. BOARD COMMENTS: None

11. CLOSED SESSION: The Board went into closed session at 9:19 pm.

- a. CONFERENCE WITH LABOR NEGOTIATOR(S): Agency Designated Representative(s) to confer with Crockett Community Services District Board regarding General Manager, Administrative Services Manager, District Engineer and District Secretary positions, Pursuant to Government Code Section 54957.6.

OPEN SESSION: The Board resumed in open session at 9:56 pm.

12. ANNOUNCEMENT OF ACTIONS TAKEN DURING CLOSED SESSION: Director Barassi said no reportable action was taken while in closed session.

15. ADJOURNMENT: The meeting was adjourned at 9:58 pm until December 15, 2021.

Respectfully submitted,

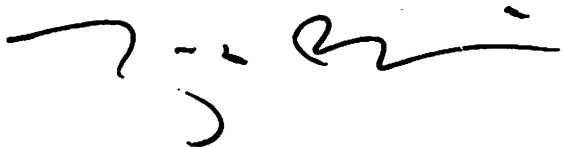
Susan Witschi
December 10, 2021\

CROCKETT COMMUNITY SERVICES DISTRICT

Crockett Community Services District

Auditor's Date: 11/19/21 Fund: 324100 Account : 0830

Date	Name	Memo	Credit	Num
FUND 3241 - RECREATION				
11/19/2021	SDRMA	Mem. #5505	904.34	9508
11/19/2021	Javier Solis	Hauled Away Old Lounge Chairs	75.00	9509
11/19/2021	Larry Williams	Installation of Light Fixture at Com...	260.00	9510
11/19/2021	MEYERS NAVE	Invoice# 185182. Services Oct. 12...	280.28	9511
11/19/2021	LINCOLN FINANCIAL GROUP	CCSVD-BL-1564438	69.19	9512
11/19/2021	STATE COMPENSATION INSU...	Workers Comp 219383	563.95	9513
11/19/2021	USBank	Various - #412713455573937	3,104.60	9514
11/19/2021	CalPERS Public Employees Ret...	CalPERS#1977684412, Retir. 194...	2,010.95	9515
Total FUND 3241 - RECREATION			7,268.31	
TOTAL			7,268.31	



CROCKETT COMMUNITY SERVICES DISTRICT

Crockett Community Services District

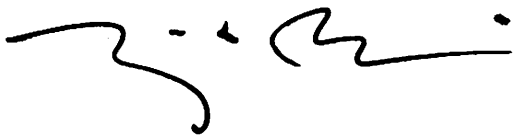
Auditor's Date: 11-19-21 Fund: 324100 Account: 0830

Date	Name	Memo	Credit	Num
FUND 3241 - RECREATION				
11/19/2021	Stella Topete	Cleaning & Damage Deposit Refund	452.50	9533
11/19/2021	Omar Calderon	Cleaning & Damage Deposit Refund	476.00	9532
11/19/2021	Noel De Guzman	Cleaning & Damage Deposit Refund	700.00	9531
11/19/2021	Cherokee Herrera	Cleaning & Damage Deposit Refund	541.00	9530
11/19/2021	Christine Zavala	Cancelled Event	550.00	9529
11/19/2021	Anita Aromin	Cleaning & Damage Deposit Refund	700.00	9528
11/19/2021	TERRACARE ASSOCIATES	Landscaping services	1,871.00	9527
11/19/2021	East Bay Municipal Utility District	Water - #14347900001	57.96	9526
11/19/2021	East Bay Municipal Utility District	Water - #30385200001	411.00	9525
11/19/2021	East Bay Municipal Utility District	Water - #30385100001	300.92	9524
11/19/2021	EBMUD	Water - #30385600001	1,368.26	9523
11/19/2021	Delta One Security, Inc.	Security Guards	598.00	9522
11/19/2021	Code Three Fire and Safety	Fire Extinguisher Service	120.00	9521
11/19/2021	DexYP	Advertising	61.35	9520
11/19/2021	SUSAN G. WITSCHI	Payroll 11/1/2021 - 11/15/2021	2,472.51	9519
11/19/2021	STELLA T.E. MANNELL	Payroll 11/1/2021 - 11/15/2021	198.25	9518
11/19/2021	DOLORES M. MORALES	Payroll 11/1/2021 - 11/15/2021	1,363.11	9517
11/19/2021	DAMOND L. BAL	Payroll 11/1/2021 - 11/15/2021	126.00	9516
Total FUND 3241 - RECREATION			<u>12,367.86</u>	
TOTAL			<u><u>12,367.86</u></u>	



CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District
 Auditor's Date: 11/19/21 Fund: 324200 Account : 0830

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>	<u>Num</u>
FUND 3242 - MAINTENANCE				
11/19/2021	USBank	Various - #412713455573937	43.49	461
11/19/2021	GAUNT A. MURDOCK	Reimbursement for materials for 1...	293.89	462
11/19/2021	Joel Cadena	Maintenance & repair & set up at ...	1,500.00	463
Total FUND 3242 - MAINTENANCE			<u>1,837.38</u>	
TOTAL			<u><u>1,837.38</u></u>	



CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District

Auditor's Date: 11/19/21 Fund: 342500 Account : 0830

Date	Name	Memo	Credit	Num
FUND 3425 - PC SANITARY - O&M				
11/19/2021	L.R. PAULSELL CONSULTING	Scheduled Sewer Cleaning on November ...	480.00	1375
11/19/2021	MEYERS NAVE	Invoice# 185182. Services Oct. 12-19, 20...	58.70	1376
11/19/2021	USBank	Various - #4127134555573937	81.22	1377
Total FUND 3425 - PC SANITARY - O&M			<u>619.92</u>	
TOTAL			<u><u>619.92</u></u>	



CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District

Auditor's Date: 11/19/21 Fund: 342600 Account : 0830

Date	Name	Memo	Credit	Num
FUND 3426 - CV SANITARY - O&M				
11/19/2021	SDRMA	Mem. #5505	986.74	6579
11/19/2021	L.R. PAULSELL CONSULTING	Sewer Maintenance from Novem...	5,400.00	6580
11/19/2021	Susan Purcell	Partial refund for SUC on 21/22 t...	659.00	6581
11/19/2021	MEYERS NAVE	Invoice# 185182. Services Oct. 1...	535.82	6582
11/19/2021	All Bay Sewer	Invoice #213. N-00-38 to 37 on ...	47,000.00	6583
11/19/2021	EBMUD	Acct: 55397300001	411.00	6584
11/19/2021	ED ELECTRIC	Task# 9012. EQ tank electrical w...	208.00	6585
11/19/2021	L.R. PAULSELL CONSULTING	Invoice CVSD 21-13	5,400.00	6586
11/19/2021	LINCOLN FINANCIAL GROUP	CCSVD-BL-1564438	48.15	6587
11/19/2021	STATE COMPENSATION INS...	Workers Comp 219383	574.63	6588
11/19/2021	USBank	Various - #4127134555573937	946.22	6589
11/19/2021	CalPERS Public Employees R...	Retire. 1946207465	879.05	6590
11/19/2021	VAUGHN P. GUNKELMAN		2,351.25	6591
Total FUND 3426 - CV SANITARY - O&M			65,399.86	
TOTAL			65,399.86	



PAYMENT APPROVED
AT C.C.S.D. REGULAR
MTG. OF _____
CHECK # _____

CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District
 Auditor's Date: 12/7/21 Fund: 324100 Account: 0830

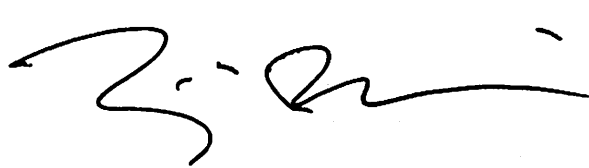
Date	Name	Memo	Credit	Num
FUND 3241 - RECREATION				
12/07/2021	AT&T	Phone - 510-787-2414	387.76	9534
12/07/2021	Bomac's Inc.	Invoices 51438 & 51441	3,186.65	9535
12/07/2021	LESLIE'S POOL SUPPLIES	Invoice 00137-01-065883	226.73	9536
12/07/2021	UNIVERSAL BUILDING SERVI...	Invoices 494918 & 494919	288.00	9537
12/07/2021	PG&E	Gas & Electric	1,667.07	9538
12/07/2021	Dean Kelch	Cancelled Event Due to Covid	200.00	9539
12/07/2021	Javier Chia	Cleaning & Damage Refund	514.00	9540
12/07/2021	Tamika Cooper	Cleaning & Damage Refund	400.00	9541
12/07/2021	Ron Wilson	Mileage Reimbursement - Novemb...	78.40	9542
12/07/2021	Susan Witschi	Mileage Reimbursement	53.04	9543
12/07/2021	DAMOND L. BAL	Payroll 11/16/2021 - 11/30/2021	67.94	9544
12/07/2021	DOLORES M. MORALES	Payroll 11/16/2021 - 11/30/2021	1,123.51	9545
12/07/2021	SUSAN G. WITSCHI	Payroll 11/16/2021 - 11/30/2021	2,361.13	9546
12/07/2021	RONALD D. WILSON	Payroll 11/1/2021 - 11/30/2021	2,572.37	9547
12/07/2021	EMPLOYMENT DEVELOPMEN...	698-1442-4	91.08	9548
12/07/2021	EMPLOYMENT DEVELOPMEN...	698-1442-4	371.49	9549
12/07/2021	UNITED STATES TREASURY (...)	68-0114159	951.48	9550
12/07/2021	CalPERS Public Employees Ret...	CalPERS#1977684412, Retir. 194...	2,299.51	9551
Total FUND 3241 - RECREATION			16,840.16	
TOTAL			16,840.16	

CROCKETT COMMUNITY SERVICES DISTRICT

Crockett Community Services District

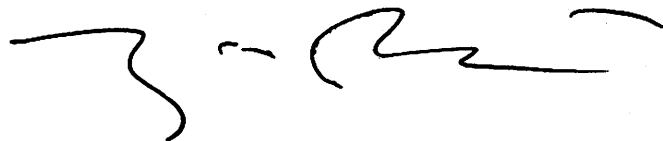
Auditor's Date: 12/7/21 Fund: 324200 Account : 0830

Date	Name	Memo	Credit	Num
FUND 3242 - MAINTENANCE				
12/07/2021	Joel Cadena	Construction and Maintenance at ...	900.00	464
12/07/2021	DENALECT ALARM CO.	Invoice R39044.	528.00	465
Total FUND 3242 - MAINTENANCE			<u>1,428.00</u>	
TOTAL			<u><u>1,428.00</u></u>	



CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District
Auditor's Date: 12/7/21 Fund: 342500 Account: 0830

<u>Date</u>	<u>Name</u>	<u>Memo</u>	<u>Credit</u>	<u>Num</u>
FUND 3425 - PC SANITARY - O&M				
12/07/2021	Eurofins Calscience LLC	Lab Testing - Invoice 5700066907	825.00	1378
12/07/2021	PG&E	Acct# 2704121327-6. Electricity	320.12	1379
Total FUND 3425 - PC SANITARY - O&M			<u>1,145.12</u>	
TOTAL			<u><u>1,145.12</u></u>	



CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District
Auditor's Date: 12/7/21 Fund: 342600 Account: 0830

Date	Name	Memo	Credit	Num
FUND 3426 - CV SANITARY - O&M				
12/07/2021	UNION PACIFIC RAILROAD ...	Rent Easement ...	2,671.70	6592
12/07/2021	All Bay Sewer	Invoice #216: E-00-09 to -10. In...	175,000.00	6593
12/07/2021	AT&T	Pump station alarm	196.60	6594
12/07/2021	Cathy Sands	Invoice # 001. Goats for vegetati...	450.00	6595
12/07/2021	PG&E	Electric & Gas - #6193854060-8	3,792.11	6596
12/07/2021	STATE WATER RESOURCE...	SRF Loan Cont#01805-550-0. Pr...	36,120.81	6597
12/07/2021	U.S. POSTAL SERVICE	Annual PO 578 Box Rental	150.00	6598
12/07/2021	EMPLOYMENT DEVELOPME...	698-1442-4	500.51	6599
12/07/2021	EMPLOYMENT DEVELOPME...	698-1442-4	672.64	6600
12/07/2021	GAUNT A. MURDOCK		5,012.68	6601
12/07/2021	JAMES G. BARNHILL		4,386.41	6602
12/07/2021	VAUGHN P. GUNKELMAN		1,901.80	6603
12/07/2021	UNITED STATES TREASURY...	68-0114159	3,395.04	6604
12/07/2021	CalPERS Public Employees R...	Retire. 1946207465	846.34	6605
Total FUND 3426 - CV SANITARY - O&M			<u>235,096.64</u>	
TOTAL			<u>235,096.64</u>	

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CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District

Auditor's Date: 11/7/21 Fund: 324100 / Account : 0830 ✓

Date	Name	Memo	Credit	Num
FUND 3241 - RECREATION				
✓ 12/08/2021	SDRMA	Mem. #5505, Member #5505	3,677.10	9552 ✓
Total FUND 3241 - RECREATION			3,677.10	
TOTAL			<u>3,677.10</u>	

12/8/21

*Cash Balance ok
12/07/21
YMBT*

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AUDITOR--CONTROLLER
2021 DEC - 7 P 4: 00

CROCKETT COMMUNITY SERVICES DISTRICT
Crockett Community Services District

Auditor's Date: 11/7/21 Fund: 342600 ✓ Account : 0830 ✓

Date	Name	Memo	Credit	Num
FUND 3426 - CV SANITARY - O&M				
✓ 12/08/2021	EMPLOYMENT DEVELOPME...	698-1442-4 - Reissue of check #...	500.07	6606 ✓
✓ 12/08/2021	SDRMA	Mem. #5505	934.21	6607 ✓
Total FUND 3426 - CV SANITARY - O&M			1,434.28	
TOTAL			<u>1,434.28</u>	✓

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*Cash Balance etc
12/07/21
YMBT*

AUDITOR-CONTROLLER
2021 DEC - 7 P 4: 00

CROCKETT RECREATION COMMISSION

of the Crockett Community Services District

850 Pomona Avenue - Crockett, CA 94525

Telephone (510) 787-2414

Fax (510) 787-3049

e-mail: recreation@town.crockett.ca.us

website: www.town.crockett.ca.us

MINUTES OF REGULAR MEETING, OCTOBER 4, 2021

1. CALL TO ORDER: The meeting was called to order at 6:06 PM by Chairperson Cusack. Present were Commissioners Airoidi, Scheer and Valentini, along with Department Manager Wilson and Facilities Manager/Asst. Secretary Witschi. Commissioner Choquette was absent.

2. AGENDA ORDER: There were no requests to hear agenda items out of order.

3. PUBLIC COMMENTS: None

4. CONSENT CALENDAR: The following consent item was approved unanimously (jv/as):
a. Approve Minutes of July 12, 2021.

5. RECREATION: None

6. FINANCIAL REPORT: The monthly statement of Department finances and report on investments were examined by the Commission. No further report.

7. DISTRICT BOARD ACTIONS: No report.

8. REPORT OF DEPT. MANAGER: Mr. Wilson reported the County approved the variance on the Pomona Street Wall and Stairs Project. He has contacted three cement contractors to bid on the job. He reached out to a landscape architect for installing the ADA accessible restroom at the pool but they never got back to him. He will continue to try and find an architect. He said the County has new COVID restrictions for events indoors that serve food. He said everyone has to show proof of vaccination or a negative test within the last three days to enter the building during an event.

9. COMMISSIONERS: None

10. FUTURE AGENDA ITEMS:
Annual report on use of Recreation Taxes (Dec.).
Election of Officers for 2022 (Dec.).
Approve meeting schedule for 2022 (Dec.).

11. COMMISSIONER COMMENTS: None

12. ADJOURNMENT: The meeting was adjourned at 6:20 PM until November 1, 2021.

Respectfully submitted,

Susan Witschi

Susan Witschi
October 8, 2021

CROCKETT SANITARY COMMISSION

of the Crockett Community Services District

P.O. Box 578 - Crockett, CA 94525

Telephone (510) 787-2992

Fax (510) 787-2459

e-mail: manager@town.crockett.ca.us

website: www.town.crockett.ca.us

MINUTES OF REGULAR MEETING, OCTOBER 20, 2021

1. CALL TO ORDER: The meeting was called to order at 7:02 PM by Chairperson Manzione. Present were Commissioners Adams and Wais, along with District Engineer Murdock, Assistant Dept. Manager Barnhill, Administrative Services Manager Gunkelman and Asst. Secretary Witschi. Commissioner Mauler was absent.

2. AGENDA ORDER: There were no requests to change the agenda order.

3. PUBLIC COMMENTS: None

4. PUBLIC HEARING: None

5. CONSENT CALENDAR: The consent item was approved unanimously (ha/mw):
a. Approve Minutes of September 15, 2021.

6.a. DISTRICT BOARD ACTIONS: Mr. Gunkelman reported on the actions taken by the District Board in September. He said the Board approved an emergency resolution to proceed with future Zoom meetings. He said a new resolution has to be approved every 30 days. Commissioner Manzione would like to continue remote meetings at least until January 2022. Mr. Murdock announced he is going to be the new General Manager and Mr. Gunkelman will continue to be the financial officer.

6.b. ALLOCATION OF FLOOR SPACE: Commissioner Manzione reported Director Peterson asked for a couple people to work with him on getting things going for allocation of the new District office. Commissioner Manzione and Director Bartlebaugh met with Director Peterson and essentially got the ball rolling without making any proposals. The discussion is how much of that new building and which parts of the new building would best serve the staff.

7.a. ENFORCEMENT ACTIONS: No actions taken.

7.b. BRICKS AT THE PUMP STATION: No report.

8. FINANCIAL REPORT: The monthly statement of Department finances and report on investments were examined by the Commission. Commissioner Manzione said it looks like there are 37 different contractors with bonds on file. He asked if there is a clear procedure when the contractor asks for the bond to be refunded. Mr. Gunkelman said Ms. Witschi took care of this in the past. This item will be discussed at a future date.

9.a. STAFF REPORT ON OPERATIONS: Mr. Murdock reported there were three capital projects completed since the last meeting. He said there were two on Grandview. The first one was a 100 feet of HDPE pipe for \$25K. The second job on Grandview was 130 feet section of 8-inch pipe for \$42K. The third job was completed today on Ceres. He said there is a project on Winslow that is a 180 feet section of 6-inch pipe for \$38K. He said there was an

emergency repair on Baldwin Street and it was 281 feet and crosses a substantial number of laterals for \$105K. Mr. Murdock reported the contractors who are clearing the hillside have about one day left and the job will be complete. He received a grant from the Crockett Community Foundation to do the job. He said the John Swett High School class of 2022 raised \$435 during the Sugartown Festival parking cars at the new office building. Mr. Murdock wanted to acknowledge the Crockett Improvement Association and the Scouts of Crockett for clearing out a lot of the belongings left behind at the new office building and helping during the town wide yard sale. He said it brought in \$508.45. All the left over surplus property has been donated that was not sold.

9.b. STAFF REPORT ON GOVERNMENTAL MATTERS: Mr. Gunkelman reported he got a hold of some people at the State Lands Commission in regards to the outfall. He said they would like him to schedule a Zoom meeting. He would like to invite someone from the Commission to attend the meeting sometime next week.

9.c. STAFF ANNOUNCEMENTS: None

10.a. WASTEWATER COMMITTEE REPORT: None

10.b. BUDGET & FINANCE COMMITTEE REPORT: None

10.d. INTER-AGENCY MEETINGS: None

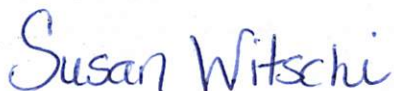
11. FUTURE AGENDA ITEMS:

- Consider lateral inspection increase.
- Consider procedures for ADU applicants.
- Progress reports as appropriate for new District offices.
- Capacity Charge Accessory Dwelling Unit (ADU) Ordinance.
- Video outreach for FOG and no wipes down drain.
- Recommend award of contract(s).
- Recommend payment for sewer project(s).

12. COMMISSIONER COMMENTS: None

13. ADJOURNMENT: The meeting was adjourned at 8:21 PM until November 10, 2021.

Respectfully submitted,



Susan Witschi
November 11, 2021

CROCKETT RECREATION DEPARTMENT

of the Crockett Community Services District

850 Pomona Avenue - Crockett, CA 94525

Telephone (510) 787-2414

Fax (510) 787-3049

e-mail: recreation@town.crockett.ca.us

website: www.town.crockett.ca.us

ANNUAL REPORT ON THE USE OF RECREATION TAXES

DECEMBER 2021

The Crockett Community Services District collects special taxes from residential properties in Crockett and Port Costa for the purpose of funding public recreation facilities and services. Government Code Section 50075 reads:

"It is the intent of the Legislature to provide all cities, counties, and districts with the authority to impose special taxes, pursuant to the provisions of Article XIII A of the California Constitution."

In the interest of accountability to the voters, an annual report on the use of special taxes is required. Government Code Section 50075.3 reads:

"The chief fiscal officer of the levying local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain both of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded (by the special tax measure approved by the voters).

FOR CALENDAR YEAR 2020

The amount of special taxes for recreation that was placed on the tax roll to be collected by the Crockett Community Services District during FY 2020-21 was \$136,290. The entire amount was deposited into the general recreation fund 3241 spent during 2021. The funds are authorized for improvement, maintenance and operation of park and recreation facilities and services within the area served by the District.

Our park, tennis courts and bocce ball courts located at 850 Pomona Street, Crockett, are open year-round. Our public swimming pool was used by John Swett High School students as early as April 12, used by the Crockett Swim Team as early as April 12, opened to the general public on May 29 and closed on September 7. The Community Center re-opened on June 15 for private rentals. Rental revenue is unpredictable and therefore the District counts on the recreation tax to provide a steady source of reliable revenue. The recreation tax is exhausted first and is supplemented by rental revenue from the Community Center and pool.

The total direct cost of operating and maintaining the park facilities between January 1 and December 31 was \$30,975. The total direct cost of operating and maintaining the pool facilities was \$116,990 between January 1 through December 31. The total direct cost of operating and maintaining the Crockett Community Center between January 1 and December 31 was \$209,279. It is therefore apparent that the \$136,290 collected in special taxes during FY 2020-21 was totally expended on the pool, park, and Community Center facilities during the spring/summer of 2021. This is expected to be the normal pattern of collection and expenditure of special taxes in the future.

CROCKETT COMMUNITY SERVICES DISTRICT

P.O. Box 578 - Crockett, CA 94525
850 Pomona Street
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e-mail: manager@town.crockett.ca.us
website: www.town.crockett.ca.us

ANNUAL REPORT OF COMPLIANCE WITH FACTA REGULATIONS DECEMBER 2021

The Crockett Community Services District adopted an Identity Theft Prevention Program on October 22, 2008, as required by the Fair and Accurate Credit Transactions Act (FACTA) of the Federal Trade Commission. The program was revised December 22, 2010. Its purpose is to detect, prevent, and mitigate identity theft.

The District's Program is broken up into four parts and provides reasonable policies and procedure to do the following:

1. Identify "red flags" applicable to financial or service accounts maintained by the District and incorporate those "red flags" into the Program;
2. Detect those "red flags" that have been incorporated into the Program as they occur;
3. Ensure that District staff respond appropriately to detected "red flags" so as to prevent and mitigate identity theft;
4. Ensure that the Program itself is updated periodically, to reflect changes in identity theft risk to District customers or the District.

The District places the highest priority on protecting any confidential, financial and personal information submitted to it in the course of providing District services. All such information is kept in locked file drawers or is locked in the archives. Additionally, the District destroys obsolete personnel records no later than seven years after employee termination.

The District has not contacted any consumer credit reporting agencies during 2021, from which a red flag might be raised.

The District has not been presented with any suspicious documents during 2021. Nor has the District been presented with any suspicious personal identifying information.

The District does not maintain any credit accounts or utility accounts for its customers. The District accepts payment by credit cards for services at the Aquatics and Community Center.

The District has engaged with one service provider to perform activities in connection with covered accounts. David Farnsworth, CPA, provides professional auditing services and performed an independent audit of the District's finances for fiscal year 2020/2021 requiring access to documents and electronic files containing identifying information.

The District has not been notified by any party that it has opened a fraudulent account for a person engaged in identity theft.

The District has not detected any red flags during 2021. The adopted program provides guidance on steps to be considered whenever red flags are detected.

At the Crockett Community Services District, the Administrative Services Manager is the Finance Director and has specific responsibility for implementation of the identity theft prevention program.

By December 31 of every year, District Staff must prepare a report on the District's compliance with FACTA regulations. It is the opinion of the General Manager that the District has been in full compliance with FACTA regulations throughout 2021. Specifically:

- The District's policies and procedures have been fully effective in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts.
- The security of service provider arrangements was not applicable during 2021.
- The District had no incidents of identity theft during 2021.
- The General Manager has no recommendations for material changes to the Program at this time.

A copy of the Identify Theft Prevention Program is included with this annual report for convenience of the Board.

CROCKETT COMMUNITY SERVICES DISTRICT

IDENTITY THEFT PREVENTION PROGRAM

**In Accordance with the
Fair and Accurate Credit Transactions Act of 2003**

Adopted October 22, 2008

Revised December 22, 2010

INTRODUCTION

Regulations adopted by the Federal Trade Commission (“FTC”) pursuant to the Fair and Accurate Credit Transaction Act (“FACTA”) require public agencies such as the Crockett Community Services District (“District”) that act as creditors for purposes of such legislation to evaluate and formally adopt programs to detect, prevent, and mitigate identity theft before November 1, 2008. The District has a long history of protecting the personal financial and private information of its residents, businesses, and ratepayers. The following Identity Theft Prevention Program (“Program”) is intended to memorialize and outline the identity protections and procedures of the District and to formalize their continued use and update, as required by law.

To summarize, FACTA regulations require creditors like the District to adopt programs that can spot identity theft “red flags” (patterns, practices, or specific activities that indicate possible misuse or theft of personal financial information) and then act appropriately. In accordance with Federal Trade Commission guidelines and regulations, the District’s Program is broken up into four parts¹ and provides “reasonable policies and procedures” to do the following:

- 1) Identify “red flags” applicable to the types of financial or service accounts maintained by the District and incorporate those “red flags” into the Program;
- 2) Detect those “red flags” that have been incorporated into the Program as they occur;
- 3) Ensure that District staff respond appropriately to detected “red flags” so as to prevent and mitigate identity theft;
- 4) Ensure that the Program itself is updated periodically, to reflect changes in identity theft risk to District customers or the District;

The District places the highest priority on protecting any confidential financial and personal information submitted to it in the course of providing District services. The Program listed herein satisfies all FACTA requirements.

Section 1. Program “Red Flags”

FACTA covers certain District transactions in which the District defers payment for goods or services. Most, if not all, such District transactions are those connected with the District collection of payments for the provision of wastewater and recreation services. These are typically collected by Contra Costa County on the property tax roll and are not under the District’s control. Additionally, the District does not manage any credit accounts and only accepts payment by credit card only for services at the Aquatics and

¹ Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003. 72 Fed. Reg. 63717, 63773 (Nov. 9, 2007) (codified at 16 CFR Part 681).

Community Center. Nevertheless, the District takes all steps necessary for the protection of personal information in its hands.

Under the FTC regulations, the District must identify those red flags that are relevant and applicable to its FACTA-covered activities. The following are those red flags that the District's Program is designed to spot:

- A. A consumer credit reporting agency reports the following in response to a credit check request:
 - 1) Fraud or active duty
 - 2) Credit freeze
 - 3) The Social Security Number (SSN) is invalid or belongs to a deceased person.
 - 4) The age or gender on the credit report is clearly inconsistent with information provided by the customers.

- B. Suspicious Documents
 - 1) Documents provided for identification appear to have been altered or forged.
 - 2) The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
 - 3) Other information on the identification is not consistent with information provided by customer.

- C. Suspicious Personal Identifying Information
 - 1) The SSN provided by the customer belongs to another customer in the Utility Billing system.
 - 2) The person opening the covered account fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.

- D. Unusual Use of, or Suspicious Activity Related to, the Covered Account
 - 1) A customer other than the account holder or co-applicant requests information or asks to make changes to an established utility account.
 - 2) A customer notifies the District of the following activities:
 - a) Utility statements are not being received
 - b) Unauthorized changes to a utility account
 - c) Fraudulent activity on the customer's bank account or credit card that is used to pay utility charges

- E. Notice from Customers, Victims of Identity Theft, Law Enforcement Authorities, or Other Persons Regarding Possible Identity Theft in Connection With Covered Accounts Held by the Financial Institution or Creditor
 - 1) The District is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

Section 2. Red Flag Detection

In connection with the opening and servicing of utility accounts, District Staff will take the following steps to detect the red flags identified in Section 1.

A. New Accounts:

- 1) Require certain identifying information such as name, date of birth, SSN, residential or business address, telephone number, email address, driver's license or other identification; and
- 2) Verify the customer's identify (for instance, review a driver's license or other identification card); or
- 3) Review the Business License system to determine the existence of the business entity before establishing the utility account; or
- 4) Request a consumer credit report check

B. Existing Accounts:

- 1) Verify the identification of customers using date of birth, SSN, telephone number, or email address if they request account information other than the outstanding balance owed; and
- 2) Verify the validity of requests to change billing addresses; and
- 3) Verify changes in banking information given for billing and payment purposes

Section 3. District Response to Detected Red Flags

Each situation shall be evaluated on a case by case basis. Responses may include, but are not limited to, the following:

- 1) Marking an account in the Utility Billing system and monitoring it for evidence of identity theft;
- 2) Contacting the customer;
- 3) Not opening the new account;
- 4) Closing an existing account
- 5) Reopening an utility account with a new account number;
- 6) Notifying the appropriate law enforcement and/or prosecutorial agencies; and
- 7) Taking no action at all, if no identity theft or other malfeasance is found to have taken place

Section 4. Oversight of Program Administration

Under FACTA regulations, an identity theft prevention program must be overseen by a District Board, an appropriate committee of the District Board, or a designated employee at the level of senior management. In the District's Program, the Finance Director shall have the specific responsibility for the Program's implementation and to approve reports prepared by District Staff regarding compliance of the Program with FACTA regulations. Material changes to the Program as necessary to address changing identity theft risks shall be reviewed by the Finance Director and approved by the District Manager.

By December 31 of every year, District Staff shall prepare a report on the District's compliance with FACTA regulations to the General Manager. The report shall address materials related to the Program and evaluate such issues as:

1. The effectiveness of the District's policies and procedures in addressing the risk of identity theft in connection with the opening of covered accounts and with respect to existing covered accounts;
2. Security of service provider arrangements, if applicable;
3. Significant incidents involving identity theft and District management's response; and
4. Recommendations for material changes to the Program, if necessary.

Finally, whenever the District engages a service provider to perform an activity in connection with one or more covered accounts, the District shall take steps to ensure that the activity of the service provider is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft. In this regard, the District may, if it deems appropriate, require the service provider to have policies and procedures to detect relevant red flags, as set forth in this Program.

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**CROCKETT COMMUNITY SERVICES DISTRICT
PAYROLL SCHEDULE 2022**

<i>Month</i>	<i>Timesheets Due</i>	<i>Paychecks Mailed By</i>
January	Monday 3 Monday 17	Friday 7 Friday 21
February	Tuesday 1 Wednesday 16	Monday 7 Monday 21
March	Tuesday 1 Wednesday 16	Monday 7 Monday 21
April	Friday 1 Monday 18	Wednesday 6 Friday 22
May	Monday 2 Monday 16	Friday 6 Friday 20
June	Wednesday 1 Thursday 16	Monday 6 Tuesday 21
July	Friday 1 Monday 18	Wednesday 6 Friday 22
August	Monday 1 Tuesday 16	Friday 5 Friday 19
September	Thursday 1 Friday 16	Wednesday 7 Wednesday 21
October	Monday 3 Monday 17	Friday 7 Friday 21
November	Tuesday 1 Wednesday 16	Monday 7 Monday 21
December	Thursday 1 Friday 16	Tuesday 6 Wednesday 21

RESOLUTION

NO. 21/22-10

A RESOLUTION RE-APPOINTING COMMISSIONERS

WHEREAS, the District Board has by Resolution No. 07/08-05 created the Port Costa Sanitary Commission and made appointments thereto; and

WHEREAS, the District Board has by Resolution No. 06/07-10 determined that the term of office of a commissioner shall be 24 months.

NOW, THEREFORE, BE IT RESOLVED that Tom Cusack, Anne Scheer and Joe Surges are re-appointed to the Port Costa Sanitary Commission as Commissioners for two years.

THE FOREGOING RESOLUTION was adopted at the District's Regular Meeting held on December 15, 2021 by the following vote:

AYES:

NOES:

ABSENT:

Luigi Barassi, President

ATTEST:

Kent Peterson
Board Secretary

RESOLUTION NO. 21/22-11

**A RESOLUTION OF THE CROCKETT COMMUNITY SERVICES DISTRICT
PROCLAIMING A LOCAL EMERGENCY, RE-RATIFYING THE PROCLAMATION
OF A STATE OF EMERGENCY BY EXECUTIVE ORDER N-15-21,
SEPTEMBER 20, 2021, AND AUTHORIZING REMOTE TELECONFERENCING
MEETINGS OF THE LEGISLATIVE BODIES OF THE CROCKETT COMMUNITY
SERVICES DISTRICT FOR THE PERIOD OF DECEMBER 30, 2021 THROUGH
JANUARY 29, 2022, PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, the Crockett Community Services District (“District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, the District is an independent special district and the meetings of its legislative bodies are open and public in compliance with the legal requirements of the Ralph M. Brown Act (Government Code§ 54950 - 54963); and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution Number 21/22-6 on October 27th, finding that the requisite conditions exist for the legislative bodies of the District to conduct remote teleconference meetings without compliance with section 54953(b)(3); and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e) the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, such conditions persist in the District, specifically, under the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and Executive Order N-12-21 extending the effective date through December 31, 2021; and

WHEREAS, Contra Costa County has issued health orders and guidelines for public safety, requiring masks indoors and proof of vaccinations at all government facilities; and

WHEREAS, the Board of Directors does hereby find that a potential threat to public health and safety continues to exist, and is likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to re-ratify the proclamation of the state of emergency by the Governor of the State of California, and the guidelines set forth by Contra Costa County; and

WHEREAS, as a consequence of the emergency circumstances, the Board of Directors does hereby find that the legislative bodies of the Crockett Community Services District shall continue to conduct their meetings without compliance with section 54953(b)(3), as authorized by section 54953(e), and such legislative bodies shall comply with the requirements for the public to access the meetings as described in 54953(e)(2); and

WHEREAS, the District's regular meeting place has been established as the Crockett Community Center in Crockett by District Code Section 2.04.040, except as otherwise designated pursuant to District Resolution 1920-18; and

WHEREAS, it is the intent of the Board for it and its other legislative bodies to continue to hold meetings in order to receive information, provide direction, and make decisions on behalf of the District while still complying with social distancing requirements during the pandemic; and

WHEREAS, the District shall continue to hold all meetings subject to the Brown Act via teleconference or other electronic means, as posted on the District webpage, and as noticed on the bulletin boards located at the Crockett Community Center.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Crockett Community Services District, that:

1. The above referenced recitals are true and correct and material to the adoption of this Declaration.
2. The Board hereby proclaims that the safety of life and property cannot be assured in the District at this time.
3. The Board hereby re-ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of December 30, 2021.
4. The Staff and legislative bodies of the District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting regular meetings of the Board, and any and all other meetings of the Crockett Community Services District's legislative bodies that are subject to the Brown Act.

5. This Resolution shall take effect immediately and shall remain in effect until January 29, 2022, or such time that the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Crockett Community Services District may continue to teleconference without compliance with section 54953(e)(3).

This Declaration is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the Crockett Community Services District, its departments, officers, employees, contractors, or any other person.

PASSED AND ADOPTED by the Board of Directors of the Crockett Community Services District on this 15th day of December 2021, by the following roll call votes:

AYES:

NOES:

ABSENT:

ABSTAINED:

Luigi Barassi,
Board President

ATTEST:

Kent Peterson,
Board Secretary

SALARY SCHEDULE OF WAGES BY JOB CLASSIFICATION
CROCKETT COMMUNITY SERVICES DISTRICT
 (Proposal 12-15-2021 - ADOPTED _____ - EFFECTIVE DATE _____)

Recreation Department

Event Supervisor - Hourly Position, Non-Exempt - Average work load 16 to 30 hours per week.

Probation	Level I					Level II					Level III					Level IV		
Per Hour	Step a	Step b	Step c	Step d	Step e	Step a	Step b	Step c	Step d	Step e	Step a	Step b	Step c	Step d	Step e	Step a	Step b	
\$16.52	\$17.30	\$18.08	\$18.86	\$19.64	\$20.42	\$21.20	\$21.98	\$22.76	\$23.28	\$23.80	\$24.32	\$24.84	\$25.36	\$25.88	\$26.40	\$26.92	\$27.44	
* Hourly salary, paid bi-weekly					Monthly Income= \$2,249 min. \$3,567 max.					Annual Base Full Time Equivalent= \$35,984 minimum					\$57,075 maximum			
** Pay rate for table/chair setup/takedown at Community Center is flat \$25.50 per hour regardless of pay schedule level/step.															\$6,278 max. benefits			
eff. rate \$22.76 per hr																		

\$43,064
\$8,828

Maintenance Attendant ⁽¹⁾ - Hourly - 0 to 20 hours per week

Probation	Level I															
Per Hour	Step a	Step b	Step c	Step d	Step e											
\$15.00	\$15.00	\$15.15	\$15.30	\$15.45	\$15.60											
* Hourly salary, paid bi-weekly					Monthly Income= \$0 min. \$1,352 max.					Annual Base Full Time Equivalent= \$31,200 minimum					\$32,448 maximum	

(1) Maintenance Attendant position can be filled by seasonal aquatics employee. Employee will retain the higher of the two rate schedules.

CROCKETT COMMUNITY SERVICES DISTRICT

P.O. Box 578 - Crockett, CA 94525
850 Pomona Street
Telephone (510) 787-2992
Fax (510) 787-2459

MONTHLY SUMMARY WORKSHEET

e-mail: manager@town.crockett.ca.us
website: www.town.crockett.ca.us

PREPARED FOR BD. MTG: 12-15-21

LATEST FUND REPORT DATE: 12-15-21

CCSD FUND 3240	CCSD FUND 3240
CASH CARRIED FORWARD:	CASH CARRIED FORWARD:
<u>REC DEPT:</u> \$17,473.46	<u>CVSAN DEPT:</u> \$74,412.03
ACTIVITY:	ACTIVITY:
Housing auth in lieu \$ 2.13	Housing auth in lieu \$ 10.88
SAM Corr to 7/15/21 \$ (0.79)	SAM Corr to 7/15/21 \$ (4.05)
SEC REF (\$169.55)	SEC REF \$ (865.49)
Unitary 1% Corr \$ (0.15)	Unitary 1% Corr \$ (0.77)
CASH BALANCE (Rec): \$17,305.10	CASH BALANCE (CVSan): \$73,552.60
ADV ON TAXES (Rec): \$66,960.25	ADV ON TAXES (CVSan): \$ 341,747.68
060 Adv beginning bal \$62,044.99	060 Adv beginning bal \$ 316,657.47
Sec Tax Apportionment \$2,990.63	Sec Tax Apportionment \$ 15,265.81
Unitary 1% appor'n \$1,534.83	Unitary 1% appor'n \$ 7,834.63
RTS of way 1% \$5.96	RTS of way 1% \$ 30.43
RR 1% appor'n \$26.46	RR 1% appor'n \$ 135.06
Ending Balance \$66,602.87	Ending Balance \$ 339,923.40
160 Supplmt begin bal \$357.38	160 Supplmt begin bal \$ 1,824.28
Uns Prop Tax	Uns Prop Tax
Cash Conversion	Cash Conversion
Ending Balance \$357.38	Ending Balance \$ 1,824.28
FUND BALANCE (Rec): \$84,265.35	FUND BALANCE (CVSan): \$415,300.28
	MAINT DEPT PROPERTY TAXES ALLOC:
	Cash Carried Forward: \$2,979.36
	Housing auth in lieu \$ 0.25
	SAM Corr to 7/15/21 \$ (0.09)
	SEC REF \$ (20.05)
	Unitary 1% Corr \$ (0.02)
	Transfer to fund 3240 \$ (20,000.00)
	Cash Balance (Maint): -\$17,040.55
	060 Adv Beginning Bal \$ 7,344.56
	Sec Tax Apportionment \$ 353.59
	Unitary 1% appor'n \$ 181.47
	RTS of way 1% \$ 0.70
	RR 1% appor'n \$ 3.13
	Ending Balance \$7,883.45
	160 Supplmt begin bal \$ 42.25
	Ending Balance \$ 42.25
	FUND BALANCE (Maint): -\$9,114.85

\administrative\bud&fin\wrkshtCSD.xls

TOTAL CSD 3240 BALANCE: \$490,450.78

Members of the Board: Luigi Barassi, Scott Bartlebaugh, Michael Kirker, John MacKenzie, Kent Peterson

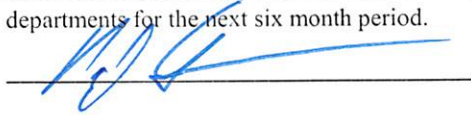
CROCKETT COMMUNITY SERVICES DISTRICT

INVESTMENT REPORT

AS OF DECEMBER 3, 2021

<u>Beginning invested balance:</u>	<u>10/1/2021</u>		<u>\$ 4,864,200.84</u>
<u>RECREATION DEPT. OPERATING FUND 3241</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	298,396.94
Activity: Withdrawal to cash on 10/22/21 & 11/4/21		\$	(120,000.00)
1st Quarter Interest		\$	201.16
Ending balance:		\$	178,598.10
<u>MAINTENANCE DEPT. MEMORIAL HALL FUND 3242</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	186,110.75
Activity: Withdrawal to cash on 10/7/21		\$	(20,000.00)
1st Quarter Interest		\$	113.33
Ending balance:		\$	166,224.08
<u>PORT COSTA SANITARY DEPT. OPERATING FUND 3425</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	125,272.71
Activity: Withdrawals to cash on 10/7/21 & 10/22/21		\$	(85,000.00)
1st Quarter Interest		\$	76.29
Ending balance:		\$	40,349.00
<u>CROCKETT SANITARY DEPT. OPERATING FUND 3426</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	3,280,350.08
Activity: Withdrawal to cash on 11/4/21		\$	(200,000.00)
1st Quarter Interest		\$	2,042.52
Withdrawal to cash on 12/3/21		\$	(300,000.00)
Ending balance:		\$	2,782,392.60
<u>CROCKETT SANITARY DEPT. CONSTRUCTION FUND 3427</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	902,606.75
Activity: 1st Quarter Interest		\$	549.62
Ending balance:		\$	903,156.37
<u>CROCKETT SANITARY DEPT. CAPITAL RESERVE FUND 3429</u>			
LOCAL AGENCY INVESTMENT FUND - Rate 0.24% on 9/30/21		\$	71,463.61
Activity: 1st Quarter Interest		\$	43.52
Ending balance:		\$	71,507.13
<u>Closing invested balance:</u>	<u>8/31/2021</u>		<u>\$4,142,227.28</u>

All investments of the Crockett Community Services District have been made through the Treasurer, Contra Costa County. Pursuant to Gov't Code Section 53646, I hereby certify that the invested funds are in compliance with the investment policies of the Crockett Community Services District and provide sufficient liquidity to meet budgeted expenses for each respective departments for the next six month period.



Date: 12/3/2021

CROCKETT RECREATION DEPARTMENT

of the Crockett Community Services District

850 Pomona Avenue - Crockett, CA 94525

Telephone (510) 787-2414

Fax (510) 787-3049

e-mail: recreation@town.crockett.ca.us

website: www.town.crockett.ca.us

MONTHLY SUMMARY WORKSHEET

PREPARED FOR BOARD MTG: 12-15-21

LATEST FUND REPORT: 12-15-21

OPERATING FUND 3241		
CASH CARRIED FORWARD:	\$ 113,540.87	INVESTED BALANCE: \$178,598.10
ACTIVITY:		Invest Interest
		Transfer to Cash
		NET INVESTED: \$178,598.10
<u>CHECKS AND PAYMENTS</u>		
Warrants (9508-9552)	(\$40,153.43)	\$50,222.82 c/d deposits
Wells Fargo Fees	(\$89.47)	\$128,375.28 avail. funds
Levy&Assr code fees		
Invest Fees		
Rental Refund	(\$343.00)	
		FUND BALANCE: \$424,891.07
		*** Below held in cash account ***
<u>DEPOSITS AND CREDITS</u>		C/D BEGINNING BALANCE: \$50,222.82
Comm Center Booking	\$36,898.00	c/d deposit receipts \$0.00
Pool Deposit		c/d deposit refunds \$0.00
Cost Recovery Bocce		Trnsfr recovery \$0.00
Donations&Pool Rental		NET C/D ENDING BALANCE \$50,222.82
Tennis keys		
Transfer from Invest		
CXL Outdated Checks	\$40.00	CAP / RESTRICTED BAL: \$4,639.60
		Donations \$0.00
		\$0.00
		NET CAPITAL REPL. BAL: \$4,639.60
		POLICE LIAISON BALANCE \$8,171.84
		Parking revenue \$0.00
		Payroll/Expenses \$0.00
		NET PLC ENDING BALANCE \$8,171.84
		XMAS LIGHT BEG BALANCE \$496.57
		No activity \$0.00
		XMAS LIGHT END BALANCE \$496.57
		CERT ACTIVITY: None \$0.00
		CERT Ending Balance: \$0.00
CASH BALANCE:	\$ 109,892.97	
ADV ON TAXES :	\$136,400.00	PETTY CASH BALANCE: \$60.00
No Activity		TAXES held in 3240: \$ 84,265.35
		CO.charges in 3240: \$ -
NET ADV ON TAXES:	\$136,400.00	

M:\L Drive Backup 3 24 2021\Recreation_Dept\Budget & Finance\Wrksht_REC_.xlsx

Commissioners: Jeff Airoidi, Louise Choquette, Tom Cusack, John Valentini

PORT COSTA SANITARY DEPARTMENT

of the Crockett Community Services District

P.O. Box 578 - Crockett, CA 94525

Telephone (510) 787-2992

Fax (510) 787-2459

e-mail: manager@town.crockett.ca.us

website: www.town.crockett.ca.us

MONTHLY SUMMARY WORKSHEET

PREPARED FOR MTG.:	12/15/21	LATEST FUND REPORT	12/13/21
OPERATING FUND 3425			
CASH CARRIED FORWARD:	\$23,264.88	ACCRUED DEBT:	
ACTIVITY:			
Warrants (1375-1379)	(\$1,765.04)	PYs due CVSan Dep	\$24,233.49
Levy/assr code and coll		Loan#2 due CVSan	\$165,426.19
Investment Services		Loan#3 due CVSan	\$150,000.00
LAIF x-fer to cash			
Loan Partial to CVSAN			
CASH BALANCE:	\$21,499.84	ACCRUED DEBT:	\$339,659.68
ADV ON SUC BEG. BALANCE	\$290,786.38		
Sewer Service Charge			
Ending Balance	\$290,786.38		
INVESTED BEGIN. BALANCE	\$40,349.00		
LAIF Interest 1st qtr			
Transfer to Cash			
Ending Balance	\$40,349.00		
FUND BALANCE:	\$352,635.22	\\san\pc\bud&fin\wrksht	

CROCKETT SANITARY DEPARTMENT

of the Crockett Community Services District

P.O. Box 578 - Crockett, CA 94525

Telephone (510) 787-2992

Fax (510) 787-2459

e-mail: manager@town.crockett.ca.us

website: www.town.crockett.ca.us

MONTHLY SUMMARY WORKSHEET

PREPARED FOR BOARD MTG: 12/15/21

OPERATING FUND 3426

CASH CARRIED FORWARD: \$161,982.67

ACTIVITY:

Warrants (6579-6607) \$ (301,930.78)

Invst Srvcs 1st qtr

Levy/Assr Code Fees

USPS SUC \$1,239.00

CXL checks (6580&6599) \$ (5,900.51)

Prmts 21-19 - 21-25 \$300.00

Capacity Charge

Transfer to Cash \$300,000.00

CASH BALANCE: \$155,690.38

ADV ON TAXES: \$ 1,342,616.24

060 Prop tax Beginning

No activity

Ending Balance \$ 1,342,616.24

160 Adv Supp Prop tax \$0.00

Zero out until Dec

Ending Balance \$0.00

INVESTED BEG. BALANCE: \$3,082,392.60

Transfer to Cash (\$300,000.00)

Ending Balance: \$2,782,392.60

FUND 3426 BALANCE: \$4,280,699.22

TAXES held in 3240: \$415,300.28

CO.charges in 3240: \$0.00

ACCRUED DEBT OWED TO CVSAN:

PCSAN DEPT. \$339,659.68

LATEST FUND REPORT:

CONSTRUCTION FUND 3

CASH CARRIED FORWARD:

ACTIVITY:

Invstmnt Srvcs 1st qtr

CASH BALANCE:

INVESTED BEGIN BAL.:

1st Qtr Interest

:

:

INVESTED BALANCE:

FUND 3427 BALANCE:

:

:

CAPITAL RESERVE FUND

CASH CARRIED FORWARD:

ACTIVITY:

Invstmnt Srvcs 1st qtr

CASH BALANCE:

INVESTED BEGIN BAL.:

1st Qtr Interest

INVESTED BALANCE:

FUND 3429 BALANCE:

:

:

CONTRACTOR BONDS ON FILE

37 contractors

:

:

:

CROCKETT COMMUNITY SERVICES DISTRICT

P.O. Box 578 - Crockett, CA 94525
850 Pomona Street
Telephone (510) 787-2992
Fax (510) 787-2459
e-mail: manager@town.crockett.ca.us
website: www.town.crockett.ca.us

TO: Board of Directors
FROM: Administrative Services Manager
SUBJECT: Business Account for CCSD
DATE: December 13, 2021

The District has recently purchased a subscription to a cloud-based portal through **Right Networks**, which accompanies an upgrade to our Quickbooks service. This allows use of the Quickbooks application from any internet connected device, and includes an assisted payroll service. This payroll service offers direct deposit paychecks, and calculates and pays all taxes and liabilities for the District.

In order to make the payments, an ACH debit account is required by Intuit/Quickbooks.

The District currently does not have the ability to fund this service due to our account limitations with Contra Costa County.

The District also does not currently have the ability to cover some emergency costs that can arise on weekends and after hours.

The District's monthly payroll and liabilities are expected to be approximately \$45,000 on average, and around \$35,000 - \$40,000 outside of summer months when the pool is fully staffed.

Staff Recommendation:

The Board should discuss all available options for payment of wages, liabilities, and invoices.

Upon approval, staff requests to open a new business account at a local bank or credit union for the purpose of funding payroll and liabilities on a monthly basis. ACH credit transfers can be made from the Contra Costa County Treasurer's office monthly or bi-monthly as needed to maintain a rolling balance at or above \$50,000. This would also provide the ability to open credit card accounts which can be funded from our business account.

West's Annotated California Codes
Government Code (Refs & Annos)
Title 1. General
Division 3.6. Claims and Actions Against Public Entities and Public Employees (Refs & Annos)
Part 3. Claims Against Public Entities (Refs & Annos)
Chapter 2. Presentation and Consideration of Claims (Refs & Annos)
Article 1. General (Refs & Annos)

West's Ann.Cal.Gov.Code § 913

§ 913. Notice of rejection of claim

Effective: January 1, 2011

Currentness

(a) Written notice of the action taken under Section 912.5, 912.6, 912.7, or 912.8 or the inaction that is deemed rejection under Section 912.4 shall be given in the manner prescribed by Section 915.4. The notice may be in substantially the following form:

"Notice is hereby given that the claim that you presented to the (insert title of board or officer) on (indicate date) was (indicate whether rejected, allowed, allowed in the amount of \$___ and rejected as to the balance, rejected by operation of law, or other appropriate language, whichever is applicable) on (indicate date of action or rejection by operation of law)."

(b) If the claim is rejected, in whole or in part, the notice required by subdivision (a) shall include a warning in substantially the following form:

"WARNING

"Subject to certain exceptions, you have only six (6) months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

"You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately."

Credits

(Added by Stats.1963, c. 1715, p. 3372, § 1. Amended by Stats.1970, c. 104, p. 323, § 4, operative Jan. 1, 1971; Stats.2002, c. 1007 (A.B.2321), § 6; Stats.2010, c. 636 (S.B.1046), § 5.)

§ 913. Notice of rejection of claim, CA GOVT § 913

West's Ann. Cal. Gov. Code § 913, CA GOVT § 913

Current with urgency legislation through Ch. 770 of 2021 Reg.Sess. Some statute sections may be more current, see credits for details.

End of Document

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RESOLUTION NO. 21/22-12

**A RESOLUTION OF THE CROCKETT COMMUNITY SERVICES DISTRICT
AUTHORIZING THE GENERAL MANAGER TO PERFORM CERTAIN FUNCTIONS
PERTAINING TO CLAIMS AGAINST THE DISTRICT**

WHEREAS, the California Tort Claims Act, Part 3 of Division 3.6 of Title 2 of the Government Code of the State of California [Sections 900 *et seq.*] imposes certain enumerated duties upon the Board of Directors of the Crockett Community Services District (“Board of Directors”) relating to claims for money or damages which are presented to the Crockett Community Services District (the “District”); and,

WHEREAS, Government Code Section 935.4 authorizes the Board of Directors, by resolution, to delegate authority to employees of the District to perform the functions of its Board of Directors relating to the acceptance, rejection, compromise or settlement of such claims, provided such authority is for dollar amounts equal to or less than fifty thousand dollars (\$50,000); and

WHEREAS, authorizing the General Manager or his/her designee to perform certain related functions would relieve the Board of Directors of the burden to take routine, repetitious action regarding such claims at Board of Directors’ meetings while ensuring that each such claim will be processed in accordance with the requirements of applicable law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Board of Directors hereby authorizes the District’s General Manager to allow, compromise and settle as the best interests of the District may dictate, any and all claims or demands up to a maximum of \$5,000, each, and to take all appropriate steps to conclude any proceedings involving such claims.
2. Settlement of claims exceeding five thousand dollars (\$5,000) requires Board of Directors’ approval.
3. Rejection of claims or demands are handled administratively by the General Manager, or his/her designee, and do not require Board of Directors’ approval.
4. The General Manager is hereby authorized and directed, on behalf of the Board of Directors, to make all approvals and take all actions necessary or appropriate to carry out and implement the intent of this Resolution.

[signature page immediately follows]

I HEREBY CERTIFY that the foregoing resolution is a full, true, and correct copy of a resolution duly and regularly adopted and passed by the Board of Directors of the Crockett Community Services District, County of Contra Costa, California, at a meeting thereof, held on the 15th day of December, by the following vote:

AYES:

NAYS:

ABSENT:

Luigi Barassi, President

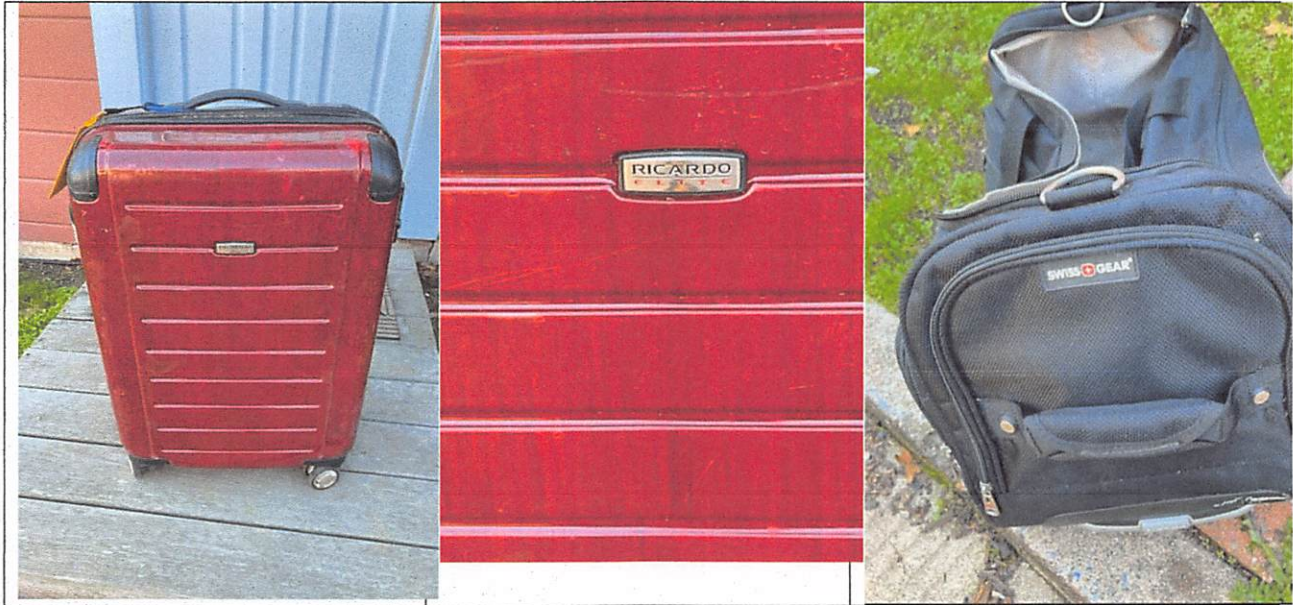
ATTEST:

Kent Peterson,
Board Secretary

Claim at 17 Baldwin

Background

An SSO occurred on Baldwin Street on 10/8/2021 resulting in sewage release in the basement of 17 Baldwin. The resident there, Connie Tweedie has since asked for \$350 compensation for luggage that was fouled by sewage and has sent photographs of the luggage (below)



The property is equipped with a sump pump and was not protected by a check valve or other backflow prevention device as is required by our code.

Opinion of counsel

Hi Gaunt,

Section 9.08.040 of the CCSD Code includes the following:

Failure to Follow the Backwater Protection Device Requirements. Any property owner whose property has no backwater overflow prevention device, or has a defective or improperly installed backwater overflow device, shall be responsible for all damage that results from the lack of such a device, or the failure of the defective or improperly installed device to prevent such damage.

My view is that CCSD should follow this policy and deny the claim unless there was a specific reason not to. If the Board wanted to reject the claim, it could either have a closed session with me (an attorney is necessary to justify this type of closed session) or it could ignore the claim and let it get automatically denied after 45 days (previously I stated it was 60 days, but 45 days is the correct number). You also could discuss it in open session without me.

As a fourth alternative, and my recommendation, the Board could adopt the attached resolution authorizing the General Manager to deal with small claims. As you will see in the highlighted text, it is

currently written to have a threshold of \$5,000 for settlement and no specified amount of a claim for denial. I have also attached the statute detailing what a rejection notice must include.

The upside of formally rejecting a claim is that it reduces the statute of limitations from two years to six months after the claim is rejected. Here, it is unlikely the claimant would file suit for \$350 (unless they decided to sue for more), but you can formally reject a claim after the 45 day period and have the same effect. As to whether someone could ask for more after you paid a claim, that is why claims are settled and released. Here, if that were to occur, all claims arising from the backup would be released. Without a good reason to pay this claim in contradiction with District policy, you'd run into a gift of public funds problem. Public agencies can pay only the debts they have to, which includes "good faith" settlements.

You don't currently have the authority to reject the claim yourself, but you could let the claimant know now that you'll be recommending rejection based on Section 9.08.040, above. Maybe that'll help her realize she needs a backup preventer.