



REGULAR BOARD MEETING
Thursday, March 21, 2024, at 6:00 PM

SPECIAL NOTICE OF TELECONFERENCE ACCESSIBILITY

This meeting of the Board of Directors of the Helendale Community Services District is Open to the public both in-person at the District Office located at 26540 Vista Road, Suite C, Helendale, California, and via teleconference by clicking the following link: www.zoom.com Meeting ID 463 173 8547 Passcode: HCS D. (Dial-in instructions will be provided after registering at the link)

Call to Order - Pledge of Allegiance

- 1. Discussion and Possible Action Regarding Director Remote Participation pursuant to AB2449 (Government Code Section 54953(f))**
 - a. Notification due to Just Cause
 - b. Request due to Emergency Circumstances

2. Approval of Agenda

3. Public Participation

Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member wishing to make comments may do so by filling out the speaker's card in person or using the "raise the hand" or "chat" feature. If viewing remotely a speaker's card may be filled out at the following link: <https://www.surveymonkey.com/r/HKGNLL8> or use the features referenced above. The District requests that all speaker cards be submitted at any time prior to the close of public participation.

4. Consent Items

- a. Approval of Minutes: Special Board Meetings of March 12 and March 14, 2024
- b. Bills Paid Report

5. Reports

- a. Directors' Reports
- b. General Manager's Report

Regular Business:

- 6. Discussion and Possible Action Regarding Approval of Directors' Expense Reports**
- 7. Discussion and Possible Adoption of Ordinance 2024-01: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of Its Public Meetings and Activities (Sunshine Ordinance)**
- 8. Discussion and Possible Action Regarding Adoption of Resolution 2024-01: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for Its Compensation Reimbursement and Ethics Training**

9. Discussion and Possible Action Regarding Adoption of Resolution 2024-02: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for its Relations Amongst Directors and with Staff

10. Discussion Only Regarding Annual Review of Park Development Impact Fee

11. Discussion Only Regarding Park Capital Improvement Plan

Other Business

12. Requested items for next or future agendas (Directors and Staff only)

Closed Session

13. Conference with Legal Counsel – Anticipated Litigation

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)

One Potential Case

14. Report of Closed Session Item

15. Adjournment

Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above agenzized public meeting should be directed to the District's General Manager's office at (760) 951-0006 at least 24 hours prior to said meeting. The regular session of the Board meeting will be recorded. Recordings of the Board meetings are kept for the Clerk of the Board's convenience. These recordings are not the official minutes of the Board meetings.



Helendale Community Services District

Date: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #1
Discussion and Possible Action Regarding Director Remote Participation
Pursuant to AB2449 (Government Code Section 54953(f))

NOTIFICATION OF REMOTE BOARD MEETING ATTENDANCE

Directors may not attend a meeting remotely on the basis of Just Cause or Emergency Circumstances for more than three consecutive months or more than 20% (up to four) meetings in a calendar year. A general description of the circumstances relating to the need to appear remotely at the meeting **must** be included.

JUST CAUSE

Each Director is responsible for notifying the General Manager at the earliest opportunity possible (including at the start of a regular meeting) of the need to participate remotely for Just Cause. Remote participation for Just Cause reasons shall not be utilized by any Director for more than two meetings per calendar year.

Just Cause means any of the following:

- A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely.
- A contagious illness that prevents a member from attending in person
- A need related to a physical or mental disability not otherwise accommodated
- Travel while on official business of the legislative body or another state or local agency

A General description of the circumstances relating to the need to appear remotely at the meeting **MUST** be included.

EMERGENCY CIRCUMSTANCES

Each Director is responsible for notifying the General Manager as soon as possible (preferably before posting of the agenda but up to the start of the meeting) of the need to participate remotely due to Emergency Circumstances.

Emergency Circumstances means the following: A physical or family medical emergency that prevents a member from attending in person.

A general description of the circumstances relating to the need to appear remotely at the meeting **must** be included. The general description of the circumstances does not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act.



Helendale Community Services District

Date: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #4
Consent Items

CONSENT ITEMS

- a. Approval of Minutes: March 12, & March 14, 2024, Special Board Meeting
- b. Bills Paid Report



Helendale Community Services District

Date: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Cheryl Vermette
SUBJECT: Agenda item #4a
Minutes from Special Board meetings 3/12 & 3/14/2024



**Minutes of the Helendale Community Services District
SPECIAL BOARD OF DIRECTORS MEETING**

Date: March 12, 2024
 Time: 6:00 PM
 Meeting called to order by: President Henry Spiller

ATTENDANCE

President Henry Spiller	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Vice President Ron Clark	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Secretary Sandy Haas	<input type="checkbox"/> Present	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> In Person	<input type="checkbox"/> Remote
Director George Cardenas	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent	<input checked="" type="checkbox"/> In Person	<input type="checkbox"/> Remote
Vacant				

Staff Members Present

Kimberly Cox, General Manager; Craig Carlson, Water Operations Manager; Alex Aviles, Wastewater Operations Manager; Cheryl Vermette, Parks, Recreation and Programs Supervisor; Sharon Kreinop, Senior Account Specialist; Trini Martin, Program Assistant

Consultants/Guests

Steven Kennedy, Legal Counsel
 Christopher Porter, Field Representative for Supervisor Cook

Members of the public

There were 6 members of the public attending in person.

1. APPROVAL OF AGENDA

Discussion None.

Motion Director Cardenas made a motion to approve the agenda as amended.

Second Vice President Clark

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

2. Public Participation

None

3. Discussion of Selection and Appointment Process to Fill Open Board Vacancy
Counsel provided an overview of the process established by the Board to fill the vacancy.

4. Interview of Candidates for Open Board Vacancy

Interviews were as follows:

2:00 Billy Rosenberg
2:30 Gail Guinn
3:00 Kristine Cerone
3:30 David Hart
4:00 Peter Negrete

5. Discussion and Possible Action Regarding Selection and Appointment to Fill Vacancy on the Board of Directors

The Board wished to review their notes and add this item to Thursday's Special Meeting agenda. Legal Counsel advised that Board members may not use this time to discuss this issue. He also advised the Board on how the nomination process works.

6. Swearing in of Possible Appointee to Fill Open Board Vacancy

This item was tabled.

OTHER BUSINESS

7. Requested items for next or future agendas (Directors and Staff only)
None

8. ADJOURNMENT

President Spiller adjourned the meeting at 4:45 pm.

Henry Spiller, President

Cheryl Vermette, Clerk of the Board

The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.



Minutes of the Helendale Community Services District
REGULAR BOARD OF DIRECTORS MEETING

Date: March 14, 2024
Time: 6:00 PM
Meeting called to order by: President Henry Spiller

ATTENDANCE

Table with 5 columns: Name, Present, Absent, In Person, Remote. Rows include President Henry Spiller, Vice President Ron Clark, Secretary Sandy Haas, Director George Cardenas, and Director Gail Guinn.

Staff Members Present

Kimberly Cox, General Manager; Craig Carlson, Water Operations Manager; Alex Aviles, Wastewater Operations Manager; Cheryl Vermette, Administrative Services Manager; Jean Thomas, Customer Service Supervisor; Trini Martin, Program Assistant; Sharon Kreinop, Senior Account Specialist

Consultants/Guests

Steven Kennedy, Legal Counsel

Members of the public

There were six members the public attending in person.

1. DISCUSSION AND POSSIBLE ACTION REGARDING DIRECTOR REMOTE PARTICIPATION PURSUANT TO AB2449 (GOVERNMENT CODE SECTION 54953(F)OF AGENDA

- a. Notification due to Just Cause
b. Request due to Emergency Circumstances

Discussion There was no need for this item.

2. APPROVAL OF AGENDA

Discussion None.

Motion Vice President Clark made a motion to approve the agenda as amended.

Second President Spiller

Vote

Table with 5 columns: Name, Yes, No, Absent, Abstain. Rows include President Henry Spiller, Vice President Ron Clark, Secretary Sandy Haas, and Director George Cardenas.

3. PUBLIC PARTICIPATION

None

CONSENT ITEMS

4. CONSENT ITEMS

- a. Approval of Minutes: February 15, 2024, Regular Board Meeting and Special Board Meeting of February 29, 2024
- b. Bills Paid Report

Discussion None

Motion Director Cardenas made the motion to approve the consent items as presented.

Second Vice President Clark

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

5. REPORTS

- a. Directors' Reports

Director Cardenas reported that he attended the Watermaster meeting and will include a summary in an upcoming agenda.

- b. General Managers Report

General Manager Cox reported that Jean Thomas has resigned to pursue other opportunities. Cheryl has been promoted to Administrative Services Manager and Andrea has been promoted to Customer Service Lead. The team is strong and committed to the organization's success.

Operations Manager Carlson presented the water report. Staff completed all monthly inspections for February. Staff completed the monthly coliform report, began Electronic Annual Report for District, and completed the Electronic Annual Report for the Community Center. Staff has been continuing the meter replacement program. New batteries were installed on the water truck. Staff replaced the valve on backflow at the horse track. Staff also worked on burning tumble weeds and repaired a broken hydraulic line on Vactor trailer. The chlorine shed for well #13 was delivered and will be built soon. Staff also trenched and installed all small conduit and drain lines for well 13 and have been working with High Desert Underground on the tie in. The new service truck was delivered and staff has begun outfitting it.

REGULAR BUSINESS

- 6. Discussion and Possible Action Regarding Selection and Appointment to Fill Vacancy on the Board of Directors

Discussion General Manager Cox and Legal Counsel Kennedy reviewed the Boards options: select a candidate today; hold another special meeting prior to 3/18 to make the selection; decide not to select a candidate and defer to the County Board of Supervisors; or call a special election. The Board thanked all of the candidates for applying and commended them on their interviews. Director Cardenas nominated Gail Guinn, Vice President Clark nominated Gail Guinn, and President Spiller also nominated Gail Guinn.

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

7. Swearing in of Possible Appointee to Fill Open Board Vacancy

General Manager Cox performed the Oath of Office to swear in new board Gail Guinn.

REGULAR BUSINESS

8. Discussion Only Regarding Water Capital Improvement Plan

Discussion Water Operations Manager Carlson went over each line item in the Water Capital Improvement Plan. The Board did not request any modifications.

9. Discussion and Possible Action Regarding Approval of Directors' Expense Reports

Discussion None

Motion Director Cardenas made the motion to approve the Directors' Expense reports as presented.

Second Vice President Clark

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

10. Discussion and Possible Action Regarding a Consumer Price Index Inflationary Increase Related to Staffing Budget Development

Discussion The Board uses the CPI to help determine the annual COLA. The Riverside, San Bernardino, Ontario Market Index is used. The COLA is not a windfall, it is intended to keep the dollar constant and helps to retain our highly skilled workforce. A COLA helps the District remain competitive. It is an expensive loss if an employee leaves as they have institutional knowledge, skills & training and there is a shortage of skilled workers. A Cost-of-Living Adjustment is completely at the discretion of the Board of Directors. The CPI provides an economic nexus to help determine the annual COLA.

The COLA applies to all staff (full & part time) – Not General Manager. The COLA will become effective on July 1, 2024 for Fiscal Year 2025. The selected number will be incorporated into new budget. The January CPI increase is 2.9% - Jan23/Jan24. According to the index “food prices increased 2.8%; energy prices fell (natural gas) by 10%. The index for all items less food and energy is 4.4%. The purported decrease in natural gas has not been realized in our current market. Management is recommending that the Board consider a CPI of 3.5% as a compromise position between 2.9% and 4.4% (everything less food and energy).

Motion Director Guinn made the motion to approve a COLA of 3.5% based upon the Riverside/San Bernardino Consumer Price Index to be incorporated into the FY 2025 budget.

Second President Spiller

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

11. Discussion and Possible Action Regarding Nomination of a Representative to the Local Agency Formation Commission

Discussion Every two years the nominations open for LAFCO Special District member representation. GM Cox requested the nomination of this District for this position. GM Cox has served on the Board for 20 years and is also an elected official on the Mojave Water Agency Board and represents the high & low desert special districts.

Motion Director Clark made the motion to nominate Kimberly Cox for Regular LAFCO Special District Representative.

Second Director Guinn

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

12. Discussion and Possible Action Regarding Changes to the Park and Rec Standing Committee and Secretary of the Board Position

Discussion Director Haas has indicated that she will soon be returning to service and would like to continue the Park and Rec Committee. Director Haas also serves as the Board secretary. On 11/5/2009 the Board adopted Resolution 2009-16: establishing policies for its relations amongst Directors and with Staff, where the secretary position was added to the board positions in section 1.2.2. Prior to this the Clerk of the Board signed the minutes and Resolutions. Staff is requesting that the Board select another secretary of provide alternative direction to Staff.

Motion Director Cardenas made the motion to assign secretary duties to District Staff.

Second Vice President Clark

Vote

President Henry Spiller	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Vice President Ron Clark	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Secretary Sandy Haas	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director George Cardenas	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Director Gail Guinn	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

OTHER BUSINESS

13. Requested items for next or future agendas (Directors and Staff only)
None

President Spiller called for a brief recess at 6:58 pm after which closed session began.

Closed Session

Closed session began at 7:06 pm

Item Number 16 under closed session was removed from the agenda, because the item is not permissible at a special meeting.

14. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

15. Public Employee Performance Evaluation
(Government Code Section 54957)
Title: General Manager

~~**16.** Conference with Labor Negotiator
(Government Code Section 54957)
Designated representative: Steven M. Kennedy, General Counsel
Unrepresented Employee: General Manager~~

Closed session adjourned at 7:26 pm

17. Report of Closed Session Item
Legal Counsel Kennedy reported that the Board met in closed session and there were no reportable actions resulting from any of the items.

18. Adjournment

President Spiller adjourned the meeting at 7:27 pm.

Henry Spiller, President

Cheryl Vermette, Clerk of the Board

The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.



Helendale Community Services District

Date: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
BY: Sharon Kreinop, Senior Account Specialist
SUBJECT: Agenda item #4b
Consent Items: Bills Paid and Presented for Approval

STAFF RECOMMENDATION

Updated Report Only. Receive and File

STAFF REPORT:

Staff issued 38 checks and 17 EFT's totaling \$123,340.22

Total Cash Available:	<u>03/18/24</u>	<u>03/04/24</u>
Cash	\$ 7,382,329.11	\$ 7,212,833.70
Checks/EFT's Issued	\$ 123,340.22	\$ 228,478.97

INVESTMENT REPORT:

The Investment Report shows the status of the invested District funds. February 2024 interest rates were 4.122% for LAIF, 5.54396% for CA Class, and 5.05% CBB Trust. Total interest earned February 2024 on CA Class account was \$11,415.27.



Helendale CSD

Bills Paid and Presented for Approval

Transaction Detail

Issued Date Range: 03/05/2024 - 03/18/2024

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
Bank Account: 211102187 - CBB Checking					
03/05/2024	27618	Kari Hartwick	-424.00	Check	Accounts Payable
03/07/2024	27619	BRECKENRIDGE PROPERTY FUND 2016, LLC	-324.47	Check	Utility Billing
03/07/2024	27620	CHARLES F JAMES	-376.72	Check	Utility Billing
03/07/2024	27621	MONICA WICKER	-271.05	Check	Utility Billing
03/07/2024	27622	AVCOM Services Inc.	-70.00	Check	Accounts Payable
03/07/2024	27623	Burrtec Waste Industries Inc	-182.02	Check	Accounts Payable
03/07/2024	27624	Consolidated Electrical Distributors, Inc.	-188.88	Check	Accounts Payable
03/07/2024	27625	Frontier Communications	-161.64	Check	Accounts Payable
03/07/2024	27626	Frontier Communications	-54.21	Check	Accounts Payable
03/07/2024	27627	Geo-Monitor, Inc.	-274.50	Check	Accounts Payable
03/07/2024	27628	Hi Desert Trophy & Awards	-212.06	Check	Accounts Payable
03/07/2024	27629	Infosend, Inc	-2,027.18	Check	Accounts Payable
03/07/2024	27630	K. C. Fabrication & Restoration	-660.20	Check	Accounts Payable
03/07/2024	27631	Lowe's Inc.	-2,514.19	Check	Accounts Payable
03/07/2024	27632	Online Information Services, Inc	-31.20	Check	Accounts Payable
03/07/2024	27633	Sierra Analytical Labs, Inc	-785.00	Check	Accounts Payable
03/07/2024	27634	Silver Lakes Hardware Reversal	110.50	Check Reversal	Accounts Payable
03/07/2024	27634	Silver Lakes Hardware	-110.50	Check	Accounts Payable
03/07/2024	27635	The Woodall Group, Inc	-70.00	Check	Accounts Payable
03/07/2024	27636	Sonic Systems, Inc	-1,782.70	Check	Accounts Payable
03/07/2024	27637	Core & Main LP	-236.53	Check	Accounts Payable
03/07/2024	27638	Brunick, McElhaney & Kennedy Professional Law Corp	-7,457.00	Check	Accounts Payable
03/11/2024	27639	Business Card	-4,164.36	Check	Accounts Payable
03/15/2024	27640	California State Disbursement Unit	-230.76	Check	Accounts Payable
03/15/2024	27641	State of California - Franchise Tax Board	-150.00	Check	Accounts Payable
03/15/2024	27642	AVCOM Services Inc.	-244.50	Check	Accounts Payable
03/15/2024	27643	Burrtec Waste Group, Inc	-1,977.53	Check	Accounts Payable
03/15/2024	27644	Choice Builder	-1,082.90	Check	Accounts Payable
03/15/2024	27645	Core & Main LP	-2,122.68	Check	Accounts Payable
03/15/2024	27646	County of San Bernardino	-280.00	Check	Accounts Payable
03/15/2024	27647	Culligan Water Conditioning	-279.90	Check	Accounts Payable
03/15/2024	27648	Frontier Communications	-88.60	Check	Accounts Payable
03/15/2024	27649	Frontier Communications	-65.94	Check	Accounts Payable
03/15/2024	27650	Konica Minolta	-308.73	Check	Accounts Payable
03/15/2024	27651	O'Reilly Auto Parts	-2,209.39	Check	Accounts Payable
03/15/2024	27652	Silver Lakes Hardware	-110.50	Check	Accounts Payable
03/15/2024	27653	State of California Department of Justice	-113.00	Check	Accounts Payable
03/15/2024	27654	USA Blue Book	-3,654.91	Check	Accounts Payable
03/15/2024	27655	Aqua Metrics Sales Company	-613.75	Check	Accounts Payable
03/15/2024	27656	High Desert Underground Inc	-22,958.00	Check	Accounts Payable
03/06/2024	EFT0004942	CalPERS PEPR T,Mattin Payroll Adj	-39.30	EFT	General Ledger
03/07/2024	EFT0004943	To record CalPERS Health Premium	-20,041.35	EFT	General Ledger
03/13/2024	EFT0004944	SW Gas Community Center 910000010177	-1,579.62	EFT	General Ledger
03/13/2024	EFT0004945	SW Gas ACH WWTP Acct # 910000010195	-202.13	EFT	General Ledger
03/13/2024	EFT0004946	SW Gas Water Shop Acct # 910001037540	-11.00	EFT	General Ledger
03/13/2024	EFT0004947	SW Gas ACH 4-Plex Acct # 910000817466	-328.79	EFT	General Ledger

Bank Transaction Report

Issued Date	Number	Description	Amount	Type	Module
03/08/2024	EFT0004948	SCE Community Center ACH Acct.# 700218740906	-1,818.13	EFT	General Ledger
03/13/2024	EFT0004951	SCE ACH 4-Plex Acct 700392338368	-301.67	EFT	General Ledger
03/13/2024	EFT0004953	ACH Water Shop SCE Acct 700453074415	-89.01	EFT	General Ledger
03/08/2024	EFT0004954	SCE ACH WWTP & Wells 3,4 & 1 Acct 700547354472	-18,064.00	EFT	General Ledger
03/11/2024	EFT0004955	To record Sales Tax Pmt # 2 - 1st Quarter	-1,786.94	EFT	General Ledger
03/15/2024	EFT0004957	CalPERS 457 Pmt PPE 3/0/24	-4,711.07	EFT	General Ledger
03/13/2024	EFT0004958	CalPERS Classic Pmt PPE 2/11/24	-9,468.97	EFT	General Ledger
03/13/2024	EFT0004959	CalPERS PEPRP Pmt PPE 2/11/24	-2,282.13	EFT	General Ledger
03/06/2024	EFT0004963	To record Tasc Flex Claim Pmt PPE 2/25/24	-910.38	EFT	General Ledger
03/05/2024	EFT0004964	To record Paymentech CC Fees Acct Ending 9479	-647.44	EFT	General Ledger
03/05/2024	EFT0004965	To record Paymentech Fees Acct Ending 6621	-2,299.29	EFT	General Ledger
			Bank Account 211102187 Total: (57)		-123,340.22
				Report Total: (57)	-123,340.22

Summary

Bank Account

[211102187 CBB Checking](#)

Count	Amount
57	-123,340.22
Report Total: 57	-123,340.22

Cash Account

[99 99-111000 Cash in CBB - Checking](#)

Count	Amount
57	-123,340.22
Report Total: 57	-123,340.22

Transaction Type	Count	Amount
Check	39	-58,869.50
Check Reversal	1	110.50
EFT	17	-64,581.22
Report Total:	57	-123,340.22

DCB Visa Statement 2/1/24

Acct #	Description	Charges	Charges	Charges	Charges	Charges	Totals
02-553000	Planner	32.61					32.61
03-556800	Thrift Store Employee Incentive Gift Cards	365.00					365.00
04-523500	Rental Dwelling Unit License Permit	82.95					82.95
05-550002	Basketball Supplies	116.66					116.66
10-521500	Tax 1099 - 1099 Filings	18.80	99.14	19.95	3.99		141.88
10-521600	Microsoft 365	69.99					69.99
10-522505	KC Mtg w/Directors	54.35					54.35
10-522510	Executive Lunch Mtg / Board Snacks	16.43	53.20				69.63
10-526650	Sympathy Cards for COPs	(2.16)	6.20				4.04
10-553000	Costco AP/Payroll Check Stock	291.98					291.98
10-553200	Postage	7.90	7.85				15.75
10-556800	K. McNamara Harbor Gift Card / Staff Burritos	25.00	198.79	24.78			248.57
Total	Staff Key:	KC	AA	JT	CV		1,493.41
Due 2/28/24							



Helendale Community Services District

DATE: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #6
Discussion and Possible Action Regarding Approval of Directors' Expense Reports

STAFF RECOMMENDATION

None.

STAFF REPORT

This matter is at the discretion of the Board. Included herein for the Board's consideration are expense reports submitted since the last Board meeting.

FISCAL IMPACT: NA
POSSIBLE MOTION: At the discretion of the Board.
ATTACHMENTS: Summary Spreadsheet
Expense Reports

**BOARD COMPENSATION REPORT
ROLLING 12-MONTHS**

Name	Title	Type	3 2023	4 2023	5 2023	6 2023	7 2023	8 2023	9 2023	10 2023	11 2023	12 2023	1 2024	2 2024	TOTAL
Spiller	President	Compensated	8	9	10	8	10	10	10	9	9	5	8	7	103
		Non-Comp							3	5	1	0	4	4	17
Clark	Vice President	Compensated	5	4	6	4	4	3	5	3	4	0	2	3	43
		Non-Comp										0	0	0	0
Haas	Secretary	Compensated	8	7	9	4	7	9	6	6	5	2			63
		Non-Comp										0			0
Cardenas	Director	Compensated	1	3	2	2	1	2	2	1	0	1			15
		Non-Comp							7	3	6	1			17

HELENDALE COMMUNITY SERVICES DISTRICT BOARD MEMBER EXPENSE VOUCHER

Pay Period Ending

2-27-24

Name

HENRY SPILLER

Date	Expense Description/Explanation	Miles	Meals	Lodging	Other Expense	Reimburse Y/N	Phone Call Y/N	Expense Category
2/17/24	Basketball Event		\$	\$		Please Select	Please Sell	C
2/21/24	Rep @ public event							
2/21/24	Meeting with GM regarding District Ops.					Please Select	Please Sell	G
2/24/24	Meeting with GM regarding District Ops.							
2/24/24	Basketball Event		\$	\$		Please Select	Please Sell	C
2/27/24	Rep @ public event							
2/27/24	American Legion		\$	\$		Please Select	Please Sell	J
2/28/24	Meeting with organization's regarding District Ops.							
2/28/24	SLA Board Meeting		\$	\$		Please Select	Please Sell	J
2/28/24	Meeting with organization's regarding District Ops.							
		Total Miles	Total Meals	Total Lodging	Total Other Expense	Total # of Compensable Meetings	Meeting Total	Total
		\$ 0.00	\$ 0	\$ 0	\$ 0	0	\$ 0	\$ 450

Henry Spiller
Signature

3-5-2024
Date

Expense Categories

- A: Public Meeting governed by Brown Act
- B: Public Event *
- C: Representation at Public Meeting/Event *
- D: Representation at 501C3 Board *
- E: Conference/seminar/Training Program related to District *
- F: Ad Hoc committee of the Board
- G: Meeting w/GM or Designee regarding District Operations
- H: Meeting w/auditors, attorney or consultant retained by District
- I: Meeting of Local, State or Federal body w/jurisdiction affecting HCSD
- J: Meeting w/organization with interests in matters involving functions or
- K: Meeting pre-approved by the Board of Directors
- * Written or verbal report required to be presented at the next Board meeting

Mileage 65.5 ¢

HELENDALE COMMUNITY SERVICES DISTRICT BOARD MEMBER EXPENSE VOUCHER

HENRY SPILLER
Pay Period Ending *2-27-24*

Name	Date	Expense Description/Explanation	Miles	Meals	Lodging	Other Expense	Reimburse Y/N	Phone Call Y/N	Expense Category
	<i>2/1/24</i>	<i>Board Meeting</i>		\$	\$		Please Select <i>Y</i>	Please Select	<i>A</i>
		Description of Public Benefit							
	<i>2/3/24</i>	<i>Public Meeting governed by the Brown Act</i>		\$	\$		Please Select <i>N</i>	Please Select	<i>C</i>
		Description of Public Benefit							
	<i>2/10/24</i>	<i>Basketball Event</i>		\$	\$		Please Select <i>N</i>	Please Select	<i>C</i>
		Description of Public Benefit							
	<i>2/13/24</i>	<i>Rep @ public Event</i>		\$	\$		Please Select <i>Y</i>	Please Select	<i>G</i>
		Description of Public Benefit							
	<i>2/15/24</i>	<i>Board Meeting</i>		\$	\$		Please Select <i>Y</i>	Please Select	<i>A</i>
		Description of Public Benefit							
		<i>Review of issues discussed at open board meeting</i>		\$	\$		Please Select <i>Y</i>	Please Select	
		<i>Public Meeting governed by the Brown Act</i>		\$	\$		Please Select <i>Y</i>	Please Select	
		Total Miles	\$ 0.00	\$ 0	\$ 0	\$ 0	Total # of Compensable Meetings	Meeting Total	Total
		Total Meals		\$ 0	\$ 0	\$ 0	Total Other Expense		\$ <i>450</i>

Henry Spiller
Signature _____ Date *3-5-2024*

Expense Categories
A: Public Meeting governed by Brown Act
B: Public Event *
C: Representation at Public Meeting/Event *
D: Representation at 501 C3 Board *
E: Conference/seminar/Training Program related to District *
F: Ad Hoc committee of the Board
G: Meeting w/GM or Designee regarding District Operations
H: Meeting w/auditors, attorney or consultant retained by District
I: Meeting of Local, State or Federal body w/jurisdiction affecting HCSD
J: Meeting w/organization with interests in matters involving functions or
K: Meeting pre-approved by the Board of Directors
* Written or verbal report required to be presented at the next Board meeting
Mileage 65.5 ¢



Helendale Community Services District

DATE: February 15, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #7
Discussion and Possible Adoption of Ordinance 2024-01: An Ordinance of the Board of Directors of the Helendale Community Services District Establishing Guidelines for the Conduct of its Public Meetings and Activities

STAFF RECOMMENDATION:

This item is at the discretion of the Board.

STAFF REPORT:

This Ordinance is typically reviewed at the beginning of each calendar year and is slated for annual review.

The Sunshine Ordinance is one of the foundational documents adopted by the Board. The Ordinance was one the first initial actions taken by the Board in 2006 at its first meeting. The Ordinance has been modified from time to time and is reviewed on a regular basis. At least once per year it is brought to the Board for adoption with an updated Ordinance number.

With some of the changes in law that Counsel pointed out at the March 7 meeting regarding Brown Act, some modifications to the Ordinance were recommended. Counsel will provide a review of the changes included in the attachment. A red-line version of the changes is attached for the Board's review.

Suggested modifications include:

Section 2.5: Government Code Section updated to reflect changes in the statute.

Section 5: Modified to reflect the effective date and rescission of the prior ordinance.

District General Counsel will provide an overview of the Ordinance and PowerPoint presentation regarding Exhibit B as it relates to AB557 and AB2449 – Remote teleconferencing options under the Brown Act.

FISCAL IMPACT: None

POSSIBLE MOTION: Motion to Adopt Ordinance 2024-01

ATTACHMENTS: Ordinance 2024-01 (Sunshine Ordinance)

FISCAL IMPACT: None

POSSIBLE MOTION: Adopt Ordinance 2024-01

ATTACHMENTS: Ordinance 2024-01
Memo from General Counsel (dated March 7, 2024)



ORDINANCE NO. 20234-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING GUIDELINES FOR THE CONDUCT OF ITS PUBLIC MEETINGS AND ACTIVITIES

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors (“the Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”) pursuant to California Government Code Section 61044.

C. The Board is authorized by Government Code Section 54953.7 to impose requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this ordinance is to ensure that the Board’s deliberations are open to the public to the fullest extent permitted by law and its activities are performed in a manner that reflects a dedication to the highest standards of integrity and accountability so as to continue to earn the trust and confidence of the public served by the District.

THEREFORE, THE BOARD OF DIRECTORS of the Helendale Community Services District does hereby adopt and ordain as follows:

Section 1. **COMPLIANCE WITH STATUTORY REQUIREMENTS.**

All meetings of the Board and all committees thereof shall be conducted in compliance with all applicable requirements of the Brown Act.

Section 2. **ADDITIONAL REQUIREMENTS.**

2.1. **Regular Meetings.** Pursuant to Government Code Section 54954(a), all regular meetings of the Board shall be held at 6:00 p.m. on the first and third Thursdays of each month at the District Boardroom located at 26540 Vista Road, Suite B or C, Helendale, California.

2.2. **Special Meetings.** Special meetings of the Board shall be called and conducted in accordance with Government Code Section 54956. The Board shall not add any non-agendized item to the agenda of a special meeting.

2.3. **Agendas.**

2.3.1. **Descriptions.**

(a) *Open Session.* The agenda for all Board meetings and all committee meetings that are open to the public shall contain a brief, general description of each item of business to be transacted or discussed during the meeting and shall avoid the use of undefined abbreviations or acronyms not in common usage and terms whose meaning are not known to the general public. The description of an agenda item is adequate if it is sufficiently clear and specific to alert a person whose interests are affected by the item that he or she may have reason to attend the meeting or seek more information about the item.

(b) *Closed Session.* Substantial compliance with the permissive provisions of Government Code Section 54954.5, as generally reflected in Exhibit A attached hereto and incorporated herein by this reference, is mandatory under this ordinance with respect to the description of any closed session items on any Board meeting agenda.

2.3.2. **Public Comment.** The agenda for all meetings of the Board shall include an item for Public Comment so as to provide an express opportunity for members of the public to directly address the Board in accordance with the requirements of Government Code Section 54954.3(a) prior to the Board's consideration of the merits of any item placed on the agenda. In the event that a motion is made to reorder the agenda, or add an item to the agenda, or otherwise take any Board action prior to the Public Comment portion of the agenda, the President of the Board shall ask any members of the public in attendance at the meeting whether they wish to comment on the motion that is pending before the Board. During the Board's consideration of items discussed after the Public Comment portion of the agenda, the President of the Board should exercise best efforts to recognize any member of the public who wishes to speak on that issue prior to any action thereon that is taken by the Board. While testimony and input received from the public during Board meetings is a valuable part of the Board's decision-making process, the Board President is nevertheless authorized pursuant to Government Code Section 54954.3(b) to limit the total amount of time allocated for public testimony on particular issues to a reasonable length of time, to limit public testimony to three (3) minutes or less for each individual speaker (although individual speakers will be permitted on a reasonable basis to transfer their unused allotment of time to another speaker), and to prevent a person who is unduly repetitive from continuing to speak.

2.3.3. **Background Material.** Staff material, consisting of agendas, staff reports, and other material prepared and forwarded by staff which provide background information and recommendations, regarding agenda items, when distributed to all or to a majority of the members of the Board in connection with a matter which is subject to discussion or consideration in open session at a public meeting, shall be made readily available to the public on the District's website, at the District's offices, and upon request. If a member of the public requests that a copy of such material be delivered by e-mail, District staff shall e-mail a copy of, or website link to, the documents as requested unless District staff determines that delivery by e-mail or by other electronic means is technologically infeasible, in which case District staff must send the documents by mail in accordance with the mailing requirements of the Brown Act.

2.4. **Posting.** The agendas of all Board meetings and all committee meetings that are open to the public shall be posted in the following locations: (1) an exterior window or bulletin board located outside the location of the Board meeting which is accessible twenty-four (24) hours a day; (2) an exterior window or bulletin board located outside of the administration office; and (3) as soon as possible, the full agenda packet shall be posted on the District website: www.helendalecsd.org.

2.5. **Remote Participation.** A Board member wishing to participate in a meeting from a remote location pursuant to Government Code Sections 54953(b), ~~(e)~~, or ~~54953~~(f) must notify District staff at the earliest opportunity as soon as possible so that the agenda for the meeting can be prepared and/or amended accordingly and that all other necessary accommodations can be arranged, and the meeting conducted, in a manner generally consistent with the policy attached hereto as Exhibit B and incorporated herein by this reference.

Section 3. **ANNUAL REVIEW.**

Each year the Board shall review this ordinance to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this ordinance, and make any recommendations deemed appropriate, including proposals to amend the ordinance. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this ordinance. Nothing herein shall preclude the Board from taking action on the ordinance at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY.**

If any provision of this ordinance or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this ordinance shall supersede and rescind Ordinance No. 202~~13~~-01 adopted by the District's Board of Directors on ~~April~~~~February~~ ~~15~~~~6~~, 202~~13~~, and shall take effect immediately upon adoption.

Adopted this ~~21st~~~~16th~~ day of ~~February~~~~March~~, 202~~34~~.

AYES:

NOES:

ABSTAIN:

ABSENT:

President, Board of Directors

Ordinance No. 20234-01

President, Board of Directors

ATTEST:

~~Secretary, Board of Directors~~
Clerk of the Board

EXHIBIT A

Under Government Code Section 54954.5, the following language has been provided by the State Legislature as sample language which will meet the mandate of the Brown Act for properly identifying closed session items on the Board's agenda:

LICENSE/PERMIT DETERMINATION (Government Code Section 54956.7)

Applicant(s): (Specify number of applicants)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: (Specify street address; parcel number if no street address; or other unique reference of parcel under negotiation)

District Negotiator: (Specify names of negotiators attending closed session) (If the specified negotiator is to be absent, an agent or designee may participate provided the name of the agent or designee is announced publicly prior to the closed session.)

Negotiating parties: [Specify name of party (not agent)]

Under negotiation: (Specify whether instruction to negotiator will concern price, terms of payment, or both)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION [Government Code Section 54956.9(d)(1)]

Name of case: (Specify by reference to claimant's name, name of parties, case or claim numbers)

or

Case name unspecified: (Specify whether disclosure would jeopardize service of process or existing settlement negotiations)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): (Specify number of potential cases)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): (Specify number of potential cases)

LIABILITY CLAIMS (Government Code Section 54956.95)

Claimant: (Specify name unless unspecified pursuant to Section 54961)

Agency claimed against: (Specify name)

THREAT TO PUBLIC SERVICES OR FACILITIES (Government Code Section 54957)

Consultation with: (Specify name of law enforcement agency and title of officer, or name of applicable District representative and title)

PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)

Title: (Specify description of position to be filled)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

Title: (Specify position title of employee being reviewed)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE (Government Code Section 54957)

(No additional information is required in connection with a closed session to consider discipline, dismissal, or release.)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

District designated representatives: (Specify names of designated representatives attending the closed session) (If circumstances necessitate the absence of a specified representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Employee organization: (Specify name of organization representing employee or employees in question)

or

Unrepresented employee: (Specify position title of unrepresented employee who is the subject of negotiations)

Ordinance No. 20234-01

CASE REVIEW/PLANNING (Government Code Section 54957.8)

(No additional information is required in connection with a closed session to consider case review or planning.)

EXHIBIT B

Board Member Teleconferencing Policy

Article I. Policy:

The policy set forth herein ("Policy") shall govern the Agency's use of Teleconferencing for the attendance at Meetings of the Members of its Legislative Bodies. The Global Teleconferencing Policies (Article III) and Standard Teleconferencing Procedures (Article IV) shall apply in all instances, except when (1) a Board member has either "just cause" or an "emergency circumstance" so as to permit the use the Expanded Teleconferencing Procedures (Article V) or (2) a State of Emergency issued by the California Governor is in effect sufficient to trigger the use of the Emergency Teleconferencing Procedures (Article VI).

Article II. Definitions:

Unless otherwise defined herein, the following definitions shall apply to this Policy:

Agency – shall refer to the Helendale Community Services District.

Brown Act / Ralph M. Brown Act – shall refer to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the California Government Code, known as the "Ralph M. Brown Act" pursuant to Government Code section 54950.5, as such shall be amended from time to time.

Legislative Body – shall have the same meaning as provided by Government Code Section 54952, including the Agency's governing board.

Member – shall have the same meaning as provided by Government Code Section 54952.1.

Meeting – shall have the same meaning as provided by Government Code Section 54952.2.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 the California Government Code.

Teleconferencing – attendance from different locations, other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – attendance from different locations, other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this Policy, Videoconferencing may include attendance by way of a single device or software package, or attendance via an audio-device with synced camera or webcasting.

Article III. Global Teleconferencing Policies:

At the discretion of the Legislative Body and/or the Agency's General Manager, any employee, consultant, vendor, or individual presenting or attending a Meeting of a Legislative Body, other than a Member of the Legislative Body,

shall be permitted to attend via teleconference or videoconference without compliance with the rules or conditions set forth herein. Members of the Legislative Body, inclusive of the governing board Members and committee or bodies required to comply with the Brown Act, may only participate via teleconference or videoconference as permitted by this Policy.

To the extent a Member desires to attend a Meeting via teleconference or videoconference, the Member shall generally be required to comply with the foregoing "Standard Teleconferencing Procedures" (Article IV) unless the circumstances exist to justify the use of the "Expanded Teleconferencing Procedures" (Article V) or "Emergency Teleconferencing Procedures" (Article VI).

A Member not in compliance with any such procedures, as applicable, shall not be permitted to attend a Meeting via teleconference or videoconference for any purpose, whether to participate in or listen to such Meeting.

In all instances in which a Member is attending a Meeting via Teleconferencing or Videoconferencing, the Legislative Body shall:

1. Take all votes by roll-call;
2. Conduct the Meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Legislative Body;
3. Provide notice and post agendas as otherwise required by the Brown Act; and
4. Permit members of the public access to the Meeting and an opportunity to address the Legislative Body as required by the Brown Act.

Article IV. Standard Teleconferencing Procedures:

A Member may attend a Meeting via Teleconferencing or Videoconferencing if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in the Meeting from locations within the boundaries of the Agency;
2. The agenda posted for the Meeting is posted at all teleconference locations, each of which are identified in the notice and the agenda for the Meeting; and
3. Each teleconference location is accessible to the public, and the public is permitted to comment at each teleconference location.

Article V. Expanded Teleconferencing Procedures (Effective Thru January 1, 2026):

A Member may attend a Meeting via videoconference only (Teleconferencing will not be permitted under these procedures), without the need to comply with the Standard Teleconference Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the Members of the Legislative Body participate in-person from a single physical location accessible to the public, which is within the boundaries of the Agency and clearly identified in the posted agenda;
2. The public is permitted to attend the Meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comment during the Meeting;
3. Notice of the means by which the public can remotely attend the Meeting via teleconference or videoconference and offer comment during the Meeting is included within the posted agenda;
4. The Member(s) attending remotely have either "just cause" or an "emergency circumstance" that justifies their attendance via videoconference.

- a. A Member shall only have “just cause” for remote attendance if such participation is for one of the following reasons:
 - i. To provide childcare or caregiving need to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code Section 12945.2;
 - ii. Due to a contagious illness that prevents the Member from attending in-person;
 - iii. Due to a need related to a physical or mental disability as defined in Government Code Sections 12926 and 12926.1 not otherwise accommodated; and
 - iv. Due to travel while on official business of the Legislative Body or another state or local agency;
 - b. A Member shall have an “emergency circumstance” if such participation is due to a physical or family medical emergency that prevents the Member from attending in person.
5. The Member(s) have not attended a Meeting remotely on the basis of “just cause” for more than two Meetings in the current calendar year; and
 6. The Member(s) have not attended a Meeting remotely on the basis of “just cause” or “emergency circumstance” for more than three consecutive months or more than four Meetings in a calendar year.
 7. The Legislative Body has, and has implemented, a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the Meeting is otherwise given or the agenda for the Meeting is otherwise posted, the Legislative Body shall also give notice of the procedure for receiving and resolving requests for accommodation.

In order to utilize the Expanded Teleconference Procedures, a Member shall:

1. For a “just cause” circumstance, notify the Legislative Body at the earliest opportunity, including at the start of a regular Meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given Meeting;
2. For an “emergency circumstance,” request to participate at a Meeting due to an “emergency circumstance” as soon as possible, preferably before the posting of the agenda but up to the start of the Meeting, with such request including a general description of the circumstances relating to their need to appear remotely at the given Meeting, though any description for emergency circumstances need not exceed 20 words and need not include any medical diagnosis or disability or personal medical information exempt from disclosure by law;
3. The Member shall publicly disclose at the Meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the Member, and the general nature of the Member’s relationship with such individuals; and
4. Participate through Videoconferencing, with both audio and visual technology.

Upon receipt of a request from a Member to utilize the Expanded Teleconference Procedure, the Legislative Body shall:

1. Take action by majority vote on a request to participate remotely due to an “emergency circumstance” at its earliest opportunity, which may be taken as a noticed agenda item or as an added item if sufficient time was not provided to place the proposed action on the agenda; and
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored.

Article VI. Emergency Teleconferencing Procedures:

Notwithstanding the Standard Teleconferencing Procedures, a Legislative Body may elect to use these “Emergency Teleconferencing Procedures” to allow Teleconferencing if any of the following circumstances apply:

1. The Legislative Body holds a Meeting during a proclaimed State of Emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
2. The Legislative Body holds a Meeting during a proclaimed State of Emergency and the Legislative Body has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Legislative Body shall:

1. Give notice in the agenda for such Meeting of the means by which members of the public may access the Meeting and offer public comment via a Teleconferencing or Videoconferencing option, which shall include an opportunity for public comment in real-time;
2. In the event of a disruption that prevents the broadcast of the Meeting to members of the public, or in the event of a disruption within the Agency’s control that prevents members of the public from offering public comment using the Teleconferencing or Videoconferencing options, take no further action during a Meeting until such access is restored; and
3. Not close the public comment period, or the opportunity to register to comment, until the time that the general public comment period has elapsed.

The Legislative Body may continue use of the Emergency Teleconferencing Procedures for as long as the State of Emergency remains active, provided that, not later than 45 days after Teleconferencing for the first time, and every 45 days thereafter, the Legislative Body finds by majority vote that:

1. The Legislative Body has reconsidered the circumstances of the State of Emergency; and
2. The State of Emergency continues to directly impact the ability of the Members to meet safely in person.

In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the Agency to provide a physical location from which the public may attend or comment.

Article VII. Miscellaneous Provisions:

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code Sections 54953(b), (f), and (e), respectively, and, as such, in the event of a conflict between this Policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this Policy.

BRUNICK, MCELHANEY & KENNEDY

PROFESSIONAL LAW CORPORATION

1839 COMMERCENTER WEST

SAN BERNARDINO, CALIFORNIA 92408

TELEPHONE: (909) 889-8301
FAX: (909) 388-1889

WILLIAM J. BRUNICK
LELAND P. MCELHANEY
STEVEN M. KENNEDY

MAILING ADDRESS:

POST OFFICE BOX 13130

SAN BERNARDINO, CALIFORNIA 92423-3130

March 7, 2024

TO: Board of Directors
HELENDALE COMMUNITY SERVICES DISTRICT

FROM: Steven M. Kennedy, General Counsel

RE: Annual Sunshine Ordinance Review

The purpose of this memorandum is to advise the Board with respect to newly-applicable statutory and regulatory developments concerning the above-referenced matter.

Assembly Bill 557

The Ralph M. Brown Act, Government Code Sections 54950-54963 ("Brown Act"), is a California "sunshine" law that sets forth the requirements for public access to meetings of local governmental agencies. Under the Brown Act, legislative bodies of local agencies may conduct meetings via teleconference subject to the following conditions set forth in Government Code Section 54953(b):

- (i) A quorum of the body must participate from location with the local agency's jurisdiction, but other members may participate from outside the jurisdiction;
- (ii) The remote location(s) must be connected to the main meeting location by telephone, video, or both;
- (iii) The notice and agenda for the meeting must identify the remote location(s);
- (iv) The remote location(s) must be posted and accessible to the public;
- (v) All votes must be by roll call; and
- (vi) The meeting must otherwise comply with the Brown Act, which includes allowing participation by members of the public present in remote location(s).

Beginning October 1, 2021, Assembly Bill ("AB") 361 amended the Brown Act by adding Government Code Section 54953(e) to allow local agencies to meeting virtually without complying with the above requirements under the following rules:

(1) **Declared State of Emergency.** The Governor has declared a state of emergency, regarding which either (a) State or local officials have imposed or recommended measures to promote social distancing or (b) the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency.

(2) Public Comment Opportunities in Real Time. A legislative body that meets virtually pursuant to AB 361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.

(3) No Action During Disruptions. In the event of a disruption that prevents the local agency from broadcasting the virtual meeting, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based option, the legislative body is prohibited from taking any further action on items appearing on the meeting agenda until public access to the meeting via the call-in or internet-based option is restored.

(4) Periodic Findings. Every 30 days, starting when it first meets virtually under AB 361, the legislative body must find, by majority vote, that it has reconsidered the circumstances of the state of emergency, and either (a) the state of emergency continues to directly impact the ability of the members to meet safely in person or (b) State or local officials continue to impose or recommend measures to promote social distancing.

Pursuant to its express statutory terms, AB 361 was set to automatically expire on January 1, 2024. As a result, various bills were introduced in the State Legislature to extend teleconferencing options beyond the sunset date of AB 361 and/or independent of a proclamation from the Governor of a statewide state of emergency and the need for an ongoing 30-day local recertification that such emergency restricts the ability of agencies to safely meet in person. One such bill – AB 2449 – was successfully enacted into law on September 13, 2022, following near-unanimous passage out of the State Senate and State Assembly.

Additionally, with AB 361 expiring at the end of 2023, Governor Newsom signed AB 557 into the Brown Act on October 8, 2023. AB 557, which took effect on January 1, 2024, essentially re-enacts AB 361 with the following revisions:

(1) Declared State of Emergency. It is no longer required that the Board find that State or local officials have imposed or recommended measures to promote social distancing as part of the Governor's declared a state of emergency.

(2) Resolution. It is no longer required that the Board adopt its findings in support of teleconference meetings under the requirements of AB 557 by formal Resolution.

(3) Periodic Findings. The Board may now renew its findings in support of continued teleconference meetings under AB 557 every 45 days (rather than every 30 days).

(4) No Sunset. The AB 557 requirements for teleconference meetings are not subject to automatic expiration.

To assist the District in implementing all of these remote-meeting capabilities, the following table schematically reflects the relative distinctions for teleconference/remote meetings under traditional Brown Act provisions, AB 557, and AB 2449:

Type of Meeting	Board Attendance	Public Attendance	Findings/Limitations	Requirements
Typical Brown Act meeting	In person	In person	N/A	G.C. Sec. 54950 et seq. ("General")
Teleconference meeting ("Old Brown Act") [G.C. Sec. 54953(b)]	In person except for teleconferencing director(s)	In person at physical location and teleconference location	None	General requirements plus: * Roll call votes; Teleconference location identified on agenda; * Teleconference location accessible to the public; * Agenda posted at teleconference location; * Public participation from teleconference location; * Quorum attending within District boundaries.
AB 557 meeting [G.C. Sec. 54953(e)]	In person and/or teleconference	Can be remote only	*State-declared emergency; * Imminent risk to health or safety of attendees.	General requirements plus: * Recertification required every 45 days; * Agenda must provide info on remote access and participation;

			<ul style="list-style-type: none">* Agenda shall include opportunity for public to directly address Board via call-in option or internet-based service option;* If technical difficulties, Board must not take any action on agenda items until restoration of service;* Board cannot require public comments be submitted in advance of meeting and must provide opportunity for public to address Board in real time;* Public commenters may be required to register if deemed necessary by third-party remote platform;* Public comment must be accepted until public comment period is formally closed; if public comment is provided only on a per-item basis, Board must allow reasonable amount of time
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				per agenda item for public to register and comment.
AB 2449 meeting [G.C. Sec. 54953(f) until 1/1/26]	In person except for teleconferencing director(s)	In person and remote	<p>* Remote director either (1) notifies Board at earliest opportunity possible (but no more than two meetings per calendar year) of just cause (defined as childcare or caregiving of close relatives, contagious illness, physical or mental disability, or official business travel) or (2) requests remote participation as soon as possible, and Board takes action to approve such request at earliest opportunity, due to emergency circumstances (defined as physical or family medical emergency);</p> <p>* No director may participate solely by teleconference from remote locations for more than three consecutive months or 20% of</p>	<p>General requirements plus:</p> <p>* Quorum attending in person from singular physical location within District clearly identified on agenda;</p> <p>* District must provide means by which public may remotely hear and visually observe meeting by either two-way audiovisual platform, two-way telephonic service and live webcasting, or both;</p> <p>* Agenda must provide info on remote access and participation;</p> <p>* Agenda shall include opportunity for public to directly address Board via call-in option, internet-based service option, and in-person option;</p> <p>* If technical difficulties, Board must not</p>

			<p>regular Board meetings within a calendar year, or more than two meetings if the Board regularly meets less than ten times per calendar year.</p>	<p>take any action on agenda items until restoration of service; * Board cannot require public comments be submitted in advance of meeting and must provide opportunity for public to address Board in real time; * Public commenters may be required to register if deemed necessary by third-party remote platform; * Remotely-participating director publicly discloses before any action is taken (1) whether any other individuals 18 years of age or older are present at remote location and (2) general nature of director's relationship with any such individuals; * Remote director participates through both audio and visual technology.</p>
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HCSD Board of Directors
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In light of AB 557, I suggest that the District's Sunshine Ordinance be updated in the manner reflected in the document enclosed herewith to incorporate the revisions to the Board Member Teleconferencing Policy attached as Exhibit B thereto as discussed at the Board meeting of February 15, 2024. The Board may also wish to consider whether any other policy changes to the District's Sunshine Ordinance are necessary in order to better serve the District's constituents and/or to accommodate the new statutory opportunities afforded by AB 557.

Additionally, I have prepared case-study power-point slides to address with the Board the practical application of the above statutory teleconferencing principles under the Brown Act.

Enclosures

cc: Dr. Kimberly Cox, HCSD General Manager



Helendale Community Services District

DATE: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #8
Discussion and Possible Action Regarding Adoption of Resolution 2024-01: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for Its Compensation, Reimbursement and Ethics Training

STAFF RECOMMENDATION:

Staff seeks approval of this item.

STAFF REPORT:

This is one of the foundational documents that outlines compensation for Board members and provides transparency to the public as to the parameters under which the Board carries out the public's business. The Resolutions outlines the means by which a Board member can seek compensation, what constitutes a day of service, eligible expenses, as well as the commitment of the Board to complete ethics training as required by law.

This Resolution is scheduled for annual review. It was reviewed in February 2023 and several times throughout the year as the Board endeavored to make changes that bolstered up the intent of the resolution with the last adoption in November 2023. As part of the on-boarding for the new director, Staff felt it would be beneficial to hold the annual review in conjunction with the review of the Sunshine Ordinance (Ord 2024-01) and the resolution that discusses the Board's relations amongst directors and with Staff (Resolution 2024-01). This document helps form the triad of foundational documents related to Board self-governance.

At this time, Staff does not have any recommended changes to the Resolution that was last adopted in November 2, 2023, with the Board's requested modifications. The Board may have some additional recommendations that can be incorporated in the Resolution.

The District General Counsel, Steve Kennedy, will provide an overview of the resolution.

FISCAL IMPACT: None

POSSIBLE MOTION: Adopt Resolution 2024-01

ATTACHMENTS: Resolution 2024-01



RESOLUTION NO. 2024-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING POLICIES FOR ITS
COMPENSATION, REIMBURSEMENT, AND ETHICS TRAINING**

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (the District) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors (the Board) whose activities are subject to the requirements of California law, including but not limited to the Local Government Sunshine Bill (AB 1234).

C. The purpose of this resolution is to ensure compliance with AB 1234 and to establish policies with respect to (1) Board member compensation, (2) Board member reimbursement, and (3) Board member ethics training.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS of the Helendale Community Services District as follows:

Section 1. **COMPENSATION.**

1.1. **Amount.** The amount of Board member compensation by the District shall be determined in accordance with all applicable requirements of California law. Pursuant to said requirements, the Board shall set the amount of such compensation at a rate established by adoption of a separate ordinance or resolution.

1.2. **Day of Service.**

1.2.1. **Definition.** For purposes of determining eligibility for compensation of Board members pursuant to the ordinance or resolution referred to in Section 1.1 above, the term "day of service" is defined as follows, and Board member attendance, representation, and participation shall be deemed previously approved by the Board, pursuant to Government Code Section 61047(e):

- (a) Attendance at a meeting of the Board;
- (b) Participation at a meeting of a standing committee of the Board;
- (c) Attendance at a meeting of an ad hoc committee of the Board;
- (d) Attendance at a meeting with the District's General Manager / the General Manager's Delegate involving the operations of the District;
- (e) Attendance at a meeting with the District's auditors, attorneys, or other consultants involving matters for which the consultants have been retained by the District;
- (f) Attendance at a meeting of a local, state, or federal body with subject matter jurisdiction affecting the operations of the District;
- (g) Attendance at a meeting with a local, state, or federal representative concerning matters involving the operations of the District;
- (h) Participation in the following activities, provided that the Board member delivers a written or oral report to the Board regarding the member's participation at the next Board meeting outlining the purpose of the meeting and the benefit to the public following the event:
 - (1) A conference, seminar, or organized educational or training activity involving matters related to the functions and operations of the District; and
 - (2) A meeting of organizations or community members with interests in matters involving the function and operations of the District;
- (i) Representation of the District at the following events, provided that the Board member delivers a written or oral report to the Board regarding the member's representation at the next Board meeting following the event:
 - (1) A public meeting or a public hearing conducted by another public agency;
 - (2) A public benefit nonprofit corporation on whose board the District has membership;
- (j) Any occurrence that is listed in Exhibit "A" attached hereto and incorporated herein by this reference; and
- (k) All other occurrences for which the Board member has obtained

prior approval from the Board to attend or participate on behalf of the District.

1.2.2. Phone Calls. Notwithstanding anything herein to the contrary, compensation for phone calls will be handled on a case-by-case basis. As a rule, phone calls do not constitute a meeting. However, to the extent that the Board determines that a phone call should be compensated as a day of service to the District, the amount of such compensation shall be one-sixth (1/6) of the rate established by the Board pursuant to the separate ordinance or resolution referenced in Section 1.1 above. Nevertheless, the compensation-rate limitations of the prior sentence of this Section 1.2.2 shall not apply to phone calls that meet all of the following requirements:

(a) The phone call is between the Board member and the District's General Manager and/or the General Manager's delegate;

(b) The phone call specifically involves matters that have been expressly agendaized for consideration at the next Board meeting immediately following said phone call;

(c) Said phone call occurs after the agenda for said Board meeting has been duly posted in accordance with the applicable requirements of the District's Sunshine Ordinance;

(d) At the time that said phone call is initiated, the Board member is present at a physical location that is situated outside of the jurisdictional boundaries of the District; and

(e) The Board member actually attends the Board meeting that is the subject of said phone call.

1.2.3. Daily Limitation. If a Board member attends or participates in multiple meetings in a single day, the Board member shall only be eligible for compensation for one meeting on that day.

1.3. Procedure. To receive compensation for a day of service within the scope of this Resolution, a Board member shall submit a payment request to the District's General Manager. Thereafter, the District's General Manager will issue payment to the Board member consistent with the District's regular payroll cycle and will include the payment request in the agenda

materials for the next public meeting. At that meeting, the Board will review and approve or deny the payment request. Payments made by District staff prior to Board consideration of compensation requests are expressly subject to reconciliation following Board action thereon.

Section 2. **REIMBURSEMENT.**

Pursuant to Government Code Section 61047(c), the District shall reimburse Board members for their actual and necessary traveling and incidental expenses incurred while on official business as provided herein.

2.1. **Qualifying Events.** Pursuant to Government Code Section 53232.2(b), the types of occurrences that qualify a Board member to receive reimbursement of eligible expenses set forth in Section 2.2 below shall be any occurrence that is listed in Section 1.2.1 of this Resolution.

2.2. **Eligible Expenses.** Expenses eligible for reimbursement shall be limited to (1) registration or tuition costs, or other charges for participation at the meeting; (2) transportation to and from the meeting, including airfare, car rental, or mileage for use of a Board member's own automobile, and other miscellaneous transportation costs (shuttle, taxi, parking, etc.); (3) lodging at the single-room rate; and (4) costs of meals as set forth in Section 2.3.4.

2.3. **Rates.**

2.3.1. **Registration, Tuition, and Meeting Charges.** The District reimbursement rate for registration or other charges for participation at a meeting shall be the actual amount incurred, not to exceed the maximum rate published by the conference or activity sponsor for timely registration after applying all applicable deductions for any available discounts.

2.3.2. **Transportation.**

(a) Members of the Board must use government and group rates offered by a provider of transportation services for travel when available. If such rates are not available, the District reimbursement rate for Board member transportation shall be the actual amount incurred, not to exceed the cost of round-trip coach airfare.

(b) The District reimbursement rate for mileage by use of a Board member's own vehicle shall be calculated on the basis of total miles driven for District purposes at the rate specified in the Internal Revenue Code in effect at the time of the vehicle usage.

(c) The District reimbursement rate for vehicle parking by a Board

member shall be the actual amount incurred.

2.3.3. Lodging. Members of the Board must use government and group rates offered by a provider of lodging services when available. If the lodging is in connection with an accepted conference or organized educational activity, lodging costs must not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board at the time of booking. If a government or group rate is not available, the District reimbursement rate for Board member lodging shall be the actual amount incurred, not to exceed the rate for comparable lodging.

2.3.4. Meals. The District reimbursement rate for Board member meals shall be the actual amount incurred, not to exceed the applicable Internal Revenue Service rates for reimbursement as established in Publication 463 or any successor publication, or \$100.00, whichever is less, for each day of service outside the District's boundaries.

2.3.5. Other. District reimbursement of all other actual and necessary expenses incurred by a Board member shall be computed using the applicable Internal Revenue Service rates for reimbursement as established in Publication 463, or any successor publication. All expenses that do not fall within this reimbursement policy or the Internal Revenue Service reimbursable rates, as provided above, shall be approved by the Board in a public meeting before the expense is incurred.

2.4. Budget Limits. The maximum amount of District-paid expenses that each Board member may annually incur without separate prior Board approval is \$2,000 each fiscal year.

2.5. Ineligible Expenses. Board members shall not be eligible for District reimbursement of any expenses incurred by any person traveling or attending a meeting as a guest of the Board member. No Board member shall be eligible for District reimbursement of any expenses for personal services not related to District business.

2.6. Expense Forms. The District shall provide expense report forms to be filed by the members of the Board for reimbursement for actual and necessary eligible expenses incurred on behalf of the District in the performance of official duties. The expense reports shall document that said expenses meet the policy reflected in this Resolution for expenditure of public resources. Board members shall submit such expense reports to the District's General Manager,

and the reports shall be accompanied by the receipts documenting each expense. Thereafter, the District's General Manager will issue payment to the Board member in the amount requested in the expense report consistent with the District's regular payroll cycle and will include the reimbursement request in the agenda materials for the next public meeting. At that meeting, the Board will review and approve or deny the reimbursement request. Payments made by District staff prior to Board consideration of expense reimbursement requests are expressly subject to reconciliation following Board action thereon. All documents related to reimbursable District expenditures are public records subject to disclosure under the California Public Records Act.

2.7. **Report.** Board members shall provide brief reports on meetings attended at the expense of the District at the next regular meeting of the Board.

Section 3. **ETHICS TRAINING.**

3.1. **Requirement.** Each local agency official of the District must receive training in ethics laws no later than one year from the first day of service with the District. Thereafter, each local agency official must receive such training at least once every two years.

3.2. **Application.**

3.2.1. **Local Agency Official.** As used in Section 3.1 of this Resolution, the term "local agency official" means all of the following:

- (a) All Board members; and
- (b) All executive staff of the District.

3.2.2. **Ethics Laws.** As used in Section 3.1 of this Resolution, the phrase "ethics laws" includes, but is not limited to, the following:

- (a) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws;
- (b) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies;

(c) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws; and

(d) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

3.3. **District Responsibilities.**

3.3.1. **Records.** The District shall maintain records indicating (a) the dates that local agency officials satisfied the requirements of Section 3 of this Resolution and (b) the entity that provided the training. The District shall maintain these records for at least five years after local agency officials receive the training. These records are public records subject to disclosure under the California Public Records Act.

3.3.2. **Notice.** The District is required to provide information on training available to meet the requirements of Section 3 of this Resolution to its local agency officials at least once annually.

Section 4. **REVIEW OF RESOLUTION ON ANNUAL BASIS.**

Each year the Board shall review this Resolution to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this Resolution, and make any recommendations deemed appropriate, including proposals to amend the Resolution. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this Resolution. Nothing herein shall preclude the Board from taking action on the Resolution at times other than upon conclusion of the annual review.

Section 5. **SEVERABILITY.**

If any provision of this Resolution or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 6. **EFFECTIVE DATE.**

This Resolution supersedes Resolution No. 2023-13 adopted by the Board on May 4, 2023,
Resolution 2024-01

and shall take effect immediately upon its adoption.

ADOPTED this 21st day of March, 2024

AYES:

NOES:

ABSTAIN:

ABSENT:

Henry Spiller, President

ATTEST:

Clerk of the Board

Exhibit "A"

This list is to be used as examples of meetings outlined under Section 1.2.1 and is subject to change at the discretion of the Board.

Brown Act Meetings
Regular and Special Board Meetings

Representation at a public hearing or public meeting of another government agency
Mojave Water Agency
Watermaster
San Bernardino County
LAFCO
Various City Councils
VWRA

Meeting with a representative from County, State, or Federal Government
Elected officials or representatives

Ad hoc committees of the Board
Park and Rec Committee
Recycled Water Committee

Meeting with District Consultants
Attorney, Engineer, Auditor, etc.

Meetings of County, Special District or LAFCO
Tri-Communities Special District Luncheon
Association of San Bernardino County Special Districts (ASBCSD)

Representation of the District on a non-profit Board
Chamber of Commerce
Homeowners Association

Training or education involving matters related to the functions and operations of the District
Board member training through CSDA

Farmers Market

Mojave Water Agency Tours

Concerts-in-the-Park if carrying out a function or helping with the event

Performing an official function at a District sponsored sporting event



Helendale Community Services District

DATE: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #9
Discussion and Possible Action Regarding Adoption of Resolution 2024-02: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Policies for Its Relations Amongst Directors and with Staff

STAFF RECOMMENDATION:

Staff recommends approval of the proposed resolution.

STAFF REPORT:

This resolution has been reviewed regularly over the years with minor modifications made as deemed appropriate. It was initially adopted in 2007 as one of the underpinning guidance documents for the Board of Directors. No modifications have been made in the last several years. As part of the annual review process, Staff will bring this to the Board each year in conjunctions with the Sunshine Ordinance (Ord 2024-01) as this Resolution references the most current Sunshine Ordinance. This annual review and change of resolution number will ensure that the document is current and tracks with the companion ordinance.

As part of the annual review, Staff has identified some minor revisions to be considered by the Board. The proposed revisions are minor and provide the proper reference to a companion ordinance, 2024-01, that has been adopted previously in this meeting.

District General Counsel will take this opportunity to review the Resolution with the Board.

The District General Counsel, Steve Kennedy, will provide an overview of the resolution.

FISCAL IMPACT: None

POSSIBLE MOTION: Adopt Resolution 2024-01

ATTACHMENTS: Resolution 2024-01



RESOLUTION NO. 202418-052

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING POLICIES FOR ITS RELATIONS AMONG DIRECTORS AND WITH STAFF

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to California Government Code Section 61000 et seq.

B. The District is governed by an elected Board of Directors (“Board”) whose meetings are subject to the requirements of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (“the Brown Act”), pursuant to California Government Code Section 61044.

C. The Board adopted Ordinance No. ~~20152024~~-01 on ~~November 5, 2015~~March 21, 2024, establishing revised guidelines for the conduct of its public meetings and activities and imposing requirements upon itself which allow greater access to its meetings than prescribed by the Brown Act.

D. The purpose of this Resolution is to supplement Ordinance No. ~~20152024~~-01 and to ensure that the Board’s deliberations are conducted honorably and that its activities are performed in a manner that reflects a dedication to the highest standards of integrity so as to continue to earn the trust and confidence of the public served by the District.

THEREFORE, THE BOARD OF DIRECTORS of the Helendale Community Services District does hereby adopt and ordain as follows:

Section 1. **RELATIONS BETWEEN DIRECTORS.**

1.1. **Duties.** The Board shall govern the District. The Board shall establish policies for the operation of the District. The Board shall provide for the implementation of those policies which is the responsibility of the District’s General Manager. All members of the Board shall exercise their independent judgment on behalf of the entire District, including the residents, property owners, and the public as a whole to further the purposes and intent of the District.

1.2. **Officers.**

1.2.1. Within 45 days after each general district or unopposed election, the Board shall meet and elect the officers of the Board. In a year in which there is no general

election the Board shall hold an election at the first meeting in December.

1.2.2 The officers of the Board are the President, Vice-President and Secretary. The President shall preside over meetings of the Board and the Vice-President shall serve in the President's absence or inability to serve.

1.2.3 No other special duties, actions, tasks, or privileges are bestowed to the above positions. The President and Vice President (or any member of the Board) will not take unilateral actions binding the rest of the Board, without prior approval or authorization of the Board - including the issuance of letters, reports, documents or contracts, implied or otherwise, to outside parties. No Board Officer (or Member) shall appear as the Board Representative at any private or public functions.

1.2.4 The Board may create additional offices and elect members to those offices, provided no members of the Board shall hold more than one office.

1.3. **Parliamentary Procedure.**

1.3.1. A majority of the total membership of the Board shall constitute a quorum for the transaction of District business. Except as otherwise specifically provided by law, a majority of the total membership of the Board is required for the Board to take action. The Board shall act only by ordinance, resolution, or motion. The minutes of the Board shall record the yes and no votes taken by the members of the Board for the passage of all ordinances, resolutions, or motions. The Board shall keep a record of all its actions, including financial transactions.

1.3.2. Meetings of the Board shall be subject to the Brown Act and Ordinance No. ~~2015~~2024-01 (as may be amended from time to time). Robert's Rules of Order shall provide general guidance for the conduct of the Board's business, except where otherwise provided by law, ordinance, resolution, or motion of the District, or otherwise inconsistent with the intent of the Board. The Board President (or committee chair) will rule on all matters of procedure, with the advice of Legal Counsel.

1.4. **Personal Conduct.** The business of the District is a team effort. All Board members commit to working together in a collaborative manner, assisting each other in conducting the affairs of the District. Directors commit to conducting themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings. Directors shall defer to the President concerning the conduct of Board meetings, but shall be free to question and discuss items on the agenda. In turn, the Board President shall not exercise the privileges of the office in such a manner as to unfairly advance his or her own agenda / personal opinions or unduly prejudice the positions of other Board members. When responding to requests and concerns from the public and other District customers, Board members commit to be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel. Board members commit to develop a working relationship with the District's General Manager wherein current issues, concerns, and District projects can be discussed comfortably and openly. Board members should function as a part of the whole. All issues must be brought to the attention of the entire Board, rather than to individual members selectively; unilateral actions by a Board Officer or any Director, binding the entire Board, must be avoided and shall be subject to possible Board discipline. Board members are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

1.5. **Communication of Views and Positions.** The Board is committed to providing excellence in legislative leadership necessary to furnish the highest quality of government services to the public and to the District's customers. In order to achieve this goal, cooperative interaction between and among Board members is encouraged. As such, the following rules shall be observed:

1.5.1. The dignity, style, values, and opinions of each Board member shall be respected. Responsiveness and attentive listening in communication is encouraged.

1.5.2. The needs of the public and the District's customers should be the priority of the Board.

1.5.3. Board members commit themselves to emphasizing the positive, avoiding double talk, hidden agendas and negative forms of interaction.

1.5.4. Board members commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues will be avoided.

1.5.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions in a constructive and forthright manner. However, once the Board has taken action, individual Board members commit to support said action and not create barriers to the implementation thereof or pursue defeated issues independently.

1.5.6 The Presiding Director will not undermine the Board Agenda; further, he/she will not make opening statements on an agenda item in an attempt to shape or frame the debate. The Director initiating the Agenda item will be allowed to speak first and make a motion, to be seconded and opened for discussion. All Board discussion will proceed with no time frame attached. All Board comments will start to the immediate right of the Director forming the motion and will proceed orderly, Director to Director, until comment ceases, at which time a call will be made to cast votes.

1.6. **Board Discipline.** In the exercise of its discretion, the Board, by affirmative vote of four (4) of its members, may censure any of its members for a period of time deemed appropriate by said supermajority of the Board. Unless otherwise prohibited by law, the maximum penalty that may be imposed upon the censured member by said supermajority of the Board during the period of such censure shall be the following:

1.6.1. The suspension of all spending of District funds by the censured Board member and of all reimbursement from District funds of any costs incurred by the censured Board member, unless otherwise allowed by the Board.

1.6.2. The removal of the censured Board member from service as an officer of the Board, and/or on all committees and other assignments on behalf of the District and/or the Board, unless subsequently authorized by the Board.

1.6.3 The withholding of all compensation by the District to the censured Board member except as otherwise allowed for attending meetings of the Board and other meetings subsequently authorized by the Board.

Section 2. **RELATIONS WITH STAFF.**

2.1 **General Manager.**

2.1.1. The Board shall appoint a General Manager for the District. The General Manager shall serve at the pleasure of the Board. The Board shall set the compensation for the General Manager. The Board may require that the General Manager be bonded. The District shall pay the cost of the bonds.

2.1.2. The General Manager shall be responsible for all of the following:

- a. The implementation of the policies established by the Board for the operation of the District;
- b. The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board;
- c. The supervision of the District's facilities and services; and
- d. The supervision of the District's finances.

2.1.3 The General Manager is the Board's primary link to operational achievement and conduct of the District, so that all authority and accountability of staff, as far as the Board is concerned, is considered the authority and accountability of the General Manager.

2.1.4 No individual Board Member, including any Officer, shall dictate policies to the General Manager, interfere with or disrupt his/her work (or the work of any District staff or contract employee). Board Member visit/discussion hours or appointment schedules designated by the General Manager shall be strictly adhered to.

2.2. **Treasurer.** The Board shall appoint a District Treasurer for the District. The Board may appoint the same person to be the General Manager and the District Treasurer. The District Treasurer, shall serve at the pleasure of the Board. The Board shall set the compensation of the District Treasurer. The Board shall require the District Treasurer, to be bonded. The District shall pay the cost of the bonds.

Section 3. **ANNUAL REVIEW.**

Each year the Board shall review this Resolution to determine its effectiveness and the necessity for its continued operation. The District's General Manager shall report to the Board on the operation of this Resolution, and make any recommendations deemed appropriate, including proposals to amend the Resolution. Upon conclusion of its review, the Board may take any action it deems appropriate concerning this Resolution. Nothing herein shall preclude the Board from taking action on the Resolution at times other than upon conclusion of the annual review.

Section 4. **SEVERABILITY.**

If any provision of this Resolution, or the application thereof to any person or circumstances, is held invalid, such invalidity shall not affect other provisions or applications of this Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are declared to be severable.

Section 5. **EFFECTIVE DATE.**

The provisions of this Resolution shall supersede and rescind Resolution No. ~~2011-072018-05~~ adopted by the District's Board of Directors on ~~July 21, 2016~~February 15, 2018, and shall take effect immediately upon adoption.

Approved and Adopted this ~~15th~~21st day of ~~February~~March, ~~2024~~18.

AYES:

NOES:

ABSTAIN:

ABSENT:

Directors

~~Ron Clark~~Henry Spiller, President, Board of

ATTEST:

~~Sandy Haas, Secretary, Board of Directors~~Clerk of the Board



Helendale Community Services District

Date: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #10
Discussion Only Regarding Annual Review of Park Development Impact Fee

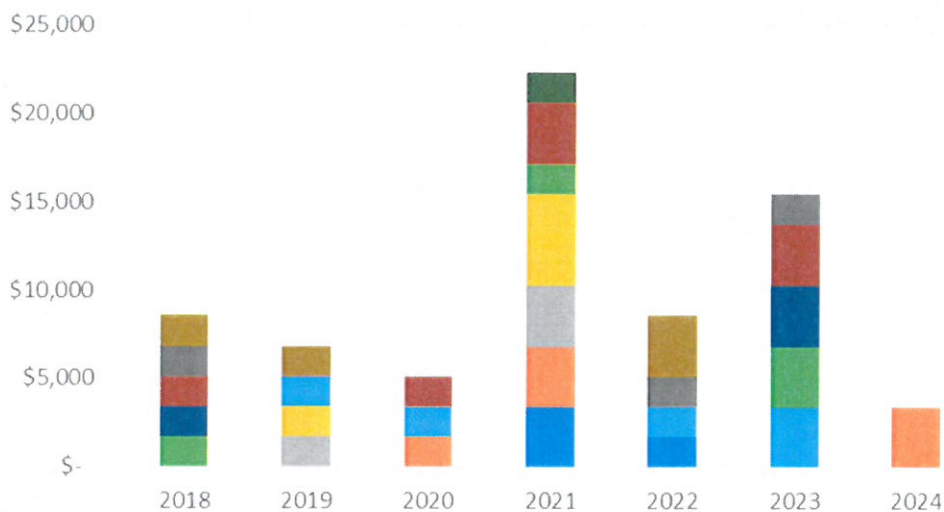
STAFF RECOMMENDATION:

Received and file

STAFF REPORT:

On January 18, 2018, the District adopted a Park Development Impact Fee (DIF) of \$1,720 per house, which was intended to have new development pay a small portion of the costs of the park. The initial study was completed in April 2017, and the amount of development impact fees collected is to be reviewed on an annual basis with the Board in a public meeting. To date, as noted on the attached spreadsheet, the District has collected \$70,520 in development fees for the Wild Road Park as noted on the attached spreadsheet.

Park DIF



If the Board wished to increase the fee it would require a new DIF study, public hearing and consideration by the Board.

FISCAL IMPACT: As noted

POSSIBLE MOTION: Receive and file report

ATTACHMENTS: Park Development Impact Fee payments
Development Impact Fee Report

	2018	2019	2020	2021	2022	2023	2024	
Jan				\$ 3,440	\$ 1,720			
Feb			\$ 1,720	\$ 3,440			\$ 3,440	
March		\$ 1,720		\$ 3,440				
April		\$ 1,720		\$ 5,160				
May		\$ 1,720	\$ 1,720		\$ 1,720	\$ 3,440		
June	\$ 1,720			\$ 1,720		\$ 3,440		
July	\$ 1,720					\$ 3,440		
Aug	\$ 1,720		\$ 1,720	\$ 3,440		\$ 3,440		
Sept	\$ 1,720				\$ 1,720	\$ 1,720		
Oct	\$ 1,720	\$ 1,720			\$ 3,440			
Nov								
Dec				\$ 1,720				
	\$ 8,600	\$ 6,880	\$ 5,160	\$ 22,360	\$ 8,600	\$ 15,480	\$ 3,440	\$ 70,520

Helendale CSD Park Development Impact Fee (DIF) Study

Prepared for:

Helendale Community Services District
26540 Vista Road, Rte. B
Helendale, CA 92342
760.951.0006
Kimberly Cox, General Manager

Prepared by:

Stanley R. Hoffman Associates, Inc.
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Stan Hoffman, President

March 14, 2017

SRHA Job #1286

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1 Community Services District and Sphere of Influence Boundaries	3
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EXECUTIVE SUMMARY

This study presents an analysis of a community park development impact fee (DIF) per new housing unit for the Helendale Community Services District (Helendale CSD). Helendale, which includes the community of Silver Lakes, is an unincorporated community and Census-Designated Place located in San Bernardino County, California, on historic Route 66 west of the Mojave Freeway, between Barstow and Victorville, in the Victor Valley. The current boundary of the district is shown in Figure 1 along with the boundary of its sphere of influence (SOI). The SOI constitutes areas that may be annexed into the district's boundary in the future. This report presents an analysis of a potential community park DIF for the current Helendale CSD boundaries.

Parks and recreation is one of the services that the Helendale CSD is authorized to provide. Toward this end, the Helendale CSD has acquired acreage that is suitable for community park facilities and is in the process of developing 20.5 acres as part of the Long-Range Community Park Plan that will serve the entire community. The Silver Lakes community provides a number of local park and recreation facilities and amenities. This analysis only considers the potential impact fee for community parks and does not analyze a DIF for smaller, in-tract park facilities which may be considered in the future or may continue to be provided by each developer as a requirement for their project.

This analysis is based on an AB 1600 development impact fee analysis where the community park needs for the existing and future population is considered and a fair share pro rata cost allocation is developed. This is in contrast to a Quimby Act fee analysis where the Quimby Act allows for a standard of 3 acres per 1,000 persons at a minimum for residential subdivisions up to a maximum of 5 acres per 1,000 persons if a community can show that it has provided park facilities at that level. However, the AB 1600 approach was taken as there are restrictions that are considered limiting when using the Quimby Act standard, as discussed in the study.

The estimated DIF per new housing unit for the current Helendale CSD boundary is \$1,653 in 2017 dollars. This amount is calculated by dividing the total estimated community park costs of about \$6,605,353 by the 2040 forecast of 4,096 housing units for the Helendale CSD, and then adding at 2.5% processing fee.

The development impact fee per housing unit is then multiplied times the forecasted growth of 1,119 new housing units from 2012 to 2040 for the Helendale CSD; this results in projected development impact fee revenues of \$1,804,539 in 2017 dollars, less the processing fee. Thus, by 2040 the new growth is forecasted to cover about 27 percent of the estimated community park construction costs for the Helendale CSD.

SECTION 1 Introduction

In order to adequately plan for new residential development and identify the public park and recreation facilities and costs associated with mitigating the direct and cumulative impacts of new residential development, Stanley R. Hoffman Associates, Inc. ("SRHA") and David Taussig & Associates, Inc. (DTA) were retained by the Helendale Community Services District ("Helendale CSD") to prepare a new AB 1600 Fee Justification Study (the "Park Development Impact Fee Study").

The decision was made to establish a development impact fee (DIF) for park land and facilities pursuant to AB 1600, or Section 66000 *et. Seq.* of the Government Code, rather than the Quimby Act, or Section 66477 of the Government Code, for the following reasons:

- AB 1600 authorizes the establishment of a fee in an amount equal to the cost of land and improvements, while fees established pursuant to the Quimby Act may be only based on the cost of land;
- AB 1600 authorizes the imposition of fees on all new development, while the Quimby Act prohibits the imposition of fees on residential development that will not require any subdivision of land;
- Also, the Quimby Act prohibits the imposition of fees on: (i) subdivisions containing less than five (5) parcels and not used for residential purposes, (ii) commercial or industrial projects, or (iii) condominium projects that consist of a subdivision of airspace in an existing apartment building that is more than five (5) years old when no new dwelling units are added.

The need for this Park Fee Study is driven by anticipated residential development and complies with AB 1600, which was enacted by the State of California in 1987, by identifying public park and recreation facilities required by new residential development and determining the level of fees that may be imposed to pay the costs of such facilities. Fee amounts have been determined that will finance park and recreation facilities based on the Helendale CSD's Long-Range Community Park Plan. The park and recreation facilities and estimated land acquisition and associated construction costs are identified in Section 4. All new residential development may be required to pay its "fair share" of the cost of the park and recreation facilities through the park and recreation facilities DIF program.

Based upon the San Bernardino County Transportation Authority's 2012-2040 Tier 3 Forecast, new residential development is expected to result in 1,119 new housing units and 2,107 new residents within the Helendale CSD by 2040. This represents an approximate 38% increase in housing units compared to the 2012 estimated 2,977 housing units, and an approximate 39% increase in population compared with the estimated 2012 population of 5,363, according to the preliminary forecasts. The Helendale CSD will need to expand its public park and recreation facilities to accommodate the impacts of this growth. AB 1600 fees will help finance park and recreation facilities which are needed to mitigate these impacts. The following steps were:

1. **Demographic Assumptions:** Identify future housing growth that will generate an increased demand for park and recreation facilities.
2. **Facility Needs and Costs:** Identify the type and cost of park and recreation facilities required to meet the demands of new residential development.
3. **Cost Allocation:** Allocate these costs per new residential dwelling unit.
4. **Fee Schedule:** Calculate the development impact fee per new residential dwelling unit.

SECTION 2 Legal Requirements to Justify Development Impact Fees

Prior to World War II, development in California was held responsible for very little of the cost of public infrastructure. Public improvements were financed primarily through jurisdictional general funds and utility charges. It was not uncommon during this period for speculators to subdivide tracts of land without providing any public improvements, expecting the closest city to eventually annex a project and provide public improvements and services.

However, starting in the late 1940s, the use of impact fees grew with the increased planning and regulation of new development. During the 1960s and 1970s, the California Courts broadened the right of local government to impose fees on developers for public improvements that were not located on-site. More recently, with the passage of Proposition 13, the limits on general revenues for new infrastructure have resulted in new development being held responsible for a greater share of public improvements, and both the use and levels of impact fees have grown substantially.

The levy of impact fees is one authorized method of financing the public facilities necessary to mitigate the impacts of new development. A fee is "a monetary exaction, other than a tax or special assessment, which is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project..." (California Government Code, Section 66000). A fee may be levied for each type of capital improvement required for new development, with the payment of the fee typically occurring prior to the beginning of construction of a dwelling unit. Fees are often levied at final map recordation, issuance of a certificate of occupancy, or more commonly, at building permit issuance. However, Assembly Bill ("AB") 2604 (Torrico) which was signed into law in August 2008, encourages public agencies to defer the collection of fees until close of escrow to an end user in an attempt to assist California's then troubled building industry.

The authority of local governments to impose impact fees on development is derived from their police power to protect the health and welfare of citizens under the California Constitution (Article 11, Section 7). Furthermore, the California Mitigation Fee Act provides a prescriptive guide to establishing and administering impact fees based on "constitutional and decisional law." Development impact fees ("DIFs") were enacted under Assembly Bill 1600 by the California Legislature in 1987 and codified under California Government Code §66000 *et. seq.*, also referred to as "AB 1600."

AB 1600 defines local governments to include cities, counties, school districts, special districts, authorities, agencies, and other municipal corporations. Fees governed by the Act include development fees of general applicability, and fees negotiated for individual projects. AB 1600 does not apply to user-fees for processing development applications or permits, fees governed by other statutes (e.g., the Quimby Act), developer agreements, or penalties, or fees specifically excluded by AB 1600 (e.g., fees collected pursuant to agreements with former redevelopment agencies or various reimbursement agreements).

Public facilities that can be funded with impact fees are defined by AB 1600 as "public improvements, public services, and community amenities." Government Code, §65913.8 precludes the use of DIFs to fund maintenance or services, with limited exceptions for very small improvements and certain temporary measures needed by certain special districts. In combination, these provisions effectively restrict the use of most impact fees to public capital improvements.¹

The Helendale CSD has identified the need to levy development impact fees to pay for public park and recreation facilities. The development impact fees presented in this study will finance public park and recreation facilities for new development at the level established by Helendale CSD in its Long-Range Community Park Plan. Upon the adoption of the Park Fee Study and required legal documents by the Helendale CSD Board, all new residential development will be required to pay its "fair share" of the cost of public park and recreation facilities through these development impact fees.

In 2006, Government Code Section 66001 was amended to clarify that a development impact fee cannot include costs attributable to existing deficiencies, but can fund costs used to maintain the existing level of service or meet an adopted level of service that is consistent with the general plan. This Park Fee Study for the Helendale CSD is intended to meet the nexus or benefit requirements of AB 1600, which mandates that there is a nexus between fees imposed, the use of the fees, and the development projects on which the fees are imposed.

Section 66000 et seq. of the Government Code requires that all public agencies satisfy the following requirements when establishing, increasing or imposing a fee as a condition of new development:

1. Identify the purpose of the fee. (Government Code Section 66001(a)(1))
2. Identify the use to which the fee will be put. (Government Code Section 66001(a)(2))
3. Determine that there is a reasonable relationship between the fee's use and the type of development on which the fee is to be imposed. (Government Code Section 66001(a)(3))
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is to be imposed. (Government Code Section 66001(a)(4))
5. Discuss how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

Identifying these items will enable a development impact fee to meet the nexus and rough proportionality requirements established by previous court cases. This section presents each of these items as they relate to the imposition within the Helendale CSD of the proposed development impact fees for public park and recreation facilities. Current state financing and

¹ For general information, please see: "Exactions and Impact Fees in California: A Comprehensive Guide to Policy, Practice, and the Law," edited by William Abbott, et al., Solano Press Books, 2012 Third Edition.

fee assessment requirements only allow new development to pay for its fair share of new facilities' costs. Any current deficiencies resulting from the needs of existing development must be funded through other sources. Therefore, a key element to establishing legal development impact fees is to determine what share of the benefit or cost of the new facilities can be equitably assigned to existing development, even if the facilities have not yet been constructed. By removing this factor, the true impact of new development can be assessed and equitable development impact fees assigned.

1. Purpose of the Fee (Government Code Section 66001(a)(1)). Based upon projections from the San Bernardino Associated Governments, new residential development is expected to result in approximately 2,107 new residents within the Helendale CSD by 2040. These future residents will create an additional demand for public park and recreation facilities that existing public park and recreation facilities cannot accommodate. In order to accommodate new residential development in an orderly manner, without adversely impacting the current quality of life in the Helendale CSD, additional public park and recreation facilities will need to be constructed.

It is the projected direct and cumulative effect of future residential development that has required the preparation of this Park Fee Study. Each new residential dwelling unit will contribute to the need for new public park and recreation facilities, and as such, the proposed impact fee will be charged to all future residential development, irrespective of location, in the Helendale CSD. The development impact fees, when collected, will be placed into a dedicated fund that will be used solely for the design, acquisition, installation, and construction of public park and recreation facilities and other appropriate costs to mitigate the direct and cumulative impacts of new residential development in the Helendale CSD.

The discussion in this subsection of the Park Fee Study sets forth the purpose of the development impact fee as required by Section 66001(a)(1) of the California Government Code.

2. The Use to Which the Fee is to be Put (Government Code Section 66001(a)(2)). The development impact fee will be used specifically for the design, acquisition, installation, and construction of the public park and recreation facilities discussed in Section 4 of this Park Development Impact Fee Study and related costs necessary to mitigate the direct and cumulative impacts of new residential development in the Helendale CSD. By directly funding these costs, the development impact fees will both enhance the quality of life for future residents and protect their health, safety, and welfare.

The discussion presented in this subsection of the Park DIF Study identifies the use to which the development impact fee is to be put as required by Section 66001(a)(2) of the California Government Code.

3. Determine That There is a Reasonable Relationship Between the Fee's Use and the Type of Development Project Upon Which the Fee is Imposed (Benefit Relationship) (Government Code Section 66001(a)(3)). As discussed, it is the projected direct and cumulative effect of future residential development that has prompted the preparation of this Park Development Impact Fee Study. Each residential dwelling unit will contribute to the need for new public park and recreation facilities. Park and recreation facilities costs have been allocated to both existing and new development, based on their level of benefit.

The fees will be expended for the design, acquisition, installation, and construction of public park and recreation facilities identified in the Helendale CSD's Long-Range Community Park

Plan, as that is the purpose for which the DIF is collected. For the foregoing reasons, there is a reasonable relationship between the design, acquisition, construction, and installation of the public park and recreation facilities and new residential development as required under Section 66001(a)(3) of the Mitigation Fee Act.

4. Determine How There is a Reasonable Relationship Between the Need for the Public Facility and the Type of Development Project Upon Which the Fee is Imposed (Impact Relationship) (Government Code Section 66001(a)(4)). As set forth in No. 1 above, all new residential development contributes to the direct and cumulative impacts on public park and recreation facilities and creates the need for new facilities to accommodate growth. Moreover, park and recreation facilities costs have been allocated to both existing and new development based on their level of benefit, and therefore the allocation of cost to new development does not reflect any unmet needs of existing development.

For the reasons presented herein, there is a reasonable relationship between the need for the public park and recreation facilities and all new residential development within the Helendale CSD as required under Section 66001(a)(4) of the Mitigation Fee Act.

5. The Relationship Between the Amount of the Fee and the Cost of the Public Facilities Attributable to the Development Upon Which the Fee is Imposed ("Rough Proportionality" Relationship) (Government Code 66001(a)). As set forth above, all new residential development in the Helendale CSD impacts public park and recreation facilities. New development impacts the need for public park and recreation facilities directly and cumulatively. Thus, imposition of the development impact fee to finance new public park and recreation facilities is an efficient, practical, and equitable method of permitting development to proceed in a responsible manner. Again, park and recreation facilities costs have been allocated to both existing and new development based on their level of benefit, and therefore the cost allocated to new residential development does not reflect any unmet needs of existing development.

The proposed development impact fee amounts are roughly proportional to the impacts resulting from new residential development. Thus, there is a reasonable relationship between the amount of the development impact fee and the cost of the public park and recreation facilities.

6. AB 1600 Nexus Test and Apportionment of Facilities Costs. Section 66000 of the Government Code requires that a reasonable relationship exist between the need for public facilities and the type of development on which a development impact fee is imposed. The need for public park and recreation facilities is related to the park and recreation facilities or level of service established in the Helendale CSD's Long-Range Community Park Plan. The nexus relationship is calculated on a per dwelling unit basis.

SECTION 3 Park and Recreation Facilities Impact Fee Methodology

Government Code Section 66000, which codifies California's Mitigation Fee Act, requires that if impact fees are going to be used to finance public facilities, those facilities must be identified prior to the adoption of the fee. There are three basic methodologies that can be employed to determine the facilities to be financed. Each methodology is described below.

The first methodology, which is called a "Plan-Based Approach," is based on the existence of a "Facilities Plan" that lists the specific facilities necessary to serve future growth. The Facilities Plan utilized under this approach is usually prepared by an agency's staff and/or consultants,

often with community input, and is then adopted by the agency's legislative body either prior to or at the same time the fee program is approved. The Facilities Plan also identifies the costs of the facilities listed, and these costs are in turn allocated based on the level of benefit to be received by projected future land uses anticipated to be developed within the time period being analyzed.

A second methodology to identify facilities needs is the "Capacity-Based Approach," and is based on the magnitude of existing capacity or expanded capacity needed for a type of public facility in order to handle projected growth during the selected time period. This approach works best for facilities such as an existing water storage facility or sewer treatment plant where existing costs or facilities expansion costs necessary to serve future development are already known (and in the case of existing capacity, may have already been expended). A fee based on this methodology is not necessarily dependent on a particular land use plan for future development, but is instead based on the cost per unit of constructing the remaining existing capacity in a facility, or the cost to expand such capacity, which can then be applied to any type of future development.

A third approach is to utilize a facilities "standard" established for future development, against which facilities costs are determined based on units of demand from this development. This approach, which is often applied to park and recreation facilities when there is no existing Facilities Plan, establishes a generic unit cost for capacity, which is then applied to each land use type per unit of demand. This standard is not based on the cost of a specific existing or future facility, but rather on the cost of providing a certain standard of service, such as the 3.00 acres of park and recreation facilities per 1,000 residents established pursuant to the Quimby Act or Government Code Section 66477. This method has several advantages, including not requiring an agency to know (i) the cost of a specific facility, (ii) how much capacity or service is provided currently (as the new standard does not necessarily need to reflect the existing standard), or (iii) the size, site, or characteristics of specific future facilities.

In the case of the Helendale CSD, the Long-Range Community Park Plan was determined by SRHA to be the most appropriate methodology for purposes of calculating impact fees for the Park Fee Study. Pursuant to the nexus requirements of Government Code 66000, the Helendale CSD is required to "determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed." The California Legislature drafted AB 1600 to specifically require that a "reasonable" relationship be determined, not a direct cause and effect relationship, as shown in Table 1.

**Table 1
AB 1600 Nexus Test
Public Park and Recreation Facilities**

Identify Purpose of Fee	Community park and recreation facilities
Identify Use of Fee	The design, acquisition, installation, and construction of public park and recreation facilities, including parkland
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	The park and recreation facilities will serve the residents of the Helendale CSD by providing facilities for recreation while enhancing the community's appeal and quality of life. New residential development will generate additional residents who, along with existing residents, create the demand for the park and recreation facilities identified in Helendale CSD's Long-Range Community Park Plan. Land must be acquired and improved to meet this demand, thus a reasonable relationship exists between the need for park and recreation facilities and the impact of residential development. Fees collected from new development will be used exclusively for community park and recreation facilities.

SECTION 4 Park Facility Needs Analysis

The community park facility needs have been estimated at about \$6.61 million dollars, in 2017 constant dollars, as shown in Table 2. For the community park planned for both existing and future population growth, this includes the estimated existing facilities that have already been completed as well as future planned facilities.

The future park facility needs estimated at about \$6.61 million includes improvements such as: playground and splash pad equipment, shelters, restrooms, dog park, trails, skate park, lighting, parking lot and related grounds improvements including turf and watering system. For the long-term plan, this includes additional ground preparation, ball diamonds and a community recreation building with a gym and estimated construction costs that have already been completed. While land costs are not included in the park fee calculation, an estimate of \$217,813 in 2016 dollars is presented in Table 3. The detailed future components of the estimated park construction costs are presented in Table 4.

Table 2
Estimated Community Park Expenditures
Helendale Community Service District

Estimated Expenditures ¹	Value (in 2017 dollars)
Future Expenditures	\$6,333,600
Existing Expenditures	\$271,753
Total Estimated Construction Cost	\$6,605,353

1. Future Expenditures shown in detail in Table 4; the existing park expenditures were provided by the Helendale CSD

Sources: Stanley R. Hoffman Associates
Helendale CSD

Table 3
Estimated Park Land Value
Helendale Community Service District

Estimated Land Value for New Park Development ¹	
Acres of Parkland Purchased (2008)	80
Existing Residential Sq. Ft.	12,000
Estimated Const. Cost per Sq. Ft.	\$100.00
Estimated Residential Value	\$1,200,000
Estimated Values: Barns, Corrals, etc.	<u>\$250,000</u>
Estimated Value of Improvements	\$1,450,000
Estimated Total Property Value (2016)	<u>\$2,300,000</u>
Estimated Net Land Value for 80 Acres	\$850,000
Total Estimated Land Value (2016 \$)²	\$10,625
Acres of New Parkland	20.5
Estimated Total Land Value (2016 \$)³	\$217,813

1. Estimated by Dennis Bradley, the HCSD's local land broker.
2. Estimated net land value is divided by 80 acres.
3. Rounded to the nearest dollar.

Sources: Stanley R. Hoffman Associates, Inc.
Helendale CSD
Dennis Bradley, local land broker

Table 4
Future Expenditures for Park Development
Helendale Community Service District

Facility ¹	Estimated Cost (in 2017 dollars)
Playground	
Equipment	\$150,000
Installation	\$75,000
Splash Pad	
Features	\$50,000
Water Recirculation System:	\$200,000
Installation	\$100,000
Shelters	
Shade Structures (1) 40' x 70' (2) 20' x 40'	\$127,000
Installation	\$89,000
Restroom	
Facility	\$200,000
Installation	\$100,000
Septic	\$27,500
Dog Park	
Irrigation System	\$10,000
Grading and Seeding	\$7,000
Fencing 200' x 200' (with two gate systems)	\$24,000
Demonstration Garden	
Plants	\$15,000
Installation	\$10,000
Fitness Trail	
Equipment	\$26,000
Installation	\$20,000
DG Path	
Material: 3,000' x 36"	\$6,000
Installation	\$10,000
Basketball Court	
94' x 50' (Approximately \$15/Sq. Ft.)	\$141,000
Volleyball Court	
59' x 30' court	\$5,100
Installation	\$10,000
Skate Park	
Design, engineering, concrete, etc	\$500,000
Block Wall	
Material: 550' x 3' course high	\$25,000
Asphalt for Parking Lot	
100,000 sq. ft. parking lot	\$167,000
Lighting	
Fixtures	\$105,000
Installation	\$13,000
Additional Ground Preparation (10.5 acres)	
@ \$2,000 per acre	\$21,000
Ball Diamonds	
Design, engineering, construction	\$100,000
Community/Recreation Center	
10,000 sf building with Gym @ \$400/sf	\$4,000,000
Estimated Future Expenditures:	\$6,333,600

1. Facility types and cost estimates provided by the Helendale CSD.

Source: Stanley R. Hoffman Associates, Inc.

Helendale CSD

SECTION 5 Demographic Forecasts: 2012 - 2040

Helendale Community Services District Boundary. The forecasts used in this study are based on the San Bernardino County Transportation 2012-2040 Tier 3 Forecast for the current Helendale Community Services District boundary. As shown in Table 5, the total housing units are forecasted to grow within the current Helendale CSD boundary from 2,977 in 2012 to 4,096 in 2040, for an increase of 1,119 by 2040. This corresponds to a population increase from 5,363 in 2012 to 7,470 in 2040, for a forecasted population growth of 2,107 by 2040, as shown in Table 6.

**Table 5
Forecasted Growth in Households: 2012-2040
Helendale Community Service District**

Households and Housing Units Forecast	Population		Growth: 2012-2040
	2012	2040	
A. Households			
Single Family	1,819	2,529	710
Muti-Family	<u>601</u>	<u>801</u>	<u>200</u>
Total	2,420	3,330	910
B. Housing Units			
Estimated Vacancy Rate ¹	18.7%	18.7%	18.7%
Housing Units	2,977	4,096	1,119

1. The estimated vacancy rate is from the 2010 U.S. Census for the Silver Lakes Census Defined Place (CDP)

Source: Stanley R. Hoffman Associates, Inc.
San Bernardino County Transportation Authority, 2012-2040 Tier 3 Forecast

**Table 6
Forecasted Growth in Population: 2012-2040
Helendale Community Service District**

Boundary	Population		Growth: 2012-2040
	2012	2040	
Helendale CSD	5,363	7,470	2,107

Source: Stanley R. Hoffman Associates, Inc.
San Bernardino County Transportation Authority, 2012-2040 Tier 3 Forecast

SECTION 6 Estimated DIF per Housing Unit and Revenue Generated from New Growth

As shown in Table 7, the estimated DIF per housing unit for the Helendale CSD boundary is \$1,653 in 2017 dollars. This amount is calculated by dividing the total estimated total community park costs of about \$6,605,353 by the 2040 forecast of 4,096 housing units for the Helendale CSD, and then adding a 2.5 percent processing fee. This represents the allocated share of costs across both existing and future housing units, although only new development can be charged a development impact fee.

The development impact fee per housing unit is then multiplied times the forecasted growth of 1,119 new housing units from 2012 to 2040, as shown in Table 8. This results in estimated revenue generation from new growth of \$1,849,707 for the forecasted Helendale CSD household growth with \$1,804,947 for park construction costs when the processing fee is netted out. Thus, by 2040 the new growth is forecasted to cover about 27 percent of the community park costs for the Helendale CSD.

Table 7
Estimated Park DIF per Housing Unit
Helendale CSD
(In 2017 dollars)

Estimated Park DIF per Housing Unit	
Estimated Park Development Cost	\$6,605,353
Housing Unit Forecast (2040)	4,096
Park DIF per Housing Unit	\$1,613
Estimated DIF Processing Fee @ 2.5%	<u>\$40</u>
Total Estimated Development Impact Fee	\$1,653

Sources: Stanley R. Hoffman Associates, Inc.
San Bernardino County Transportation Authority,
2012-2040 Tier 3 Forecast

Table 8
Estimated Park DIF Funds Generated
Helendale CSD
(In 2017 dollars)

Estimated DIF Funds Generated	
Park Development Impact Fee/Housing Unit	\$1,653
Housing Unit Growth Forecast: 2012-2040	1,119
Estimated Park DIF Revenues Generated	\$1,849,707
less processing fee revenues	<u>\$44,760</u>
Net Revenues for Capital Costs	\$1,804,947

Sources: Stanley R. Hoffman Associates, Inc.
San Bernardino County Transportation Authority,
2012-2040 Tier 3 Forecast

SECTION 7 DIF Program Administration and Implementation

DIF PROGRAM ADMINISTRATION

As recently confirmed by the State of California's Fourth Appellate District in *Daniel Walker vs. City of San Clemente*, the Helendale CSD may add a reasonable charge for the collection and administration of the TIF Program. As a result, the Helendale CSD is adding a 2.5% charge to the Park DIF shown in Table 7, resulting in the total Park DIF of \$1,653 in 2017 dollars.

The DIF listed in Table 7 represents the maximum DIF that legally may be imposed on future development. The Helendale CSD may impose a lower fee for one or more land use categories, or phase-in the maximum DIF over time. Under no circumstances, however, may the Helendale CSD charge a DIF higher than that listed in Table 7 to one land use category to absorb a shortfall created by not charging the maximum DIF to another land use category.

On the other hand, as the DIF developed in this Park Development Impact Fee Study is based on costs in 2017 dollars, it is appropriate for the Helendale CSD to apply an annual escalator to the DIF to account for inflation in acquisition and construction costs. Therefore, beginning on January 1, 2018 and every year thereafter, an escalator equal to the change in the Engineering News Record Construction Cost Index for Los Angeles during the twelve months of the prior fiscal year may be added to the maximum DIF at the Helendale CSD's discretion.

DIF PROGRAM MONITORING

AB 1600 requires public agencies levying fees to complete both an annual public report and a five-year public report summarizing the status of their fee programs.

(a) Annual Report

An annual report is required to be prepared between July 1 and January 1 each year and submitted to the Board of the Helendale CSD as an informational item. The annual report must include:

- (1) A brief description of the impact fees;
- (2) The amount of the impact fees;
- (3) The impact fee account balance at the beginning and end of the fiscal year;
- (4) The amount of fees collected and interest earned over the previous year;
- (5) An identification of each expenditure from the account, including a brief description of the expenditure and the percentage of the total cost of the expenditure funded by the fees;
- (6) An approximate date when construction will begin if the municipality determines it has sufficient funds to complete a public improvement;
- (7) A description of any interfund transfer or loan made from the impact fee accounts;
- (8) The amount of any refunds made from the accounts.

(b) Five-Year Report

The submittal of a five-year report (the "Five-Year Report") to the Board of the Helendale CSD (the "Board") must occur every five years following the first deposit of impact fees into an account. The Board is required to make specific legislative findings to continue its collection of the fees if any unexpended funds remain in the account, or must return any fees to the property owners who paid them. The Board must approve the Five-Year Report, which does the following:

- (1) Identify the purpose of imposing the fee;
- (2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- (3) Identify all sources and amounts of funding anticipated to complete financing any incomplete improvements that were identified when enacting the fee; and
- (4) Identify the approximate dates when the anticipated funds are expected to be received.

Projected DIF Program Cashflows

The success of the Helendale CSD's DIF program depends on the timely adoption of the fees by the Board in early 2017. The Board has the option of imposing the DIF at building permit issuance, or at the issuance of the certificate of occupancy of each structure. In either case, the total revenue that could be generated by the DIF program through 2040 is \$1,849,707 in 2017 dollars, which includes a 2.5 percent charge for administration and fee collection purposes. Of course, with variations occurring in the economy on a year-to-year basis, both nationally and locally, as well as political and other issues that may arise, the actual revenue generated each year will vary depending on factors that are very difficult to predict. In addition, it is anticipated that the Helendale CSD will revise its DIF from time-to-time as park facilities are constructed and new facilities needs arise.

SECTION 8 Estimated Community Park Acres per 1,000 Population

The Helendale CSD has chosen to develop a park facilities development impact fee at the community park level and not include local park and recreation facilities in this calculation. As shown in Table 9, the estimated community park acres per 1,000 population by 2040 is estimated at 2.74.

Table 9
Estimated Community Park Acres per 1,000 Population
Helendale CSD

Calculation Factors	Amount
A. CSD Boundaries	
Forecasted CSD Population: 2040 ¹	7,470
Community Park Acres Planned	20.5
Acres per 1,000 Population	2.74

1. Based on San Bernardino County Transportation Authority,
2012-2040 Tier 3 Forecast

Source: Stanley R. Hoffman Associates, Inc.

Project References

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Helendale Community Services District

DATE: March 21, 2024
TO: Board of Directors
FROM: Kimberly Cox, General Manager
SUBJECT: Agenda item #11
Discussion Only Regarding Park Capital Improvement Plan

STAFF RECOMMENDATION:

Staff seeks input from the Board.

STAFF REPORT:

Each year as part of the budget development process the capital improvement plans (CIP) for each of the Departments are reviewed with the Board. These plans outline proposed capital expenditures which includes both equipment and infrastructure improvements. It is important to know that approval of the CIP does not constitute approval for the capital expenditures as each capital project over the General Manager's signing authority is brought to the Board for separate approval.

Attached for the Board's review is the draft FY2025 Capital Improvement Plan for Park with the current fiscal year projects included for reference. This will be the starting point for a more comprehensive discussion on the foreseen needs of the Water operation over the next five years.

Staff will review each line item for FY25 in the proposed Capital Improvement Plan (CIP) with the Board and provide detailed explanation at the Board meeting.

The CIP outlines the possible year in which a capital need is scheduled, however, these projections are often aggressive and the timelines are modified each year as unfinished projects are pushed ahead and new capital needs are identified. Further, operational necessity can also increase the priority of a project or it could be moved forward as needed.

FISCAL IMPACT: As estimated in the CIP spreadsheet

POSSIBLE MOTION: None

ATTACHMENTS: DRAFT Park CIP

Project	FY 2024	FY 2025	FY 2026	FY 2027	FY2028	FY 2029	Grant Only
Community Center Parking Lot Resurfacing	Complete						
Community Center HVAC	Complete						
Roof Replacement - Community Center	Complete						
Camera System for Park	\$ 15,000						
Electronic Gates (2)	\$ 20,000						
Community Center Card Lock - Reduced	\$ 5,000						
Ride on Lawnmower - NEW	\$ 4,000						
Leaf and Lawn Vacuum - NEW	\$ 3,500						
Bathroom Unit for Park - NEW	\$ 5,000						
Community Center Parking Lot Lights (New area)	Moved to FY 25	\$ 10,000					
DG Walking Path Memorial Grove	Moved to FY 25	\$ 10,000					
Sports field Lighting - Reduced	Reduced to match remaining grant and moved to FY 25	\$ 150,000					
Dirt bicycle track for kids at Wild Road Park around Nature Play		\$ 1,000					
Driver's Box for RC Track - Increased		\$ 5,000					
Additional Playground Features					Moved to FY 29	\$ 20,000	
Improvements to Unit D					Moved to FY 29	\$ 65,000	
New Dog Park (Galleon or Community Center)							\$ 25,000
Pickleball Courts -formerly handball							\$ 40,000
Parking Lot Lighting (Wild Road) using LED							\$ 50,000
Solid Surfacing at Wild Rd playground							\$ 65,000
Parking Lot at Community Park							\$ 250,000
Lighting for Baseball Fields							\$ 500,000
Community Center Park							
Community Garden							\$ 10,000
Public Art (Veteran Memorial)							\$ 25,000
Park Shelters							\$ 40,000
Outdoor Basketball							\$ 50,000
Fencing							\$ 85,000
Safety lighting							\$ 150,000
Playground							\$ 150,000
Mini Golf							\$ 150,000
Walking Paths							\$ 150,000
Open space, trees, irrigation, grading							\$ 200,000
Pump Track							\$ 250,000
Splash Pad							\$ 500,000
Building w/ amphitheater							\$ 4,300,000
	\$ 52,500	\$ 176,000	\$ -	\$ -	\$ -		\$ 6,990,000