



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

RESOLUTION No. 7-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT IMPLEMENTING A COST RECOVERY PROGRAM FOR FIRE PROTECTITON, ACCIDENT SCENE RESPONSE AND TRAFFIC SAFETY FOR EMERGENCY RESPONSE INCIDENTS AND ALL RELATED SERVICES.

WHEREAS, responses to and/or recovery from emergencies and disaster requires purchases to replace supplies, periodic and scheduled maintenance on apparatus, fuel purchases, staffing expenses, repair and/or replacement of protective gear and equipment as required by the agency or by law; and

WHEREAS, California Vehicle Code: 17300 authorizes fire protection departments and districts to recover reasonable and necessary costs incurred in the course of protecting life and property that exceed the normal and usual expenses anticipated. The Lake Shastina Community Services District will affix a \$250.00 minimum preparedness and response fee to all incidents where a liable party is responsible for said action. This fee will begin to offset (but is not limited to) wear of equipment, overtime, fuel consumption, loss or damage to publicly owned equipment purchase or lease of any special equipment or services required to protect the public during a hazardous incident or materials spill; and

WHEREAS, the Lake Shastina Community Services District believes that its taxpayers should not be required to bear the extraordinary costs of responding to hazardous materials incidents, regardless to size, and that such extraordinary costs should be charges to the liable party and/or transporters and users of hazardous materials to reimburse the agency, and

WHEREAS, the Lake Shastina Community Services District has determined that vehicle accidents frequently involve traffic control necessary to reduce further liability, damage or injury to non-involved parties. Standard response results in requiring placement of emergency flares, as well dealing with spillage or leakage of liquids, such as oil, battery acid, fuel, antifreeze, brake fluid, transmission fluid, and other petroleum-based products all of which constitute hazardous materials; and

WHEREAS, standard response requires placement of emergency flares, as well as dealing with spillage or leakage of liquids, such as oil, battery acid, fuel, antifreeze, brake fluid, transmission fluid, and other petroleum products, all of which constitute hazardous materials; and

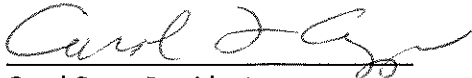
WHEREAS, the Lake Shastina Community Services District designates EF Recovery as its designated administrative agency and representing authority establishing claim on behalf of the agency; and

WHEREAS, the Lake Shastina Community Services District must appoint those in oversight of recovering data pertinent to filing a claim for loss of time and supplies, reasonable administrative and processing costs will be included. These costs will be affixed to the total loss of the claim that shall be paid by the liable party causing said claim.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lake Shastina Community Services District to implement a Cost Recovery Program pursuant to California Vehicle Code: 17300 and any other statutes that allow cost recovery from responsible parties.

INTRODUCED, PASSED, AND ADOPTED this 19th day of December 2018, by the following vote:

AYES: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
NAYS: None
ABSENT: None


Carol Cupp, President

ATTEST:


Mike Wilson, Secretary



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

Regular Meeting
 Wednesday, December 19, 2018,
 Closed Session: 11:30 a.m. / Open Session: 1:00 p.m.
 Administration Building
 16320 Everhart Drive • Weed, California 96094 • (530) 938-3281

MINUTES

CALL TO ORDER AND ROLL CALL: 11:30 a.m.

LSCSD Board Roll Call: Beck Cupp MacIntosh Mitchell Thompson

Also present: GM Wilson and AA Charvez. There were no people in the audience.

PUBLIC COMMENTS ON CLOSED SESSION: None

ADJOURN TO CLOSED SESSION: With no objections by the Board, Pres Cupp adjourned to Closed Session at 11:31 a.m.

CLOSED SESSION: 11:32 a.m.

Also present: GM Wilson and District Counsel Long (present at 11:36 a.m.)

- A. Conference with Legal Counsel – Significant Exposure to Litigation (Gov. Code Section 54956.9(b). Number of Cases: 2
- B. Personnel (Gov. Code Section 54957) Consider Public Employee Performance Evaluation: General Manager
- C. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6 Agency Negotiator: Mike Wilson, General Manager

With no objections by the Board, Pres. Cupp adjourned Closed Session at 1:03 p.m.

RETURN TO OPEN SESSION: 1:07 p.m.

Also present: GM Wilson, SAC Nelle, FC Pappas, AA Charvez and District Counsel Long. There were approximately 13 people in the audience.

PLEDGE OF ALLEGIANCE: Carried out.

REPORT ON CLOSED SESSION: District Counsel Long reported:

- A. No reportable action.
- B. Evaluation given to GM.
- C. Direction given to staff.

PUBLIC COMMENTS: Comments received.

CONSENT CALENDAR: (All items accepted/approved by the Board unless otherwise noted.)

1. A. Approval of Minutes: Special Meeting November 19, 2018 and Special Meeting November 27, 2018
- B. Ratification of Disbursements: November 1 through November 30, 2018
- C. Budget Comparison: FY 2018/19 YTD: No written report.
- D. Ratification of transfer(s) of funds from LAIF Reserves to CSD Operating Account

Motion by Dir. Thompson second Dir. MacIntosh to approve Consent Calendar (excluding Item 1.C).

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

DEPARTMENT REPORTS

2. Fire Department Monthly Report: FC Pappas reported.
3. Police Department Monthly Report: PC Wilson reported.
4. Sewer Department Monthly Report: GM Wilson reported.
5. Water Department Monthly Report: GM Wilson reported.

COMMITTEE REPORTS:

6. APPROVED COMMITTEE MINUTES / REPORTS / VERBAL UPDATES, if applicable:
 - A. Budget / Finance Committee: Nothing to report.
 - B. Fire Department Advisory Committee: Dir. Mitchell reported.
 - C. Police Department Advisory Committee: Nothing to report.
 - D. Policy Committee: Nothing to report.
 - E. Sewer and Water Systems Oversight Committee: Nothing to report.

DISCUSSION / REPORTS: ACTION ITEMS:

7. Consideration of appointing a Board Member to be a Special District Representative for the GSRMA Board of Directors: GM Wilson reported. The Board discussed.

Motion by Dir. Mitchell second Dir. Thompson to authorize the GM to notify GSRMA of the LSCSD's desire to self-nominate for Special District Representative position on the GSRMA Board of Directs.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

8. Consideration of authorizing Board Members to attend an Incident Command System Class (ICS-402) – Overview for Executive/Senior Officials, hosted by Siskiyou County Public Health, Thursday, January 24, 2019 in Weed or Yreka CA: GM Wilson reported. The Board discussed.

Motion by Dir. Beck second Dir. Mitchell to authorize Board Members to attend the ICS-402 training on January 24, 2019.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

9. Consideration of Fire Department implementing use of EF Recovery Program for reimbursement of funds and use of equipment out of the District – authorization/approval by Resolution: FC Pappas reported. The Board discussed.

Motion by Dir. Mitchell second Dir. Thompson to adopt Resolution 7-18 authorizing the Fire Department to implement a Cost Recovery Program as presented.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

10. Election of Officers for 2019 Calendar Year (effective December 20, 2018)

- A. President
- B. Vice President
- C. Secretary/Treasurer

Motion by Dir. Cupp second Dir. Beck to appoint Dir. Thompson as President for 2019.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

Motion by Dir. Thompson second Dir. Cupp to appoint Dir. Mitchell as Vice President for 2019.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

Motion by Dir. Thompson second Dir. MacIntosh to appoint the General Manager as Secretary/Treasurer/Clerk for 2019.

Ayes: Directors Beck, Cupp, MacIntosh, Mitchell and Thompson
Noes: None
Absent: None

STAFF COMMENTS: Comments received.

BOARD MEMBER COMMENTS: Comments received.

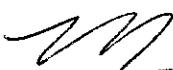
ADJOURNMENT: With no objections by the Board, Pres. Cupp adjourned the meeting at 2:17 p.m.

The next LSCSD Regular Board Meeting is on Wednesday, January 16, 2019, 1:00 p.m. at the Administration Building.

Approval Date: 1/16/19


Rick Thompson, President

ATTEST:


Mike Wilson, Secretary