

# **Butte City Community Services District**

## **Board Policies & By-Laws**

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# **Article I. BOARD POLICY ON DISTRICT OPERATIONS (BY-LAWS)**

## **(a) NAME**

1. The name of the district shall be the Butte City Community Services District.

## **(b) BACKGROUND AND PURPOSES**

1. The Butte City Community Services District (BCCSD) was formed in 1964 pursuant to the Community Services District law (Government Code Section 61000 et seq.) and declared to be a legal entity by the Glenn County Board of Supervisors on the 6<sup>th</sup> day of November 1961. The district currently provides water, park and recreation services to the community of Butte City in the Eastern Area of Glenn County.
2. The boundaries of the BCCSD coincide with the city boundaries of Butte City.
3. The district receives its funding from property tax revenues, special assessments and service charges to maintain the water pump and delivery system. It operates and maintains two pumps and two pump houses and also has equipment to maintain the Butte City Park. There is a third pump house and pump that provides irrigation water exclusively for the Butte City Park.
4. To the extent these By-laws do not specifically address a matter; the district will follow the Memorandum of Understanding between the County of Glenn and the Glenn County General Unity, January 1, 2004 through December 31, 2004.
5. A five member Board of Directors who serve four-year elected terms each governs the district.

## **(c) RIGHT TO REVISE**

1. The BCCSD By-laws contain the policies and practices of the Butte City Community Services District in effect at the time of publication. All previously issued By-laws issued and any inconsistent policy statements or memoranda are superseded.
2. No oral statements or representations can in any way change or alter the provisions of these By-laws.

**(d) BOARD FUNCTIONS**

The function of the Board of Directors is to:

1. Represent the interests of the residents of the district.
2. Establish goals and policies for the efficient and effective operation of the district.
3. Monitor the fiscal management of the district, including the adoption of an annual budget and oversight of expenditures to assure that spending practices and procedures are within statutory requirements. The Board shall also investigate other revenue sources as may be appropriate.
4. Create and periodically evaluate a long-range plan for the district including evaluating land acquisition, capitol improvements and major equipment purchases as may be necessary to meet growth and/or increased demands of the district.
5. Approve contracts as appropriate.
6. Hire and evaluate the performance of part time employees and outside services as needed.

**(e) BOARD MEMBER RESPONSIBILITIES**

The responsibilities of individual Board Members are:

1. To become knowledgeable of the needs of the district, its residents and any volunteers.
2. To endeavor to attend all regular and special meeting, participate actively and to not miss more than three consecutive months except when attendance is prevented by sickness (per California Code, Chapter 4, Article 2 Vacancies #1770 (g)).
3. To behave ethically, openly and honesty in the best interest of the district
4. To represent the district to interested individuals in the public and to other organizations as requested.
5. To never act or presume to act on the behalf of the board without the advise and consent of the majority of the board.
6. To comply with the statutory requirement pertaining to “conflict of interest” for public officials within the State of California.

**(f) OFFICERS AND COMMITTEES**

1. The officers shall be a President and Vice President.
2. The President shall preside over meetings of the board and any executive committees as deemed necessary. The President shall conduct meetings in a business-like manner and assure that all points of view can be presented. The President may act as official spokesperson of the board, when asked by the Board and the topic is specifically authorized at a general board meeting and recorded in the meeting minutes.
3. The Vice President shall act as President in the absence of the President.
4. The officers shall be elected annually at the regularly scheduled January meeting, each to serve a term of one year.
5. Committees may be appointed as the need arises.

**(g) MEETINGS**

1. The Board shall conduct regular meetings that are properly noticed. Such meetings shall be conducted in accordance with applicable statutes, including but not limited to, the Brown Act, as amended (Government Code section 54950 et. seq.). Roberts Rules of Order will be followed to maintain procedural consistency and decorum.
2. Meetings are held on a quarterly basis. The regular scheduled meeting will begin at 7PM and will be held in the Butte City Fire Protection District building.
3. A change in the regular time, date and/or place may be made upon approval of a majority of the Board. Special and/or emergency meetings may be scheduled in accordance with the provisions of the "Brown Act".
4. A quorum must be present for a regularly scheduled Board meeting to proceed. A quorum is a simple majority of the members of the Board.

**(h) PURCHASING PROCEDURES**

1. Purchases shall be made in accordance with the Government Code and the Public Contract Code 22032.
2. The Board shall adopt policies which detail purchasing procedures to be followed when making purchases with district funds, and no purchase of an item over \$200.00 may be made without approval of Board Member.

## *BOARD POLICY ON PAYMENT OF BILLS*

### **(i) PAYMENT OF BILLS**

1. The monthly bill for water service maintenance is due and payable by the 10<sup>th</sup> of the month billed and is late if not paid by the end of the month billed.
2. Payment(s) may be made as far in advance as desired however all accounts shall be subject to rate changes. In the event that monthly rates are changed all account balances shall be adjusted accordingly.
3. Bills may be paid by, check or money order
4. A \$25.00 service charge will be imposed for any returned checks.

### **(j) PAST DUE ACCOUNTS**

1. If the monthly bill is not paid by the last day of the billing cycle, a \$5.00 service charge will be added to the account.
2. If the overdue bill is not paid in 10 days the bill will be considered delinquent.

### **(k) CHARGES AND PENALTIES**

1. A basic penalty of no more than 1 ½% of the amount of the delinquent bill shall be added to it each month that the bill is delinquent. The annual rate shall not exceed 18%.
2. After 90 days of delinquency a lien will be placed on the subject property. The lien shall include all prior penalties and interest with an additional \$50.00 penalty for placing the lien. The lien will accrue interest at a rate of 18% per annum. All additional expenses for placing the lien and/or removing the lien will be the responsibility of the property owner.

### **(l) RESPONSIBILITY FOR PAYMENT**

1. All water plant maintenance bills shall be billed to the owner of the premises served except that when in the mutual interest of the district and the tenant, the tenant may be billed. Notwithstanding the preceding, the owner of the premises served shall be ultimately responsible for the payment of the monthly service charges and penalties and interest for delinquent accounts for all services provided by the district.
2. The Butte City Community Service District is small and revenues are needed to maintain the 3 pumps, 3 pump houses and equipment to maintain the park. The monthly charge for maintenance shall be imposed on any and all property that has a water line to the property regardless of whether the property is vacant or not. There is no relief,

partial or total, if the property is vacant for any period of time by the property owner or tenant(s).

**(m) ALL CHARGES A LIEN**

1. Any charge levied by the district upon any premises in accordance with this ordinance constitutes a lien upon said premises.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*



## **Article II. BOARD POLICY ON WATER CONNECTIONS REQUIREMENTS**

### **(a) NEW CONNECTIONS**

1. All new connections must be approved by the Board of Directors. All new connections to a subject property must be performed by a plumber licensed and bonded in the State of California. The property owner is responsible for all costs to bring Butte City water to his/her property. All materials used to connect a new property become the property of the Butte City Community Service District.

### **(b) REPAIRS ON WATER LINES**

1. In case of broken lines etc, the commitment of the Butte City Community Service District ends at the shut off valve to that property. The consumer is responsible for service from the water connection to the property.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*

## **Article III. BOARD POLICY ON CONFLICT OF INTEREST CODE**

### **(a) POLICY**

1. The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) (Appendix A) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the regulation may be amended by the Fair Political Practices Commission to conform to amendments of the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 1730 and any amendments to its duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix B designation officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the Butte City Community Services District.
2. Designated members of the BCCSD shall file their statements with the Butte City Community Service District, which will make the statements available for public inspection and reproduction, (Government Code Section 8100B). Statement for all designated person(s) will be retained by the Butte City Community Services District.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*

## Article IV. DISCLOSURE CATEGORIES FOR BOARD MEMBERS

### (a) CATEGORY 1

1. Interests of real property which is located in whole or in part (1) within the boundaries of the district, (2) within two miles of the boundaries of the district or (3) within two miles of any land owned or used by the district, including any leasehold, beneficial or ownership interest or option to acquire such interesting real property.
2. Investments and business positions in or income from sources which engaged in the acquisition or disposal of real property within the district.
3. Investments and business positions in or income from sources which manufacture or sell supplies, machinery or equipment of the type utilized by the district.

### (b) CATEGORY 2

1. Investments and business positions in, or income from sources which manufacture or sell supplies, machinery or equipment of the type utilized by the district.

### (c) CATEGORY 3

1. Investments and business positions in or income from sources which are contractors or sub-contractors engaged in the performance of work or services of the type utilized by the district.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*

## **Article V. CONSULTANT DISCLOSURE CATEGORY**

### **(a) CONSULTANTS**

1. Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitations.
2. The Board of Directors may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and based on that description a statement of the extent of the disclosure requirements. The General Manager's determination is public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*

## **Article VI. WATER CONSERVATION POLICY**

### **(a) RATIONALE**

1. Water demand and water availability often times do not match. There have been several years of low rainfall amounts. Demand for water use has increased in many areas of the state but supplies are down. It is incumbent upon the Board of Directors of the BCCSD to set reasonable policies and use patterns in order to conserve water and reduce demand.

### **(b) BASIC POLICY**

1. It shall be the policy of the BCCSD to encourage water conservation at all times. Water users are expected to support the water conservation practices suggested by the Board of Directors in order to prevent mandatory water rationing. If water rationing becomes necessary, all district water users will be required to comply with the provisions established by the board. Public input will be solicited prior to setting water conservation policies or ordinances.
2. The board will determine and make changes to what constitutes water abuse.

### **(c) ABUSIVE USE OF WATER**

1. Water waste, determined by water running down streets or infringing on other people's properties is abuse of Butte City supplied water.
2. The Board will attempt to notify the property owner verbally or in writing when water abuse is noted.
3. Once notified, the property must stop the water abuse immediately. The abuse must cease immediately and not repeat.
4. Each violation of repeat water abuse will result in a \$25.00 fine per day and/or occurrence of repeat water abuse.

## **Article VII. DISTRICT INDEBTEDNESS**

### **(a) PAYMENTS**

1. The County Treasure shall pay, when due, out of district money, all sums payable on outstanding bonds and coupons of the district: and the County Treasurer shall pay any other sums out of district money, on any portion thereof, only upon warrants of the County Auditor.
  
2. Bond principal and interest shall be paid when due. All other claims and demands shall be approved in writing or in open meeting by a majority of the members of the board. No services, supplies or other types of charges to the district shall be paid for in cash. An audit trail must be provided for all charges to the district.

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*

## **Article VIII. WATER RATES AND CHARGES**

### **(a) RATE SETTING, SERVICE CONNECTION CHARGES**

1. The board shall establish such rates and services connection charges as are reasonable and necessary for the operation of the district water system. On at least an annual basis, the board shall review district finances as they relate to water service for the purpose of determining whether current charges are sufficient to meet current costs of operation.
2. Whenever the board determines a rate increase to be justified, it shall make public its determination and provide supportive data. The board shall not increase rates and/or charges without first offering the opportunity for public input. Consumers shall be given time during the next regular scheduled board meeting to express their agreement or disagreement with the board's proposed changes(s).

*Draft submitted to Glenn County Board of Supervisors 10-18-2007*



**GLENN COUNTY  
BOARD OF SUPERVISORS**

Courthouse, 526 West Sycamore Street  
P. O. Box 391  
Willows, California 95988  
530-934-6400 FAX 530-934-6419  
e-mail: [gcboard@countyofglenn.net](mailto:gcboard@countyofglenn.net)  
web site: [www.countyofglenn.net](http://www.countyofglenn.net)

Tom McGowan (Chairman), District 1  
Tracey Quarne, District 2  
John Amaro, District 3  
Michael Murray, District 4  
Keith Hansen, District 5  
David Shoemaker, County  
Administrative Officer and Clerk of the  
Board of Supervisors

The following Minute Order of the Board of Supervisors is being sent to you for information or possible action. If you have any questions concerning this matter, please call the Board's office.

**Minute Order of the Board of Supervisors**  
**January 15, 2008 Regular Meeting**  
**County of Glenn, State of California**

19. **By-Laws – Butte City Community Services District**

- Matter:
- a. Pursuant to Minute Order 15 of November 20, 2007, County Counsel reviewed Board Policies and By-Laws of the Butte City Community Services District and approves them as to form; and
  - b. Recommendation of the Butte City Community Services District, approve their By-Laws as adopted on November 1, 2007 by the District.

Motion/Second: Supervisor Amaro/Supervisor Hansen  
Order: Approve the aforesaid matter  
Vote: Unanimous.

COPY TO:  
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DISTRICT 5  
*District 5  
Butte City Comm. Serv.*