



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

Board of Directors: Terry Lincoln - Chair
Scott McVay, Vice Chair
Directors – Pam Beaver, Beverly Fickes, Logan Johnston

General Manager: Paul Kelley

REGULAR MEETING: May 15th 2024 at 6:00PM: District Office Board Room

AGENDA

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. OPEN TIME/PUBLIC COMMENT: Pursuant to Gov. code S54950, persons wishing to address the Board of Directors on matters not listed on the agenda should notify the Secretary prior to the start of the meeting. To speak at this time and for any item listed on the agenda – raise your hand, and when recognized by the Chair – proceed to the podium to address the Board.

5. CONSENT AGENDA (Action)

The following items are expected to be routine. Any interested party may comment or request an item be removed from the consent agenda for separate discussion/action.

- a. Minutes from Meetings – Regular meeting 4/17/24, Agriculture Committee 4/10/24, 5/1/24
- b. Paid Bills: 4/14/24 – 5/9/24
- c. Payroll: 4-11-24, 4-25-24
- d. Activity P&L Report: April 2024

6. OLD BUSINESS/NEW BUSINESS (Discussion/Action)

- a. O.B. - USBR Area Manager – Account Reconciliation - (Discussion)
- b. Election November 2024 (Discussion/Action)
- c. Ag Committee Report and Recommendation to support a Farmers Market (Discussion/Action)

Planning & Steering Committee Items:

- d. Ordinance 2024-04 - Procurement, Competitive Bidding and Emergency contracting Policy (Discussion/Action)
- e. Ordinance 2024-05 - Ethics Policy (Discussion/Action)

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”

7. GENERAL MANAGERS REPORT

8. OPERATIONS REPORT

9. STANDING COMMITTEE REPORT –

- a. Agriculture –
- b. Finance –
- c. Planning/Steering –

10. BOARD MEMBER ITEMS

11. CLOSED SESSION ANNOUNCEMENT: - None

12. ADJOURN THE MEETING

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: 5 – Consent Agenda (Action)

Discussion:

- 5.a – Minutes of The Meetings: Regular meeting 4/17/24, Agriculture Committee 4/10/24, 5/1/24
- 5.b – List of bills paid – from QuickBooks 4/14/24 – 5/9/24
- 5.c – Payroll since last meeting: 4-11-24, 4-25-24

Recommendation:

Review, Discussion and by Motion approve items 5.a through 5.d



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

Board of Directors: Terry Lincoln - Chair
Scott McVay, Vice Chair
Directors – Pam Beaver, Beverly Fickes, Logan Johnston

General Manager: Paul Kelley

REGULAR MEETING: April 17th 2024 at 6:00PM: District Office Board Room

MINUTES

- 1. CALL TO ORDER – Chairman Lincoln 6pm**
- 2. PLEDGE OF ALLEGIANCE – Director Fickes**
- 3. ROLL CALL -Director Johnston, Director Fickes, Director Beaver, Vice Chair McVay, Chairman Lincoln, General Manager Paul Kelley, Administrative Assistant Shannan Perry.**
- 4. OPEN TIME/PUBLIC COMMENT:** Pursuant to Gov. code S54950, persons wishing to address the Board of Directors on matters not listed on the agenda should notify the Secretary prior to the start of the meeting. To speak at this time and for any item listed on the agenda – raise your hand, and when recognized by the Chair – proceed to the podium to address the Board.

-No one spoke

5. CONSENT AGENDA (Action)

The following items are expected to be routine. Any interested party may comment or request an item be removed from the consent agenda for separate discussion/action.

- a. Minutes from Meetings – Regular meeting 3/20/24, Special Meeting 4/2/24, Finance Committee 4/9/24
- b. Paid Bills: 3/15/24 – 4/13/24
- c. Payroll: 3-14-24, 3-28-24
- d. Activity P&L Report: March 2024
 - i. Director McVay mentioned that he had flagged 3 bills to review. Strange and Sons was to fix customers fence, CalPERS invoice for \$11,000 which is the unfunded accrued liability past and current and the Quadient.

Motion to approve consent: Fickes, McVay 2nd, Motion carried Unanimously (5-0)

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”

6. OLD BUSINESS/NEW BUSINESS (Discussion/Action)

- a. O.B. - USBR Area Manager – Don Bader & Account Reconciliation - (Discussion)
- b. Ordinance 2024-03 – Water Usage Rates Increase Ordinance – 30-day Notice (Discussion/Action)
- c. Fiscal Year 2024 – Quarter 3 (July 2023-March2024) Actuals to Budget (Discussion/Action)
Planning & Steering Committee Items:
- d. Procurement, Competitive Bidding and Emergency contracting Policy (Discussion/Action)
- e. Ethics Policy (Discussion/Action)
 - i. *Don spoke on current Bureau activities, he mentioned that is will be a good year for water and next year the lake coming out with high levels. He praised GM Kelley for all the work he has done and how easy he is to work with. GM Kelley mentioned matching flows and positive for moving forward for drought years. Don Bader mentioned the importance of the Trinity Basin and creating a better plan for future drought years and mentioned the Sykes reservoir is a good place for excess water storage.*
 - ii. *GM Kelley mentioned the changed from rate calculation, cost of service, chlorine, chemicals, utilities have increased, with the rate increase .04 cents domestic and .03 cents Agricultural. Director Fickes questioned the budget and wanted the budget to be more accurate regarding the previous financial packet from the previous budget and the information in the packet for the board meeting. Rate increase will be effective June 1st.*
 - iii. *GM Kelley was asked by Chairman Lincoln to go into more explanation of how the budget is calculated. GM Kelley explained in more detail. Discussed delinquent accounts and reviewed costs of samples as well as reconciliation discrepancies and the OT from the leaks.*
 - iv. *GM Kelley mentioned that the policy looks good and that the board will need to look it over and then it can be approved. Will be reaching out to Emily the volunteer regarding the policies.*

Motion to approve the Water Usage Rates Increase Ordinance:

Aye: Director Johnston, Vice Chair McVay 2nd , Director Beaver 3rd

Nay: Director Fickes, Director Lincoln

(3 – 2)

7. GENERAL MANAGERS REPORT

- i. *GM Kelley mentioned that the new Account Clerk is doing well. There is the DI positions open, there will be a OIT at the Water Treatment Plant. He also mentioned that he is reaching out to the City of Anderson for the Cross-connection Control Specialist and establishing a plan.*

8. OPERATIONS REPORT

- i. *Director Fickes asked what certain parts of the report meant and GM Kelley provided clarification. Special Meeting June 5th to review Budget workshop and Bank selection.*

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”

9. STANDING COMMITTEE REPORT –

- a. Agriculture –
 - i. *May 1st is the next Ag Meeting and mentioned the Farmers Market.*
- b. Finance –
 - i. *Preliminary Finance meeting sometime in May.*
- c. Planning/Steering –

10. BOARD MEMBER ITEMS

- i. *Special Meeting June 5th to review Budget workshop and Bank selection.*

11. CLOSED SESSION ANNOUNCEMENT: - None

12. ADJOURN THE MEETING – Meeting Adjourned by Chairman Lincoln at 8:33pm

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

Agriculture Committee Meeting

Directors - Scott McVay, Logan Johnston
Alternate – Vacant

Community Members
Dr. Audra Harl, Dennis Possehn, Robert Wharton

General Manager: Paul Kelley

AGRICULTURE COMMITTEE MEETING

April 10th 2024 at 6:00PM: District Office Board Room

Committee Responsibility

The Board's standing Agricultural Committee shall be concerned with promoting and preserving agricultural customers and assisting them with regulatory compliance, such as Annual Crop Reports.

NOTES/MINUTES

- 1. CALL TO ORDER – 6:02PM – Committee Chair McVay**
 - Present: Committee Member/Director Johnston
 - Community Committee members: Dennis Possehn, Robert Wharton, (Harl – Absent)
 - GM Kelley
- 2. PLEDGE OF ALLEGIANCE – Led by Director McVay**
- 3. OPEN TIME/PUBLIC COMMENT: - In Audience and Video – Kaitlyn Patrick**
- 4. OLD BUSINESS/NEW BUSINESS (Discussion)**
 - a. Report on Board's approval of contributing to Farm Water Alliance – Discussion
GM Kelley reported that the Board voted March 20th to approve a \$100 contribution to the Alliance and try out "membership" on behalf of Agriculture in happy valley.
GM Kelley plans to follow up and meet with the Alliance CEO and see what support and assistance can be worked on.
 - b. Update on Community Agriculture Survey – Discussion
GM Kelley mentioned that Director Johnston had volunteered to assemble a survey.
Director Johnston – Reported that a draft is not ready and apologized for not having something for the committee. The forms he used to changed but plans to have something for the Committee next month.

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

"This District is an Equal Opportunity Provider"

c. Follow up on Ideas/Initiatives – Discussion

i. Farmers Market

Committee member Wharton – Provided extensive information gathered by meetings with Ag commissioner/ weights and measures and others.

Shasta County Ordinance – broad, and growers don't need grading permit unless moving 250Cu yards.

Questions about Certification / Vs Not Certification

Streetside/Corner sales of “strawberries” allowed, but in Certification Markets there is more paperwork and listing where and what is grown and sold.

Ag Commish: No non-certified

\$50 for market

Farm advisor – answers for much from Tehama County for Shasta County

Redding Farmers Market – Tamales and Crafts, booth for master gardeners.

The Igo-Ono is probably not a Certified farmers' market, but it works.

Should there be farm trails and sell food?

Audience – Katlyn P – Challenges of Farm Trails, People might arrive on a weekend where not product or homeowner not home. Makes it hard and causes the “trails” to dwindle in customers.

Dir. Johnston – Farm Trail might be easiest, but Market probably best.

Wharton – Cert – only selling his own so?

Dennis P – Favors Farmers Market

Johnston – Less producers might be fewer people, so open to all in Happy valley and Neighboring.

Wharton – How do I get Ag water? (GM Kelley said, come in and apply for it – easy this year with no restrictions).

Dir McVay:

- Who invite?
- Any Limits on Product.
- 29 Rose / Lavendar Farms / Crafts
- No Fresh cooked items to start.
- How Often
 - Most felt twice a month,
 - Saturdays 9-11 am
 - Then discussion of 8am to set up, doors open 8:30, done at 11 to clean up.
- Maybe use a third Thursday as alt to one of the Saturdays

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”

- *Marketing*
 - *School Marques*
 - *District news*
 - *West Valley High School Marques*

Name: **Happy Valley Farmers Market**

Slogan: *From Land and Hands of Happy Valley – lots of discussion, nice start, but wait and see.*

When to start: *June 1*

- ii. *Farm Trails – See above – most discussion revolved around starting with a market first*
- iii. *Workshops on Agricultural activities – GM Kelley mentioned some interested in this and we can work on making the District facility available for agricultural seminars.*
- iv. *Other ideas*

Look at Crop report for growers and more...

Next Meeting – May 1 2024 – 6pm

5. ADJOURN THE MEETING – Adjourn at 7:28pm

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

Agriculture Committee Meeting

**Directors - Scott McVay, Logan Johnston
Alternate – Vacant**

**Community Members
Dr. Audra Harl, Dennis Possehn, Robert Wharton**

General Manager: Paul Kelley

AGRICULTURE COMMITTEE MEETING

May 1st, 2024, at 6:00PM: District Office Board Room

Committee Responsibility

The Board's standing Agricultural Committee shall be concerned with promoting and preserving agricultural customers and assisting them with regulatory compliance, such as Annual Crop Reports.

MINUTES/NOTES

1. CALL TO ORDER – 6:01pm

Attendees: Chair McVay, Committee members: Wharton and Possehn

Absent: Director Johnston, Committee member Harl

GM Kelley

2. PLEDGE OF ALLEGIANCE - McVay

3. OPEN TIME/PUBLIC COMMENT:

Audience: Gwen Neideffer – Have 20 acres of Olives – what do I do?

No one to pick etc. Then dialog with committee on uses and nursery option.

Charlotte Lind

Katelyn - Video

4. OLD BUSINESS/NEW BUSINESS (Discussion)

a. Update on Community Agriculture Survey – Discussion

Nothing to Report – Director Johnston Absent

b. Follow up on Ideas/Initiatives – Discussion

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”

i. Farmers Market

*Cmte Wharton: There are foundations like McConnell, Emerson, Rancheria
I can reach out to them – as well as Shasta community foundation sp?)
Cert Farmers mkt - \$75/year \$25 / vendor
Look for grant.*

*Chair McVay: Talked to Com Foundation, meeting not till June.
Met with Bonnies – all agreed this good place to start.
Need Porta Pottys - \$45/Month
Need interest and invite Vendors.
Invite Igo-Ono vendors – GM to reach out to Sandy W for contact.
A-Frame Sign – Wharton volunteered to get this.
“Happy Valley Farm Market Today”
Newsletter? Send a Post card to Ag customers.
Can we find the Redding vendor list?
Wharton to work on that with others.
When: Saturday 8-11 am
Every other Saturday – 2nd and 4th after June 22.
June 22 is the target first one.
What about Trennery farms, or Lavendar farms (29 rose?)*

Cmte Possehn – I can also contact Rancheria.

Audience: Gwen – what about Olives and how to sell them?

Discussion of Bill Carter – Corning, Bettencourt, and Pickers needed.

ii. Farm Trails

Nothing now – get the market going to help a future Farm Trails

iii. Workshops on Agricultural activities

Cmte Harl not here – but interest in the workshops from School

Cmte Possehn: Soil types, Olives and how about Farm Advisor to speak/present.

iv. Other ideas

Next Meeting – May 29th – 6pm

5. ADJOURN THE MEETING – 7:02PM

ADA Related Disabilities:

Contact the front office and speak with a Staff Member if special consideration is needed to attend any public meeting for disability related accommodations or aide is needed. Please give 72 hours - notice prior to the meeting to allow staff to meet your requests appropriately.

“This District is an Equal Opportunity Provider”



CHECK REGISTER

0085 1910-7980 Clear Creek Community Services District

COMPANY BANK ACCOUNT	NAME	ID	CHECK DATE	CHECK NUMBER	DIRECT DEPOSIT AMOUNT	NEGOTIABLE CHECK AMOUNT
TRI COUNTIES BANK Acct # xxxxxx719 R & T 121135045		10010	04/18/24	10210	4,136.78	
		20050	04/18/24	10211	2,003.20	
		20010	04/18/24	10212	2,326.55	
		20040	04/18/24	10213	1,874.46	
		20060	04/18/24	10214	1,848.89	
		30040	04/18/24	10215	2,221.35	
		30010	04/18/24	10216	3,662.80	
		11050	04/18/24	10217	1,310.61	
		11040	04/18/24	10218	1,841.85	
		11010	04/18/24	10219	1,726.62	
BANK ACCOUNT TOTAL 10 Transaction(s)					22,953.11	0.00
COMPANY TOTAL 10 Transaction(s)					22,953.11	0.00



CHECK REGISTER

0085 1910-7980 Clear Creek Community Services District

COMPANY BANK ACCOUNT	NAME	ID	CHECK DATE	CHECK NUMBER	DIRECT DEPOSIT AMOUNT	NEGOTIABLE CHECK AMOUNT
TRI COUNTIES BANK Acct # xxxxxx719 R & T 121135045		20040	05/02/24	10220	960.75	
		20040	05/02/24	10221	1,951.84	
		10010	05/02/24	10222	4,136.56	
		20050	05/02/24	10223	2,476.61	
		20010	05/02/24	10224	2,529.73	
		20040	05/02/24	10225	1,786.67	
		20060	05/02/24	10226	1,438.87	
		30040	05/02/24	10227	2,221.20	
		30010	05/02/24	10228	3,702.78	
		11050	05/02/24	10229	1,310.62	
		11040	05/02/24	10230	1,850.95	
		11010	05/02/24	10231	1,212.81	
					BANK ACCOUNT TOTAL 12 Transaction(s)	25,579.39 0.00
					COMPANY TOTAL 12 Transaction(s)	25,579.39 0.00



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: 6 - Old business/New Business (Discussion/Action)

Discussion:

6.a – USBR Area Manager –Account Reconciliation (Discussion)

This item for discussion on Account Reconciliation update, and other USBR water related items

Recommendation:

Review, Discussion, provide direction to GM.

Discussion/Action:

6.b – Ordinance 2024-05 – District Directors on Consolidated Election November 5th 2024 (Discussion / Action)

The District received letter from the Shasta County Clerk requesting information updates on each director and an ordinance to have the director's seats up for election this year to be on the consolidated general election in November.

See item memo for more background and discussion.

Recommendation:

Review, Discussion, By Motion Adopt Ordinance 2024-05

6.c – Ag Committee Report and Recommendation to support a Farmers Market (Discussion/Action)

The Ag committee has met multiple times to discuss how to support agricultural activities in Happy Valley and is looking to help facilitate a Happy Valley Farmers Market

This is to report to the board the activities and potential ways to support this community endeavor.

See the more detailed memo for the item.

Recommendation:

Review, Discussion, Provide input/direction and.

6.d – Ordinance 2024-06 - Procurement, Competitive Bidding and Emergency contracting policy (Discussion/Action)

See the more detailed memo for the item.

Recommendation:

Review, Discussion, Provide input/direction & Approve by Motion the Ordinance for the Policy

6.e – Ordinance 2024-07- Ethics policy (Discussion/Action)

See the more detailed memo for the item.

Recommendation:

Review, Discussion, Provide input/direction & Approve by Motion the Ordinance for the Policy



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: April 17th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: **6a** – USBR Area Manager – Don Bader & Account Reconciliation

Discussion:

6.a –

USBR Area Manager has been invited to address the Board and community and take questions.

This item for discussion on Account Reconciliation update, and other USBR water related items

There is nothing to report on the Account Reconciliation.

If more, then reported at meeting.

Recommendation:

Review, Discussion, provide direction to GM.



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024

To: Board of Directors

From: General Manager – Paul Kelley

Re: 6b – Ordinance 2024-05 – District Directors on Consolidated Election November 5th 2024
(Discussion / Action)

Discussion/Action:

6b – Ordinance 2024-05 (Discussion / Action)

The District received letter from the Shasta County Clerk requesting information updates on each director and an ordinance to have the director's seats up for election this year to be on the consolidated general election in November.

Attached is the letter sent from the Clerks office and the response cover letter from the District and the Directors roster with the Ordinance 2024-05

Recommendation:

Review, Discussion, By Motion Adopt Ordinance 2024-05 – CCCSD Directors on Consolidated Election November 5th 2024

CLEAR CREEK COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CLEAR CREEK COMMUNITY SERVICES DISTRICT, SHASTA COUNTY, STATE OF CALIFORNIA ORDERING THE BOARD OF DIRECTORS ELECTION; CONSOLIDATION OF ELECTIONS; AND SPECIFICATIONS OF THE ELECTION ORDER.

WHEREAS, California Elections Code requires a general district election be held in each District to choose a successor for each elective officer whose term will expire in December (December 6, 2024) following the election to be held on Tuesday, November 5, 2024; and

WHEREAS, Other elections may be held in whole or in part of the territory of the District and it is to the advantage of the District to consolidate pursuant to Elections Code section 10400; and

WHEREAS, Elections Code, section 10520 requires each District involved in a general election to reimburse the County for the actual costs incurred by the County elections official in conducting the election for that District; and

WHEREAS, Elections Code section 13307(e) requires that before the nominating period opens, the District board must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and

WHEREAS, Elections Code section 12112 requires the election official of the principal County to publish a notice of the election once in a newspaper of general circulation in the District.

NOW, THEREFORE, IT IS ORDERED, that an election be held within the territory included in this District on the 5th day of November 2024, for the purpose of electing members to the Board of Directors of said District in accordance with the following specifications:

SPECIFICATIONS OF THE ELECTION ORDER

1. The election shall be held on Tuesday, the 5th day of November 2024. The purpose of the election is to choose members of the board for the following seats:

Current members or vacant seat:

Logan Johnston
Patricia Beaver
Scott McVay

Term Length

____ Four Years ____
____ Four Years ____
____ Four Years ____

2. The District has determined that the estimated cost for the optional Candidate Statement will be paid for by the Candidate.

The Candidate's Statement will be limited to 200 words. The estimated cost shall be paid at the time of filing Declaration of Candidacy.

3. The District directs that the County Registrar of Voters of the principal County publish the Notice of Election in a newspaper of the general circulation that is regularly circulated in the territory.
4. This Board hereby requests and consents to the consolidation of the election with other elections which may be held in whole or in part of the territory of the District, pursuant to Elections Code section 10400.
5. The District will reimburse the county for the actual cost incurred by the County elections Official in conducting the general District election upon receipt of a bill stating the amount due as determined by the Elections Official.
6. The Clerk of this Board is ordered to deliver copies of this Ordinance to the Registrar of Voters.

PASSED AND ADOPTED, by the Board of Directors of the Clear Creek Community Services District, this 15th day of May 2024 by the following vote:

Motion:

Second:

Ayes:

Noes: ____

Absent: ____

Abstain: ____

Terry Lincoln, Chair of the Board

Attest: _____
Paul Kelley, General Manager
And Secretary to the Board of
Directors of the Clear Creek
Community Services District



SHASTA COUNTY

Cathy Darling Allen, County Clerk / Registrar of Voters

County Clerk / Elections Department elections.shastacounty.gov

1450 Court Street, Suite 108, Redding, CA 96001 / PO Box 990880, Redding, CA 96099-0880

Phone: 530-225-5730 / FAX: 530-225-5454 / CA Relay Service: 711 or 800-735-2922

April 15, 2024

Dear Clear Creek Community Services District,

Our records indicate your ~~school~~ ^{water} district has board member seats up for the General Election on November 5, 2024.

Enclosed are documents that we are asking you to review for accuracy and return on or before **July 3, 2024**.

Please review the following enclosed information:

- Incumbent List
 - Review and note any changes necessary.
 - Return copy with changes to our office.

- Fact Sheet
 - Indicate if there are changes necessary from incumbent List.
 - Indicate the number and term length of open seats.
 - Candidate Statement responsibility.
 - Qualification for office.
 - District boundary changes – using the mapping shape format.

- Sample Resolution
 - Prior to taking the resolution to your governing board for approval, please e-mail a copy to ensure it contains all the required elements.
 - Provide a final resolution calling the election to the Election's office with no later than July 5, 2024.

Please mail the originals in the enclosed envelope as soon as possible.

The *Candidate Nomination* period runs **July 15, 2024 through August 9, 2024**. If an incumbent does not file, the nomination period is extended to August 14, 2024, for non-incumbents only. If the seat is vacant, there is no extension period.

Anyone wishing to apply for candidacy should contact our office and make an appointment.

Thank you in advance for your time and cooperation.

Regards,

Mary Paul, Deputy
(530) 225-5839
mpaul@shastacounty.gov
Enc

Fact Sheet for Clear Creek Community Services District

General Election November 5, 2024

Return Fact Sheet and Incumbent List by (E-125) **July 3, 2024**. EC 10509

Incumbent Information

Review the attached Incumbent List, check where applicable:

- The information is correct.
- The information is incorrect; changes are noted on enclosed copy. *Address*

Indicate open seats:

Number of Full-Term seats up for election: 3

Number of Short-Term seats up for election: _____

Paid Candidate Statement

Indicate whether the district or the candidate pays for the candidate statement.

- Candidate
- District

Qualifications for Office

As of 2022, districts qualifications require candidates to be a registered voter and district resident.

- The qualifications listed above are correct and have not changed.
- The qualifications for office have changed. Explain: _____

District Boundaries EC 12262

- No changes to district boundaries.
- District boundaries changes have been made to since 2022;
 - o Provide a map and a description of the district boundary changes.
 - o Provide a list of completed annexation numbers since the last regular district election.

Resolution Calling for an Election EC 10002

The resolution must include:

- o Request for consolidation of election
- o Accept actual election costs.
- o Candidate statement costs responsibility.

Incumbent List by District

District Range: 360 to 360



Incumbent **Clear Creek Community Services District**

Regular & Alt Phone Numbers Term of Office Begin & End Term Dates

3033 - 1 **Beverly Ann Fickes** Director Incumbent - Elect..... No 4 12/02/2022 - 12/04/2026

Mail Addr:

3033 - 2 **Terry Jay Lincoln** Director 4 12/02/2022 - 12/04/2026

Mail Addr:

3035 - 1 **Logan Hanley Johnston** Director 4 12/04/2020 - 12/06/2024

✓ Mail Addr:

3035 - 2 **Patricia A Beaver** Director 4 12/04/2020 - 12/06/2024

✓ Mail Addr:

3035 - 3 **Scott Alan McVay** Director 4 12/04/2020 - 12/06/2024

✓ Mail Addr:

Total Incumbents: 5

Specifications of the Election Order

1. The Election shall be held on Tuesday, the 8th day of November, 2022. The purpose of the election is to choose members of the board for the following seats:

Current Members or Vacant Seat:

Term Length:

2. The District has determined that the estimated cost for the optional Candidate Statement will be paid for by the:

Circle One: District Candidate

The Candidate's Statement will be limited to 200 words. The estimated cost shall be paid at the time of filing Declaration of Candidacy.

3. The district directs that the County Registrar of Voters of the principal county publish the Notice of Election in a newspaper of general circulation that is regularly circulated in the territory.

4. This Board hereby requests and consents to the consolidation of this election with other elections which may be held in whole or in part of the territory of the district, pursuant to Elections Code 10400.

5. The district will reimburse the county for the actual cost incurred by the county elections official in conducting the general district election upon receipt of a bill stating the amount due as determined by the elections official.

6. The Clerk of this Board is ordered to deliver copies of this Resolution to the Registrar of Voters.

7. THE FOREGOING RESOLUTION WAS ADOPTED upon motion of

Director _____

Seconded by Director _____, at a regular meeting on

this day of _____, 2022, by the following vote:

AYES: _____
ABSENT: _____

NOES: _____
ABSTAIN: _____

Date

Board President or District Secretary
Castella Fire Protection District



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: **6c – Ag Committee Report and Recommendation to support a Farmers Market**
(Discussion/Action)

6.c – Ag Committee Report and Recommendation to support a Farmers Market (Discussion/Action)

The Ag committee has met multiple times to discuss how to support agricultural activities in Happy Valley and is looking to help facilitate a Happy Valley Farmers Market

This is to report to the board the activities and potential ways to support this community endeavor.

Some items the District could do to encourage the Farmers Market:

- Information and notices in the Newsletter to encourage participation
- Send post cards to ag customers
- Put information on Bills
- Other

Recommendation:

Review, Discussion, Provide direction



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: **6d – Ordinance 2024-06 - Procurement, Competitive Bidding and Emergency Contracting Policy (Discussion/Action)**

Discussion/Action:

6b – Ordinance 2024-06: Procurement, Competitive Bidding and Emergency Contracting Policy (Discussion / Action)

Discussion:

This policy has not been updated for over 10 years, the current draft has been updated to current law and activities, the District's atty has reviewed and provided some minor edits.

The board reviewed this policy last month and now the Ordinance is available to adopt the Policy

Recommendation:

Review, Discussion, Provide input/direction & Approve by Motion the Ordinance for the Policy

CLEAR CREEK COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CLEAR CREEK COMMUNITY SERVICES DISTRICT TO ESTABLISH AND ADOPT THE CLEAR CREEK COMMUNITY SERVICES DISTRICT *PROCUREMENT, COMPETITIVE BIDDING AND EMERGENCY CONTRACTING POLICY*.

WHEREAS, The Board of Directors recognizes the need to establish a policy to enable it to administer the procurement, competitive bidding and emergency contracting for the District ; and

WHEREAS, the Board of Directors desires to provide all interested parties the opportunity to do business with the District with known procedures; and

WHEREAS, the Board of Directors looks to comply with the California Government Code and Public Contracting Code section applicable to procurement of services and supplies, competitive bidding, responsible bidders, emergency contracting; and

WHEREAS, the Board of Directors desires to provide to the District’s customers the best possible service by the most cost effective means for capital projects by administering the competitive bidding and procurement process in-house; and

NOW, THEREFORE, IT IS ORDERED, that the Clear Creek Community Services District does hereby adopt the Clear Creek CSD *Procurement, Competitive bidding and Emergency Contracting policy*, dated May 15, 2024

PASSED AND ADOPTED, by the Board of Directors of the Clear Creek Community Services District, this 15th day of May 2024 by the following vote:

Motion:

Second:

Ayes:

Noes: ____

Absent: ____

Abstain: ____

Terry Lincoln, Chair of the Board

Attest: _____
Paul Kelley, General Manager
And Secretary to the Board of
Directors of the Clear Creek
Community Services District



PROCUREMENT, COMPETITIVE BIDDING AND EMERGENCY CONTRACTING POLICY

Document Type: Procurement, Competitive Bidding and Emergency Contracting Policy

Administering Entity: : Board of Directors and General Manager

Date Approved: May 15, 2024, Ordinance 2024-06

Prior Amendment Date: January 12, 2005, Ordinance 2005-02

Approved By: Board of Directors

Indicative Time for Review: Every 3 years

Responsibility for Review: : Board of Directors and General Manager

Purpose of Policy

To provide a broad overview of the standards and methods, which will guide the CCCSD in obtaining goods, equipment, materials, and professional and technical services, including construction and capital improvements for the district.

- *California Government Code Section 54202:* requires every local agency to adopt policies and procedures, including bidding regulations, governing purchases of supplies, materials and equipment and that said purchases shall be in accordance with said duly adopted policies and procedures.
- *California Government Code Section 54204:* requires that if the local agency is other than a city or county, policies provided for in Section 54202 shall be adopted by means of a written rule or regulation, copies of which shall be available for public distribution.
- *California Public Contract Code Sections 20161 and 20162* mandate that California public works projects be competitively bid. The public works competitive bidding laws are intended to eliminate favoritism, fraud and corruption in the awarding of public contracts. Work that is exempt from competitive bidding includes emergency work, small contracts, sole source items and specialized personal services.
- *California Government Code 61063:* requires each Community Service District to adopt policies and procedures for the purchase of materials, supplies, and equipment. It also

allows for purchases to be made by the State Department of General Services or the District's local county upon request of the Community water district. And the community Service District may request the purchasing agent of the local county to contract with persons to provide projects, services and programs authorized by this division pursuant to Article 7.

- *California Public Contracts Code 20682*: reads as follows: (a) A district may purchase materials and supplies for the construction or completion of any building, structure, or improvement in the open market when the cost does not exceed twenty-five thousand (\$25,000). (b) Contracts for materials and supplies for the construction or completion of any building, structure, or improvements, when the cost exceeds twenty-five thousand (\$25,000), shall be contracted for and let to the lowest responsible bidder after notice. If two or more bids are the same and the lowest, the district board may accept the one it chooses. (c) The district shall publish a notice inviting bids for any contract for which competitive bidding is required at least one time in a newspaper of general circulation in the district at least one week before the time specified for receiving bids. The notice inviting bids shall set a date for opening the bids and distinctly state the materials and supplies to be purchased. (d) If the general manager recommends and the board of directors determines that the publication of advertisements of the notice in trade journals and papers in lieu of publication pursuant to subdivision (c) will increase the number of business enterprises receiving that notice, the board of directors may by resolution declare that those notices shall be published in trade journals and papers at least 10 days prior to the time specified for receiving bids. (e) At its discretion, the board of directors may reject any bids presented and readvertise. (f) In the case of an emergency the board of directors may act pursuant to Chapter 2.5 (commencing with Section 22050). (g) As an alternate to the procedures required by this section, a district may rely on the Uniform Public Construction cost accounting Act, chapter 2 (commencing with Section 22000) of Part 3 of Division 2.
- *California Public Contract Code 22050*: reads as follows: (a) (1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency. (b) (1) The governing body, by four-fifths vote may delegate, by resolution or ordinance, to the appropriate county administrative office, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).

This policy establishes the Board of Directors (BOD) approved policies with respect to the procurements of services and materials and for public works projects, including expenditure

authorization and limits, competitive proposal and bidding requirements and general procurement procedures and Emergency Contracting. All purchases of services and materials and public works projects to be paid for by CCCSD shall adhere to the authority level and dollar limits of this policy.

POLICY

A. Fundamental Principles

CCCSD's policy is guided by the following principles:

- Foster open competition for CCCSD contracts
- Promote economy and efficiency in CCCSD procurement activities
- Ensure adherence to proper standards of conduct by CCCSD Board Members, General Manager, and employees to guard against corruption, fraud, waste, and abuse
- Maintain procurement policies and procedures that ensure compliance with applicable State and Federal laws and regulations
- Insured contractors provide proof of insurance that complies with the CCCSD's insurance carriers requirements.
- Establish and maintain an arm's length relationship with vendors
- Treat all prospective contractors, consultants, and vendors in a fair and equitable manner
- Provide appropriate public access to contracting information

B. Conflicts of Interest

No Director, General Manager, employee, or agent of the CCCSD shall participate in any procedure, task or decision relative to initiation, evaluation, award or administration of a contract if a conflict of interest, real or apparent, exists. Such a conflict of interest arises when (a) the Director, General Manger, employee or agent (b) any member of his or her immediate family (c) his or her business associate or (d) an organization which employs, or which is about to employ, any of the above-described individuals has a financial or other interest in a firm that participates in a CCCSD procurement process or that is selected for an award. The standards governing the determination as to whether such an interest exists are set forth in the *Political Reform act (Section 8100 et seq of the California Government code)* and in *Sections 1090, 1091 and 1091.5 of the California Government Code.*

C. Procurement Authority

- 1) BOD Authorization is required for all procurements exceeding \$25,000.
- 2) The General Manager is authorized to approve all procurements and agreements in the amount not to exceed \$25,000.

- 3) The BOD at its discretion may authorize the General Manager to approve procurements, execute agreements, amend agreements, and sign change orders for specific items over \$25,000 in a regular or special BOD meeting.
- 4) All Purchase Orders regardless of the amount, if \$25,000 or under, will be approved by the General Manager.

D. Methods of Procurement

- All purchases and contracts, whether by Purchase Order (Informal Quote), RFP/Formal Bid, or RFP/Sealed Bid shall be made on a competitive basis to the greatest extent practicable.
- \$0 to \$25,000 requires Informal Quotes/Proposals
- \$25,001 to \$99,999 requires a Request For Quotes/Proposal (RFP)
- \$100,001+ requires a Request For Proposal/Sealed Bid and a Request for Qualifications (RFQ) may be included in the bid documents.

Informal Quotes

For purchases less than \$5,000, quotes may be obtained through an informal process (e.g., web browsing or phone calls) and documentation of the quotes is required. A Purchase Order is required with complete information and prior approval by the General Manager. Purchase Orders are issued for ordering supplies, equipment, and services before the purchase and not “after the fact” for work already done or materials already ordered.

For purchases of \$5000 or more, but less than \$25,001. A minimum of three (3) quotes/proposals are required. The quotes/proposals must be documented and retained on file by the General Manager. The request for quotes/proposals must be made in a consistent manner for all vendors, meaning that all vendors must receive the same information regarding specifications and requirements of the product or service. The request must also be transmitted to the vendors in a consistent manner (e.g., mail, email or verbal quote).

Quotes/RFP

For purchases of \$25,001 or more, but less than \$100,000. Quotes/Proposals shall be solicited from a minimum of three (3) vendors. A Request for Proposal (RFP) must be used to document the specifications and requirements of the product or service. The bids must be received by the vendors in written form and retained on file by the General Manager.

Per Section 22000 in (g) above the BOD may choose for projects of \$60,000 or less to contract for them by negotiated agreement, purchase order or do the work itself with its own employees. For contracts over \$60,000 but at or below \$200,000 the CCCSD can

follow informal bidding procedures that involve sending out a bid request to a list of contractors developed and kept by the CCCSD. If the BOD elects to follow Section 22000 they must adopt an ordinance/resolution stating that the CCCSD is using the Section 22000 of the Uniform Public Construction Cost Accounting Act, Chapter 2 of Part 3 of division 2 commencing with Section 22000 for the purchase or agreement.

RFP/Sealed Bids

For purchases of \$100,000 or more a Formal RFP/Sealed Bid process is required, and contracts shall be awarded in a manner most beneficial to the CCCSD. The CCCSD shall strive to obtain the best value in awarding contracts, service agreements and purchase agreements. The following subsections specify certain procedures based on the four categories:

- Capital Improvement Projects
- Maintenance and Service Agreements
- Professional Services Agreements
- Equipment, Materials and Supplies Purchases

a. Capital Improvement Projects

Contracts, valued at \$100,000 or more, for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement hereinafter referred to as “Capital Improvement Projects, (CIP), shall be subject to the formal competitive bidding procedures set forth herein unless an exception exists, or the BOD determines is not in the best interest of the CCCSD (See Section “E”). Project-specific contracts covered by this procedure shall be issued to expire upon completion of the work, unless otherwise specified in the written agreement. As required by law, registration with the Department of Industrial Relations for prevailing wage regulations is required for all CIP bidders. When the CIP is funded through a Federal Grant, the CCCSD must follow Federal procurement standards listed in the *Code of Federal Regulations Sections 200.317 through 200.326* or as required by the grant document.

i. Call For Bids

The General Manager is authorized to create a prequalified bidders list. The bidders may be prequalified on an annual basis or on a project specific basis. Notice inviting sealed bids shall be distributed to prequalified bidders or other interested parties as may be deemed beneficial by the General Manager. If there are no prequalified bidders or if the prequalified bidders list is inadequate, a notice inviting bids may be published in a newspaper that serves the CCCSD. (Per Public Code 20164).

ii. Form of Call For Bids

The Invitation for Bids shall contain:

- A statement as to where the plans and specifications may be obtained

- A general description of the CIP
- A statement that the CCCSD will receive sealed bids
- A statement that the contract or contracts for the CIP will be awarded to the lowest responsive, responsible bidder or bidders, but that any or all bids may be rejected
- A statement of the time and place for the opening of the sealed bids and
- Any such other information as may be required by the CCCSD or law.

A RFQ may be utilized in selecting an engineer or architect or included in the bid documents to pre-qualify general contractors. A Pre-Bid Conference may be required, if deemed necessary.

iii. Submission of Bids

Bids shall be submitted on forms supplied by the CCCSD and under sealed cover. Each bid shall be accompanied by cash, a certified or cashier's check or a Bid bond secured from a surety company satisfactory to CCCSD in the amount indicated within the bid documents, made payable to the Clear Creek Community Service District, as bid security.

iv. Opening of Bids

Bids shall be publicly opened at the time and place specified in the invitation for bids. A minimum of two members of the CCCSD staff must be present and/or a member of the BOD and any other pertinent individuals to be determined by the General Manager.

v. Bid Evaluation and Acceptance

Acceptance of any bid shall be by action of the BOD. The BOD reserves the right to waive any irregularities, to reject any or all bids, re-advertise or to proceed with the CIP or any part of it using CCCSD staff.

vi. Bid Award

Contracts shall be awarded to the lowest responsive and responsible bidder, which will be deemed the best value to the CCCSD. The contract shall be executed prior to beginning performance under the contract.

vii. Relief of Bidders

A bidder shall not be relieved of its bid, unless by the consent of the CCCSD BOD, upon a showing by the bidder to the satisfaction of the BOD that:

- A mistake was made
- The bidder gave the CCCSD written notice within five (5) business days after the opening of the bids of the mistake, specifying in the notice in detail how the mistake occurred
- The mistake made the bid materially different that the bidder intended it to be and
- The mistake was made in filling out the bid and not due to error in judgment or carelessness in inspecting the site of the work or in reading the plans or specifications.

A bidder who claims a mistake or forfeits its bid security shall be prohibited from participating in further bidding on the project on which the mistake was claimed or security forfeited.

viii. Performance and Payment Bonds

Any bidder to whom a contract for CIP is awarded under the CCCSD's formal competitive bidding procedures shall supply on forms satisfactory to the CCCSD, a Faithful Performance Bond in an amount equal to the total contact price.

Each bond shall be secured from a California admitted surety company that meets all State of California bonding requirements, as defined in *California Code of Civil Procedure Section 995.120* and is authorized by the State of California. Each bond shall be accompanied, upon request of the CCCSD, with all documents required by *California Code of Civil Procedure Section 995.660*, to the extent required by law.

ix. Insurance

Before work commences, evidence of insurance as required by the contract for CIP must be obtained, reviewed, and accepted by the General Manager. A copy of the Certificate of Insurance will be provided to the BOD.

b. Maintenance and Service Contracts

This procedure applies to non-professional service agreements that do not involve real property. Examples include landscape maintenance, janitorial, uniform cleaning and material hauling.

- Contracts for maintenance or services shall be approved by the BOD if the total cost for the initial term of the agreement exceeds \$25,000.
- Project-specific contracts for maintenance and services covered by this procedure shall be issued to expire upon completion of the work, unless otherwise specified in the written agreement. Contracts for maintenance and services covered by this procedure shall be issued for an initial term of no more than 36 months. The General Manager may authorize a maximum of one (1) extension of 24 months for maintenance and services. Extensions to contracts or agreements valued at more than \$25,000 shall be approved by the BOD.
- Before work commences or services are rendered, evidence of insurance as required by the contract or service agreement must be obtained, reviewed and accepted by the General Manager. A copy of the Certificate of Insurance will be provided to the BOD.

c. Professional Services Contracts

A professional services contract is an agreement between the CCCSD and a professional service provider. Professional service providers are those entities that provide advice, opinions, or technical expertise. Examples of professional service providers include accountants, actuaries, architects, attorneys, engineers, educational trainers, financial

advisors, surveyors, etc. Depending upon the trade, these individuals may or may not hold professional licenses.

Professional services shall be selected on the basis of demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required.

Contracts for professional services covered by this procedure shall be issued for an initial term of no more than 36 months. The General Manager may authorize a maximum of one (1) extension of 24 months for professional services. Extensions of contracts beyond 60 months shall be approved by the BOD.

d. Equipment, Materials and Supplies Purchases

This procedure applies to purchases of heavy equipment, vehicles, materials, supplies and other tangible goods that are not associated with services or permanent attachment to real property.

- Detailed specifications of the items must be provided to the bidders in writing.
- Brand standardization is allowable if deemed to be in the best interest of CCCSD and documented.
- In purchasing equipment or supplies that need to be compatible with existing equipment or to perform complex or unique functions, the General Manger may limit bidding to a specific product type or brand name product.
- Equipment, materials and supplies that can only be obtained from only one (1) vendor are exempt from competitive bidding.

e. Emergency Purchases

Emergency purchases may be made without competitive bidding when time is of the essence and shall be made only for the following reasons:

- To preserve or protect life, health, or property or
- Upon natural disaster or
- To forestall a shutdown of essential services
- Or if the funding documents state emergency project funding”.

Since emergency purchases do not normally provide the CCCSD with an opportunity to obtain competitive quotes, sound judgement shall be used in keeping such orders to an absolute minimum. In addition, the following requirements shall apply:

- A Purchase Order will be filled out as soon as possible.
- Documentation explaining the circumstances and nature of the purchase shall be submitted to the BOD as soon as possible.
- If the emergency causes any budget line item to exceed the approved budget, it shall be the responsibility of the General Manager to obtain subsequent BOD approvals and adjustments to the budget.

- If the emergency purchase involves Force Account Work in association with a declared disaster (e.g., FEMA), detailed records of the work must be documented including scope of work, daily staff time and equipment used. Depending on the scope of the disaster, Force Account Work may involve CIP.

f. Progress Payments for CIP

When a contract for CIP has been approved by the BOD, the release of progress payments may be approved by the General Manager with no limit and no further BOD approval.

g. Change Orders for CIP

The General Manager may approve change orders for CIP, which do not exceed the original authorization by more than \$25,000. Change orders in excess of this amount or that reflect a change in the scope or nature of the project shall be submitted to the BOD.

E. Discretion to Waive the Competitive Process

The BOD may waive the requirements for formal competitive bidding or other procedures set forth in the Policy, when a determination is made that the best interests of the CCCSD are served thereby, and provided there is adequate documentation of the need for such materials, supplies, equipment, public works, or services. These circumstances shall be evaluated on a case-by-case basis, keeping in mind the fundamental principles of procurement set forth in this Policy. The findings justifying the waiver must be documented in the record. (Also refer to Section “E” Emergency Purchases”)

F. Audits

Compliance with this policy is subject to review at any time by internal or external auditors. It is the responsibility of the General Manger to make sure that the procedures in this policy are followed and that records are maintained of purchase orders, bids, bid documents, contracts, change orders and any other relevant documentation and that authorized signatures are obtained.

G. Definitions of Terms

- “May Approve” shall mean authority to approve appropriate funding for a specific procurement
- “Capital Improvement Project” or “CIP” shall mean a project that has a value of at least \$100,000, has a lifespan of longer than one (1) year and results in the creation or revitalization of a fixed asset.
- “Change Order” shall mean any modification to an existing procurement or respective contractual document subsequent to award.
- “Competitive Bid” shall be for all procurements \$100,000 or over.

- “Contract” shall mean the legal document authorizing the procurement of services.
- “Emergency” shall mean a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or operations of CCCSD’s facilities.
- “Forced Account Work” shall mean paid on a Time and Materials plus markup basis, where there is no signed agreement.
- “General Manger” shall mean the executive in charge of day- to- day CCCSD operations.
- “Informal Quotes” shall mean the verbal or written request for a verbal or written bid, proposal, or quotation.
- “Informal Bid” shall mean bid solicitation off of a list of contractors developed by CCCSD.
- “Invitation for Bids” shall mean a formal process for soliciting sealed bids from qualified prospective suppliers. Typically involves advertising the solicitation, a formal bid opening and the awarding of a contract to a responsive and responsible supplier based on price and other specified factors.
- “Pre-Bid Conference” shall mean the requirement of prospective bidders to attend a meeting at a specified location, date and time that is listed in the Invitation to Bid. It can be stated in Bid Documents that failure to attend disqualifies them as a bidder.
- “Procurement” shall mean the purchase or otherwise compensatory securing of materials, supplies, services, leases, equipment, real property, or public works services. Non-competitive bid procurements are in the amounts of \$49,999 or less.
- “Professional Services” shall mean any specially trained and experienced person, firm or corporation providing services and advice in financial, economic, accounting, engineering, information services, legal, technical, architectural or other administrative/professional matters.
- “Public Works” shall mean the erection, construction, alteration, repair, or improvement of any public structure, building, road or other improvement of any kind.
- “Purchase Order” shall mean the legal document authorizing the procurement of goods.
- “Request for Proposal” shall mean a formal solicitation for bids that involves more than just a price. Prospective suppliers submit requested information and are evaluated, and a contract awarded based on pre-established criteria.
- “Responsible” shall mean a bidder or proposer who has proper resources, technical capabilities, financial capacity to deliver materials or perform the work and any necessary licenses required.
- “Responsive” shall mean a bidder or proposer whose bid/proposal complies in all material aspects with the Invitation for Bids or Request for Proposal by the bid opening or proposal closing date.

- “Sole Source” shall mean procurement where only one viable source exists. This is usually due to legal restrictions of patent rights, a proprietary process, warranty issues, original equipment, copyrights, etc.



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: **6e – 2024-07 - Ethics Policy (Discussion/Action)**

Discussion/Action:

6b – 2024-07 - Ethics Policy (Discussion / Action)

Discussion:

The Ethics Policy has been edited and updated to this version. This version is for the Board consideration, input, edit and / or approval.

The Board reviewed and provided comments at the April meeting and now the Ordinance is available.

The Previous Ethics policy in 2004 also approved a “Mission Statement” – still in effect:

“Clear Creek Community Services District’s commitment to our customers is the dependable delivery of high quality water, while maintaining superior customer service at an affordable price. We pride ourselves on our fiscal responsibility and good stewardship of the water supply. We, too, are proud, active members of the Greater Happy Valley Community”

Recommendation:

Review, Discussion, Provide input/direction & Approve by Motion the Ordinance for the Policy

CLEAR CREEK COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CLEAR CREEK COMMUNITY SERVICES DISTRICT TO ADOPT THE CLEAR CREEK COMMUNITY SERVICES DISTRICT *ETHICS POLICY*.

WHEREAS, The Board of Directors recognizes the need to establish an Ethics policy to enable the highest standards of personal conduct, honesty and fairness while doing its business; and

WHEREAS, the Ethics policy outline the professional conduct, conflict of interest, confidential information, compliance with the Brown Act, director compensation and expense reimbursement to increase awareness of the ethics and value as critical elements to professional conduct; and

WHEREAS, the Ethics policy will be provided to all current directors and future elected and appointed directors as part of their orientation process, along with other training and polices necessary for the performance of their duties and to assure avoiding a conflict or appearance of conflict and good decision making; and

WHEREAS, the Board of Directors desires to provide to the District’s customers the best possible service and representation by serving with standards as called out in the Ethics policy; and

NOW, THEREFORE, IT IS ORDERED, that the Clear Creek Community Services District does hereby adopt the Clear Creek CSD *Ethics policy*, dated May 15, 2024

PASSED AND ADOPTED, by the Board of Directors of the Clear Creek Community Services District, this 15th day of May 2024 by the following vote:

Motion:

Second:

Ayes:

Noes: ____

Absent: ____

Abstain: ____

Terry Lincoln, Chair of the Board

Attest: _____
Paul Kelley, General Manager
And Secretary to the Board of
Directors of the Clear Creek
Community Services District



ETHICS POLICY

Document Type: Ethics Policy

Administering Entity: Board of Directors and General Manager

Date Approved: May 15, 2024, Ordinance 2024-07

Prior Amendment Date: July 14, 2004, Ordinance 2004-07

Approved By: Paul Kelley, General Manager, Board of Directors

Indicative Time for Review: Every Five (5) Years

Responsibility for Review: Board of Directors and General Manager

INTRODUCTION

It is the policy of Clear Creek Community Services District (CCCSD) that the Directors and employees maintain the highest standards of ethics. The Board is required to make decisions and establish policies through the proper channels and to fully comply with the State's open meeting law for public agencies, Ralph M. Brown Act. The public office will not be used for the personal gain of Directors nor immediate family members, and Directors are to remain fair and impartial towards the public. Accordingly, the Board of Directors and employees will maintain the highest standard of personal honesty and fairness in carrying out their duties.

OBLIGATIONS

Directors are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Directors will comply with applicable laws regarding conduct, including conflict of interest, financial disclosure and open meeting laws.¹

¹ Government Code Section 1360; Article 20, Section 3 of the California Constitution

NON-DISCRIMINATION

Directors will not, in the performance of their official duties, discriminate against any person based on race, religion, color, creed, age, marital status, national origin, ancestry, sex, sexual preference, medical condition or disability. Directors will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to any other person or group in similar circumstances.²

SAFEGUARD OF DISTRICT PROPERTY/RESOURCES

Except as specifically authorized, Directors will not use or permit to be used District owned vehicles, equipment, phones, materials or property for personal convenience or profit. Directors will not require employees to perform services for personal convenience or profit. Each Director must protect and properly use District assets within his or her control, including recorded information, either in paper or electronic form. Directors will safeguard District property, equipment, money and assets against unauthorized use or removal, as well as from loss due to criminal acts or breach of trust. Directors are responsible for maintaining written records, including expenses incurred in the course of business in sufficient detail to reflect accurately and completely all transactions and expenditures made on the District's behalf, in accordance with District policies.³

CONFIDENTIAL INFORMATION

Without proper authorization by the Board, a Director will not disclose, to individuals not authorized to receive it, information that qualifies as confidential information under applicable provisions of open meeting laws, including information received in closed session, attorney/client or evidentiary privilege, or information not required to be disclosed under the California Public Records Act.

This does not prohibit making confidential inquiry or complaint to a district attorney or grand jury concerning perceived violations of the law, including disclosing facts that are necessary to establish the alleged illegality of an action taken by the Board, Director or employee of the District. Prior to disclosing confidential information for any purpose, a Director will first bring the matter to the attention of the Chairman or the full Board, to provide an opportunity to cure the alleged violation.

² Article 1, Section 31 of the California Constitution; Age Discrimination in Employment Act of 1967 (29 U.S.C., Sections 621-634); Americans with Disabilities Act of 1990 (42 U.S.C., Section 12101 et. Seq.); Fair Employment and Housing Act (Government Code, Section 12900 et. Seq.); Rehabilitation Act of 1973 (29 U.S.C., Section 701 et. Seq.); Title VII of the Civil Rights Act of 1964 (42 U.S.C., Section 2000e et. Seq.); Labor Code Section 1102.1

³ Article 16, Section 6 of the California Constitution; Government Code Section 8314; Penal Code Section 424; see *People v. Battin* (1978) 77 Cal.App.3d 635.

A Director who willfully and knowingly discloses confidential information received in the course of his or her official duties for pecuniary gain may be guilty of a misdemeanor under Government Code Section 1098.⁴

CONFLICT OF INTEREST

Directors shall not have a financial interest in a contract with the District, be a purchaser of equipment and or property owned by the District or be a vendor of a purchase made by the District, unless the Director's participation was authorized under Government Code section 1090, 1091 or 1091.5, or other provisions of law. A Director will not participate in discussion, deliberation or vote on a matter before the Board, or in any way attempt to use his or her official position to influence a decision by the Board if he or she has a prohibited interest with respect to the matter as defined in the Political Reform Act, Government Code sections 81000, following and relating to conflicts of interest. A direct conflict of interest is defined as a financial interest in a matter that would have a material financial effect that is distinguishable from the effect on the public generally.⁵ An indirect conflict of interest means any investment of interest owned by the spouse or dependent child of the Director, by an agent on his or her behalf, or by a business entity or trust in which the Director, spouse or dependent child owns directly, indirectly or beneficially 10% or greater interest.

A Director will not accept gifts or honoraria that exceeds the limitations specified in the FPPC regulations. All gifts, campaign contributions, income and financial information will be reported as required under the District's Conflict of Interest Code and the provisions of the FPPC regulations.⁶

If a Director believes that he or she may be disqualified from participation in discussion, deliberations or vote on a particular matter due to conflict of interest, the Director will immediately notify the General Manager and the District's Attorney of the potential conflict of interest so it may be determined if it is indeed a disqualifying conflict of interest. If a determination is made that there is a disqualifying conflict of interest the Director will leave the room and not participate in the discussion, deliberation or vote on the matter, which will be noted in the meeting minutes.

A Director who willingly and knowingly asks for, accepts or agrees to receive any gift, reward or promise thereof for doing an official act, except as authorized by law, may be guilty of a misdemeanor under Penal Code section 70.⁷

POLITICAL CONTRIBUTIONS

Directors are prohibited from soliciting political funds or contributions at District facilities or from District employees. Directors will not accept, solicit or direct a political contribution from District employees, officers, consultants or contractors or any person or entity who has a financial

⁴ Government Code Section 54963.

⁵ Fair Political Practices Commission "FPPS" regulations

⁶ Government Code Sections 87100 and following.

⁷ Government Code Sections 1090, and following, 81000 and following, and 87105; Penal Code Sections 68 and 70.

interest in a contract or other matter that is pending before the Board. A Director will not use the District's seal, letterhead or other indicia of the District's identity, or facsimile thereof in any solicitation for political contributions contrary to state or federal law.⁸

INCOMPATIBLE OFFICES

Any Director appointed or elected to a public office of another entity, in which the duties may require actions inconsistent with the interest of the District (as determined under applicable law) will resign from his or her position as Director of the District.⁹

For a period of one year after leaving office, Directors will not represent before the District, non-governmental entities for compensation with regard to any issues over which that Director had decision making authority during the three years prior to leaving office. Represent means to actively support or oppose a particular decision by lobbying, in person, District Directors or employees or otherwise acting to influence the Directors. This does not apply to not-for-profit charitable entities. These restrictions may be waived in individual cases by a majority vote of the Board.

Nothing in this section is intended to prevent a former Director from participating in meetings of the Board in the same manner as other members of the public.¹⁰

RELATIONSHIP OF THE BOARD AND GENERAL MANAGER

The Board of Directors sets the policy for the District. The District's General Manager has full charge and control of maintenance, operation and construction of the District facilities. The General Manager has full power and authority to employ and discharge all employees, consistent with the MOU between the District and the United Public Employees of California (UPEC) Local 792, and other provisions of law; prescribe the duties of employees consistent with District policy, and fix and alter compensation of employees, subject to approval by the Board. After recommendation by the General Manager, the Board may approve the appointment of the Chief Financial Officer (whom may also be the General Manager). The CFO will install and maintain a system of auditing and accounting that will completely and at all times reflect the financial condition of the District in accordance with generally accepted accounting principles and legal requirements. The Board will retain an independent auditor through contract to conduct the annual audit of the District's books and at their discretion assign to the Financial Committee who will periodically review the auditor's work and make recommendations to the Board.

The District's General Manager, shall be employed under a contract approved by the Board, will use as his or her personnel contract and the current General Manager's Reimbursement Policy on file.

The Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote during duly convened Board meetings. Individual Directors will deal with matters within their authority through the General Manager, and not

⁸ Government Code Section 3205.

⁹ 73 Ops.Cal.Atty.Gen. 357 (1990); Government Code Section 53227.

¹⁰ Government Code section 54954.3.

through other District employees, except as it pertains to the functions of the CFO, auditor and consultants. Individual Directors will refrain from making requests directly to District employees, rather than the General Manager to undertake any work assignments. The Board of Directors may request non-confidential, factual information regarding District operations from other District employees.¹¹

IMPROPER ACTIVITIES AND PROTECTION OF “WHISTLE BLOWERS”

The General Manager has the primary responsibility for ensuring that District employees do not engage in improper activities and comply fully with the MOU; investigating allegations of improper activities and taking appropriate corrective and disciplinary actions. The Board is obligated to ensure that the General Manager is operating the District in accordance with law and District policies. Directors are encouraged to fulfill their obligation to the public and the District by disclosing to the General Manager, to an extent not expressly prohibited by law, improper activities within their knowledge. Directors will not interfere with the General Manager’s responsibilities in identifying, investigating and correcting improper activities, unless the Board determines that the General Manager is not properly carrying out these responsibilities. Nothing in this section affects the responsibility of the Board to oversee the performance of the General Manager.

A Director will not use or threaten to use any official authority to influence to effect any action as a reprisal against a District Director or employee who reports or otherwise brings to the attention of the General Manager any information regarding the subjects described in this section.

Any individual who believes that he or she has been subjected to any action prohibited by this section may file a confidential complaint with (1) the General Manager, or (2) the Board of Directors if the complaint involves the conduct of the General Manager, who will thereupon refer the matter to the full Board to investigate the complaint. Upon the conclusion of the investigation, the General Manager (or Board of Directors) will take appropriate action consistent with the District’s Personnel Manual and applicable law.¹²

COMPLIANCE WITH THE BROWN ACT

The Board of Directors will comply with the provisions of the State’s open meeting law for public agencies, known as the Ralph M. Brown Act. The Board of Directors will ensure Board decisions are made during meetings of the Board that are open to the public, and decisions made in closed session, as defined by law, will be announced in open session immediately following adjournment of closed session.¹³

DIRECTORS’ COMPENSATION AND EXPENSE REIMBURSEMENT

¹¹ Water Code sections 30580 through 30582.

¹² Labor Code section 1102.5 and following and Government Code sections 53298 and 53298.5.

¹³ Government Code sections 54950 and following, and 54952.1 and 54959.

The Board of Directors will fully comply with the provisions contained in the current Directors Compensation Expense Reimbursement Policy on file.¹⁴

CHANGES IN DIRECTORS' COMPENSATION

Changes in the compensation rate of the Board of Directors or District employees will require approval of the Board of Directors during an open meeting of the Board.

CANDIDATE'S STATEMENT

A Director will not include false or misleading information in a candidate's statement for a general District election.¹⁵

VIOLATION OF ETHICS POLICY

A perceived violation of this policy by a Director should be referred to the Chairman, or the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to the District, including but not limited to (1) adoption of an Ordinance expressing disapproval of the conduct of the Director who has violated this policy, or (2) injunctive relief, or (3) referral of the violation to the Shasta County District Attorney and/or the Grand Jury.

AGREEMENT

This Mission Statement and Ethics Policy will be provided to all current Directors and future elected and appointed Directors as a part of the orientation process, along with other appropriate training and policies necessary for the proper performance of their official duties and be included in the Director's Handbook.

¹⁴ Water Code sections 54920 and following.

¹⁵ Elections Code sections 13307 and 13313.



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th 2024
To: Board of Directors
From: General Manager Paul Kelley
Re: 7 – General Manager Report

Report:

A quick activity report, more by the General Manager verbally at the meeting:

Starting the week of April 15, 2024

- Staff – Changes at the District
 - Two Distribution Operator’s gave notice in the last two weeks
 - The Distribution Supervisor gave notice on the First of May.
 - The District will recruit for a Distribution Supervisor in May
 - We recruited for a D1/D2, and have offered jobs to fill the three vacant Distribution operator positions.
 - We are still looking at filling needs in Treatment to find Operator in Training.
- The report by the Bureau last month was good and the Bureau is looking at Shasta tours in September.
- The CUSI – new customer database software is int its third month.
 - We were able to put a message on the Bills – mostly about rates, online payments etc.
 - The online payment portal is working – and the improvements to payment processing/ Credit card handling and the ACH payments are welcome.
- Worked on the three grant projects: -
 - Backwash ponds –The bridge financing package has been submitted
 - Allan Gill Construction is looking at sched & we are trying get ponds dried and cleared
 - Emergency Electrical/SCADA – Reimbursements submitted for close out.
 - ARPA This has been submitted to County for reimbursement.
 - This Prospective grant – EPA Water Infrastructure Resiliency grant – applied for study money to accomplish a “Wildfire and Drought Resiliency Assessment”. Still Pending and under review – Still waiting to hear from the EPA.
- New equipment for the District – update – looking at vac-trailer.
 - I received proposals for the primary vac-trailer suppliers.
 - We will put this on a few month hold till we get more staff on board.
- Continuing to work on the “water loss” project – still gathering leak loss information and tracking
- Still waiting on the Audit for FY 22 – it should be on a board agenda soon.
- Attended the ACWA/JPIA conference in Sacramento
 - The Joint Powers Insurance Agency is working with the District to update the IIPPA and other safety elements for the Distrct.
 - The JPIA is also working to close out some final comp claims.
- Other/More – Verbal



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 1st 2024
To: Board of Directors
From: Chief Plant Operator: Bill Palmaymesa & Distribution Field Supervisor: Roberto Chacon
General Manager Paul Kelley
Re: 8 – Operation Report

Administration

There were 379 Accounts that are 90+ days delinquent totaling \$77,943.63. SP

There were 309 Accounts that are 60 Days delinquent totaling \$16,452.64. SP

There were 494 Accounts that are 30 Days delinquent totaling \$35,587.81. SP

Delinquency Progress: Katelyn mailed out 167 shut-off notices at the end of April to encourage customers to pay their bills and to catch up on their delinquent balances. We will follow up with the results from the shut-off notices at the next board meeting but so far we have had good results with customers coming in to pay their bill to prevent any interruption in water service. SP

WTP OPERATIONS - The WTP produced 164af of SW; Clear Creek CSD used 105AF of SW in April. 187AF total SW for WY24/25. Well Water Production- 0 af. (Palmaymesa)

- Staff has been busy with routine maintenance, monitoring, and operation of the WTP.
- The annual chlorine feed maintenance is completed.
- Train #3 is offline for inspection.
- Train #4(Filter#6) inspection is complete and back in service. Depressions in the filter media bed were found, similar to Train #6. This could be the early signs of a broken lateral. If filter performance declines, this filter will have to be removed from service and locked out.
- Train#6 (Filter#8) remains offline, and the valves locked out. This is due to the damaged media bed, sand in the underdrain system and leaking control valves.
- WTP Staff has replaced Air Compressor #2. This project is near completion.
- Testing of the South Booster Station and Wells is complete.
- BW/R Pond#2 is online and BW/R Pond#3 sludge is drying. Sludge will have to be dried enough to remove for the Contractor to start the pond lining project in June.

DISTRIBUTION OPERATIONS REPORT - (Dist Supervisor – Vacant) (Kelley for Dist)

- The distribution crew has been working meter reads and gathering information from crew that are moving on to other positions.
- Fire Hydrant replacement on Hopekay Ln will need to be held a few weeks or contracted out.
- We are working on the schedule to start replacing the registers and end points, we are going to replace them by route number and go from there.
- We have another Fire Hydrant that was hit on Cerro Ct, has been replaced.
- All the water samples are negative (clean samples)



5880 Oak Street, Anderson, CA 96007
Phone: (530) 357-2121 Fax: (530) 357-3723

MEMO

Date: May 15th2024
To: Board of Directors
From: General Manager – Paul Kelley
Re: **9** – Standing Committee Report

Report: From members of the Committees listed:

Note:

9.a – Agriculture – **Meeting: May 1st 6pm - Report**

9.b – Finance –

9.c – Planning / Steering – **Items on this Agenda,**