



Orlando Fuentes, President  
Jim Luttrell, Vice President  
Gil Albiaini, Director  
Rod Brewer, Director  
Jaclyn Moreno, Director

Joshua Green, General Manager  
Michael McLaughlin, Fire Chief  
Sigrid Asmundson, District Counsel  
Nitish Sharma, Chief Administrative Officer  
Paul Mewton, Chief of Planning,  
Design and Construction

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## REGULAR BOARD OF DIRECTORS MEETING WEDNESDAY, FEBRUARY 5, 2020

**REGULAR MEETING – 6:30 P.M.**

**Board Chambers  
8820 Elk Grove Blvd.  
Elk Grove, CA 95624**

### **AGENDA**

**Note:** All items submitted for the Agenda must be in writing. The deadline for submitting these items is 4:00 P.M. on the Monday one week prior to the meeting. The Secretary of the Board receives all such items.

### **REGULAR BOARD MEETING – 6:30 P.M.**

#### **A. CALL TO ORDER**

1. Session Roll Call
2. Pledge of Allegiance
3. Moment of Silence

#### **B. ANNOUNCEMENTS/PRESENTATIONS**

4. February 5 – National Women and Girls in Sports Day. (M. Dopson)

**C. COMMUNICATIONS FROM THE PUBLIC (Non-agendized items):** This is the time and place for the general public to address the Board of Directors. State law prohibits the Board from addressing any items not previously included on the Agenda. The Board of Directors may receive testimony and set the matter for a subsequent meeting. Comments are to be limited to three minutes per individual at the discretion of the President. Individuals representing a group or an organization shall be permitted five minutes. Comments relating to similar issues should be brief, concise and non-repetitious. Speakers should state their home or business address when commenting to the Board.

**Note:** Under the provisions of the California Government Code, the Board is prohibited from discussing or taking immediate action on any non-agendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

#### **D. CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and non-controversial. They may be acted upon by the Board at one time without discussion. Any item may be removed by a Board Member for discussion or clarification. Members of the public wishing to comment on any Consent Calendar item may do so before Board action.

5. Approve the January 9, 2020 Special Board Meeting Minutes.
6. Approve the January 15, 2020 Regular Board Meeting Minutes
7. Receive and File Report on Restroom Locations Along Trails.
8. Approve Commencement Resolution No. 2020-09 for the District Wide Landscape and Lighting Assessment District, the Vista Creek Park Assessment District, Camden Park Assessment District, Fallbrook/Park Lane/Britschgi Park Assessment District, Hampton Village Park and Landscape Improvement District, Camden Estates and Camden Pointe Improvement District, and the Perry Ranch Improvement District.
9. Authorize the General Manager to Surplus Obsolete Vehicle.
10. Adopt Resolution No. 2020-11, approving the Naming of District Parks and Facilities Policy (Policy #2440).
11. Receive and File Annual Report for Fiscal Year 2018-19 Regarding Development Impact Fees.
12. Approve Amended Confidentiality Agreement with Wilton Rancheria.

**RECOMMENDATION:** Approve the consent calendar as presented.

#### **E. PUBLIC HEARINGS**

None

#### **F. STAFF REPORTS:**

The President will open the meeting for public input if the Board desires to take action on any item(s).

13. **SUBJECT:** Community Support Program. (K. Gonzalez)

**RECOMMENDATION:**

1. Approve the elimination of the Community Support Program after 2020 calendar year; and
2. Approve the recommendation to develop an Equitable Partnership Program beginning in 2021.

#### **G. INFORMATIONAL ITEMS**

14. Note from Colin Smith, Co-Chair of the Northern California Aquatic Management Association thanking Parks and Recreation Director Mike Dopson for presenting at their 2020 Workshop.
15. Note from the El Dorado County Sheriff Lieutenant Jeff Leikauf thanking the Fire Department for attending the Memorial Service for Deputy Brian Ishmael.
16. Note from the Shriners Hospital for Children thanking the Fire Department for donating toys, games and puzzles to the hospital patients.

## **H. BOARD OF DIRECTOR'S BUSINESS**

17. City of Elk Grove Liaison
18. City of Elk Grove Two by Two
19. City of Galt Liaison
20. City of Galt Two by Two
21. Elk Grove Cosumnes Cemetery District Two by Two
22. Elk Grove USD Two by Two
23. Senior Center Board
24. Elk Grove Historical Society
25. Elk Grove Chamber of Commerce
26. Galt Chamber of Commerce
27. Diversity Work Group
28. Northern California Special Districts Insurance Authority
29. Fire Communications Center
30. Sacramento County Treasury Oversight Committee
31. Miscellaneous Reports
32. Meeting/Event Approval
33. Meeting/Event Report

## **I. IDENTIFICATION OF ITEMS FOR FUTURE MEETING:**

This is the time for the Board of Directors to identify the items they wish to discuss at a future meeting. These items will not be discussed at this meeting, only identified for a future meeting. This is also the time for scheduling Board Workshops or special meetings.

## **J. ADJOURNMENT**

**Note:** *Disabled Accommodations.*

*The Cosumnes Community Services District will make reasonable accommodations for persons having special needs due to disabilities. Please contact Elenice Gomez, Assistant to the General Manager, at 8820 Elk Grove Blvd. Elk Grove, CA 95624, phone (916) 405-7169, at least 48 hours prior to the meeting, to allow time to provide for special accommodations.*

**Note:** *Review and Copies of Agenda, Agenda Reports and Material.*

*Prior to each Meeting, copies of the Agenda, Agenda Reports and other materials, as well as any public record relating to an open session agenda item that is distributed within 72 hours prior to the meeting, are available for public review at the Cosumnes Community Services District's Administrative Office during normal working hours. In addition, a limited supply will be available on a first come, first serve basis at the meeting.*

*Certificate of Posting of Agenda*

*I hereby declare that the foregoing Agenda for the February 5, 2020 Regular Meeting of the Cosumnes Community Services District Board of Directors was posted on January 30, 2020 at 8820 Elk Grove Blvd., Elk Grove, California, 95624, and was available for public review at that location.*

*Signed this 30<sup>th</sup> day of January 2020*



**COSUMNES COMMUNITY SERVICES DISTRICT  
THURSDAY, JANUARY 9, 2020  
SPECIAL BOARD MEETING – 3:30 PM  
MINUTES**

**SPECIAL BOARD MEETING – 3:30 PM**

**ATTENDANCE**

Directors present included Gil Albiani, Rod Brewer, Orlando Fuentes, Jim Luttrell and Jaclyn Moreno. General Manager Joshua Green, Chief Administrative Officer Nitish Sharma, Legal Counsel Sigrid Asmundson were also present.

**A. CALL TO ORDER/ROLL CALL**

President Albiani called the meeting to order at 3:30 pm

**B. COMMUNICATIONS FROM THE PUBLIC**

None

**C. EXECUTIVE SESSION:**

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957  
Title: General Manager

**D. ADJOURNMENT**

President Albiani had nothing to report out of Executive Session.

With no further business the meeting was adjourned at 4:30 p.m.

Approved: \_\_\_\_\_  
Board President

Attest: \_\_\_\_\_  
Secretary to the Board

**COSUMNES COMMUNITY SERVICES DISTRICT  
EXECUTIVE SESSION – 5:00 PM  
REGULAR BOARD MEETING – 6:30 PM  
WEDNESDAY, JANUARY 15, 2020  
MINUTES**

**EXECUTIVE SESSION – 5:00 PM**

**1. CALL TO ORDER**

President Albiani called the meeting to order at 5:00 p.m.

**2. COMMUNICATIONS FROM THE PUBLIC**

None

**3. RECESS TO EXECUTIVE SESSION**

**a. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency designated representatives: General Manager Joshua Green, Chief Administrative Officer Nitish Sharma and Fire Chief Michael McLaughlin

Employee Organizations: Sacramento Area Fire Fighters Local 522 and Unrepresented employees

**REGULAR BOARD MEETING – 6:30 PM**

**ATTENDANCE**

Directors present included Gil Albiani, Rod Brewer, Orlando Fuentes, Jim Luttrell and Jaclyn Moreno.

General Manager Joshua Green, Fire Chief Michael McLaughlin, Chief Administrative Officer Nitish Sharma and CSD Legal Counsel Sigrid Asmundson were also present.

**A. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

1. President Albiani had nothing to report out of Executive Session.
2. President Albiani called the meeting to order at 6:33 p.m.
3. Pleasant Grove High School Robotic Club students led the Pledge of Allegiance.
4. A moment of silence was observed in honor of Joe Daehling.

**B. ANNOUNCEMENTS/PRESENTATION**

None

**C. DEPARTMENT REPORTS**

5. Administrative Services Department Report
6. Parks and Recreation Department Report
7. Fire Department Report

Director Luttrell asked that the presentation of the oral reports be dismissed. These items were dismissed with no objections.

## **D. COMMUNICATIONS FROM THE PUBLIC**

None

## **E. CONSENT CALENDAR**

8. Approve the December 18, 2019 Regular Board Meeting Minutes.
9. Approve a Preferred Municipal Underwriter Consultants List.
10. Approve a Preferred Municipal Bond Consultants List.
11. Approve Resolution No. 2020-05 Authorizing an Agreement with GovInvest Inc. to Provide Licensing of Analytical Software for Post-Employment Benefits Actuarial Study.
12. Approve an Agreement with Urban Futures Inc., for Financial Advisor Services.
13. Award a Three-year Contract with Burnham Benefits Insurance Service for District's Consulting Services for District's Employee Benefits Programs.
14. Adopt Resolution No. 2020-06 Approving the District Policies for Administrative Rules.
15. Adopt Resolution No. 2020-04 Approving the Fire and Parks Impact Fee Deferral for Gardens at Quail Run.
16. Adopt Resolution No. 2020-07 Consenting to the Recordation of the Irrevocable Offer of Dedication of Parkland for the Fieldstone North Project.
17. Approve Resolution No. 2020-08 Accepting the Kammerer Park Conveyance Grant Deed.
18. Approve a Multi-year District Wide On-call Masonry Services Agreement.
19. Receive and File an Informational Report Related to the Parks and Recreation Department Landscape and Lighting Committee Application and Handbook.

President Albiani pulled item 19 for discussion.

Director Fuentes moved to approve consent items 8 to 18; seconded by Director Luttrell vote was unanimous.

Mr. Wayne Evans addressed the Board on item 19 with questions: Will the members of the public have to be part of the committee in order to still communicate with the District on issues related to parks? Staff responded, no. All methods currently in place to communicate with the Department will remain in place: phone, email, hotline, face to face.

Mr. Evans proposed that staff postpones the implementation of the program until after the results from the Zone 3 survey are compiled to have a better basis to direct the committee. Staff explained that they will take into consideration the community feedback provided via the survey.

## **F. PUBLIC HEARINGS**

20. SUBJECT: Public Hearing Annexation #25 – Community Facilities District No. 1 (Elk Grove Fire Protection).

Senior Management Analyst John Ebner reviewed the staff report.

President Albiani opened the Public Hearing at 6:49 p.m.

There were no public comments.

President Albiani closed the Public Hearing at 6:51 p.m.

Director Brewer moved to approve Resolution No. 2020-01 to Annex Territory to Community Facilities District No. 1 (Elk Grove Fire Protection) and authorize the Levy of Special Taxes Therein; seconded by Director Moreno, vote was unanimous.

Director Brewer moved to approve Resolution No. 2020-02 calling a Special Election of the Qualified Electors of the Territory to be annexed to Community Facilities District No. 1; seconded by Director Luttrell, vote was unanimous.

President Albiani directed the Clerk to open the ballots. 1 ballot was cast with 20 votes: 20 ayes and 0 noes. The motion carries.

Director Brewer moved to approve Resolution No. 2020-03 Declaring Results of Special Tax Election, Determining Validity of Prior Proceedings, and Directing Recording of Amended Notice of Special Tax Lien on the properties within the annexation area; seconded by Director Moreno, vote was unanimous.

## **G. STAFF REPORTS**

### **21. SUBJECT: Fiscal Year 19/20 Mid-Year Budget Update.**

Finance Manager Jeremy Edwards reviewed the staff report.

#### **RECOMMENDATION:**

- 1) Consider Staff's report on revenues and expenditures for fiscal year 18/19 and projected revenues and expenditures for fiscal year 19/20; and
- 2) Accept staff's proposed midterm budget adjustments to the fiscal year 19/20 budget as outlined in the staff report and included as add packages.

After brief discussion Director Fuentes moved to accept recommendations 1 and 2; seconded by Director Luttrell vote was unanimous.

### **22. SUBJECT: Board Strategic Plan Workshop Update.**

Senior Management Analyst Carolyn Baptista reviewed the staff report.

#### **RECOMMENDATION:**

- 1) Schedule a second Board Strategic Planning Workshop with BHI Management Consulting, prior to the creation of a Plan Development for the District's Strategic Plan; or
- 2) Request BHI Management Consulting to create the Plan Development for the District's Strategic Plan for Board Approval.

After brief discussion Director Luttrell moved to accept recommendation 2; seconded by Director Brewer vote was unanimous.

## **H. INFORMATIONAL ITEMS**

23. Notes from the City of Sacramento Fire Department thanking Chief Dan Quiggle and Firefighter Bryan Schell for the support they gave to the memorial services for Firefighter Tami Thacher.
24. Note from the Cal-JAC Executive Director Yvonne de la Pena thanking Chief McLaughlin for the department's participation in the Cal-JAC's 2019 Fall Firefighter Career Expo.
25. Note from Pre-school parent commending Pre-school Teachers Ms. Robbie and Ms. Nicole on the way they teach their students.
26. District Programs and Events – January/February 2020

## I. BOARD OF DIRECTORS BUSINESS

### 27. Election of Officers:

President Albiani thanked the other Board members for the opportunity of serving as the Board President for the past 12 months.

President Albiani moved to recommend director Fuentes for President and Director Luttrell for Vice President, Director Brewer seconded, vote was unanimous.

- a) Board President – Fuentes
- b) Board Vice President – Luttrell

### 28. Committee Appointments:

- a) City of Elk Grove Liaison - Albiani
- b) City of Elk Grove Two by Two – Albiani and Brewer
- c) City of Galt Liaison - Brewer
- d) City of Galt Two by Two – Brewer and Moreno
- e) Elk Grove-Cosumnes Cemetery District Two by Two – Albiani and Fuentes
- f) Elk Grove USD Two by Two – Moreno and Fuentes
- g) Senior Center Board - Luttrell
- h) Elk Grove Historical Society - Luttrell
- i) Elk Grove Chamber of Commerce - Fuentes
- j) Galt Chamber of Commerce – Albiani, Brewer alternate
- k) Diversity Work Group – Fuentes and Luttrell
- l) Northern California Special Districts Insurance Authority - Edwards
- m) Fire Communications Center - McLaughlin
- n) Sacramento County Treasury Oversight Committee – Edwards

### 29. Miscellaneous Reports –

Rod Brewer reminded everyone of the MLK Community Breakfast at the Laguna Townhall next Saturday.

President Fuentes thanked the Board for nominating him for the Board presidency

### 30. Meeting/Event Approval

### 31. Meeting/Event Report

## J. IDENTIFICATION OF ITEMS FOR FUTURE MEETING

None.

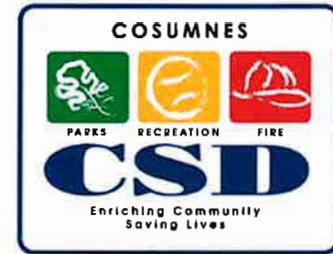
## K. ADJOURNMENT

With no further business, the meeting was adjourned at 7:43 p.m.

Approved: \_\_\_\_\_  
Board President

Attest: \_\_\_\_\_  
Secretary to the Board

# STAFF REPORT



**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Paul Mewton, Chief of Planning, Design and Construction  
**BY:** Carolyn Baptista, Sr. Management Analyst  
**SUBJECT:** RESTROOM LOCATIONS ALONG TRAILS

## RECOMMENDATION

The Board of Directors receives and files this informational report related to the location of restrooms along trails in Elk Grove. No action is required.

## BACKGROUND/ANALYSIS

On December 18, 2019, Director Brewer voiced concern over the lack of restrooms along the trails and requested staff to review the strategic location of park restrooms along various trails in Elk Grove.

The Cosumnes Community Services District (“District”) generally does not own the trail corridors within the city; however, it does maintain them through a reimbursement agreement through a Memorandum of Understanding (“MOU”) between the City of Elk Grove (“City”) and District. As of result, the District may only address restroom locations at parks.

During the community outreach process of the Parks and Recreation Department’s 2018 Parks, Recreation & Facilities Master Plan (“Master Plan”), the topic of providing more restrooms along the trails or converting existing temporary restrooms was discussed. As a result, staff and consultants made a study of the park and trail system and location of permanent and portable restrooms (Attachment A).

Within the Master Plan, several recommendations were made for staff to evaluate the replacement of portable restrooms and to continue to partner with the City with trail development, including trail amenities such as restrooms, identified in the City’s Elk Grove Bicycle, Pedestrian, and Trails Master Plan (Objectives 2.5 and 3.1).

The Master Plan recommends adding restrooms in the gap areas when funding is available. For example, there are plans to add a restroom at Lichtenberger Park as part of the Playground Revitalization CIP Project and staff are looking at adding a restroom to either the existing parks or new parks along the Elk Grove Powerline and Elk Grove Creek Trail Corridor.

New restroom construction rates fall between \$100,000 and \$200,000 depending upon the location to the nearest sewer hookup. Alternative compost restrooms may cost slightly less but it is unknown whether they will meet local planning codes at this time.

The District and City use Park Design Principles to ensure each park is programmed, planned, and designed to meet the needs of its service area. Each park type serves a specific purpose, and the features and facilities in the park must be designed for the demographic the park is intended to serve, the desired length of stay deemed appropriate, and the uses it has been assigned. This is a planning aspect staff educate the community with during community outreach meetings. In the past, staff have received conflicting views from the community on the construction of permanent restrooms in parks. Negative opinions of restrooms constructed in new or existing smaller parks have been voiced. Generally, the community is more acceptable of restrooms constructed in large community or neighborhood parks which also aligns with the guidelines of the Park Design Principles.

Staff will continue to partner with the City with trail development as identified in the City's Elk Grove Bicycle, Pedestrian, and Trails Master Plan and will remain focused on analyzing the addition of new restrooms or upgrade of portable restrooms located within District parks.

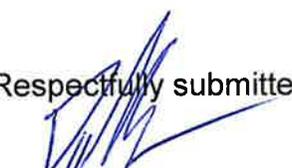
**FINANCIAL ANALYSIS**

There is no fiscal impact to the District as a result of what is being presented today.

**SUSTAINABILITY ANALYSIS**

There is no impact to the District's sustainability practices as a result of this report.

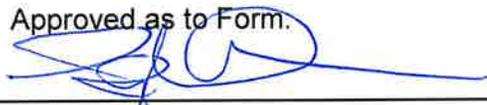
Should you have any questions, please contact me prior to the Board meeting.

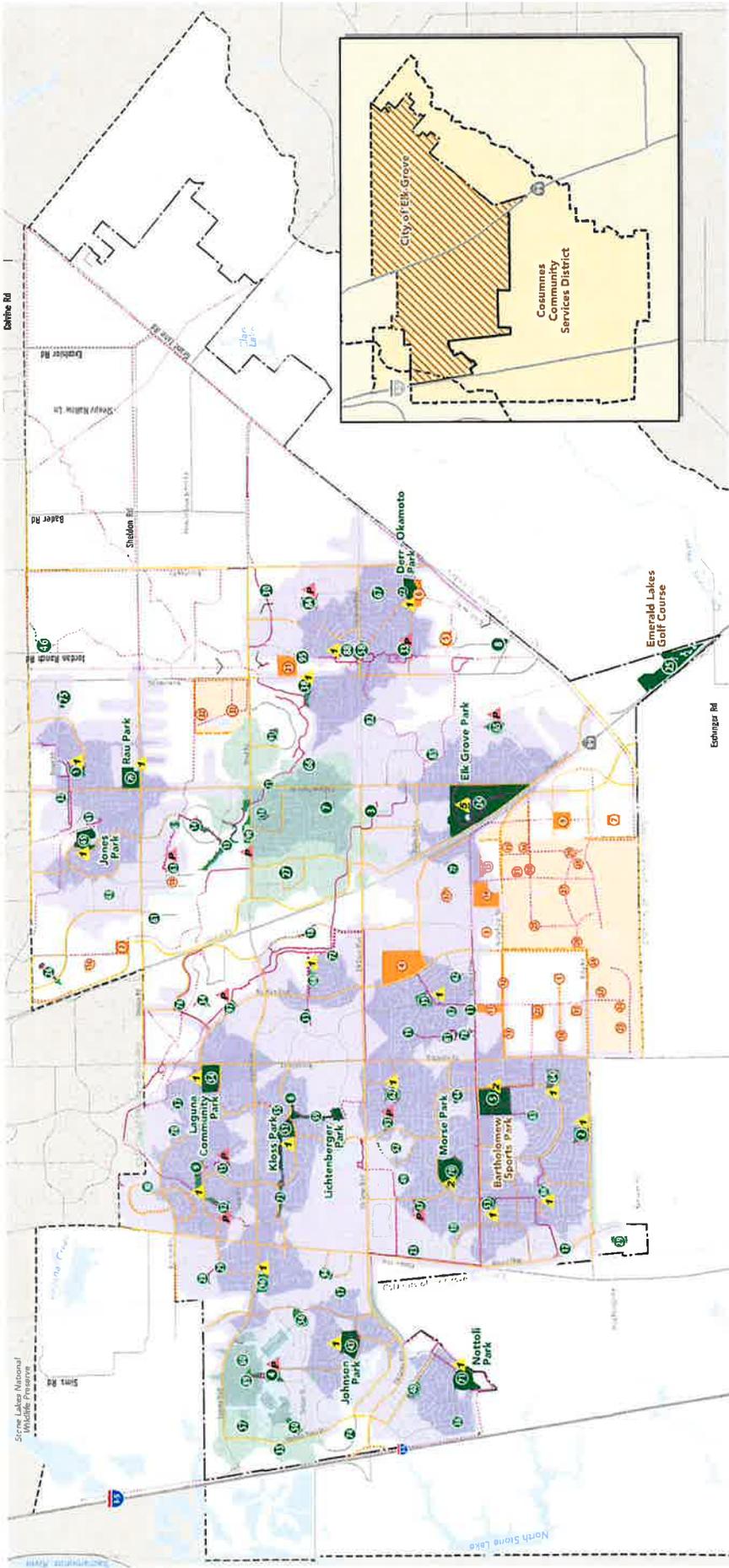
Respectfully submitted,  


Paul Mewton  
Chief of Planning, Design and Construction

Attachment A – Parks and Recreation Department 2018 Park & Facility Master Plan  
Appendix F Map #3

Staff Report recommendation authorized by:  
  
\_\_\_\_\_  
General Manager

Approved as to Form.  
  
\_\_\_\_\_  
General Counsel



- Restroom Service Areas**
- Half Mile or Less Service Area
  - One Mile or Less Service Area
- Community Center Restroom Service Area**
- Half Mile or Less Service Area
  - One Mile or Less Service Area
- Restroom Types**
- Permanent Restroom Facilities
  - Portable Restrooms

- Park Types**
- Existing Parks
  - Planned Parks
- Refer to the memory table for a listing of park names

- Base Map Features**
- Cosumnes CSD Park Service Boundary
  - Elk Grove City Boundary
  - New Development Areas
  - Waterbodies
  - Rivers/Creeks
  - Railroad
  - Highways
  - Major Streets
  - Local Streets

- Existing Trails & Bikeways\***
- Class I (Multi-use Trail)
  - Class II (Bike Lane)
  - Class III (Bike Route)
- Proposed Trails & Bikeways\***
- Class I (Multi-use Trail)
  - Class II (Bike Lane)
  - Class III (Bike Route)



Source: Cosumnes CSD Parks and Recreation Department, 2017  
 Map prepared by NIG, Inc., June 2017  
 \*Information from the Bicycle, Pedestrian and Trails Master Plan (Adopted July 2014)

### Map # 3 Restroom Service Areas



# STAFF REPORT

**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Steve Sims, Director of Parks and Neighborhood Services  
**BY:** Rachele Manges, Senior Management Analyst



**SUBJECT:** COMMENCEMENT RESOLUTION NO. 2020-09 FOR THE DISTRICT WIDE LANDSCAPE & LIGHTING ASSESSMENT DISTRICT, THE VISTA CREEK PARK ASSESSMENT DISTRICT, CAMDEN PARK ASSESSMENT DISTRICT, FALLBROOK/PARK LANE/BRITSCHGI PARK ASSESSMENT DISTRICT, HAMPTON VILLAGE PARK AND LANDSCAPE IMPROVEMENT DISTRICT, CAMDEN ESTATES & CAMDEN POINTE IMPROVEMENT DISTRICT, AND THE PERRY RANCH IMPROVEMENT DISTRICT

## RECOMMENDATION

The Board of Directors approves Resolution No. 2020-09, directing the preparation and filing of the annual Engineer's Report for Fiscal Year 2020-2021 for the:

- a. District Wide Landscape & Lighting Assessment District,
- b. Vista Creek Park Assessment District,
- c. Camden Park Assessment District,
- d. Fallbrook/Park Lane/Britschgi Park Assessment District,
- e. Hampton Village Park and Landscape Improvement District,
- f. Camden Estates & Camden Pointe Improvement District, and
- g. Perry Ranch Improvement District

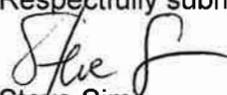
## BACKGROUND/ANALYSIS

Section 22565 and 22622 of the Streets and Highways Code requires that the Board of Directors adopts an initial resolution each year in which a landscape and lighting assessment is to be levied. In accordance with this code, the attached resolution specifies the Engineer of Work for each assessment district and describes improvements to be maintained with the assessments.

SCI Consulting Group will prepare each of the Engineer's Reports and these reports will be available for Board and public review in June 2020.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

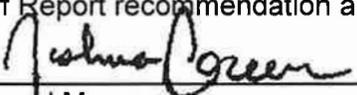
  
 Steve Sims

Director of Parks and Neighborhood Services

Attachment:

A – Resolution No. 2020-09

Staff Report recommendation authorized by:

  
 General Manager

**COSUMNES COMMUNITY SERVICES DISTRICT**

**RESOLUTION NO. 2020-09**

**A RESOLUTION DIRECTING PREPARATION OF THE ENGINEER'S REPORTS**

**FOR THE**

**DISTRICT WIDE LANDSCAPE & LIGHTING ASSESSMENT DISTRICT, CAMDEN PARK ASSESSMENT DISTRICT, VISTA CREEK PARK ASSESSMENT DISTRICT, FALLBROOK/PARK LANE/BRITSCHGI PARK ASSESSMENT DISTRICT, & HAMPTON VILLAGE PARK AND LANDSCAPE IMPROVEMENT DISTRICT, CAMDEN ESTATES & CAMDEN POINTE IMPROVEMENT DISTRICT, AND PERRY RANCH IMPROVEMENT DISTRICT**

**WHEREAS**, pursuant to the Landscape and Lighting Act of 1972, the Board of Directors of the Cosumnes Community Services District by Resolution No. 94-92, adopted November 15, 1994, did create the District Wide Landscape & Lighting Assessment District; and

**WHEREAS**, on June 24, 2009, by its Resolution No. 2009-26, after receiving a weighted majority of 55% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment within the Camden Park Assessment District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, on June 24, 2009, by its Resolution No. 2009-27, after receiving a weighted majority of 88% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment within the Vista Creek Park Assessment District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, on October 26, 2009, by its Resolution No. 2009-67, after receiving a weighted majority of 74% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment within the Fallbrook/Park Lane/Britschgi Park Assessment District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, on March 16, 2016, by its Resolution No. 2016-14, after receiving a weighted majority of 72% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment within the Hampton Village Park and Landscape Improvement District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, on June 19, 2019, by its Resolution No. 2019-36, after receiving a weighted majority of 83% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment

within the Camden Estates and Camden Pointe Improvement District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, on June 19, 2019, by its Resolution No. 2019-37, after receiving a weighted majority of 72% of ballots in support of the proposed assessment, the Board of Directors of the Cosumnes Community Services District ordered the formation of and levied the first assessment within the Perry Ranch Improvement District pursuant to the provisions of the Article XIID and the Landscaping and Lighting Act of 1972 (the "Act"), being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

**WHEREAS**, the procedures set forth in said Act, Sections 22565 and 22622 of the Streets and Highways Code, require that the Engineer of Work prepare an annual report to the Board of Directors describing: (i) the work to be undertaken by the Assessment and Improvement Districts, (ii) an estimate of the cost to be incurred in the performance of said work during the next fiscal year and (iii) an allocation of those costs to the various land uses within the District in accordance with the adopted methodology for each Assessment and Improvement District; and

**WHEREAS**, the adoption of Proposition 218 by the people of the State of California in November 1996 has imposed additional requirements upon the content of the Engineer's Report and the proceedings leading to the levy of the annual assessments.

**RESOLVED**, by the Board of Directors of the Cosumnes Community Services District, County of Sacramento, State of California, that:

1. SCI Consulting Group is designated as the Engineer of Work by the Board of Directors of the Cosumnes Community Services District for the District Wide Landscape & Lighting Assessment District, the Camden Park Assessment District, the Vista Creek Park Assessment District, the Fallbrook/Park Lane/Britschgi Park Assessment District, the Hampton Village Park and Landscape Improvement District, the Camden Estates & Camden Pointe Improvement District, and the Perry Ranch Improvement District, and is hereby authorized and instructed to prepare and file the annual report for each said Assessment and Improvement District in accordance with the provisions of the Landscape and Lighting Act of 1972 and Proposition 218.
2. Said annual report, among other things required by law, shall refer to each Assessment and Improvement district by its distinctive designation, specify the fiscal year to which the report applies, contain a diagram of the Assessment or Improvement District and set forth plans and specifications for the improvements, an estimate of the annual cost to furnish all labor, materials, supplies, equipment, debt service, utilities and management required to maintain, service, repair, operate, construct and replace landscaped corridors, sound walls, project entrances, signs, walkways, green belts, parkways, trail systems, parks, tennis courts, open space of any nature and Camden Lake; and may also include other recreational amenities and appurtenances within the District's parks thereto owned

by the District which are designated for inclusion within said assessment district. Said report shall also include operations and maintenance expenditures for such other parks that may be constructed during the year and medians owned by the City of Elk Grove that the District has previously maintained.

3. For each Benefit Zone within the District Wide Landscape & Lighting Assessment District, the Report shall establish an operating budget including necessary increases to the Dry Period Financing and Capital Improvement Reserves.
4. The Engineer's Report shall address the requirements described in Section 4 of Proposition 218. Among those requirements are the identification of those parcels which will have a special benefit conferred upon them; the limitation to assess only for special benefits; and the benefits, if any, to those parcels of real property owned by other governmental agencies, such as the County of Sacramento, the State of California and/or the United States of America.

Passed and adopted by the Board of Directors of the Cosumnes Community Services District at its regular meeting held the 5<sup>th</sup> day of February 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Orlando Fuentes, President

Attest: \_\_\_\_\_  
Joshua Green, Secretary

# STAFF REPORT



**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Joshua Green, General Manager  
**BY:** Kelly Gonzalez, Parks and Recreation Director  
**SUBJECT:** AUTHORIZATION TO DISPOSE OF SURPLUS VEHICLES – SO1

## RECOMMENDATION

The Board of Directors authorizes the General Manager to dispose of surplus vehicle.

## BACKGROUND/ANALYSIS

In accordance with Policy No. 0037, the General Manager is required to receive authorization from the Board of Directors to dispose of surplus vehicles. Staff is requesting authorization to dispose of a District vehicles identified in the table below. Vehicle SO1 is no longer in service and will be transferred to the Fire Department for the purpose of training.

#	Vehicle Description	Vin	Reason to Surplus
SO1	2001 Ford Crown Vic	2FAFP71WX1X15153 5	No longer runs, repairs exceed value

## FINANCIAL ANALYSIS

In order to put the vehicle out to bid, the vehicle must of have a valid smog check. To pass a smog check, the repairs on the vehicle will cost the district approximately \$2,000 - \$3,000. If the District transfers the SO1 vehicle to the CSD Fire Department, the CSD Fire Department can use the vehicle for training purposes and then send it to the junk yard at no cost to the District.

## SUSTAINABILITY ANALYSIS

Patrol Vehicle SO1 is an older vehicle with approximately 160,000 miles and the emissions and fuel efficiency are not as optimum as in a newer vehicle.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

Kelly Gonzalez  
 Parks and Recreation Director

Staff Report recommendation authorized by:

General Manager

# STAFF REPORT



**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Joshua Green, General Manager  
**BY:** Carolyn Baptista, Sr. Management Analyst  
**SUBJECT: APPROVAL OF DISTRICT POLICY: NAMING OF DISTRICT PARKS AND FACILITIES**

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## **RECOMMENDATION**

The Board of Directors adopts Resolution No. 2020-11 (Attachment A) approving the Naming of District Parks and Facilities Policy (Policy #2440) within Section 2400 Inventory and Property Management.

## **BACKGROUND/ANALYSIS**

On January 15, 2019 the Board of Directors ("Board") was notified of staff's intention to review, create, and update all Board and District policies and procedures. Updating policies and procedures help ensure District affairs are under appropriate control and management.

The Naming of District Parks and Facilities Policy (Attachment A) was last updated on July 15, 2009 and has been updated to include definitions for all property eligible for naming and the recognition of the process set forth in the Memorandum of Understanding ("MOU") between the City of Elk Grove and Cosumnes Community Services District regarding the naming of New Park Facilities.

It is the recommendation of staff that the Board adopts Resolution 2020-11 approving the Naming of District Parks and Facilities Policy within Section 2400 Inventory and Property Management.

## **FINANCIAL ANALYSIS**

This report has no impact on District resources.

## **SUSTAINABILITY ANALYSIS**

There is no impact to the District's sustainability practices as a result of this report.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Joshua Green".

Joshua Green  
General Manager

Attachment A – Resolution 2020-11 Adopting District Policy: Naming of District Parks and Facilities Policy

Approved as to Form:



General Counsel

**RESOLUTION NO. 2020-11**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ADOPTING DISTRICT POLICY #2180 NAMING OF DISTRICT PARKS AND FACILITIES**

**WHEREAS**, the Cosumnes Community Services District ("District") is responsible for establishing policies and procedures to ensure the appropriate control and management of District functions; and

**WHEREAS**, the District must review, and if necessary, update policies and procedures to keep the District up to date with regulations, technology and government best practices; and

**WHEREAS**, the Naming of District Parks and Facilities Policy was last updated on June 15, 2009 and has been updated to include definitions for all property eligible for naming and the recognition of the process set forth in the Memorandum of Understanding ("MOU") between the City of Elk Grove and Cosumnes Community Services District regarding the naming of New Park Facilities.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT DOES HERBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference

**Section 2. Necessary Acts.** The General Manager or designee is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution.

**Section 3. Effective Date of Resolution.** This Resolution shall take effect immediate upon its adoption.

**PASSED AND ADOPTED** by the Board of Directors of the Cosumnes Community Services District, this 5<sup>th</sup> day of February 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Orlando Fuentes, President

**ATTEST:**

\_\_\_\_\_  
Joshua Green, Secretary

## NAMING OF DISTRICT PARKS AND FACILITIES

Policy # **2440**  
Original Effective Date: 04/05/1994  
Revision Date: 02/05/2020  
Type of Policy:  BOARD  DISTRICT  FIRE  PARKS

### POLICY

2440.1 Cosumnes Community Services District ("District") Board of Directors ("Board") shall be authorized to name all New Park Facilities, Facilities, Fire Stations, Parks, and Special Features in conjunction with the City of Elk Grove ("City") or District Board appointed Naming Committee.

### PURPOSE AND SCOPE

- 2440.2 The Board recognizes the need to properly identify New Park Facilities, Facilities, Fire Stations, Parks, and Special Features within the jurisdiction of the District.
- 2440.3 This policy applies to all District elected officials, executives, employees, interns, volunteers, contractors, vendors, suppliers, members of the public, and other persons who participate in District programs and services.

### APPLICATION

- 2440.4 Definitions:
- a. Facilities: Buildings or amenities owned and managed by the District that do not fall within the definition of New Park Facility.
  - b. Fire Stations: Facilities where fire engines and other equipment of the District Fire Department are housed.
  - c. Naming Committee: Committee authorized to make recommendations to the Board for the naming of sites, that fall outside of the MOU between the City and District. The Committee shall consist of two District Board members appointed by the District Board President.
  - d. New Park Facility: Any park and/or recreation facility as defined in the MOU between the City and District.
  - e. Parks: Open space areas used for public recreation, which are owned and managed by the District, and fall outside of the MOU between the City and District.
  - f. Site: Term used to reference all property available for naming.
  - g. Special Features: Amenities located within a New Park Facility, Facility, Fire Station, or Park which may include, but not be limited to, athletic fields,

landscaped areas, gymnasiums, meeting rooms, picnic shelters, groves, walkways, trails, ball fields, tennis and basketball courts, multi-purpose fields, aquatic facilities, and playground equipment.

- 2440.5 In accordance with the MOU between the City and the District, the City, with concurrence from the District, shall establish a process to name all New Park Facilities within the geographic limits of the City. The District and City shall adhere to the definition of New Park Facility within the MOU. This definition sets geographical and financial references of authority for naming.
- 2440.6 In accordance with the MOU between the Cosumnes Legacy Foundation (“Foundation”) and the District, the District may authorize the naming of a site in return for private funds or land donated to and managed by the Foundation.
- a. The District shall utilize the Foundation to solicit endowments and sponsorships as detailed in the MOU between the parties.
  - b. The District has authority to designate specific sites as priority sites for the consideration of naming based upon gifted funds and/or land.
  - c. The District shall establish the terms of the naming agreements, including necessary gifting amounts, length of memorialization, management of funds, and plaque locations and size. Gifting amounts will be calculated using a formula that will include replacement and enhancement endowments in addition to the initial cost to ensure sustainability.
  - d. The District will consider proposals put forth by the Directors of the Cosumnes Legacy Foundation.
- 2440.7 In the case where the District did not receive private funds, donated lands, or if the site has not received the pre-determined gifting amount, the District will authorize the naming of a site based upon exceptional service or historical, geographical, or ecological significance.
- a. This authorization will be based upon the following criteria:
    1. An individual or family who has provided exceptional, long-term contributions or service to the District or community.
      - i. If an individual is deceased, a period of at least one year must elapse prior to taking nominations for naming a site in their name.
      - ii. The site shall be selected in an area as close as possible to the residence of the individual or family.
      - iii. Names will not be considered if the individual or family has another site named in their honor, unless the contributions are specific to the site, and are extremely significant with the exception of schools, and preferably, joint school park/sites.

2. A geographical, historical, or ecological relationship indigenous or of significance to the region.

2440.8 In addition to the criteria set forth herein, the District and Board observes the following regulations:

- a. District sites may not be named after a service organization.
- b. Sites that have been given a commemorative name will not be available for naming rights.
- c. Names with connotations that by contemporary community standards are derogatory or offensive will not be considered.
- d. Names approved by the District may be changed.
- e. Naming rights carry no power of direction, or implied power of direction, to the District on matters of appointment of persons, District policy or any other government process.
- f. All maps, plots, or other official records and instruments of the District shall reflect the Board's action.
- g. The District will have final approval on wording of plaques, press releases, and any other factors and details pertaining to the site name.

2440.9 The Board will utilize the established criteria as a rating tool, though, they have authority to bypass the criteria on a case-by-case basis when unforeseen situations occur. If the Board bypasses the criteria, the Board nominated name must be approved in an open public meeting.

## **PROCEDURE**

2440.10 For planning purposes, new sites need to be named once they enter the design phase.

2440.11 For areas that fall outside of the MOU between the City and the District, District staff, in conjunction with the Naming Committee, will hold a public nomination process. The Naming Committee will discuss options brought forward by the public and must agree by consensus on the proposed name.

2440.12 All proposed names must be checked with the Fire Department, Elk Grove Unified School District, City of Elk Grove, Sacramento County and other public agencies to determine if the name has been previously assigned to another public building, facility, or institution. If it has been previously assigned, the staff report to the Board shall indicate so.

2440.13 The Naming Committee, via staff report from District staff, will submit the name recommendations to the Board of Directors for final approval.

2440.14 The General Manager will notify the individual, family, etc. for whom the site is being named, after approval by the Board and prior to construction of the site.

2440.15 Biographies must be kept and maintained by District staff for each individual and family for whom a site is named.

**REFERENCES**

2440.16 Memorandum of Understanding Between the City of Elk Grove and the Cosumnes Community Services District Concerning the Development of Park and Recreation Facilities

2440.14 Memorandum of Understanding Between the Cosumnes Community Services District and the Cosumnes Legacy Foundation

# STAFF REPORT



**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Nitish Sharma, Chief Administrative Officer  
**BY:** Jeremy Edwards, Finance Manager  
**SUBJECT:** ANNUAL REPORT REGARDING DEVELOPER IMPACT FEES FOR FISCAL YEAR 2018-19

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## RECOMMENDATION

The Board of Directors:

Accepts and files this Annual Report for Fiscal Year 2018-19 regarding Development Impact Fees.

## BACKGROUND

Development fees are a monetary exaction which is charged by a local government agency to an applicant wishing to build within its jurisdiction. The purpose of these fees is to compensate all or a portion of the cost of public facilities related to the development project.

State law contained in Government Code Section 66006 requires local agencies to submit annual and five-year reports detailing the status of development impact fees. The annual report must be made available to the public within 180 days after the last day of the fiscal year and must be presented to the public agency (Cosumnes Community Service District Board) as an informational report.

Currently, Government Code Section 66006(b) requires that for each separate fund, the local agency shall make available to the public the following information for the past fiscal year:

- A brief description of the type of fee in the account or fund.
- The amount of the fee.
- The beginning and ending balance of the account or fund.
- The amount of the fees collected and interest earned.
- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement.
- A description of each inter-District loan made from the impact fee fund, including the public improvement on which the loan will be spent, when the loan will be repaid, and the rate of interest on the loan

This report summarizes the following information for each of the development fee programs:

- Beginning and ending fund balances
- Amount of fees collected and the interest earnings
- Disbursement information

In addition, this report incorporates by reference the following documents:

- The Nexus Study for each fee
- The Book of City Fees, containing fee schedules for each fee (included as Exhibit "A" to report)

It should be noted that for many of the funds, the dollar amounts shown in include revenues/expenditures from not only impact fees, but other sources of funds, including state/federal grants, loans, and other sources other than impact fees. The District's methodology assumes "First-In, First Out" where impacts fees are the first funding source for capital improvements.

### **ANALYSIS**

This annual report is intended to provide an analysis of impact fees collected and expended in the previous fiscal year. In addition, every five years the District must also report the "aging" of development impact fees for the previous five-year period, and to provide evidence that impact fees are being expended for the purposes intended.

Fund balances in the attached report are as of June 30, 2019. Unless otherwise indicated, and unless specified all available balances have been appropriated to existing and future capital projects within the District's Capital Improvement Plan (CIP), or to pay debt obligations associated with an eligible capital improvement.

The attached report provides a description of expenditures from the impact fee funds, but more detail is available in the District's adopted CIP for 2018-19. As noted above, typically, the revenues shown include not only the impact fees collected, but interest earnings, federal or state grant funds, and other sources of funding.

### **FINANCIAL ANALYSIS**

The development impact fees presented in this report were included in the Board of Directors adopted Maintenance and Operations Budget and Capital Improvement Plan (CIP) budget for FY 2018-19.

### **SUSTAINABILITY ANALYSIS**

Not applicable

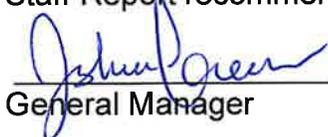
Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Nitish Sharma,  
Chief Administrative Officer

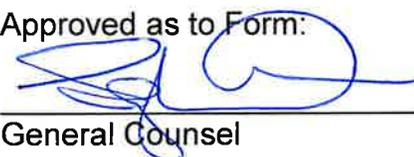
Staff Report recommendation authorized by:



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General Manager

Approved as to Form:



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General Counsel



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**Cosumnes Community Services District  
Annual Report on Development Impact Fees  
Fiscal Year Ending June 30, 2019**

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**Prepared by: Nitish Sharma, Chief Administrative Officer**  
Prepared January 2020

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<b>Exhibit A – Excerpts from District Book of Fees for each fund</b>	

**Introduction**

Government Code Section 66006 requires local agencies to submit annual and five-year reports detailing the status of development impact fees. The annual report must be made available to the public within 180 days after the last day of the fiscal year and must be presented to the public agency (Cosumnes Community Services District Board of Directors) as an informational report. This report summarizes the following information for each of the development fee programs:

- Type of fees in the account
- Beginning and ending fund balances
- Amount of fees collected and the interest earnings
- Disbursement information
- Public improvements on which fees were expended and the amount of the expenditure on each improvement, including the percentage of the public improvement cost funded by the fees OR approximate date on which construction of the public improvement will commence
- Description of any interfund transfers or loans
- Refunds made, if any

In addition, this report incorporates by reference the following documents, which are deemed a part of this report:

- The Nexus Study for each fee
- The Book of Fees, containing fee schedules for each fee
- The approved Capital Improvement Plan for Fiscal Years 2014-15 to 2018-19.

It should be noted that the dollar amounts presented in the following report cover revenues and expenditures only for 2018-19 and prior four fiscal years of the Five-Year aging analysis. Within each impact fee fund, there may be multiple funding sources, the impact fees will be the first priority source for expenditures. Fund balances in the following report are as of June 30, 2019. Unless otherwise indicated, all available balances have been appropriated to existing and future capital projects within the District’s Capital Improvement Program (CIP).

In some instances, certain development impact fees are exempt from reporting under Government Code Section 66006, because they are imposed pursuant to a development agreement

**Fire Facility Impact Fees (Fund 100)**

**Description:** Fire Facility Development Fees are supported by the *2010 Nexus Study to Update the Fire Fee Program*.

**Beginning and ending balance of the fund/the amount of interest earned**

Beginning Balance, July 1, 2018	\$5,506,684
Fees Collected	\$2,362,279
Interest Earnings	<u>\$136,358</u>
Subtotal	\$8,005,321
Expenditures (7/1/2018 – 6/30/19)	\$761,057
Ending Balance (6/30/2019) *	\$7,244,264

**Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement in Fiscal Year 2018-19.**

Expenditure	Description	Amount
GL Code 400.6000.000-3210 400.6000.000-3220	Consolidated construction loan for Fire Stations 73, 75, and Training Facility	\$52,122
GL Code 400.6000.000-3210 400.6000.000-3220	Construction loan for Fire Station 76	\$63,923
GL Code 400.6000.000-3210 400.6000.000-3220	Construction loan for Station 72	\$302,772
GL Code 400.6000.000-3210 400.6000.000-3220	Construction loan for Fleet Maintenance/Admin Annex Facility	\$338,279
GL Code 100.2001.000-2591	Architectural services planned Station 77	\$3,961

**Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement for prior four Fiscal Years 2014-15 to 2018-19 are listed below.**

Expenditure	Description	Amount
GL Code 100.2001.000-3210 100.2001.000-3230	Consolidated construction loan for Fire Stations 73, 75, and Training Facility	\$59,674
GL Code 100.2001.000-3210 100.2001.000-3230	Construction loan for Fire Station 73	\$416,606
GL Code 100.2001.000-3210 100.2001.000-3230	Construction loan for Fire Station 76	\$467,050
GL Code 100.2001.000-3210 100.2001.000-3230	Construction loan for Station 72	\$1,211,088
GL Code 100.2001.000-3210 100.2001.000-3230	Construction loan for Fleet Maintenance/Admin Annex Facility	\$1,134,646
GL Code 100.2001.000-4101	Purchase of Station 78 land in Sterling Meadows	\$278,683

**Notes**

Fire Department infrastructure construction is primarily debt financed as detailed in the *2010 Nexus Study to Update the Fire Fee Program*. Some construction loans have been consolidated in order to reduce interest rates when available rates are advantageous to the District. The purchase of land for Station 78 was a cash transaction, with station construction tentatively slated to begin in 2022.

**Park Impact Fees (Fund)**

**Description:** Park Impact Fees as identified in the City of Elk Grove Fee Booklet 2018-19 and various adopted Nexus Studies for each impact fee.

**Beginning and ending balance of the fund/the amount of interest earned**

Beginning Balance, July 1, 2018	\$10,176,108
Fees Collected	\$2,390,256
Interest Earnings	<u>\$253,322</u>
Subtotal	\$12,819,686
Expenditures (7/1/2018 – 6/30/19)	\$1,277
Ending Balance (6/30/2019) *	\$12,818,410

**Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement in Fiscal Year 2018-19.**

Expenditure	Description	Amount
GL Code 100.3901.000-4202	Crooked Creek	\$709
GL Code 100.3901.000-4202	George Park	\$568

**Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement for prior four Fiscal Years 2014-15 to 2018-19 are listed below.**

Expenditure	Description	Amount
GL Code 100.3901.000-4202	Crooked Creek	\$1,705
GL Code 100.3901.000-4202	George Park	\$2,773,907
GL Code 100.3901.000-4202	Wright Park Phase II	\$8,919
GL Code 100.3901.000-4202	Arcadian Village	\$1,386
GL Code 100.3901.000-4202	Stonelake Park Amenity	\$275,782

**Notes**

# STAFF REPORT



**DATE:** February 5, 2020  
**TO:** Board of Directors  
**FROM:** Sigrid Asmundson, District Counsel  
**SUBJECT:** APPROVAL OF AMENDED CONFIDENTIALITY AGREEMENT

---

## RECOMMENDATION

The Board of Directors approves the Amended Confidentiality Agreement by and between the District and Wilton Rancheria and authorizes the General Manager to execute the Agreement.

## BACKGROUND/ANALYSIS

The District and Wilton Rancheria entered into a Confidentiality Agreement on February 21, 2019 to allow confidentiality in the negotiation of an MOU for fire services. The original Confidentiality Agreement terminated after 90 days.

The District and Wilton Rancheria continue to negotiate, in good faith, towards an MOU. The Amended Confidentiality Agreement amends the negotiation period to continue through July 15, 2020.

## FINANCIAL ANALYSIS

This Agreement has no impact on District resources.

## SUSTAINABILITY ANALYSIS

This Agreement does not impact the District's sustainability practices.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Sigrid Asmundson', written over a horizontal line.

Sigrid Asmundson  
District Counsel

Attachment: Amended Confidentiality Agreement

Staff Report recommendation authorized by:

A handwritten signature in black ink, appearing to read 'Joshua Green', written over a horizontal line.  
General Manager

**AMENDED CONFIDENTIALITY AGREEMENT**  
**By and Between**  
**COSUMNES COMMUNITY SERVICES DISTRICT**  
**And**  
**WILTON RANCHERIA**

THIS AMENDED CONFIDENTIALITY AGREEMENT (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2020 (“Effective Date”), by and between the COSUMNES COMMUNITY SERVICES DISTRICT, a community services district (the “CSD”), and WILTON RANCHERIA, a federally recognized Indian tribe (the “Tribe”), on the terms and provisions set forth below. The CSD and the Tribe may sometimes be referred to herein individually as “Party” and collectively as “Parties.” The Parties initially entered into a Confidentiality Agreement on February 21, 2019, and the Parties wish to enter into this Amended Confidentiality Agreement.

IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

I. NEGOTIATIONS

A. Good Faith Negotiations

The CSD and the Tribe agree for the period set forth below in Section I(B) to negotiate diligently and in good faith to prepare a Memorandum of Understanding (“MOU”) between the CSD and the Tribe with respect to the provision of fire protection and emergency medical services. The MOU will be for the purpose of the CSD providing fire protection and emergency medical services to the Wilton Rancheria’s gaming facility in exchange for consideration paid by the Wilton Rancheria, as set forth in the MOU.

The CSD anticipates that following execution of this Agreement, and through the period of negotiation and preparation of the MOU, the CSD, as well as certain officials, consultants, and attorneys for the CSD, will devote substantial time and effort in reviewing documents, proposals, plans, and meeting with the Tribe, each other, and any necessary third parties. The CSD acknowledges that the Tribe will also expend substantial time and resources hereunder and the Parties are willing to engage in these activities subject to the terms and conditions set forth in this Agreement.

B. Period of Negotiations

The Negotiation Period commenced on February 21, 2019 and will continue through July 15, 2020 (the “Negotiation Period”). The Parties agree to negotiate in good faith and conduct due diligence activities during the Negotiation Period and any extension thereof. If an MOU has not been executed, upon the termination of the Negotiation Period, this Agreement may be extended for an additional time period as agreed to by the Parties, with the written consent of the Tribe and the CSD.

## II. OBLIGATIONS

### A. Obligations of Tribe

During the Negotiation Period, the Tribe shall use its good faith efforts to:

1. Negotiate in good faith through its staff and other duly authorized participants, including designated officials;
2. Provide Confidential Business Information (as defined in Section VII below) as needed for CSD review; provided, however, that CSD understands and acknowledges the proprietary nature of such information and agrees, to the extent permitted by law (including but not limited to the Public Records Act (Government Code Section 6250 *et. seq.*)), not to disclose said information contained therein to any person or entity other than representatives of the CSD or their consultants; and
3. Provide a list of persons (with titles and departments) who have access to Confidential Business Information.

### B. Obligations of CSD

During the Negotiation Period, the CSD shall use its good faith efforts to:

1. Negotiate in good faith through its staff and other duly authorized participants, including designated officials;
2. Inform CSD personnel of their obligation under this Agreement to keep the negotiations and all Confidential Business Information (defined below) confidential and require CSD personnel to direct any media questions and third party inquiries to the attention of the Fire Chief;
3. Provide the Tribe with information and/or documentation as reasonably requested; and
4. Provide a list of persons (with titles and departments) who have access to Confidential Business Information.

## III. MEMORANDUM OF UNDERSTANDING

The Parties acknowledge and agree that during the negotiations, the Parties shall use their respective good faith efforts to negotiate an MOU which may include payments required by or permitted pursuant to the compact entered into by the Tribe with the State of California.

## IV. PURPOSE

The Parties acknowledge and agree that this Agreement is for the sole purpose of stating the intention of the Parties to negotiate an MOU. The Parties have not reached final agreement

on the matters described herein, and do not intend to be bound until a final written MOU is executed by both Parties.

## V. REVIEW AND APPROVAL OF ALL DISCRETIONARY ACTIONS

Any MOU that may be negotiated is subject to approval by the Tribal Council and the Tribal Chairman of the Wilton Rancheria ("Tribal Council and Chairman") and approval of the CSD Board of Directors ("Board"). The decision of the Board regarding the MOU shall be conditioned upon the successful review and approval of all necessary findings and conclusions which the Tribe and the CSD are required to make by law. As to those matters, neither anything herein nor to be contained in the MOU shall obligate the Tribe or the CSD to exercise its discretion in any particular manner, and any exercise of discretion required by law, other than abuse of discretion, shall not be deemed to constitute a breach of the Tribe's or the CSD's duties under this Agreement.

## VI. CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA") MATTERS

A. The approval, execution and delivery of this Agreement is not a "project" (as such term is defined in CEQA) of the CSD.

B. The CSD does not, in any event, have sufficient information as of the date of this Agreement to make any commitment to the Tribe to make any physical changes in the environment.

C. If and to the extent the CSD hereafter determines that it is required to comply with CEQA with respect to any "project" (as such term is defined in CEQA) which causes a physical change in the environment, the CSD may take such actions as it deems necessary, in the CSD's sole and exclusive discretion, including, without limitation, termination of this Agreement.

## VII. CONFIDENTIALITY

- A. Unless required to do so by law, including but not limited to, the Ralph M. Brown Act or the California Public Records Act, the CSD may not disclose to third parties any information it receives from the Tribe that the Tribe has identified as confidential ("Confidential Business Information"). If the CSD determines that it must disclose any information that the Tribe has identified as Confidential Business Information, then it shall promptly give the Tribe written notice of its intention to disclose such information and the authority for such disclosure. The Tribe shall have a period of ten (10) days, subject to any reasonable extensions allowed under the applicable law including, without limitation, the Public Records Act, thereafter within which to seek a protective court order to prevent such disclosure or to notify the CSD that it will not seek such an order. The CSD shall reasonably cooperate with the Tribe in any efforts to seek such a court order. The CSD shall not disclose the information until the ten (10) day period has expired without a response from the Tribe, or the Tribe has notified the CSD that it will not seek such an order, or the Tribe has sought and a court has declined to issue a protective order for such information; provided, however, that in the event the Tribe seeks such an order, the Tribe shall be solely responsible for all costs and expenses,

including attorney and court fees, incurred by the CSD related to any claims for failure to disclose such Confidential Business Information under applicable law ("Claim"). The Tribe may assume the defense of any Claim by giving written notice to the CSD. Upon notice of assumption of the defense of a Claim, the Tribe shall select and appoint counsel in the defense of the Claim. Upon termination of this Agreement, the CSD shall immediately, upon the Tribe's request, return to the Tribe any and all Confidential Business Information, including copies thereof.

- B. Unless required to do so by law, the Tribe may not use or disclose any information it receives from the CSD under this Agreement that the CSD has identified as Confidential Business Information or exempt from mandatory public disclosure except as necessary to carry out the purposes of this Agreement or as authorized in advance by the CSD.
- C. The duty of the CSD and the Tribe to protect Confidential Business Information under this section continues beyond the term of this Agreement.

## VIII. GENERAL PROVISIONS

### A. Applicable Law

The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

### B. Remedies

Except as expressly provided in Section VII (Confidentiality), in no event shall either Party have the right, and the Parties expressly waive the right, to seek monetary damages of any kind (including but not limited to actual damages, economic damages, consequential damages, or lost profits) in the event of a default by the other Party under this Agreement or any action related to this Agreement.

### C. Termination Rights

Either Party may terminate this Agreement if the other Party has materially defaulted on its obligations set forth in this Agreement, and the terminating party has provided the defaulting party with written notification of such determination, and the defaulting party has refused to cure the same. The written notification shall set forth the nature of the actions required to cure such default if curable. The defaulting party shall have ten (10) business days from the date of the written notification to cure such default. If such default is not cured within the ten (10) business days, the termination shall be deemed effective.

### D. Notices, Demands and Communications Between the Parties

Formal notices, demands, and communications between the Tribe and the CSD shall be given either by (i) personal service, (ii) delivery by reputable document delivery service such as Federal Express that provides a receipt showing date and time of delivery, (iii) email with

a hard copy sent by United States mail; or (iv) by mailing in the United States mail, certified mail, postage prepaid, return receipt requested, addressed to:

For CSD:

Michael W. McLaughlin, CFO  
Fire Chief  
COSUMNES COMMUNITY SERVICES DISTRICT  
10573 E Stockton Boulevard  
Elk Grove, CA 95624

With Copy to:

Sigrid Asmundson, Esq.  
Cosumnes Community Services District  
8820 Elk Grove Blvd.  
Elk Grove, CA 95624

For Tribe:

Raymond Hitchcock, Chairman  
Wilton Rancheria  
9728 Kent Street  
Elk Grove, CA 95624

With Copy to:

Stephen Hart, Esq.  
Lewis Roca Rothgerber Christie LLP  
201 East Washington Street, Suite 1200  
Phoenix, AZ 85004

#### E. Nonliability of Officials and Employees

1. No member, official, employee, advisor or consultant of the Tribe shall be personally liable to the CSD in the event of any default or breach by the Tribe for any amount or on any obligations under the terms of the Agreement.
2. No member, official, employee, advisor or consultant of the CSD shall be personally liable to the Tribe in the event of any default or breach by the CSD for any amount or on any obligations under the terms of the Agreement.

#### F. Interpretation

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either Party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

The section and paragraph headings used in this Agreement are for purposes of convenience only, and shall not be construed to limit or extend the meaning of this Agreement.

#### G. Entire Agreement, Waivers, and Amendments

This Agreement integrates all of the terms and conditions mentioned herein, or incidental hereto, and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof. All waivers of the provisions of this Agreement must be in writing and signed by the appropriate authorities of the Party to be charged, and all amendments and modifications hereto must be in writing and signed by the appropriate authorities of the CSD and the Tribe.

#### H. Counterparts

This Agreement may be executed in counterparts, each of which, after all the Parties hereto have signed this Agreement, shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

#### I. Severability

In the event any section or portion of this Agreement shall be held, found, or determined to be unenforceable or invalid for any reason whatsoever, the remaining provisions shall remain in effect, and the Parties hereto shall take further actions as may be reasonably necessary and available to them to effectuate the intent of the Parties as to all provisions set forth in this Agreement.

#### J. Time is of the Essence

Time is of the essence for each of the Parties' obligations under this Agreement.

**[SIGNATURES ON NEXT PAGE]**

IN WITNESS WHEREOF, the Parties hereto have executed this Confidentiality Agreement as of the date first above written.

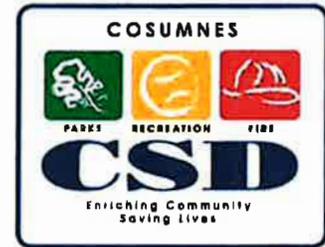
WILTON RANCHERIA, a federally recognized Indian tribe

By: \_\_\_\_\_  
Raymond Hitchcock  
Its: Chairman

COSUMNES COMMUNITY SERVICES DISTRICT, a community services district

By: \_\_\_\_\_  
Joshua Green  
Its: General Manager

# STAFF REPORT



**DATE:** February 5, 2020

**TO:** Board of Directors

**FROM:** Kelly Gonzalez, Director of Business and Public Affairs  
Parks and Recreation Department

**BY:** Anne Poggio, Sr. Management Analyst  
Marni Lutz, Recreation Supervisor

**SUBJECT: COMMUNITY SUPPORT PROGRAM TRANSITIONING TO AN  
EQUITABLE PARTNERSHIP PROGRAM**

## RECOMMENDATION

The Board of Directors:

1. Approves the elimination of the Community Support Program after 2020 calendar year; and
2. Approves the recommendation to develop an Equitable Partnership Program beginning in 2021.

## BACKGROUND

The Parks and Recreation Department's ("Department") Community Support Program was created in 2007 as a grant program, with the intention of partnering with non-profit organizations that are located in or operate within the Cosumnes Community Services District's ("District") boundaries and share the same mission, vision and goals of the District. The program grants the use of District resources for special events through in-kind contributions of facilities, equipment, and/or staff time.

The program was developed to further the District's ability to offer free community events through an annual application process. Over time, requests for grant/support included additional types of activities such as fundraisers and meeting room space. The non-profit groups are required to meet a set of criteria to be eligible for the Community Support Program.

On August 7, 2019, the Board of Directors ("Board") approved the support of 30 events, requested by 20 organizations, for the 2020 calendar year (Resolution No. 2019-57). Of these events, seven requests were for either a fundraiser or meeting room use, ten were for equipment use and 13 were for community special events. Of these 30 events, 90% were returning organizations and events. Many of these organizations and community events are part of a long history of the Elk Grove community. To date, the District waives

fees and provides support to non-profit groups valued at approximately \$250,000 annually. District resources are at capacity.

## **ANALYSIS**

As part of the Parks and Recreation Department's Strategic Plan, the District set a goal to establish new ways to diversify program offerings. Objective 3.3 directs staff to implement an Equitable Partnership Program based on criteria consistent with the Department's mission, vision, and goals. The tasks within the objective include: 1) seek nontraditional partnerships that provide new opportunities to address community needs, and 2) seek partnerships that expand and strengthen parks and recreation activities specific to the community needs. In addition, the Board has recently identified values for the District, of which one of the values is Access, Inclusion, and Equity.

### **Equitable Partnership Program**

Staff recommend the elimination of the Community Support Program at the end of calendar year 2020 and begin the operation of an Equitable Partnership Program starting January 2021. All 2020 Community Support Program award recipients, who held a successful event, will have the opportunity to work with staff in the creation of an equitable partnership agreement for 2021.

The Equitable Partnership Program will allow the District to strengthen and build relationships with various organizations, which in turn will provide support based on the District's needs and priorities. The program would allow the District to enter into agreements with either non-profit or private groups. This process would be handled at the staff level and would not require Board action unless a multi-year agreement is developed.

### ***Program Structure***

The Equitable Partnership Program will include two elements to help staff adhere to the Department's goal of seeking non-traditional partnerships:

1. One-year equitable partnership agreements with non-profit or private groups for the production of free open to the public community events. Groups must share the same mission, vision and goals of the Department. The event must be one that has recently been a success either through a recent Community Support Program grant, paid Special Event Rental, or RFP process.
2. Request for Proposal ("RFP") process for the production of large-scale special events.

### **Equitable Partnership Agreements**

The District will create an equitable partnership agreement with non-profit or private groups that follow the same mission, vision, and goals of the Department. These agreements will be equitable in structure, meaning both the non-profit or private group

and the District will benefit from the mutual contract. The mutual benefit will be crafted by both the District and the non-profit group or private group, leveraging strengths from both parties. Staff will create equitable partnership agreements with groups that have successfully conducted the community event either through a recent Community Support Program grant, a paid Special Event Rental, or through the RFP process. This process allows staff to create relationships with groups that have positively managed an event that enriched the community.

Any new equitable partnership request with a non-profit or private organization, will be evaluated based upon District and staff resources. New equitable partnership agreements must meet the District's mission, vision, and goals and expand and strengthen parks and recreation services.

#### Request for Proposal Process

Staff will utilize a Request for Proposal ("RFP") process to solicit the production of large-scale community special events reflective of the needs of Elk Grove's diverse community. The applicant may be a private organization or non-profit group. These events would be identified after staff consider the District calendar of the Department Special Events, Special Event Rentals, and events partnership through the Equitable Partnership Program. Staff will have the flexibility of determining the quantity and theme of these large-scale community events.

#### ***Transition***

The Community Support Program offers the use of District equipment and facility room use at a reduced rate approved by the Board. Due to the elimination of the program, non-profit organizations that adhere to criteria, will be able to apply for rental of District equipment at reduced rates. In addition, these groups will be eligible to apply for facility room use at specific recreation centers through a new lottery system, which will be established by January 2021.

#### Timeline

The steps necessary to eliminate the Community Support Program and implement the new Equitable Partnership Program are as follows:

- Beginning in December 2020, staff will initiate one-year equitable partnership agreements with organizations from the 2020 Community Support Program that had a successful event in 2020.
- Community Support Program eliminated as of December 31, 2020.
- Eligible non-profit groups within District boundaries will be able to request equipment rentals beginning January 2021.

- Beginning in 2021, staff will implement a lottery for the use of free meeting room space at specific recreation centers. Any eligible non-profit group that serves or operates within the District's boundaries, will be able to apply for this lottery. These groups may not apply for the lottery if they enter into an equitable partnership agreement through the Equitable Partnership Program.
- Staff will utilize the RFP process in 2021, to seek out organizations to facilitate specific themed large-scale community events for the following calendar year. These events will be approved for a one-year term to allow for new events the following cycle.

The development of the Equitable Partnership Program will help meet the priorities of the Board, follow the objectives within the Department's Strategic Plan, assists staff in strengthening relationships between the District and the community.

### **FINANCIAL ANALYSIS**

This staff report regarding the elimination of the Community Support Program and implementation of a new Equitable Partnership Program, has no impact on District resources.

### **SUSTAINABILITY ANALYSIS**

There is no impact to the District's sustainability practices as a result of what is being presented today.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Kelly Gonzalez  
Director of Business and Public Affairs

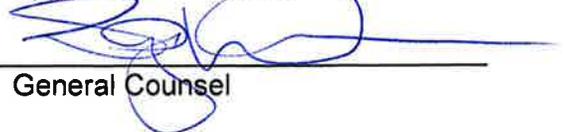
Staff Report recommendation authorized by:



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General Manager

Approved as to Form:



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General Counsel

**Elenice Gomez**

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**From:** Mike Dopson  
**Sent:** Tuesday, January 21, 2020 8:37 AM  
**To:** Elenice Gomez  
**Subject:** FW: Thank you for Presenting at Ncama's Workshop 2020

Can you please include in the next board packet? Thanks!

**Mike Dopson**

Parks and Recreation Director

**Cosumnes CSD Parks & Recreation**

9014 Bruceville Rd., Elk Grove CA, 95758

Phone: (916) 405-5632 | Fax: (916) 405-5659

[MikeDopson@csdparks.com](mailto:MikeDopson@csdparks.com) | [www.yourcsd.com](http://www.yourcsd.com)

**From:** Colin Smith <csmith@sunriseparks.com>  
**Sent:** Saturday, January 18, 2020 6:26 PM  
**To:** Mike Dopson <MikeDopson@csdparks.com>  
**Subject:** Thank you for Presenting at Ncama's Workshop 2020

[CAUTION-EXTERNAL SENDER]

Hello Mike,

This is Colin Smith, the current Co-Chair of Northern California Aquatic Management Association (NCAMA). On behalf of myself and NCAMA, I would like to thank you for presenting at our 2020 Workshop. I really enjoyed your session, titled "What I Wish I Knew 20 Years Ago." The two big takeaways for me was your section on developing a succession pipeline, and focusing on staffs strengths versus staff weakness. The applicable nature of your presentation will be a great value for all participants. The overall attendance at the event was 60 young and experienced aquatic professionals.

Thank you again on behalf of NCAMA.

All the best,  
Colin J. Smith

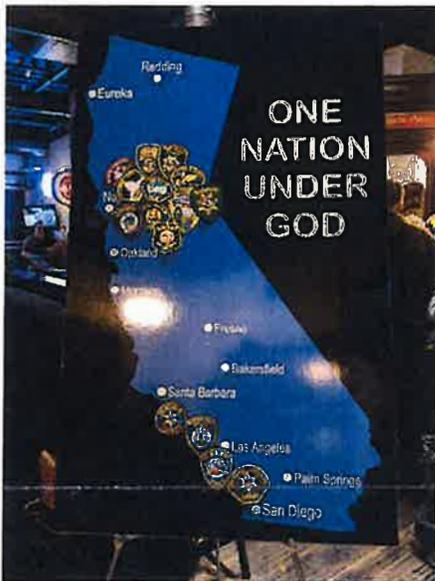


JOHN D'AGOSTINI  
SHERIFF - CORONER - PUBLIC ADMINISTRATOR  
COUNTY OF EL DORADO  
STATE OF CALIFORNIA

We wanted to send a heartfelt thanks to your agency for attending the memorial service of Deputy Brian Ishmael. We are in the process of putting together memorial boards that commemorate all of the allied agencies who attended the memorial service. These memorial boards will be given to Deputy Ishmael's family upon completion.

I am respectfully requesting patches from the allied agencies that were in attendance.

Thank you  
Lieutenant Jeff Leikauf  
Operations Division  
(530)621-5133  
leikaufj@edso.org



Headquarters • 200 Industrial Drive • Placerville, CA 95667 • 530-621-5655 • Fax 530-626-8163  
Jail Division • 300 Forni Road • Placerville, CA 95667 • 530-621-6000 • Fax 530-626-9472  
Tahoe Patrol • 1360 Johnson Blvd., Suite 100 • South Lake Tahoe, CA 96150 • 530-573-3000 • Fax 530-544-6809  
Tahoe Jail • 1051 Al Tahoe Blvd. • South Lake Tahoe, CA 96150 • 530-573-3031 • Fax 530-541-6721

*"Serving El Dorado County Since 1850"*



January 21, 2020

Consumnes Fire Department and Elk Grove Police Department  
10573 E Stockton Blvd  
Elk Grove, CA 95624-9743

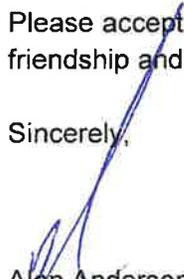
Dear Friends,

Please accept my sincere thanks on behalf of everyone for contributing toys, games, balls, and puzzles to Shriners Hospitals for Children®, for its **Northern California** location. As you are aware, we treat children of all ages for a wide variety of conditions.

Your thoughtfulness will help provide comfort and support to the children for whom it is our pleasure to care. Your gift also provides encouragement for the families who have entrusted us with their children – and for whom the hospital has become a home away from home for the length of their child's treatment.

Please accept our gratitude again for making this donation possible. Thank you for your friendship and kindness to our hospital.

Sincerely,

  
Alan Anderson  
Director of Development

*In accordance with IRS regulations we confirm that no goods or services were provided by Shriners Hospitals for Children® in return for this contribution.*