

RESOLUTION #1 – 2022-2023

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA PINES COMMUNITY SERVICES DISTRICT MODOC COUNTY, CALIFORNIA

ADOPTION OF ASSESSMENTS FOR WATER AND SEWER STANDBY CHARGES FOR THE FISCAL YEAR 2022-2023

BE IT RESOLVED, by the Board of Directors of the California Pines Community Service District , that pursuant and subject to all forms of the terms, conditions and provisions of Division 3, Part 6, Chapter 1, Sections 61750 to 61766 of the California Government Code, and all amendments thereto relating to the fixing and collection of special rates or charges for the furnishing of water and sewer services within the District that a schedule of charges for water and sewer availability be established as follows:

Twenty-Four Dollars (\$24.00) for water and Twenty-Four Dollars (\$24.00) for sewer per year for each parcel of land within the District to which water or sewer is made available for any purpose by the District, whether the water or sewer is actually used or not.

IT IS FURTHER RESOLVED, by the Board of Directors, that the District elect to have such availability for the fiscal year **2022-2023** collected on the tax role in the same manner, by the same persons and at the same time, as together and not separately from its general taxes.

APPROVED AND ADOPTED this 17th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

Attest:

Susana Rubio, Secretary to the Board

William Buck Rodgers, Chairman

**STATE OF CALIFORNIA
COUNTY OF MODOC**

I, Susana Rubio, **DO HEREBY CERTIFY**, that the foregoing Resolution No. 1 **2022-2023** was duly adopted by the Board of Directors of the California Pines Community Services District at a special meeting held on August 17, 2022 by the following vote:

Ayes:

Noes:

Absent:

Susana Rubio
Secretary to the Board

RESOLUTION #2 2022-23

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CALIFORNIA PINES COMMUNITY SERVICES DISTRICT
MODOC COUNTY, CALIFORNIA
TO CONTINUE REFUSE COLLECTION FEES FOR ALL COMMON AREAS OF THE
DISTRICT FOR FISCAL YEAR 2022-23**

WHEREAS, Ordinance XV was approved by two-thirds vote of the Board of Directors on July 14th, 1993 for the purpose of establishing a stable source of supplementary funds to collect and dispose of refuse in common areas of the District;

AND WHEREAS, the revenues derived from the fees will not exceed the funds required to acquire, construct, reconstruct, maintain and operate the District's facilities for collection of refuse and no other purpose;

AND WHEREAS, the service is immediately available to the owner of property, and the fee shall not exceed the proportional cost of the service to that parcel;

NOW, THEREFORE, BE IT RESOLVED, that the fee shall continue for the fiscal year **2022-2023** on all eligible parcels within the district in the amount of \$2.00 per parcel per year as set by Ordinance XV, and that the fees be collected on the tax role in the same manner, by the same persons and at the same time, together, and not separately from its general taxes.

APPROVED AND ADOPTED this 17th day of August 2022 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Susana Rubio, Secretary to the Board

William Buck Rodgers, Chairman

**STATE OF CALIFORNIA
COUNTY OF MODOC**

I, Susana Rubio, **DO HEREBY CERTIFY**, that the foregoing Resolution #2 **2022-23** was duly passed and adopted by the Board of Directors of the California Pines Community Services District at a Special meeting held on August 17, 2022 by the following vote:

AYES:

NOES:

ABSENT:

Susana Rubio, Secretary to the Board of Directors

RESOLUTION #3 – 2022/23

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CALIFORNIA PINES COMMUNITY SERVICES DISTRICT
MODOC, COUNTY, CALIFORNIA
CONTINUE ASSESSMENTS FOR THE MAINTENANCE OF GRAVEL ROADS
AND PAVED STREETS IN CERTAIN AREAS FOR
FISCAL YEAR 2022/23**

WHERE AS, the Benefit Assessment Act of 1982 of California Government Code Section 54710 et seq. Empowers the California Pines Community Service District to fix, levy and collect benefit assessments for the maintenance of streets within District boundaries; and

IN ACCORDANCE with Resolution # 93-1 approved and adopted on July 14th, 1993, the California Pines Community Services District Board of Directors hereby determine that the Benefit Assessment for the maintenance of gravel and paved streets should continue for the fiscal year **2022/23** at the rates set by Resolution #93-1.

RESOLUTION 93-1 sets the rates as follows: Eighteen Dollars (\$18.00) per parcel per year for gravel streets and Twenty-One Dollars (\$21.00) per parcel per year for paved streets, collected on the tax role in the same manner as general taxes.

APPROVED AND ADOPTED this 17th day of August 2022.

AYES:

NOES:

ABSENT:

ATTEST:

Susana Rubio, Secretary to the Board

William Buck Rodgers, Chairman

**STATE OF CALIFORNIA
COUNTY OF MODOC**

I, Susana Rubio, **DO HEREBY CERTIFY**, that the foregoing Resolution #3 – **2022/23** was duly passed and adopted by the Board of Directors of the California Pines Community Services District at a special meeting held on August 17, 2022 by the following vote:

AYES:

NOES:

ABSENT:

Susana Rubio
Secretary to the Board of Directors

RESOLUTION #4 – 2022-23
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CALIFORNIA PINES COMMUNITY
SERVICES DISTRICT MODOC COUNTY, CALIFORNIA
ADOPTING ASSESSMENTS FOR FIRE PROTECTION FOR THE FISCAL YEAR
2022-23

WHERE AS, on November 6, 1984 the voters of this District approved a Special tax for Fire Protection and Prevention pursuant to California Government Code Section 53978; and

WHERE AS, Government Code Section 53978 allows for the collection of special taxes in the same manner and subject to the same penalty as or with, other charges and taxes fixed and collected by the local agency, or by the county on behalf of the local agency and if such special taxes are collected by the county on behalf of the agency, the county may deduct its reasonable costs incurred for such remittal to the agency.

NOW, therefore, it is resolved as follows:

1. That the schedule of charges for Fire Protection and Prevention be established as follows: Twenty-Five Dollars \$(25.00) per year for each parcel of land within the California Pines Community Services District for fiscal year **2022-2023**.

2. That such special taxes be collected by the County on behalf of the California Pines Community Services District in the same manner and subject to the same penalty as the general taxes.

APPROVED AND ADOPTED this 17 day of August 2022 by the following vote:

Ayes

Noes:

Absent:

ATTEST:

Susana Rubio, Secretary to the Board

William Buck Rodgers, Chairman

STATE OF CALIFORNIA
COUNTY OF MODOC

I, Susana Rubio, **DO HEREBY CERTIFY**, that the foregoing Resolution #4 **2022-23** was duly passed and adopted by the Board of Directors of the California Pines Community Services District at a special meeting held on August 17, 2022 by the following vote:

Ayes:

Noes:

Absent:

Susana Rubio – Secretary to the Board

RESOLUTION #5 – 2022/23

**A RESOLUTION REQUESTING COLLECTION OF CHARGES ON TAX ROLL
CALIFORNIA PINES COMMUNITY SERVICES DISTRICT
MODOC COUNTY, CALIFORNIA
FOR FISCAL YEAR 2022/23**

WHERE AS, the California Pines Community Services District requests that the County of Modoc collect on the County tax rolls certain charges which have been imposed pursuant to (see attached Resolutions 1-4 2022-23) adopted on August 17, 2022 attached hereto, and;

WHERE AS, the County has required as a condition of the collection of said charges that the District warrant the legality of said charges and defend and indemnify the County from any challenge to the legality thereof.

NOW, THEREFORE BE IT HEREBY RESOLVED by the California Pines Community Services District that:

1. The Auditor of Modoc County is requested to attach for collection on the County tax rolls those taxes, assessments, fees and/or charges attached hereto.
2. The District agrees that its officers, agents and employees will cooperate with the County in answering questions referred to the District by the County from any person concerning the District's taxes, assessments, fees and/or charges, and that the District will not refer such persons to County officers and employees for response.

PASSED AND ADOPTED at the meeting of the California Pines Community Services District held on this 17th day of August, 2022 by the following vote:

Ayes:

Noes:

Absent:

ATTEST:

Susana Rubio – Secretary to the Board

William Buck Rodgers – Chairman

**STATE OF CALIFORNIA
COUNTY OF MODOC**

I, Susana Rubio, **DO HERBY CERTIFY**, that the foregoing Resolution #5 2022/23 was duly passed and adopted by the Board of Directors of the California Pines Community Services District at a Special meeting held on August 17, 2022 by the following votes:

Ayes:

Noes:

Absent:

Susana Rubio – Secretary to the Board

CERTIFICATION OF ASSESSMENT

The California Pines Community Services District hereby certifies that the special assessments to be placed on the 2022-2023 Secured Property Tax bill by the CalPines CSD for 2022-2023 is in compliance with all requirements of state law, including but not limited to the requirements of Proposition 218 that added Articles XIII C and XIII D to the State Constitution.

The California Pines Community Services District agrees to defend, indemnify and hold harmless the County of Modoc, the Board of Supervisors, the Auditor, its officers and employees, from litigation over whether the requirements of Proposition 218 and other State laws were met with respect to such assessments.

If any judgment is entered against any indemnified party as a result of not meeting the requirements of Proposition 218 for such assessments, the California Pines Community Services District agrees that Modoc County may offset the amount of any judgment paid by an indemnified party from any monies collected by Modoc County on the California Pines Community Services District's behalf, including property taxes, special taxes, fees, or assessments.

By: _____

By: _____

By: _____

California Pines Community Services District Board

- Please provide along with this certification:
 - the resolution requesting collection of charges on 2022 Secured Tax Roll