

## **RESOLUTION NO. 2020-10-01**

### **A RESOLUTION OF THE SALTON COMMUNITY SERVICES DISTRICT UPDATING RESOLUTION 2012-05-2 ESTABLISHING THE METHOD BY WHICH CHANNEL MAINTENANCE FUNDS SHALL BE DISPERSED OR ENCUMBERED.**

**WHEREAS**, on October 21, 2020, the Board of Directors of the Salton Community Services District wishes to update a certain section of previous Resolution No. 2020-05-2; and

**WHEREAS**, the Board of Directors of the Salton Community Services District's sole purpose of this Resolution is to protect the vested interests of the Channel Maintenance Fee. The Channel Maintenance Fee was imposed to maintain channels and lands adjacent to them that are owned by the Salton Community Services District; and

**WHEREAS**, the property owners subject to the Channel Maintenance Fee benefit directly from maintenance of the channels and as such are to determine what types of the maintenance constitute a proper use of the Channel Maintenance Fee.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF  
THE SALTON COMMUNITY SERVICES DISTRICT AS FOLLOWS:**

#### **Section 1: PROCEDURE FOR AUTHORIZING EXPENDITURES OF CHANNEL MAINTENANCE FEES.**

1.1 Before any Channel Maintenance Fee monies are expended or encumbered a committee known as the Channel Maintenance Committee shall duly submit a recommendation to the Board of Directors specifying a specific use for an identified amount of funds. Upon hearing a recommendation from the Channel Maintenance Committee, the Board of Directors, at a regular or special called meeting of the Board, must approve of the recommendation before any monies are expended or encumbered.

1.2 By a vote of the Board, suggestions may be made to the Channel Maintenance Committee of possible uses for Channel Maintenance Fee monies. Citizens may make suggestions to the Board. However, if the suggestion is submitted during a Board Meeting, the Board cannot vote to suggest it to the Channel Maintenance Committee due to it not being posted on the meeting agenda. Therefore, citizens are urged to submit suggestions in writing at least four (4) working days before the Board Meeting so that the General Manager, Board Secretary or any Director can sponsor it on the agenda. Citizens may also submit a suggestion directly to the Channel Maintenance Committee in writing at least 72 hours before Channel Maintenance Committee meetings.

## **Section 2: CHANNEL MAINTENANCE COMMITTEE**

2.1 The Channel Maintenance Committee shall consist of five (5) owner occupiers of properties subject to the Channel Maintenance Fee. Members shall serve the same term as their appointing Salton Community Services District Board Member.

2.2 The two (2) Channel Maintenance Members shall be from Tract 679, one (1) from Tract 576A and one (1) from Tract 662. The remaining seat shall alternate between Tracts 576 A and 662 with Tract 662 initially having the seat.

2.3 Channel Maintenance Committee Members shall be selected by a vote of the Board of Directors from a list of qualified applicants who have requested in writing to be considered for a seat. If an insufficient number of applicants have applied for the number of seats allotted to a Tract, then the Board shall appoint a qualified applicant from another Tract.

2.4 Channel Maintenance Committee vacancies shall be filled by a vote of the Board of Directors and will be for the remainder of the term of the departing member.

2.5 No Channel Maintenance Committee Member shall be either a Director or employee of the District.

## **Section 3: MEETINGS**

3.1 Channel Maintenance Meetings will be held quarterly on the second Tuesday of the month, but may occur monthly on the second Tuesday of the month at the request of the President of the Channel Maintenance Committee Member.

3.2 At the first meeting of a new term of office, the Channel Maintenance Committee shall elect a President, Vice President and recording Secretary. The President shall preside over the Channel Maintenance Committee meetings and the Vice President in his/her absence.

## **Section 4: CHANNEL MAINTENANCE COMMITTEE DUTIES**

4.1 The Channel Maintenance Committee is responsible for formulating a consensus of opinion in regards to the maintenance requirements of the channels and the best uses of the Channel Maintenance Fees. The Channel Maintenance Committee shall present their recommendations to the Board of Directors at any regularly scheduled or special called Board Meeting. Any Board requests for amendments to the recommendations shall be considered at the next meeting of the Channel Maintenance Committee. Channel Maintenance Committee approved amendments shall be submitted to the Board as part of the original recommendations.

4.2 Quarterly status reports shall be presented to the Board of Directors at any regular or special called Board Meeting.

4.3 An Annual expenditure report will be presented to the Board at any regular or special called meeting on or about July 1<sup>st</sup>. This report will detail the uses of Channel Maintenance Fee monies expended or encumbered over the previous Fiscal Year.

**Section 5: BOARD OF DIRECTORS DUTIES**

5.1 The Board of Directors, after being presented with recommendations of the Channel Maintenance Committee at a regular or special called Board Meeting, shall either accept or reject the recommendations in their entirety or send them back to the Channel Maintenance Committee with a request for amendments.

5.2 The Board of Directors shall direct the General Manager to implement all the Board approved Channel Maintenance Committee recommendations.

**Section 6: CHANNEL MAINTENANCE FUNDS USES**

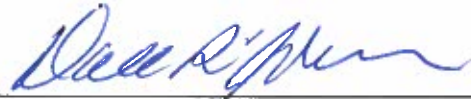
6.1 Per the recorded covenants imposing the Channel Maintenance Fees proceeds of each individual Channel Maintenance Fees account shall only be used for the purposed directly related to the corresponding Tract of each said fund.

This resolution shall become effective immediately upon the date of adoption.

**PASSED AND ADOPTED** by the board of Directors of the Salton Community Services District, Salton City, California, held on the 21<sup>st</sup> day of October, 2020, by the following vote:

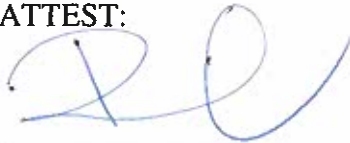
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	YES	NO
Dale Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barbara Quiroz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fran Aldridge	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Klontz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Connelly	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Dale Johnson, President of the Board of Directors

ATTEST:



Roxana Chavez, Secretary to the Board of Directors

