Tuesday, March 10, 2020
Regular Session – 7:00 PM to 10:30 PM*

A. PLEDGE OF ALLEGIANCE
The Presiding Officer will lead Board members and the audience in the Pledge of Allegiance.

B. ROLL CALL
1. The Presiding Officer will call the meeting to order and call the roll of members to determine the presence of a quorum.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA/REPORT ON CLOSED SESSION
2. The Presiding Officer will determine if Board members wish to add an item or make an adjustment to the agenda.

D. MINUTES OF PREVIOUS MEETINGS
4. The Board may approve, or amend and approve, the minutes of previous meetings including:

E. SPECIAL PRESENTATIONS
5. Mendocino County Fire Safe Council Chipper Days and Roadside Fuels Reduction Project

F. PUBLIC HEARINGS – None

G. REPORTS
   From Directors
   From District Counsel
   From General Manager

H. PUBLIC COMMENTS
   Audience members will be invited to speak regarding matters not on the Agenda. The Board cannot act on items brought up at this time. Speakers may be limited to five minutes.

I. DIRECTORS’ RESPONSE TO PUBLIC COMMENTS
   (Responses will generally be brief; directors may call upon General Manager to respond. Items may be placed on a future agenda for a more in-depth response.)
J. CONSENT CALENDAR

K. AGENDA ITEMS FOR DISCUSSION AND POSSIBLE ACTION
   7. Introduction of FY 2020-21 Sewer Standby Assessment Ordinance 161
   8. Introduction of FY 2020-21 Water Availability Assessment Resolution 2020-01

L. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – Significant Exposure to Litigation, Government Code §54956.9(e)(5) – One Case

M. ADJOURNMENT
   9. The Board will consider a motion to adjourn.

UPCOMING BOARD MEETINGS
March 24, 2020 – Regular Meeting
Saturday, April 4, 2020 – Annual Budget Special Meeting
April 14, 2020 – Regular Meeting

UPCOMING HOLIDAYS
Monday, May 25, 2020 – Memorial Day

Last Resolution Adopted: 2019-15
Last Ordinance Adopted: 160

IMPORTANT INFORMATION ABOUT BOARD MEETINGS:
*MANDATORY ADJOURNMENT. Pursuant to Section 3.18 of Ordinance No. 93, if consideration of all matters on the agenda is not complete by 10:30 p.m., the President shall adjourn to the next regular meeting, at which time those matters shall be taken up for consideration first. By motion of the Board, the meeting may be extended beyond 10:30 p.m. to a stated time.

RIGHT OF APPEAL. People who are dissatisfied with decisions of the Board of Directors may have the right of review of that decision by a state court. The District has adopted Section 1094.6 of the Code of Civil Procedure, which generally limits to 90 days the time within which decisions of the District Board and agencies may be judicially challenged in state court.

AGENDA MATERIALS. The agendas for Board meetings contain a brief description of those items to be considered at the meetings. Agendas and materials related to an agenda item (including materials distributed to the Board after the agenda is posted) are available in the District Office, 24860 Birch Street, Willits, CA, during normal business hours (8:00 a.m.–5:00 p.m. Monday-Friday) and on the Township Website Home Page at www.btcsd.org.

AMERICANS WITH DISABILITIES ACT COMPLIANCE. The meeting room is wheelchair accessible and disabled parking is available. If you are a person with a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the District Office at (707)459-2494. Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting.
MINUTES
The Board of Directors of Brooktrails Township Community Services District met in regular session February 25, 2020 at 7:00 pm at the Brooktrails Community Center.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

1. Roll call showed the following directors present: Santos, Tyler-O’Shea, Horrick, Orth, and Williams. Also present were General Manager Alaniz and Counsel Neary.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA/REPORT ON CLOSED SESSION:

2. Director Orth moved to add a closed session item pursuant to Government Code §54956.9(c); Director Horrick seconded. The motion passed unanimously.

3. There was no report on closed session.

D. MINUTES OF PREVIOUS MEETINGS:

4. Director Tyler-O’Shea moved to approve the minutes of February 11, 2019; Director Horrick seconded. The motion passed unanimously.

E. SPECIAL PRESENTATIONS: None

F. PUBLIC HEARINGS: PUBLIC HEARING on Negative Declaration for the Tank 3 Replacement Project. President Williams opened the Public Hearing at 7:04 p.m. No comments were received. President Williams closed the Public Hearing at 7:04 p.m.

G. REPORTS:

From Directors: Director Orth will be attending a seminar regarding Electric Transportation in Sacramento on March 4, 2020.

From General Manager: General Manager Alaniz provided a written report. She also provided information on the results of the Mendocino County RCD, et al. Willits Creek stream assessment report and how it relates to fish flow release requirements.

From District Counsel: Counsel Neary reported on the closed session regarding the District sewer settlement with the City of Willits.

H. PUBLIC COMMENTS: None

I. DIRECTORS’ RESPONSE TO PUBLIC COMMENT: None

J. CONSENT CALENDAR:

5. Director Horrick moved to approve the Accounts Payable report of February 25, 2020 and to issue payments on February 26, 2020; Director Tyler-O’Shea seconded. The motion passed unanimously.

K. ACTION AGENDA:

6. After a brief discussion of the project and environmental review, Director Tyler-O’Shea moved to consider adoption of a Negative Declaration for the Tank 3 Replacement Project; Director Santos seconded. By roll call vote, the motion passed unanimously.
7. Director Horrick moved to consider a letter to the Mendocino County Board of Supervisors requesting Fiscal Year 2020-21 Proposition 172 Funding Allocations; Director Santos seconded. After revisions to the proposed letter, the motion passed unanimously.

L. CLOSED SESSION: At 7:50pm the Board adjourned the regular meeting to closed session pursuant to Government Code 54956.9(c).

M. ADJOURNMENT:

8. Director Horrick moved to adjourn the regular meeting at 8:50pm. President Williams closed the meeting

ATTEST: _______________________________________________

R. Richard Williams, President

________________________

Tamara Alaniz, Secretary
SPECIAL PRESENTATION
Sherwood Firewise
Brooktrails Chipper Days
Community Kick-off

Sign up to receive grant funded chipper services:

When: Saturday, March 28  10:00-1:00

Where: Brooktrails Community Center

- All Brooktrails residents will learn about the program and the work that can be done
- Sign up for the program and receive SFC assistance with paperwork and site work
- Prepare for specifics: tools/safety/brush piling specs/volunteer “neighbors helping neighbors”
- View the award-winning film “From the Ashes” starting after introductions at 10:00 AM
- Enjoy $5 potato bar lunch at noon provided by Brooktrails Women’s Group Scholarship Fund

Prepare for fire season!

Free Chipping

Email info@sherwoodfirewise.org or visit www.sherwoodfirewise.org for more information
COMMUNITY CHIPPER PROGRAM
FACT SHEET

Overview
The Mendocino County Fire Safe Council (MCFSC), under its fiscal sponsor, the Mendocino County Resource Conservation District (MCRCD), is developing a Countywide Community Chipper Program. One component of this program includes grant funding for fire safety in Wildland-Urban Interface areas. MCFSC will be partnering with local residents and contractors to support safe egress for residents and safe ingress for first responders, and to increase wildfire preparedness by clearing high-risk brush and trees near homes, roads, and power lines.

Scope
The project includes landowners’ voluntary involvement in “Chipper Days”, where landowners cut brush and limbs in the “defensible space” immediately surrounding their homes, and place brush out along the roadway on a selected day when a certified crew will come by to chip and remove it. Things to know:
- brush must be clean of metal, rock, or other debris that may damage equipment or pose a risk to operators;
- piles should be no larger than one average pickup-truckload in size;
- cut ends should face in the same direction, ideally toward the road;
- brush-cutting should occur within a few days of Chipper Days, for easier chipping and reduced fire risk from piles sitting out on roadsides;
- crews should never be interrupted or distracted while working;
- landowners may choose whether chips will be removed or left onsite.

Initial Requirements
The project requires numerous legal documents including Landowner Access Agreements (LAA) to allow brush clearing and chipping along private property borders. Also required are a contract with tree-service companies, and insurance and liability filings. Other preparations include determination of priority areas, mapping, and “before” photography in GPS-marked locations so that “after” photos can be taken from those precise spots.

Neighborhood Involvement
After legal documentation is in place, a neighborhood informational meeting will be held to prepare residents for appropriate involvement in Chipper Days. “Before”, “During”, and “After” photographs are needed to document the project, community involvement, and the resulting improved fire safety. A trained local-volunteer “brush pile inspector” is extremely helpful to assure the efficiency and safety of chipping operations.

Final Reporting
Residents are requested to document all hours spent and dollars expended during meetings, buying equipment, working around their homes, or paying others to clear defensible-space brush. Most grant funding requires a match donated by community members, making continued funding possible. Residents are requested to cooperate with this and other requirements that help make Community Chipper Days possible and help make Mendocino County a safer place to live.

For more information, contact the Mendocino County Fire Safe Council at 410 Jones Street, Suite C-3, Ukiah, CA (707) 462-3662 ❖ www.firesafemendocino.org ❖ directorfiresafe@pacific.net
PAYABLES
### Brooktrails Township Community Services District

**Outstanding Invoices - Approval for Payment**

Presented at the Board Meeting

<table>
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<tr>
<th>Vendor</th>
<th>Service/Product</th>
<th>Checks</th>
<th>E F T</th>
<th>ADMIN</th>
<th>WATER</th>
<th>SEWER</th>
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**Total Cks:** 25  **TOTALS:** $47,931.27  **$8,111.91**  **$9,145.70**  **$22,747.78**  **$11,040.62**  **$13,109.08**

**Aggregate Total**  
$56,043.18

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**Added to Preliminary Report**

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**President, Board of Directors**  
**General Manager**
DATE: March 10, 2020
TO: Board of Directors
FROM: Tamara Alaniz
RE: Introduction of FY 2020-21 Sewer Standby Assessment Ordinance 161

BACKGROUND
The sewer standby charge is reestablished each year and the process is governed by Section 5471 of the Health and Safety Code. This code authorizes the Board of Directors to fix a sewer standby charge not to exceed Fifty Dollars ($50.00) per year for each parcel that has the capability of receiving sewer service from the District, whether the service is used or not. These fees are used for maintenance of the sewer system.

This is the introduction of the Sewer Standby Assessment Ordinance only. It will not be recommended for adoption until April 28, 2020.

PROCEDURE

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 7, 2020 (Sat)</td>
<td>Annual planning meeting. Review and discuss relevant goals, budget issues and Rates &amp; Fees.</td>
</tr>
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<td>March 10, 2020</td>
<td>Introduce Water Availability Assessment Resolution; introduce Sewer Standby Assessment Ordinance, waive second reading and schedule for public hearing. Approve Assessment postcard. Schedule public hearing for both on April 23rd.</td>
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<td>April 4, 2020 (Sat)</td>
<td>Annual Budget meeting. Review and discuss retaining existing Rates &amp; Fees.</td>
</tr>
<tr>
<td>By August 2020</td>
<td>Amendments to Assessment Report to County as required, to be submitted to Assessor by August 3rd.</td>
</tr>
</tbody>
</table>

DISCUSSION
As stated in the Background section of this report, this is the introduction of the Sewer Standby Assessment Ordinance only. It will be recommended for adoption on April 28, 2020 at a duly noticed Public Hearing.
FISCAL IMPACT
The Sewer Standby Assessment charges provide an estimated $190,000 for maintenance of the wastewater distribution system.

RECOMMENDED MOTION
Move to schedule a Public Hearing for April 28, 2020 to hear protests on and consideration of an Ordinance to continue assessing the FY2020-21 sewer standby assessment of $50.00 for properties with the capability of receiving sewer service.

ATTACHMENT
Introduced Ordinance 161
BE IT ORDAINED by the Brooktrails Township Community Services District Board of Directors that:

Section 1. A sewer standby charge of FIFTY DOLLARS ($50.00) per year is hereby fixed for each parcel of land in the District which has the capability of receiving sewer service from the District without the requirement of a sewer-mainline extension, whether said service is used or not. This charge has remained unchanged from that in effect as of November 5, 1996.

Section 2. Revenues derived under this Ordinance shall be used only for acquisition, construction, reconstruction, maintenance and operation of water systems and sewage or sewage facilities, provided however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals as distinguished from main trunk, interceptor and outfall sewers.

Section 3. The charges as fixed in Section 1 shall be effective July 1, 2020 and shall be collected on the tax roll in the same manner, by the same persons and at the same time as, together with and not separately from the County of Mendocino's general taxes.

Section 4. The General Manager of the District is hereby directed to prepare and file with the Clerk of the District a written report containing a description of each parcel of real property subject to the sewer standby charges established herein and further stating the charge for each parcel for Fiscal Year 2019-20. The parcels of real property included in said report may be described by reference to maps prepared in accordance with Section 327 of the Revenue and Taxation Code of the State of California and on file in the office of the County Assessor of Mendocino County, California, or by reference to plats or maps, on file in the office of the District.

Section 5. The Secretary of the District shall cause notice of the filing of said report and of the time and place of hearing thereupon to be published twice, pursuant to Government Code 6066, prior to the date set for hearing in the Willits News, with at least five days intervening between the respective publication dates, not counting such publication dates. The period of notice commences upon the first day of publication and terminates at the end of the 14th, including therein the first day.

Section 6. At the time stated in the above-mentioned notice, the Board of Directors shall hear and consider all objections and protests, if any, to said report referred to in said notice and may continue the hearing from time to time. If said Board finds that protest is made by owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land.

Upon conclusion of the hearing, the Board may adopt, revise, change, reduce or modify any charge or overrule any or all objections, and shall make its determination upon each charge as described in said report, which determination shall be final.
Section 7. On or before the 3rd day of August, 2020, the District Secretary shall file with the Auditor of the County of Mendocino a copy of said report with a statement endorsed thereon over her signature that it has been finally adopted by the Board of Directors, and Auditor of said County shall enter the amounts of the charges against the respective lots or parcels of land as they appear on the current assessment roll.

Except as provided in Section 5471 et seq. of the Health and Safety Code, the amounts of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed as of noon on the first Monday in March immediately preceding the date of the levy.

Section 8. The Tax Collector of the County of Mendocino shall include the amount of the charges on bills for taxes levied against the respective lots and parcels of land.

Thereafter, the amount of the charges shall be collected at the same time and in the same manner and by the same person as, together with and not separately from, the general taxes for the District and shall be delinquent at the same time and therefore be subject to the same delinquency penalties. All laws applicable to the levy, collection and enforcement of general laws of the District, including but not limited to those pertaining to matters of delinquency, collection, cancellation, refund and redemption, are applicable to such charges, except as otherwise provided in Section 5471 et seq. of the Health and Safety Code.

Section 9. If any section, subsection, clause or phrase of this Ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board of Directors hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective to the fact that any one or more of said provisions be declared unconstitutional or invalid.

Section 10. This Ordinance shall take effect thirty (30) days from the date of adoption.

Section 11. This Ordinance shall not take effect unless passed by a two-thirds vote of the Board of Directors.

INTRODUCED this 10th day of March 2020 AND ADOPTED this 28th day of April 2020 at a regular meeting of the Board of Directors of Brooktrails Township Community Services District by the following vote:

AYES:
NOES:
ABSENT:

R. RICHARD WILLIAMS, President

ATTEST:

TAMARA ALANIZ, Board Secretary
DATE: March 10, 2020
TO: Board of Directors
FROM: Tamara Alaniz

BACKGROUND
The water availability assessment charge is set by the Board of Directors annually. Government Code Section 61124(a) allows the District to retain a water availability charge not to exceed Thirty Dollars ($30.00) per year for undeveloped properties and a $5.00 water availability charge for developed properties, whether water is actually used or not. These funds are used for maintenance of the water system.

This is the introduction of the Water Availability Assessment Resolution only. It will not be recommended for adoption until April 28, 2020.

PROCEDURE

<table>
<thead>
<tr>
<th>March 7, 2020 (Sat)</th>
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</thead>
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</tr>
</tbody>
</table>

DISCUSSION
As stated in the Background section of this report, this is the introduction of the Water Availability Assessment Resolution only. It will be recommended for adoption on April 28, 2020 at a duly noticed Public Hearing.
FISCAL IMPACT
The Water Availability Assessment charges provide an estimated $120,000 for maintenance of the water distribution system.

RECOMMENDED MOTION
Move to schedule a Public Hearing for April 28, 2020 to hear protests on and consideration of a Resolution to continue assessing the FY2020-21 water availability assessment at $30.00 for undeveloped properties and $5.00 for developed properties.

ATTACHMENT
Introduced Resolution 2020-01
RESOLUTION 2020-01

A RESOLUTION OF THE BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS FIXING WATER AVAILABILITY ASSESSMENT FOR FISCAL YEAR 2020-21

WHEREAS, water is made available to certain parcels within Brooktrails Township Community Services District;

WHEREAS, Government Code Section 61124(a) authorizes the Board of Directors of Brooktrails Township Community Services District to fix a water availability charge not to exceed Thirty Dollars ($30.00) per year for each acre of land, or Thirty Dollars ($30.00) per year for each parcel of land of less than one acre within the District to which water is made available for any purpose by the District, whether water is actually used or not; and,

WHEREAS, the notice of hearing required for consideration of the resolution has been given by the Secretary of the Board of Directors of the Brooktrails Township Community Services District; and,

WHEREAS, a public hearing was conducted at the regularly scheduled meeting of April 28, 2020 at which time all comments were duly considered by the Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT:

1. A water availability charge in the sum of Thirty Dollars ($30.00) is hereby fixed for each non-metered parcel of land located within the Township to which water is made available as of March 1, 2020 for any purpose by the Township, whether water is actually used or not.

2. A water availability charge of Five Dollars ($5.00) is hereby fixed for each metered parcel of land located within the Township to which water is made available as of March 1, 2019 for any purpose by the Township, whether water is actually used or not.

3. The proceeds collected from this assessment shall be segregated from other District funds and used exclusively for the purpose of financing capital costs or maintenance and operation expenses for the District's water collection, treatment and distribution system.

4. The Board of Directors elects to have the water availability charge collected on the tax roll in the same manner, by the same person, and at the same time as, together with and not
separately from, general taxes.

5. The Board of Directors directs the General Manager of the Township to prepare a written report containing a description of each parcel of real property which will be subject to this charge as fixed, and further to file said report with the Secretary of the Board of Directors prior to June 30, 2020.

6. The Secretary of the Board of Directors upon receipt of said report is directed by the Board of Directors to cause notice of the filing of the report to be made in accordance with Government Code Section 61115(a) with a public hearing thereon noticed for 7:00 p.m. on Tuesday, April 28, 2020 at the Brooktrails Community Center.

7. The amount of the assessments, charges, or delinquencies shall constitute a lien against the lot or parcel of land against which the assessment, charge or delinquency has been imposed as of 12:01 a.m. on the first day of March 2020.

INTRODUCED this 10th day of March, 2020 AND ADOPTED this 28th day of April, 2020 at a regular meeting of the Board of Directors of Brooktrails Township Community Services District by the following vote:

AYES:
NOES:
ABSENT:

_______________________________
R. RICHARD WILLIAMS, President

ATTEST:

_______________________________
TAMARA ALANIZ, Board Secretary
NOTICE IS HEREBY GIVEN that a Report has been filed with the Secretary of the Board of Directors of Brooktrails Township Community Services District containing a description of each parcel of real property which will be subject to a Water Availability Assessment and Sewer Standby Assessment in Fiscal Year 2020-21.

The Board of Directors has determined that the Water Availability Assessment will remain as it was in Fiscal Year 2019-20: Thirty Dollars ($30.00) for each non-metered parcel of land, and Five Dollars ($5.00) for each metered parcel of land located within the Township to which water is made available. The Board of Directors has determined that the Sewer Standby Assessment will remain as it was in Fiscal Year 2019-20: Fifty Dollars ($50.00) for each parcel of land in the Township to which sewer is made available, whether or not the parcel has been connected to the sewer system. These are a continuation of the existing rates established in November 1996.

Notice is hereby given that the Board of Directors will conduct a public hearing in regard to protests of said charges at the above time and place. All interested persons are invited to attend and to be heard.

A copy of the report is available for review at the District Office, 24860 Birch Street, Willits, CA, 95490, (707)459-2494.

DATED: March 11, 2020

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Tamara Alaniz, Secretary to the Board
Brooktrails Township Community Services District
MEMORANDUM

TO: Board of Directors of Brooktrails Township Community Services District

FROM: Jennifer M. O’Brien

DATE: March 5, 2020

RE: Closed Session Agenda Item

The City of Willits has presented, through Pisenti Brinker, an invoice type document purporting to bill the District $44,000 per month – double the $22,000 per month paid for the past five years. The City Attorney in a December meeting with the General Manager and General Counsel suggested that the $44,000 was due every month retroactive to July 1, 2019. To avoid what appears to be potential litigation to be initiated by the City of Willits the parties are meeting in the second week of March to avoid such litigation. In preparation of such meeting the Board will meet in Closed Session pursuant to Government Code §54956.9(e)(5) with its counsel Jennifer O’Brien to evaluate the respective points which might be relevant to such issues and their resolution.