

Cameron Park Community Services District Bylaws

BYLAWS FOR THE REGULATION, EXCEPT AS OTHERWISE PROVIDED BY STATUTE, OF CAMERON PARK COMMUNITY SERVICES DISTRICT

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ARTICLE 1 **OFFICES**

- 1.1 **Principal Office.** The principal office for the transaction of business of the Cameron Park Community Services District (the "District") is hereby fixed and located at 2502 Country Club Drive, Cameron Park, California 95682-8631. The Board of Directors (the "Board") is hereby granted full power and authority to change said principal office from one location to another in said District. Any such change shall be noted in the Bylaws by the Secretary, opposite this section, or this section may be amended to state the new location.

ARTICLE 2 **MEETINGS**

- 2.1 **Place and Time of Meetings.** Regular meetings of the Board of Directors shall be held on the third Wednesday of each calendar month at 6:30 p.m. at the Cameron Park Community Services District Office, 2502 Country Club Drive. In the event the regularly scheduled meeting should fall on a legal holiday, the meeting shall be held on the next succeeding Wednesday or as rescheduled by the Board of Directors. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.
- 2.2 **Special Meetings.** Special meetings of the Board of Directors, for any purpose or purposes whatsoever, may be called at any time by the president, or by the vice president, or by any three members of the Board of Directors.
- 2.3 **Public Notification.** All meetings, whether regular, special or emergency, shall be open and public, and notice thereof shall be given to the Board members and to the public in accordance with the provisions of the Ralph M. Brown Act, Government Code Sections 54950 et seq.
- 2.4 **Form of Action.** The Board shall act only by ordinance, resolution, or motion.
- 2.5 **Quorum.** A majority of the authorized number of Directors shall be necessary to constitute a quorum for the transaction of business (3 constitutes a majority). No ordinance, resolution or motion shall be passed or become effective without the affirmative vote of at least a majority of the members of the Board.
- 2.6 **Proceedings.** The Board shall establish rules for its proceedings.

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ARTICLE 3 **DISTRICT POWERS**

- 3.1 **Powers.** Subject to the limitations of laws governing community services districts, all District Powers shall be exercised by or under the authority of, and the business and affairs of the District shall be controlled by, the Board of Directors. Without prejudice to such general powers, but subject to the same limitations, it is hereby expressly declared that the Directors shall have the following powers, to wit:
- (a) Select and remove all other officers, agents and employees of the District, prescribe such powers and duties for them as may not be inconsistent with law, or the Bylaws, fix their compensation and require from the security for faithful service.
 - (b) Conduct, manage and control the affairs and business for the District and to make such rules and regulations therefore not inconsistent with California State Law.
 - (c) Change the monthly meeting place and/or time, the principal office for the transaction of business of the District from one location to another within the same District, as provided in Article I, Section I hereof.
 - (d) Represent the inhabitants of the District on District problems as may arise, with various regulatory county agencies, bodies of departments.
 - (e) Supply the inhabitants of the District with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.
 - (f) Collect, treat or dispose of sewage, waste and storm water of the District and its inhabitants.
 - (g) Collect or dispose of garbage or refuse matter.
 - (h) Protect against fire.
 - (i) Provide public recreation by means of parks, including, but not limited to, aquatic parks, playgrounds, golf courses, swimming pools or recreation buildings.
 - (j) Provide street lighting.
 - (k) Provide mosquito abatement.
 - (l) Equip and maintain a police department or other police protection to protect and safeguard life and property.
 - (m) Acquire sites for, construct and maintain library buildings, and to cooperate with other government agencies for library services.
 - (n) Open, widen, extend, straighten, and service all or part of any street in said District, subject to the consent of the governing body of the county or city in which said improvement is to be made.
 - (o) Construct and improve bridges, culverts, curbs, gutters and drains, and perform work incidental to other purposes specified in maintaining streets.
 - (p) Take or acquire real or personal property of every kind within or without the District by grant, purchase, gift, devise, lease or condemnation.

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- (q) Hold, use, enjoy, lease or dispose of any of its property.
- (r) Sue and be sued in all actions and proceedings in all courts and tribunals of competent jurisdiction.
- (s) The District may borrow money and incur indebtedness pursuant to the provisions of Government Code Sections 53820 et seq., Sections 53835 et seq., Section 53840 et seq., Sections 53850 et seq., and Sections 53859 et seq. In addition the District may issue promissory notes and borrow money for any lawful purpose including payment of current expenses pursuant to Government Code Section 61131.
- (t) The District may incur debt and refund outstanding indebtedness for the acquisition, construction, improvement, rehabilitation, repair or replacement of any facilities or improvements to real property by means of any of the following: (1) issuance of general obligation bonds pursuant to Public Resources Code Section 5790 in an amount not to exceed 15% of the appraised value of all taxable real property located within the District; or (2) issuance of revenue bonds issued pursuant to Government Code Section 54300 et seq., or (3) issuance of bonds pursuant to the Mello-Roos Community Facilities Act of 1982 pursuant to Government Code Section 53311 et seq.; or (4) issuance of securitized limited obligation notes pursuant to Government Code Section 53835 et seq.
- (u) Adopt regulations binding upon all persons to govern the use of its facilities and property, including regulations imposing reasonable charges for the use thereof.
- (v) Contract with any city, county, district, Municipal Corporation, political subdivision, political corporation or other public agency of the state, to purchase or acquire from, or to sell to, or jointly acquire, construct, operate or maintain a water system or water supply to serve the inhabitants.
- (w) Levy and cause to be collected, taxes and special assessments for the purpose of carrying on the operations and paying the obligations of the District.
- (x) Enter into contracts for any and all purposes necessary and convenient for the full exercise of its powers.
- (y) Perform any and all acts necessary to carry out fully the provisions of the powers hereinabove set forth, and those set forth in the Government Code, as amended from time to time.

ARTICLE 4 **DIRECTORS**

- 4.1 **Number of Directors.** The authorized number of Directors of the District shall be five (5) until changed by election. The Directors shall be elected at large.
- 4.2 **Election and Term of Office.** Directors shall be elected for four (4) year terms on the first Tuesday after the first Monday in November in even numbered years, with terms staggered such that three (3) Directors shall be elected in a single election, and the remaining two (2) Directors elected two (2) years later, in accordance with applicable provisions of the Government Code and Elections Code.

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- 4.3 **Seating of Directors.** All elected Directors shall take office at noon on the first Friday in December next following the general election.¹

An oath may be taken before any officer authorized to administer an oath.² Before any public officer such as a member of the Board of Directors enters on the duties of his or her office, he or she shall take and subscribe to the oath of office specified above.³ Individuals who are authorized to give the oath of office to newly elected Board members are the District Secretary, or his or her designee, or the County Elections Official, or his or her designee.⁴

The oath of office may be administered by the District Secretary, whether a member of the Board of Directors or an employee of the District, or by a person designated by the District Secretary.

- 4.4 **Terms of Succeeding Directors.** The term of office of each Director shall be four (4) years.

- 4.5 **Vacancies.** All vacancies on the Board will be filled by appointment by the remaining Directors in accordance with Government Code sections 1780 and 61204.

- 4.6 **Compensation of Directors.** *District Board members shall receive a stipend of \$100.00 for attendance at regular and special Board meetings. District Board members shall receive a stipend of \$100.00 each for attendance at meetings of the Board committees to which they have been delegated as a member. No Director will collect more than \$600.00 (Amendment December 20, 2000) per month. Board members assigned to all committees shall provide the Board of Directors with a written summary of the committee meeting; the summary shall include the names of Board members in attendance, the date, and the purpose. This section will be in accordance with section 61047 of the Government Code, and together with any expenses incurred in the performance of the Director's duties required or authorized by the Board. *Amendment September 22, 1997.

ARTICLE 5 **OFFICERS**

- 5.1 **Officers.** The Officers of the District shall be a President and Vice President. The District shall also have a General Manager, Finance Officer and Secretary. A Director shall not be a general manager or secretary. However, a secretary may also be the general manager and finance officer.

The Board may create additional officers, and elect members of the Board to those offices, provided that no member of the Board of Directors shall hold more than one office.⁵ The Board may also generate officers, such as Board Secretary, and to appoint either staff or a Board member to perform the duties of the District Secretary.⁶

- 5.2 **Compensation.** The Board may at any time appoint or employ, fix the compensation of, and prescribe the authorities and duties of the officers, employees, attorneys or engineers necessary or convenient for the business of the District.

¹ Government Code Section 10554

² Government Code Section 1362

³ Government Code Section 1360

⁴ Government Code 1225 and the Unified District Election

⁵ Government Code Section 6104(c)

⁶ Government Code Section 6104(c)

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- 5.3 **Performance Bond.** The general manager, finance officer and secretary and any other employee or assistant of the District, if required to do so by the Board, shall each give a bond to the District conditioned for the faithful performance of his or her duties as the Board may require.
- 5.4 **Board Organization.** The Board shall reorganize at the regular meeting of the Board in December.
- 5.5 **President of the Board.** The President of the Board shall, if present, preside at all meetings of the Board of Directors and exercise and perform such other powers and duties as may from time to time be assigned to her/him by the Board of Directors or presented by the Bylaws. The president shall be an ex- officio member of all standing committees.
- 5.6 **Vice President.** In the absence of or disability of the president, the vice president shall perform all the duties of the president, and when so acting shall have all the powers of and be subject to all of the restrictions upon the president. The vice president shall have such powers and perform such other duties as from time to time may be prescribed by her/him by the Board of Directors of by the Bylaws or the statutes governing the community services districts within the State of California.
- 5.7 **General Manager.** The general manager shall serve as advisor to the president and Board of Directors, and shall, if directed by the Board, execute and direct enforcement of resolutions passed by the Board. He/she shall develop information pertinent to the services to be performed by the District and report this information to the Board, and he/she shall act as a contact between the Board of Directors and all county, city and governmental regulatory bodies. The general manager shall carry out all orders and directions and policies of the governing board of the Cameron Park Community Services District. The General Manager shall (i) have full charge and control of the maintenance, construction, and the day-to-day operations of the District; (ii) have full power and authority to fill all positions authorized by the Board and to discharge from such positions any employee and or assistant; (iii) prescribe the duties of employees and assistants; (iv) perform other duties imposed by the Board; and (v) report to the Board in accordance with the rules and regulations as it adopts.
- 5.8 **Secretary.** The secretary shall keep or cause to be kept at the principal office, or such other place as the Board of Directors may order, a book of minutes of all meetings of directors with the time and place of holding, whether regular or special, and if special, who authorized, the notice thereof given and the names of those present at the Director's meetings. The secretary shall keep or cause to be kept, at the principal office any register showing the names and addresses of the directors of the service district. The secretary shall give or cause to be given, notice of all meetings of the Board of Directors required by the Bylaws or the laws of the State of California, and shall keep the seal of the service district in safe custody, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.
- 5.9 **Finance Officer.** The Finance Officer shall keep and maintain, or cause to be kept and maintained, all financial records of the District, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, surplus, and shares. The finance officer shall deposit all monies in such depositories as may be designated by the Board of Directors. The finance officer shall disburse funds of the District as may be ordered by the Board of Director, and shall render to the President and Directors, whenever they request it, an account of all of the transactions of the Finance Officer and of the financial condition of the District, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws.

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- 5.10 **Annual Audit.** The Finance Officer shall have a recognized auditing firm audit the District's books annually at the end of each fiscal year.

ARTICLE 6 **MISCELLANEOUS**

- 6.1 **Depository of District Money.** The Board shall designate a bank or banks for the depository of the District's money.
- 6.2 **Inspection of District Records.** The books of account and minutes of proceedings of the Board of Directors shall be open to inspection upon the written demand of any person residing within the Cameron Park Community Services District, subject to such reasonable rules as may be adopted from time to time.
- 6.3 **Records.** All District records shall be retained, in original or microfilm form, at the District offices for a period of at least four (4) years. Tape recordings of meetings are not considered District records for purposes of this section. Tape recordings are utilized to assist in the development of formal Board minutes and may be destroyed once those minutes have been prepared and approved.
- 6.4 **Checks, Drafts, Etc.** All checks, drafts and other orders for payment of money, notes or other evidence of indebtedness, issued in the name of or payable to the District, shall be signed or endorsed by the General Manager or the President of the Board, plus one (1) additional Director with the exception of petty cash disbursements which may occur upon authorization of the General Manager.
- 6.5 **Contracts, Etc. How Executed.** The Board of Directors, except as otherwise provided in the Bylaws, may authorize any officer or officers, or agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the District, and such authority may be general or confined to specific instances; and, unless so authorized by the Board of Directors, no offer, agent or employee shall have any power or authority to bind the District by any contact or engagement or to pledge its credit or to render it liable for any purpose or to any amount. In the absence of such grant of authority, only the President of the Board shall have the authority to bind the District.
- 6.6 **Inspection of Bylaws.** The District shall keep in its principal office for the inspection of business, the original or a copy of the Bylaws as amended or otherwise altered to date, certified by the Secretary, which shall be open to inspection by the residents of the District at all reasonable times.
- 6.7 **Public Session.** All legislative sessions of the Board shall be conducted in accordance with the Ralph M. Brown Act (Government Code section 54950, et seq.) Public sessions shall be conducted in accordance with Roberts' Rules of Order, subject only to these Bylaws and applicable statutes.
- 6.8 **Recall of Directors.** Every incumbent of the office of Director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of the Elections Code of the State of California.
- 6.9 **Seal.** The District may adopt a seal and alter it at pleasure.
- 6.10 **Contract Bids.** All contracts for the construction of any unit of work, except as otherwise statutorily provided, Shall be based on the California Uniform Public Construction Cost Accounting Commission.

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- 6.11 **Liability for Acts of Employees.** No officer, agent or employee shall be liable for any act or omission of any agent or employee appointed or employed by him/her unless he/she had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which he/she was appointed or employed or retains the inefficient or incompetent person after notice of the inefficiency or incompetency.
- 6.12 **Budget Session.** The regular meeting scheduled for June is hereby designed to be the budget session of the District. At said meeting, the Board of Directors shall determine what the budget shall be for the next ensuing taxable year, and before September 30, submit said budget figures to the auditor of the County of El Dorado, State of California, for processing.
- 6.13 **Committees.** The following committees shall be established as "Standing Committees"; **Covenants, Conditions & Restrictions, Parks and Recreation, Fire & Emergency Services, and Budget and Administration.** These committees meet in accordance with the provisions of the Ralph M. Brown Act commencing with Section 54950 et California Government Code, as amended. These committees will consist of two directors appointed by the Board President. The same two Directors may not serve on all standing committees during the same term. Committee assignments will be for a term of one year commencing with the Board reorganization in December. *Added August 27, 1997. Therefore, it is the Board President's responsibility to notify the General Manager of Committee changes.*

ARTICLE 7 AMENDMENTS

- 7.1 **Amendments.** These Bylaws may be altered, amended, repealed, in whole or in part, and new Bylaws may be adopted by the Board of Directors from time to time as said Board shall deem necessary. Any changes must be proposed in writing at least one regular meeting before adoption may be completed. Changes must be approved by at least a majority vote in accordance with sections 6122 and 61225 of the Government Code.

ARTICLE 8 ELECTIONS

- 8.1 **Election Code Provisions Applicable.** The provisions of the Election Code relating to the qualification of electors, the manner of voting, the duly elected officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all district elections.
- 8.2 **Nomination of Directors.** Nominations for the office of director shall be made by petition of not less than ten (10), nor more than twenty (20) registered electors filed with the El Dorado County Elections Department not earlier than seventy-five (75) days nor later than 5:00p.m. on the fiftieth (50th) day before the election. The El Dorado County Elections Department shall publish notice pursuant to section 6066 of the Government Code that such petitions may be received. Notice shall be published at least seven (7) days prior to the final date for receiving petitions, to wit, seven (7) days prior to the fiftieth (50th) day period.
- 8.3 **Notice of Election.** Notice of each District election shall be published by the El Dorado County Elections Department once a week for two (2) successive weeks prior to the election, as set forth in the section 6066 of the Government Code of the State of California.

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- 8.4 **Cancellation of Election.** If on the fiftieth (50th) day prior to a general district election one (1) person only has been nominated for each of the positions of director to be filled at that election, or if no person has been so nominated for any one or more of said officers, any petition signed by five percent (5%) of the voters requesting that the election be held has not been presented to the Board, the election shall not be held. In such case, the publication heretofore provided for shall instead of calling an election, state that no election is to be held and that the Board of Supervisors shall, in accordance with Elections Code Section 23520, appoint those nominated for the position of director; or if no person has been nominated for said position, the Board of Supervisors will appoint any qualified person or persons.

The undersigned hereby acknowledges and represents that the foregoing constitutes the Bylaws of the District as duly amended by the Board of Directors at its meeting duly held August 17, 2011.