

Cortina Community Services District
PO Box 43
Arbuckle CA 95912

Karl Drexel, General Manager
(707) 318-7369
karl@kdmanagement.us



Rod Bradford, Chairman
Dolores Gomez, Vice Chair
Kimberly Valles, Director
Victor Zarate, Director
Lacey Gimple, Director

AGENDA
SPECIAL MEETING
Arbuckle Golf Course
5918 Hillgate Rd, Arbuckle, CA 95912
APRIL 23, 2024, at 6:30 PM

1. **CALL TO ORDER AND ESTABLISH QUORUM:**
Cortina CSD Board of Directors Roll Call: President: Bradford____ Members: Gomez _____ Valles _____
Zarate _____ Gimple_____
2. **PLEDGE OF ALLEGIANCE:**
3. **PUBLIC COMMENTS:** *(Each speaker is limited to two minutes)*
Members of the public are appreciated for taking the time to attend this meeting and provide comments on matters of District business. Any member of the public may address the Board relating to any matter within the District's jurisdiction. This need not be related to any item on the agenda; however, the Board cannot act on an item unless it was noticed on the agenda.
4. **CONSENT CALENDAR:**
Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Board or the Public.
 - a) Approval of Minutes: Regular Meeting March 25, 2024
 - b) Ratification of March Disbursements
 - c) Approval of April - May Payables
 - d) Review YTD Financials
5. **DISCUSSION / REPORTS: ACTION ITEMS:**
 - a) Review and discuss the Colusa County Hazard Mitigation Plan renewal.
 - b) Discuss the Reddington Ranch walking path repavement project.
 - c) Discuss and review LAFCo Application for divestiture of Police and Fire Services in our Latent Powers
 - d) Discuss the date and time of the next meeting (currently Labor Day)
6. **CORRESPONDENCE, STAFF and BOARD MEMBER REPORTS:** Updates and New Business
 - a) Form 700's and Ethics and Harassment training.
7. **ADJOURNMENT:**
Meeting agendas and written materials supporting agenda items, if produced, can be received by the public for free in advance of the meeting by any of the following options:
 - A paper copy mailed pursuant to a written request and payment of associated mailing fees.
 - An electronic copy received by email. Note – if you would like electronic copies, please email the General Manager at karl@kdmanagement.us prior to the Board meeting.
 - On the CSD Website on the Friday proceeding each regular meeting date. A limited amount of meeting materials will also be available at the meeting. The next Cortina CSD Board Meeting is scheduled to be held on May 27, 2024, at 6:00 pm at the Arbuckle Golf Club

CONSENT CALENDAR

Cortina Community Services District
P.O. Box 43
Arbuckle, CA 95912

DIRECTORS
Rod Bradford, Chair
Dolores Gomez, Vice-Chair
Kimberly Valles, Director
Victor Zarate, Director
Lacey Gimple, Director

Regular Meeting of the Board of Directors

March 25, 2024 at 6:00 pm

Minutes

1. **CALL TO ORDER AND ESTABLISH QUORUM** – Board President Rod Bradford called the meeting to order at 6:00 pm Roll Call – Present were board members Rod Bradford, Dolores Gomez, Kimberly Valles, Victor Zarate and Lacey Gimple. Also present, General manager, Karl Drexel of KD Management Services, LLC.
2. **PLEDGE ALLEGIANCE** – Rod Bradford led the Pledge of Allegiance
3. **PUBLIC COMMENT** – No Public Comment
4. **CONSENT CALENDAR**

The consent Calendar was presented for the approval of the Minutes of the Regular Meeting January 22, 2023, Ratification of January – February Disbursements, Approve Payables for March 2024, Review YTD Financials.

Motion made by:	Kimberly Valles to Approve the Consent Calendar	Motion seconded by:	Dolores Gomez
Ayes:	Rod Bradford, Dolores Gomez, Kimberly Valles, Victor Zarate and Lacey Gimple	Noes:	None
Abstained:	None	Absent	None

5. CLOSE REGULAR MEETING OPEN PUBLIC HEARING AT 6:08 PM

- a) **Discuss the Divestiture of Police and Fire Services from the Cortina CSD Services. Review and consider all public comments on Resolution 23-24-03** The President of the Board indicated that there was nobody at the meeting to speak and voice any objections. The General Manager also reported that he had not received any objections to the divestiture.
- b) **Review and Adopt Resolution 23-24-03 applying to LAFCo to Divest the Police and Fire Services from the Community Services District.** Having no objections from the public

Motion made by:	Dolores Gomez to Adopt Resolution 23-24-03 to Apply to LAFCo for divestitures	Motion seconded by:	Victor Zarate
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Cortina Community Services District
P.O. Box 43
Arbuckle, CA 95912

DIRECTORS
Rod Bradford, Chair
Dolores Gomez, Vice-Chair
Kimberly Valles, Director
Victor Zarate, Director
Lacey Gimple, Director

Ayes:	Rod Bradford, Dolores Gomez, Kimberly Valles, Victor Zarate and Lacey Gimple	Noes:	None
Abstained:	None	Absent	None

6. CLOSE PUBLIC HEARING AND RE-OPEN BOARD MEETING AT 6:13 PM

7. DISCUSSION / REPORTS: ACTION ITEMS:

- a) **Review and discuss the Colusa County Hazard Mitigation Plan renewal.** The General Manager reported that because we did not have a Hazard Mitigation Plan in place, we did not receive any FEMA funding to armor the stream bank of Salt Creek. He advised the Board that he and Victor attended the first meeting, and we are now a part of the County's LHMP update. He also noted that he would be attending the next planning meeting on Wednesday.
 - b) **Discuss the Reddington Ranch walking path repavement project.** The General Manager reported that he had sent Dave Swartz, the District's engineer, pictures of the condition of the pathway, and they had tried several time to meet at the site, but were unable to. He noted that Dave's other engineer might be able to meet, but we are still trying to coordinate it.
 - c) **Review and discuss documentation regarding withdrawing from the County Auditor and designating an alternative depository pursuant to CSD Government Code Section 61053.** The General Manager submitted financials from the County showing that their outside investments have lost money during the first half of this year and that our portion of those investments has gone down \$10,000. He also noted that it takes an inordinate amount of time for the County to turn around the Claims we submit for payment and to get checks mailed and delivered. He also submitted a copy of government code 61503 that allows CSDs to open their own bank account and investment accounts and recommends that the District do just that. Discussion followed and the item was tabled until a future meeting.
- 8. ADJOURNMENT:** Adjourn at 6:48 pm – Next meeting will be a Regular Meeting to be held on May 27, 2024 at 6 pm at the Arbuckle Golf Club.

Attest

Approved

Rod Bradford, Chair

Karl Drexel, Secretary

Cortina Community Services District
Disbursements
February through March 2024

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Bill Pmt -Check	472203	02/15/2024	Arbuckle PUD		10010 · County Auditor - 03511 Red Ranc		-211.76
Bill Pmt -Check	472203	02/15/2024	Arbuckle PUD		10020 · County Auditor - 03512 Riv Glen		-54.60
Bill Pmt -Check	472211	02/15/2024	KD Management		10010 · County Auditor - 03511 Red Ranc		-1,768.80
Bill Pmt -Check	472211	02/15/2024	KD Management		10020 · County Auditor - 03512 Riv Glen		-482.40
Bill Pmt -Check	472211	02/15/2024	KD Management		10030 · County Auditor - 03513 Wildwood		-428.80
Bill Pmt -Check	472223	02/15/2024	Streamline		10010 · County Auditor - 03511 Red Ranc		-41.58
Bill Pmt -Check	472223	02/15/2024	Streamline		10020 · County Auditor - 03512 Riv Glen		-11.36
Bill Pmt -Check	472223	02/15/2024	Streamline		10030 · County Auditor - 03513 Wildwood		-10.06
Bill Pmt -Check	472228	02/15/2024	Botanica Landscapes		10010 · County Auditor - 03511 Red Ranc		-2,800.00
Bill Pmt -Check	472228	02/15/2024	Botanica Landscapes		10010 · County Auditor - 03511 Red Ranc		-750.00
Bill Pmt -Check	472753	03/07/2024	KD Management		10030 · County Auditor - 03513 Wildwood		-336.00
Bill Pmt -Check	472753	03/07/2024	KD Management		10010 · County Auditor - 03511 Red Ranc		-1,386.00
Bill Pmt -Check	472753	03/07/2024	KD Management		10020 · County Auditor - 03512 Riv Glen		-378.00
Bill Pmt -Check	472759	03/07/2024	PGE		10030 · County Auditor - 03513 Wildwood		-104.67
Bill Pmt -Check	472759	03/07/2024	PGE		10010 · County Auditor - 03511 Red Ranc		-534.79
Bill Pmt -Check	472759	03/07/2024	PGE		10020 · County Auditor - 03512 Riv Glen		-183.17
Bill Pmt -Check	472772	03/07/2024	Botanica Landscapes		10010 · County Auditor - 03511 Red Ranc		-2,800.00
Bill Pmt -Check	472772	03/07/2024	Botanica Landscapes		10020 · County Auditor - 03512 Riv Glen		-750.00
Bill Pmt -Check	472780	03/07/2024	Messenger Publishing		10030 · County Auditor - 03513 Wildwood		-13.44
Bill Pmt -Check	472780	03/07/2024	Messenger Publishing		10010 · County Auditor - 03511 Red Ranc		-55.44
Bill Pmt -Check	472780	03/07/2024	Messenger Publishing		10020 · County Auditor - 03512 Riv Glen		-15.12
Bill Pmt -Check	472955	03/15/2024	Arbuckle PUD		10010 · County Auditor - 03511 Red Ranc		-211.76
Bill Pmt -Check	472955	03/15/2024	Arbuckle PUD		10020 · County Auditor - 03512 Riv Glen		-54.60
Bill Pmt -Check	472967	03/15/2024	Prentice Long		10030 · County Auditor - 03513 Wildwood		-310.00
Bill Pmt -Check	472967	03/15/2024	Prentice Long		10020 · County Auditor - 03512 Riv Glen		-348.75
Bill Pmt -Check	472967	03/15/2024	Prentice Long		10010 · County Auditor - 03511 Red Ranc		-1,278.75
Bill Pmt -Check	472969	03/15/2024	Streamline		10030 · County Auditor - 03513 Wildwood		-10.08
Bill Pmt -Check	472969	03/15/2024	Streamline		10020 · County Auditor - 03512 Riv Glen		-11.34
Bill Pmt -Check	472969	03/15/2024	Streamline		10010 · County Auditor - 03511 Red Ranc		-41.58
TOTAL							-15,382.85

Cortina Community Services District A/P Aging Summary

	As of April 20, 2024					
	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
Arbuckle PUD	266.36	0.00	0.00	0.00	0.00	266.36
Botanica Landscapes	0.00	3,656.50	0.00	0.00	0.00	3,656.50
Colusa LAFCo	0.00	3,000.00	0.00	0.00	0.00	3,000.00
KD Management	0.00	2,677.50	0.00	0.00	0.00	2,677.50
PGE	67.80	0.00	0.00	0.00	0.00	67.80
Prentice Long	0.00	120.00	0.00	0.00	0.00	120.00
Streamline	0.00	63.00	0.00	0.00	0.00	63.00
TOTAL	<u>334.16</u>	<u>9,517.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>9,851.16</u>

Cortina Community Services District
Profit & Loss by Class
July 2023 through March 2024

	<u>03511 - Reddington Ranch</u>	<u>03512 - River Glen</u>	<u>03513 - Wildwood</u>	<u>TOTAL</u>
Ordinary Income/Expense				
Income				
410510 · Property Assessment	154,008.00	43,524.00	34,596.00	232,128.00
44190 · Interest	3,034.28	1,007.57	158.40	4,200.25
441901 · Interest Adj. to Mkt Value	-10,659.56	0.00	0.00	-10,659.56
Total Income	<u>146,382.72</u>	<u>44,531.57</u>	<u>34,754.40</u>	<u>225,668.69</u>
Expense				
3170 · Office Expense	9.90	2.70	2.40	15.00
53150 · Dues and Subscriptions	782.10	213.30	189.60	1,185.00
53175 · Insurance Expense	1,902.65	518.91	461.25	2,882.81
53180 · Professional Services				
53187 · Road Maintenance	4,950.00	1,350.00	1,200.00	7,500.00
53181 · Accounting/Audit	5,144.70	1,403.10	1,247.20	7,795.00
53182 · Consulting	13,332.00	3,636.00	3,232.00	20,200.00
53184 · Legal	1,602.15	436.95	388.40	2,427.50
53185 · Landscape Maintenance	30,639.94	9,918.42	0.00	40,558.36
Total 53180 · Professional Services	<u>55,668.79</u>	<u>16,744.47</u>	<u>6,067.60</u>	<u>78,480.86</u>
53190 · Publications and Legal Notices	55.44	15.12	13.44	84.00
53260 · Utilities				
53262 · Street Lights	4,290.52	1,579.00	902.33	6,771.85
53263 · Irrigation Controller	14.78	14.78	0.00	29.56
53264 · Water Service	2,021.21	556.78	0.00	2,577.99
Total 53260 · Utilities	<u>6,326.51</u>	<u>2,150.56</u>	<u>902.33</u>	<u>9,379.40</u>
53265 · Web Hosting	374.22	102.06	90.72	567.00
Total Expense	<u>65,119.61</u>	<u>19,747.12</u>	<u>7,727.34</u>	<u>92,594.07</u>
Net Ordinary Income	<u>81,263.11</u>	<u>24,784.45</u>	<u>27,027.06</u>	<u>133,074.62</u>
Net Income	<u><u>81,263.11</u></u>	<u><u>24,784.45</u></u>	<u><u>27,027.06</u></u>	<u><u>133,074.62</u></u>

Cortina Community Services District

04/20/24

Balance Sheet

Accrual Basis

As of April 20, 2024

	<u>Apr 20, 24</u>
ASSETS	
Current Assets	
Checking/Savings	
10000 · Colusa County Auditor	
10010 · County Auditor - 03511 Red Ranc	299,315.70
10020 · County Auditor - 03512 Riv Glen	102,025.94
10030 · County Auditor - 03513 Wildwood	25,503.53
Total 10000 · Colusa County Auditor	<u>426,845.17</u>
Total Checking/Savings	426,845.17
Accounts Receivable	
11000 · Accounts Receivable	128,077.00
Total Accounts Receivable	<u>128,077.00</u>
Total Current Assets	<u>554,922.17</u>
TOTAL ASSETS	<u>554,922.17</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	12,695.04
Total Accounts Payable	<u>12,695.04</u>
Total Current Liabilities	<u>12,695.04</u>
Total Liabilities	12,695.04
Equity	
3513 · 31960 Fund Balance - Unreserved	-1,132.35
3512 · 31960 Fund Balance- Unreserved	3,897.76
3511 · 31960 Fund Balance -Unreserved	-2,706.44
30000 · Opening Balance Equity	417,719.00
32000 · Retained Earnings	-2,455.18
Net Income	126,904.34
Total Equity	<u>542,227.13</u>
TOTAL LIABILITIES & EQUITY	<u>554,922.17</u>

DISCUSSION / REPORTS

ACTION ITEMS



CORTINA COMMUNITY SERVICES DISTRICT

TO: CORTINA BOARD OF DIRECTORS
MEETING DATE: APRIL 23, 2024
FROM: KARL DREXEL, GENERAL MANAGER
SUBJECT: REVIEW AND DISCUSS COLUSA COUNTY LHMP

BACKGROUND:

Nothing new to report

RECOMMENDATION:

No action necessary at this time.



CORTINA COMMUNITY SERVICES DISTRICT

TO: CORTINA BOARD OF DIRECTORS

MEETING DATE: APRIL 23, 2024

FROM: KARL DREXEL, GENERAL MANAGER

SUBJECT: REVIEW AND DISCUSS REDDINGTON RANCH WALKING PATH REPAIRS

BACKGROUND:

As you all know, the walking path at Reddington Ranch is in dire need of an over hall. River Glen pathway was rebuilt in 2021 when the River Glen Roads were redone. I met with California Engineering Company to get an idea of what the project might cost and what our costs would be to get to construction and what the best process would be. Rod and I toured the path with John Wisniewski from CEC. He felt the most economical and long-lasting fix would be to crack-seal and overlay and install a one-way culvert out to the creek to remediate flooding on the north end of the path.

Dave has submitted a bid (attached) for the preliminary work of Plans and Specifications, and additional work of Project management. They feel the overall project will cost between \$50,000 and \$75,000.

RECOMMENDATION:

Staff recommends we approve having CEC proceed with Plans and specifications and advertise for bids. Staff also recommends we approve the lowest responsible bid under \$75,000 to be paid out of Reddington Ranch reserves.



CIVIL ENGINEERING
LAND SURVEYING
FUNDING PROCUREMENT
CONSTRUCTION ADMINISTRATION
www.cecusa.net

Main Office
1110 Civic Center Blvd.,
Suite 404
Yuba City, CA 95993
(530) 751-0952

April 5, 2024

Cortina CSD
PO Box 43
Arbuckle CA 95912

Attention: Karl Drexel, General Manager

Subject: 24-913 Pathway Rehabilitation and Flood Mitigation

Dear Karl:

Pursuant to your request and subsequent site visit, it's our understanding that the District desires to perform proactive maintenance/repair of the asphalt walking pathway just west of Elmer Drive. The pathway is approximately 1630 ft long and varies between 8-12 ft wide. It's also our understanding that the northerly 250' +/- experiences flooding, and the district would also like to mitigate this situation.

As discussed via our telephone conversation we would propose the following work scope:

- 1) Plan proposal and cost estimate for crack sealing and slurry sealing the pathway and installing the culvert pipe.
- 2) Research with county on discharge of stormwater to Salt Creek
- 3) Draft design and estimate on pathway repair and installing approximately 40 ft of 12" dia. CMP to mitigate flooding. This pipe will need a flap gate to prevent backwater.

Assuming Budget is within districts CIP:

- 4.) Prepare final bid plans and technical specifications for repairs noted above.
- 5.) Bid Support and Contract Award
- 6.) Construction Inspection and Administration and Project Closeout.

All work would include engineering, and surveying (for CMP installation).

Please see the attached budget spreadsheet for a breakdown.

Kind Regards,

A handwritten signature in blue ink, appearing to read 'David Swartz', is written over a light blue circular stamp.

David Swartz, PE, PLS, QSD/P

California Engineering Company, Inc.

Main Office
1110 Civic Center Blvd., Suite 404
Yuba City, CA 95993
(530) 751-0952 Office
(530) 751-0953 Fax

Willows Office
510 W Wood St.
Willows, CA 95988
Office (530) 934-7055
Fax (530) 934-4158

www.CECusa.net

Task Number	Work Scope Task-Budget Work Sheet	
		BUDGET
	Cortina CSD Pathway Repair	Budget
1	Plan proposal and cost estimate for crack sealing and slurry sealing and culvert installation	\$1,360.00
2	Research with county on dischare of storm water to Salt Creek	\$751.00
3	Draft Design and Cost Estimate of pathway project.	\$3,115.00
4	Final PS&E Including Topo Surveying	\$4,797.00
5	Bid Support	\$1,262.00
6	Construction Inspection and Adminstration	\$5,294.50
7	QA/QC	\$1,877.50
	Subtotal	\$18,457.00

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P.O. Box 25532
Los Angeles, CA 90025

File Nos: 19/22

March 25, 2024

VIA E-MAIL

Rod Bradford, President
and Members of the Board
Cortina Community Services District
5918 Hillgate Road
Arbuckle, CA 95912

Re: March 25, 2024 Regular Meeting of the Cortina Community Services District Board of Directors; Agenda Item No. 5.a) and b)

Dear President Bradford and Board Members:

This office serves as District Counsel to the Arbuckle-College City Fire Protection District (“Arbuckle Fire”) and submits the following procedural and substantive opposition to Agenda Item No. 5.(a);(b) agendized before the Cortina Community Services District (“Cortina CSD”) Board of Directors (“Board”) at tonight’s Regular Meeting proposing divesting of police and fire services from the Cortina CSD adoption of proposed Resolution No. 23–24–03 (the “Resolution” or the “Matter”). The Resolution of application for divestiture of police and fire services references Government Code Sections 56700 and 56824.10.¹

First, Arbuckle Fire objects to the consideration of the matter by the Cortina CSD Board because of inadequate notice.²

Arbuckle Fire notes that under CKH it is an “affected local agency,” or the actual service provider (*see*, Government Code Section 56014) and should have been provided notice directly.

Arbuckle Fire did *not* receive *specific* written notice of the proposed action by the Cortina

1 Both Government Code Sections are portions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 *et seq.*, “CKH”), which is the enabling statute for local agency formation commissions of each of the counties of the State of California.

Government Code Section 56700 sets forth the contents for a proposal for change of organization and Section 56824.10 references LAFCO proceedings for different functions or classes of services or divestiture of the power to provide particular functions or classes of services within the boundaries of a special district.

2 The matter would supposedly initiate a proceeding before the County of Colusa (“County”) Local Agency Formation Commission (“LAFCO”), where Arbuckle Fire would be divested by assessments specifically prescribed for all fire and life safety protection for development within the Cortina CSD as established by the County Board of Supervisors.

CSD. Newspaper Notice of Agenda Item No. 5.a) and b) (which is not included in the Cortina CSD *Staff Report*) was set forth in the *Colusa County Pioneer* on March 1, 2024 and is attached as Exhibit "A" the "Newspaper Notice"). The Newspaper Notice is *not* contained in the Agenda Item No. 5.a) and b) Staff Report.

A review of the Newspaper Notice reveals that it *neither*: (1) mentions that the fire and life safety services are provided to the Cortina CSD by Arbuckle Fire; nor, (2) that the Resolution to be considered by the Cortina CSD would be made to the to the County LAFCO to "divest" life safety services from the Cortina CSD.

Additionally, the newspaper notice contains *factually inaccurate* information:

"NOTICE IS HEREBY GIVEN that the Cortina Community Services District (CSD) will conduct a public hearing in a regular meeting to be held on March 25, 2024, at 6:00 PM in the Arbuckle Golf Course Club House, or as soon thereafter as the matter may be heard, to address a proposed resolution for application for divestiture of police and fire services within the District.

The Cortina CSD was established by the Colusa County Board of Supervisors in 2006 to provide certain services to three residential developments (Reddington Ranch, River Glen and Wildwood) until such time as the developments were completed and the county would receive dedicated property tax from the residences. The last development was finalized in 2023. Colusa County provides police and fire services to all other residences without additional costs. The Cortina CSD proposes to divest of the police and fire services that were established in the formation documents to instead receive the police and fire services from the county." (*Emphasis added*)

The portions of the notice referring to the *County providing fire services*, is inaccurate. The County is a political subdivision of the State of California and Arbuckle Fire is a California Special District organized under the Fire Protection District Law of 1987 (Health & Safety Code Section 13800 *et seq.*, the "Act"). The County and Arbuckle Fire are separate and distinct legal entities. Arbuckle Fire provides fire and lifesaving services within the Cortina CSD.

Also, the Cortina CSD *has no power or authority* to "divest ... the police and fire services affected area of the Cortina CSD" and to "instead to receive the police and fire services from the County."

In summary, there is nothing in the Newspaper Notice that would indicate to any affected agency such as Arbuckle Fire – that the Cortina CSD Board would be considering an application to relieve itself of the necessary and essential financing set forth at the Cortina CSD formation for the specific purposes of protection of lives and property.³

³ The specific powers of Arbuckle Fire are set forth in Sections 13861 and 13862 of the Act.

Stated plainly, a member of the public would not know whether the Resolution referred to an application to the County Board of Supervisors, or to the County LAFCO. An affected local agency service provider such as Arbuckle Fire again, would have no idea what the matter was to be considered at the Cortina CSD Regular Board Meeting.

Substantive Opposition

There is *no County* authority for classifying the Cortina CSD designated services as *temporary*.⁴ The enabling County Board of Supervisors Resolution *does not* mention that the designated services of the Cortina CSD *are at all temporary* and subject to divestiture before the County LAFCO.

Stated differently, there is no authority for the Cortina CSD to attempt to substantively change the type and kind of local government services it provides without modification of the underlying County Board of Supervisors action or a specific application before the County LAFCO. The Matter in Agenda Item No. 5.b) does neither, instead it specifically speaks of the law in Section 4, which provides:

“the divestiture of police and fire services by the Cortina Community Services District, *effective immediately* after the passage of this resolution by the Cortina Community Services District Board of Directors at a duly noticed and agendized public hearing, will be assumed by the County Sheriff and Arbuckle/College City Fire District as it is everywhere else in the unincorporated County and town of Arbuckle.” (*Emphasis added*)

Neither the balance of the Resolution nor the Staff Report provide *which* local agency Cortina CSD is seeking to obtain this authorization from, rather it specifically states that the Cortina CSD has the power to do so without setting forth the basis for that authority.

There are additional factual inaccuracies contained in the Cortina CSD Agenda Item No. 5.a Staff Report claims the following:

“The Community Services District collects assessments from the property owners and transfers that money to the County and the FD.”

In fact, Cortina CSD assessments are collected as a part of the property tax roll *and then* distributed to the County for Sheriff's expenses and to Arbuckle Fire for its provision of fire and life safety services, as well as fire prevention within the Cortina CSD.

⁴ Enclosed as Exhibit ‘B’ is Colusa County Resolution No. 06–061 entitled “A Resolution of the Board of Supervisors of the County of Colusa for the Cortina Community Services District authorizing the tax levy and directing the County Auditor-Controller to place assessments on the tax roll for the 2006–2007 fiscal year.

March 25, 2024

Page 4

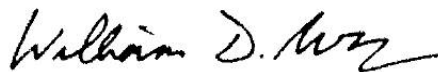
Conclusion

Arbuckle Fire contends that the Newspaper Notice for Agenda Item No. 5.(a);(b) is legally inadequate and that the proposed Cortina CSD Board action is not supported by applicable authority, either before the County Board of Supervisors or before the County LAFCO.

Please inform Arbuckle Fire in writing of any action taken by the Cortina CSD Board.

Your attention to this matter is respectfully requested.

Very truly yours,



William D. Ross
District Counsel

WDR:jf

Enclosures: Exhibit A – March 1, 2024 Newspaper Notice
Exhibit B – County Board of Supervisors Resolution No. 06-061

cc: Board of Directors
Casey Cox, Fire Chief
Arbuckle-College City Fire Protection District

EXHIBIT “A”

NOTICE OF PUBLIC HEARING

Regular Meeting
Arbuckle Golf Course
5918 Hillgate Rd., Arbuckle, CA 95912
Monday March 25, 2024 at 6:00PM

NOTICE IS HEREBY GIVEN that the Cortina Community Services District (CSD) will conduct a public hearing in a regular meeting to be held on March 25, 2024, at 6:00 PM in the Arbuckle Golf Course Club House, or as soon thereafter as the matter may be heard, to address a proposed resolution for application for divestiture of police and fire services within the District.

The Cortina CSD was established by the Colusa County Board of Supervisors in 2006 to provide certain services to three residential developments (Reddington Ranch, River Glen and Wildwood) until such time as the developments were completed and the county would receive dedicated property tax from the residences. The last development was finalized in 2023. Colusa County provides police and fire services to all other residences without additional costs. The Cortina CSD proposes to divest of the police and fire services that were established in the formation documents to instead receive the police and fire services from the county.

The proposed resolution of application is available for review at the Cortina CSD website at <https://cortinacsd.specialdistrict.org/notices>. To request a paper copy, please contact the Cortina CSD General Manager or any Board Member. GM Karl Drexel can be reached at (707) 318-7369, karl@kdmangement.us, or cortinacsd@sonic.net. A reasonable cost may be charged by the Cortina CSD for providing copies of any requested information.

Members of the public may provide public comment during the public hearing and may submit written comments on this matter by email at cortinacsd@sonic.net. The Cortina CSD will consider all written comments received prior to the posted hearing date.

03/01/2024 · CCPR

EXHIBIT “B”

RESOLUTION NUMBER 06-061

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF COLUSA FOR THE CORTINA COMMUNITY SERVICES DISTRICT AUTHORIZING THE TAX LEVY AND DIRECTING THE COUNTY AUDITOR-CONTROLLER TO PLACE ASSESSEMENTS ON THE TAX ROLL FOR THE 2006 - 2007 FISCAL YEAR

WHEREAS, the Local Agency Formation Commission of Colusa County, California ("LAFCO"), adopted Resolution No. 2006-0002 approving the formation of the Cortina Community Services District (the "District") and ordering several actions including, but not limited to, the following:

- A. The Commission authorizes the Cortina Community Services District to perform the following services:
 - 1. Street light maintenance,
 - 2. Road/Street maintenance
 - 3. Pedestrian and/or bicycle trail maintenance
 - 4. Landscape maintenance
 - 5. Open space maintenance
 - 6. Collection, treatment and disposal of storm water
 - 7. Maintenance of drainage and floodway facilities
 - 8. Water for those Zones of Benefit not within the service area of the Arbuckle Public Utility district.
 - 9. Wastewater for those Zones of Benefit not within the service area of the Arbuckle Public Utility District, and
 - 10. Police and Fire Infrastructure financing

- B. The District shall confer with the County Auditor/Controller during its budgeting process and its expenditure of funds.

- C. The Public Service Delivery and Financing Plan prepared by EPS (October 15th 2005) and the Engineer's Report prepared by Parati of California (October 12th 2005), for the Cortina Community Services District are adopted. As provided for in Government Code Section 56886 (b), since 100 percent of the landowners have consented to the filing of the application to form the Cortina Community Services District (CSD), the special, extraordinary, or additional taxes and or assessments contained in the EPS report and the Engineer's Report are adopted for all lands and subsequent development included within the Cortina CSD.

- D. The LAFCO Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings; and,

WHEREAS, the LAFCO Executive Officer recorded a Certificate of Completion for the Cortina CSD formation, Colusa LAFCO File #2005-06, on May 17, 2006; and,

WHEREAS, under the authority of the Municipal Improvement Act of 1913 (Division 12 of the Streets and Highways Code, commencing with Section 10000) (the "1913 Act"), the County of Colusa (the "County") orders the maintenance of the public improvements of the Cortina Community Services District (the "District") consisting generally of the streets, street lights, pedestrian and bicycle trails, landscape corridors, open space, drainage and floodways facilities, storm water facilities, water facilities for domestic use, irrigation, sanitation, and fire protection, and wastewater facilities, together with

appurtenant work and improvements (collectively, the "Improvements") within or immediately adjacent to the boundary of the District; and,

WHEREAS, pursuant to Section 10204(f) of the 1913 Act, and in accordance with the Assessment District, the report (collectively, the "Engineer's Report") described in Section 10204 of the Municipal Improvement Act of 1913 (Division 12 of the Streets and Highways Code, commencing with Section 10000) (the "1913 Act"), and containing the matters required by Article XIID of the California Constitution ("Article XIID"), as set forth in Resolution No. 2006-0002 of the Colusa County LAFCO, the Board of Supervisors of the County of Colusa (the "Board") levies an annual assessment upon each of the parcels of land in the District to pay various costs and expenses incurred from time to time by the County, and not otherwise reimbursed to the County, which result from the administration and collection of assessment installments and the various funds and accounts pertaining thereto, subject to the limitation on the amount of such annual assessment as described in the Engineer's Report; and,

WHEREAS, the Engineer's Report divided the District into four distinct Zones of Benefit, Zone of Benefit 1, Hillgate, Zone of Benefit 2, Reddington Ranch, Zone of Benefit 3, River Glenn, and Zone of Benefit 4, Wildwood Estates, with each Zone having a different assessment amount shown on Attachment A; and,

WHEREAS, as of July 1, 2006, only Zone of Benefit 3, River Glenn, has completed Improvements and requires the maintenance and operations services, as set forth in the Engineer's Report of the District for the 2006-2007 Fiscal Year; and,

WHEREAS, Zone of Benefit 1, Hillgate, Zone of Benefit 2, Reddington Ranch, and Zone of Benefit 4, Wildwood Estates, will have completed Improvements that will require the maintenance and operations services, as set forth in the Engineer's Report of the District, in future fiscal years; and,

WHEREAS, the Auditor-Controller of the County of Colusa (the "County") and/or, eventually, the Community Services Manager of the Cortina Community Services District (the "District"), is authorized and directed, with the aid of the appropriate officers and agents of the County but without further action of the County Board, to determine each year the assessment (as that term is defined in the Engineer's Report) to be levied for that year on each Taxable Parcel, to prepare the annual assessment roll in accordance with the Engineer's Report and, again without further action of the County Board, to provide all necessary and appropriate information to the Colusa County Auditor/Controller in proper form, and in proper time, as necessary to effect the correct and timely billing and collection of the assessment on the secured property tax roll of the County; and,

WHEREAS, the County and/or the District agrees that, in the event the assessment is collected on the secured tax roll of the County, the County may deduct its reasonable and agreed charges for collecting the Special Tax from the amounts collected, prior to remitting the assessment collections to the District;

NOW, THEREFORE, the Board levies the annual assessments for Zone of Benefit 3, River Glenn, of the District in the amount shown on Attachment B and the county auditor of the County is directed to place the assessments on its 2006 - 2007 tax roll.

PASSED AND ADOPTED at a Regular meeting of the Board of Supervisors held on September 5, 2006, by the following vote:

AYES: Supervisors Evans, Marshall, Indrieri and Scofield.
NOES: None.
ABSENT: Supervisor Woable.

Christy K. Scofield

Christy K. Scofield, Chairperson

Attest:

Kathleen Moran
for Kathleen Moran, Clerk/Recorder and
Ex Officio Clerk to the Board of Supervisors

APPROVED AS TO FORM:

Henry E. Rodegerdis
Henry E. Rodegerdis,
Colusa County Counsel

Attachment A

County of Colusa
Cortina Community Services District
Fiscal Year 2006-2007 Assessments

Zones of Benefit		Base Year 2005-2006 Annual Amount	2006-2007	
			% Increase	Annual Amount
			[1]	
Zone of Benefit 1 - Hillgate	[2]	\$810.00	1.955%	\$825.83
Zone of Benefit 2 - Reddington Ranch	[2]	\$675.00	1.955%	\$688.20
Zone of Benefit 3 - River Glenn	[2]	\$750.00	1.955%	\$764.66
Zone of Benefit 4 - Wildwood Estates	[2]	\$665.00	1.955%	\$678.00

"assmt_levy"

Sources: Colusa County LAFCO, Parati of California, US Dept of Labor, and EPS

[1] US Department of Labor, Bureau of Labor Statistics, San Francisco-Oakland-San Jose, Consumers Price Index, All Urban Consumers, December 2004 (199.5) to December 2005 (203.4).

[2] Cortina Community Services District, Engineers Report.

Attachment B

Zone of Benefit - 3 River Glenn
Fiscal Year 2006-2007 Assessment Levy

Assessor's Parcel Number	2006-2007 Assessment
APN 20-200-001	\$763.66
APN 20-200-002	\$763.66
APN 20-200-003	\$763.66
APN 20-200-004	\$763.66
APN 20-200-005	\$763.66
APN 20-200-006	\$763.66
APN 20-200-007	\$763.66
APN 20-200-008	\$763.66
APN 20-200-009	\$763.66
APN 20-200-010	\$763.66
APN 20-200-011	\$763.66
APN 20-200-012	\$763.66
APN 20-200-013	\$763.66
APN 20-200-014	\$763.66
APN 20-200-015	\$763.66
APN 20-200-016	\$763.66
APN 20-200-017	\$763.66
APN 20-200-018	\$763.66
APN 20-200-019	\$763.66
APN 20-200-020	\$763.66
APN 20-200-021	\$763.66
APN 20-200-022	\$763.66
APN 20-200-023	\$763.66
APN 20-200-024	\$763.66
APN 20-200-025	\$763.66
APN 20-200-026	\$763.66
APN 20-200-027	\$763.66
APN 20-200-028	\$763.66
APN 20-200-029	\$763.66
APN 20-200-030	\$763.66
APN 20-200-031	\$763.66
APN 20-200-032	\$763.66
APN 20-200-033	\$763.66
APN 20-200-034	\$763.66
APN 20-200-035	\$763.66
APN 20-200-036	\$763.66
APN 20-200-037	\$763.66
APN 20-200-038	\$763.66
APN 20-200-039	\$763.66



A LAW FIRM FOUNDED ON THE
PRINCIPLE OF SERVICE

March 29, 2022

VIA E-MAIL

William D. Ross, District Counsel
Arbuckle-College City Fire Protection District
wross@lawross.com

Re: Cortina Community Services District

Dear Mr. Ross:

This office serves as counsel for the Cortina Community Services District (hereinafter referred to as "CCSD"). We appreciate the opportunity to respond to your letter dated March 25, 2024. As your letter was sent the same day as the CCSD's meeting, the district did not receive it until after the meeting had concluded and a resolution was passed.

Regarding notice of the CCSD's meeting held on March 25, 2024, while we understand your concern that Arbuckle Fire should have received direct notice as an affected agency, Gov. Code § 56654(c) provides that the legislative body *may* give mailed notice of its intention to adopt a resolution of application to the commission and to each interested agency. This provision is not mandatory. The CCSD complied with the mandatory notice provisions contained in Gov. Code §§ 56660, 56153, 56154, 56824.12, which require publication in one or more newspapers of general circulation within the affected district. Notwithstanding the non-binding direct notice provision, the CCSD is happy to provide Arbuckle Fire with direct written notice when it will seek to dissolve the CFD (which it has not yet done).

It seems there is some confusion as to the resolution that the CCSD passed on March 25, which did not dissolve the CFD, but instead seeks to remove latent powers and permits the district to proceed with an application under Gov. Code § 56700 with the LAFCo for the removal of latent powers. While the CCSD intends to move forward with dissolving the CFD since these services are duplicative with what the county provides, we are happy to meet with you and your client to discuss your concerns beforehand.

We would also like to clarify that the CCSD consulted directly with the LAFCo before taking any action in this matter. The CCSD is proceeding according to the LAFCo's specific instructions for making an application. We are complying with the LAFCo's processes, which include passing the resolution to

remove the latent powers. The LAFCo has further advised that it does not get involved with Mello Roos agencies (which the district is); as such, while they will have involvement in approving the removal of latent powers for police and fire services from the district's formation documents, they will not get involved in the actual dissolution of the CFD. The Executive Director of the LAFCo instructed the CCSD that all that is necessary to dissolve the CFD is for the Cortina Board of Directors to vote to do so. We are proceeding accordingly and have ensured that we are following the statutory processes as outlined in Gov. Code § 56824.10 *et seq.*

It is worth noting that we seem to be saying the same thing regarding the CCSD collection of assessments through property taxes for distribution to the county for sheriff and fire services. Your description of this setup does not conflict with the description contained in Agenda Item #5.

We appreciate your communication and sharing your concerns. As a courtesy, the CCSD will provide your office with direct notice prior to the meeting in which the board will vote on dissolving the CFD. It is the CCSD's position that it has the right to eliminate services that it does not need, particularly when those services are duplicative of what the county provides.

Sincerely,

PRENTICE LONG, PC
Caitlin Smith