

EASTERN PLUMAS RECREATION DISTRICT
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RULES AND REGULATIONS OF THE
EASTERN PLUMAS RECREATION DISTRICT

District Formed - 05 March 2002
Rule and Regulations Adopted - 08 January 2003

ARTICLE 1

Name

The name of this recreation and park district organization shall be Eastern Plumas Recreation District, formed on 05 March 2002 pursuant to sections 5780 to 5787.4. Chapter 4, Article 1 of the Public Resources Code.

ARTICLE 2

District Boundaries

A description of the boundaries of the Eastern Plumas Recreation District is as follows:

All those lands and real. property situate in the County of Plumas, State of California, particularly described as following:

Beginning at the northerly boundary of Plumas County between Plumas and Lassen counties, said point being the Northwest comer of Section 30, Township 28 North, Range 13 East, M.D.M.; thence running South between Ranges 14 and 13, a distance of twenty (20) miles more or less to the Northwest comer of Section 6, Township 24 North, Range 13 East, M.D.M.; thence running West six (6) miles to the Northwest comer of Section 6, Township 24 North, Range 12 East, M.D.M.; thence South nine and one half (9-1/2) miles more or less to the Northwest comer of Section 30, Township 23 North, Range 12 East, M.D.M.; thence West five (5) miles more or less to the Northwest comer of Section 29, Township 23 North, Range 11 East, M.D.M.; thence South eight and one half (8-1/2) miles more or less to a point on the West side of Section 5, Township 24 North, Range 11 East, M.D.M.; said point being on the boundary line between Plumas and Sierra counties; thence in a general easterly direction along said boundary line between Plumas and Sierra counties to the Southeast comer of Plumas County, said point being the Southeast comer of Section 35, Township 22 North, Range 16 East, M.D.M.; thence running northerly and westerly along the boundary line between Plumas and Lassen counties to the point of beginning; with the city limits of the incorporated City of Portola, County of Plumas, State of California excluded.

ARTICLE 3

Purpose

The purpose of the District is to promote recreation and provide facilities for recreational activities. "Recreation" means any activity, voluntarily engaged in, which contributes to the education, entertainment, or physical, mental, cultural or moral development of the individual or group attending, observing, or participating therein, and includes any activity in the fields of music, drama, art, handicraft, science, literature, nature study, nature contracting, aquatic sports, and athletics or any of them, and any informal play incorporating any such activity. (Public Resources Code Chapter 4, Article 4, Section 5780.4)

ARTICLE 4

Board of Directors - Organization

Section 1. Number and Qualifications

The board of directors shall consist of five (5) members, each of whom shall be a registered voter residing in the District or unless he is a qualified voter of this State and is an owner of real property within the District. (Public Resources Code Chapter 4, Article 5, Section 5780.3)

Section 2. Election

Directors are elected for four (4) year staggered terms at the general District election held on the first Tuesday after the first Monday in November in each odd-numbered year. (Election Code-Uniform District Election Law). Term of Office expires on the last Friday in November.

Section 3 Election of Officers: Meetings

Chairperson, Vice Chairperson, and other such officials as deemed necessary shall be elected each year at the January Meeting. Regular meeting shall not be less than once every three months. Regular and special meetings shall be called and conducted as prescribed by Sections 54953, 54954 and 54956 of the Government Code.

Section 4. Compensation

Each member of the board may receive such sum as may be fixed by the board, not exceeding one hundred dollars (\$ 100.00) for each meeting of the board attended by the member, not exceeding two (2) meetings in any calendar month.

Section 5 Absence from Meetings

In the event that any Director is absent from three (3) consecutive meetings of the Board for reasons which the Board fails to declare sufficient, his resignation from the Board shall be deemed to have been tendered and accepted.

Section 6 Quorum

A majority of the Board shall constitute a quorum for the transaction of business.

Section 7 Method of Transaction a Business.

The Board shall act only by ordinance, resolution or motion. A majority vote of the members of the District Board is required on each action taken and the vote shall be recorded.

Section 8 Recall

This has been repealed from the Public Resources Code.

Section 9 Rules and Regulations

The Board of Directors may make and enforce all rules, regulations, ordinances, and By-Laws necessary for the administration, government, and protection of the property, improvements and facilities under its management or belonging to the District.

Section 10 Method of Filling Vacancies

The remaining District Board members may fill the vacancy by appointment. The person appointed shall hold office until the next District General Election that is scheduled 90 or more days after the effective date of the vacancy, unless an election is also held on the same date for the purpose of electing a Director to serve a full term in the same office to which the person was appointed, in which event the person appointed to the vacancy shall fill the balance of the unexpired term of his predecessor.

Appointments pursuant to this subdivision shall be made within a period of 60 days immediately subsequent to the effective date of such vacancy and a notice of the vacancy shall be posted in three or more conspicuous places in the District at least 20 days before the appointment is made.

In lieu of making an appointment the remaining members of the board may within 60 days of the vacancy call an election to fill the vacancy. The election shall be held on the next available election date provided by Chapter 1 (commencing with Section 2500) of Division 4 of the Elections Code that is 90 or more days after the vacancy occurs.

If the vacancy is not filled by the District Board as specified, or if the Board has not called for an election within 60 days of the vacancy, the Board of Supervisors may fill the vacancy within 90 days of the vacancy, or the County Supervisors may order the District to call an election to fill the vacancy. The election shall be held on the next available election date provided by Chapter 1 (commencing with Section 2500) of Division 4 of the Election Code that is 90 or more days after the vacancy occurs.

If within 90 days of the vacancy the remaining members of the District Board or the appropriate Board of Supervisors have not filled the vacancy and no election has been called for, the District shall call an election to fill the vacancy. The election shall be held on the next available election date provided by Chapter 1 (Section 2500) of Division 4 of the Elections Code that is 90 or more days after the vacancy occurs.

Persons appointed to fill a vacancy shall hold office until the next District General Election and thereafter until the next person elected at such election to fill the vacancy has been qualified, but persons elected to fill a vacancy shall hold office for the unexpired balance of the term of office.

Section 11 Meetings

Regular meetings shall be held not less than once every three months. Special meetings may be called at any time and conducted as prescribed by Sections 54954 and 54956 of the Government Code.

The Board of Directors of the District shall hold its regular meetings on the 3rd Wednesday of each month excluding the month of December in which no regular meeting will be held. Any holiday exception (other than December) will be held on the next following Wednesday.

ARTICLE V

Powers and Duties

The District Board shall establish rules for its proceedings. The Board of Directors is the Legislative Body of the District and shall determine all questions of policy.

Section 1. Specific Powers

The Board of Directors may:

- a.) Organize, promote, conduct and advertise programs of community recreation;
- b.) Establish systems of recreation and recreation centers, including parks and parkways; and
- c.) Acquire, construct, improve, maintain and operate recreation centers within or without the territorial limits of the public authority.

Section 2. Cooperative Action with Other Government Units

The Board of Directors may cooperate with other Government units and enter into agreements with them.

Section 3 Necessary Powers

The Board of Directors shall have and exercise all powers as set forth in the Public Resources Code Section 5782.5, including, but not limited to the following powers:

- a.) To sue and be sued.
- b.) To take or acquire real or personal property to every kind or any interest therein, within or without the District, by grant, purchase, gift, devise or lease; and to hold, manage, occupy, dispose of, convey and encumber such property for the benefit of the District.
- c.) To exercise the right of eminent domain after approval has been granted by resolution of the Board of Supervisors.
- d.) To appoint, employ, and pay persons who are necessary and adequately trained, to maintain and operate the property, improvements, and facilities under it's control and to operate the property, improvements, and facilities under it's control and to operate programs of public recreation. The Board may employ personal at the pleasure of the Board by contract.
- e.) To employ Counsel.
- f.) To enter into and perform all necessary contracts.
- g.) To borrow money and purchase on contract.
- h.) To contract with any public entity, person, or contractor, or for financing, maintained or operation of recreational facilities and activities within the District; provided that the District shall nevertheless be responsible for and maintain control over such construction, financing or operation of such recreational facilities and activities and that the District shall receive full consideration therefore. All contracts for materials or supplies as well as new construction that will exceed the sum of five thousand dollars (\$ 5,000.00) shall be left to lowest bidder. All projects for alterations, maintenance or repairs that will exceed the sum of three thousand dollars (\$ 3,000.00) shall be left to the lowest bidder. The District Board may reject all bids and re advertise, or by a four fifths vote may elect to purchase the materials or supplies in the open market, or to construct the building, structure or improvement by force account.

Section 4 Professional or Vocational Meetings

The District Board may authorize the attendance of its members and employees at professional or vocational meetings and may authorize payment of reasonable expenses therefore, including transportation to and from such meetings.

Section 5 Records

The District Board shall keep a record of all its acts and of all money received and disbursed by it. The books shall be open to the public.

All records shall be retained indefinitely in their original form until authorization for destruction given by the governing body based on the following guidelines:

- a.) Retained indefinitely shall be accounting records, payroll and personnel records, payroll and personnel records, long-term debts (Bonds, Loans, Grants, etc.), minutes, contracts, property records;
- b.) Retained for five (5) to (7) years and microfilmed based on Government Code 60203 may then be destroyed.
- c.) The following may be destroyed after five (5) to seven (7) years if there is no continuing need and there exists a permanent audit report prepared as outlined in Government Code Section 26909: receipt journals; special projects; special events, classes, sports, etc. construction records.

ARTICLE VI

Finance

Section 1 Funds

The District receives no source of ongoing revenues.

Section 2 Amount of Indebtedness; Repayment; Interest

The District may acquire all necessary and proper lands and facilities, or any portion thereof, by means of a plan to borrow money or by purchase on contract. The amount of indebtedness to be incurred shall not exceed an amount equal to the anticipated tax income for a two-year period and all such indebtedness which is incurred on or after 05 March 2002, shall be repaid during a period not to exceed ten (10) years from the date on which it is incurred and shall bear interest at a rate not exceeding eight (8%) percent per annum payable annually or semi-annually or in part annually or semi-annually. Each such indebtedness shall be authorized by a resolution adopted by the affirmative votes of at least four fifths (4/5) of the members of the District Board and shall be evidenced by a promissory note or contract signed by at least four fifths (4/5) of the members of the District Board.

Section 3 Revolving Fund

The District Board may, by resolution, establish a District revolving fund not to exceed five hundred dollars (\$ 500.00) for the purpose of disbursement and reimbursement of money, to be used in conducting or supervising special recreation activities. The revolving fund shall be subject to audit as provided for, in Government Code Section 26909. The resolution which establishes the District revolving fund shall designate all the following:

- a.) The officer who shall submit a written request to the county auditor for a specific amount.
- b.) The bank which shall be the depository of the funds.
- c.) The officers of the District whose signatures are required to authorize disbursement from the fund.
- d.) The purposes from which moneys deposited in the fund may be expended.
- e.) The officer of the District who shall be responsible for keeping account of all receipts and disbursement from the fund.

Section 4 Preliminary Budget

On or before the first day of July of each year, or a date prescribed by the supervising authority, the District Board shall estimate and determine the annual amount of money required for the District and shall adopt a preliminary budget.

Section 5 Notice Concerning Budget

On or before the first day of July of each year, or on a date, prescribed by the supervising authority, the District shall publish a notice at least one time stating:

- a.) That the preliminary budget has been adopted and is available for inspection by the interested taxpayers;
- b.) That on a specified date, not less than one month after publication of the notice, the Board will meet for the purpose of fixing the final budget, and that any taxpayer may appear and be heard. Chapter 4, Article 6, Section 5784.1, Public Resources Code.

Section 6. Report of Final Budget

The District Board shall report the final budget to the supervising authority concerned. After the budget hearing, but not later than the 10th day of August of each year. Chapter 4, Article 6, Section 5784.4, Public Resources Code.