



## RANCHO MURIETA COMMUNITY SERVICES DISTRICT

15160 Jackson Road, Rancho Murieta, CA 95683

Office - 916-354-3700 \* Fax - 916-354-2082

### SECURITY COMMITTEE

*(Directors Les Clark and Tim Maybee)*

Regular Meeting

March 5, 2020 at 10:00 a.m.

All persons present at District meetings will place their cellular devices in silent and/or vibrate mode (no ringing of any kind). During meetings, these devices will be used only for emergency purposes and, if used, the party called/calling will exit the meeting room for conversation. Other electronic and internet enabled devices are to be used in the "silent" mode. Under no circumstances will recording devices or problems associated with them be permitted to interrupt or delay District meetings.

### AGENDA

#### 1. Call to Order

#### 2. Comments from the Public

#### 3. Monthly Updates

- ✚ Operations
- ✚ Incidents of Note
- ✚ RMA Citations/Admonishments
- ✚ RMA Compliance/Grievance/Safety Committee/Disposition Report
- ✚ Contract Security

#### 4. Discuss Possible Amendments to District Security Code Chapter 21 Related to the Role and Function of Security

#### 5. Discuss Alignment of Monthly Statistical Charts

#### 6. Discuss District AEDs (Automatic External Defibrillators)

#### 7. Discuss Letter from Murieta Village Regarding Security Cameras

#### 8. Joint Security Committee Update

#### 9. Director and Staff Comments/Suggestions [no action]

#### 10. Adjournment

*In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the District offices during normal business hours. If, however, the document is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting.*

Note: This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54950. The date of this posting is March 2, 2020. Posting locations are: 1) District Office; 2) Post Office; 3) Rancho Murieta Association; 4) Murieta Village Association.

2020-3 Security Agenda.docZ:\2019-20 Committee Meetings\2020\2020 Security\2020 Packets\3 - March Security Packet\2020-3 Security Agenda.doc

# MEMORANDUM

**Date:** February 28, 2020  
**To:** Security Committee  
**From:** Jeffery Werblun, Security Chief  
**Subject:** Security Update Report for the Month of February 2020

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## OPERATIONS UPDATES

We have updated the Security Code to reflect the increase of penalty interest rate per a prior Board action. While doing so, District Secretary Amelia Wilder noticed the pages in the code were cluttered with footnotes from prior changes to the code. The pages were becoming cluttered and some of these changes happened years ago. District Counsel reviewed the changes to the code and made his edits. Amelia made the changes and cleaned up the language without changing the code itself. Thanks Amelia.

We had brought forward the changes to the Security Code along with a draft Ordinance to adopt the changes and edits to the Security Committee in February. It was sent back to Committee for discussion.

Upcoming CPR/First Aid refresher training on March 10, and 11 and Customer Service Training on April 29.

## INCIDENTS OF NOTE

February 5, at 0937 hours, patrol responded to a vehicle accident on Jackson Rd. at Murieta Parkway. One vehicle rear-ended another that was stopped for the red light. The driver at fault walked away last seen heading East on Jackson Rd. Metro Fire responded as the three occupants of the car that was rear-ended and had minor injuries. Patrol conducted traffic control and assisted at the scene until CHP arrived.

Sgt. Tompkins was on his way to work and stopped to assist our Patrol Officer that was on scene. Sgt. Tompkins went to look for the suspect driver that walked away from the accident. He located her on Jackson Rd. at the Yellow Bridge. When he asked her if she had just been involved in an accident, she said she thought so. He asked her where she was going? She said she had to get to Jackson. He told her she needed to return to the scene, which she did.

CHP arrived on scene. While the Officer was talking with the suspect driver, she showed symptoms of being under the influence. The Officer asked her if she had been drinking. She replied, "Well that depends. What is today? Ya maybe." CHP conducted an evaluation on her and arrested her for DUI. She was charged with Felony DUI, causing injury, and hit and run. The three other vehicle occupants, that were housekeepers on their way to a house on the South, were transported to the hospital.

During the investigation, CHP noticed damage to the right side of the suspect's vehicle that was not consistent with this collision. They asked the driver if she had hit something else. She said she believed she did. They determined she had driven on Scott Rd. from Folsom prior to this accident. Another CHP Officer located a

scene on Scott Rd. were the driver had run off the road and struck a fence. She destroyed approximately 200 feet of fence and kept driving.

February 16 at 1920 hours, Officer Hernandez was on patrol driving on Cantova Ln. He saw an elderly male laying on the sidewalk. He stopped to check on him. The elderly male, a Murieta Village resident, was walking his dog when he tripped and fell. He struck his head on the sidewalk. Metro Fire was requested and transported the male to the hospital. Officer McCarver took the man's dog to the man's house and secured the dog inside. Officer McCarver then called a family member to let them know what happened.

At 1937 hours, Patrol responded to an unknown type disturbance at a residence on Rio Blanco. When they arrived, they discovered this was a domestic dispute between husband and wife. The husband appeared intoxicated and the wife was in fear for her safety and that of her daughter. The officers requested SSD respond. The officers did not want to leave the females alone in the house while waiting for SSD to arrive. The officers stood by for the safety of the females in the house to keep the peace until SSD arrived. SSD arrived and ended up arresting the male for domestic violence.

At 2039 hours, patrol received a call for assistance on the island near Granlee's dam. Metro Fire had also been requested. Patrol arrived on scene and met with the mother and father of a Juvenile that was stuck on the island. The juvenile and his friend crossed the river out to the island and consumed alcohol. The one juvenile became severely sick from drinking too much alcohol and passed out. The other juvenile crossed back across the river, drove home in his golf cart and left his friend behind on the island. Once home, the other juvenile called the parents to advise them where their son was. Fire personnel on scene and patrol assessed the situation and determined it was unsafe to try and cross the river due to the current and cold-water temperature. A plan was devised to request a helicopter that could either land or conduct a hoist rescue to the island and retrieve the sick juvenile. A CHP helicopter was dispatched. Just as the helicopter arrived overhead, the juvenile's father jumped into the river and crossed over to the island by himself. He got his son to wake up enough so he could drag him back across the river. The father got his son back across the river to fire personnel who put the juvenile into an ambulance. The juvenile was transported to the hospital. Patrol helped the mother get back to her residence.

February 17 at 1700 hours, patrol responded to a vehicle accident on Jackson Rd. near the County Bridge. This was a single vehicle accident where the vehicle left the roadway and went down the embankment. Fire arrived on scene as well as CHP. The driver of the vehicle was unresponsive. Fire got the driver out of the vehicle and up to the ambulance where they pronounced the driver deceased. According to a family member of the driver that witnessed the accident from a different vehicle, the driver had pre-existing medical conditions. It is possible the driver had a medical episode while driving which caused him to drive off the side of the road. Patrol remained on scene assisting with traffic control until additional CHP units arrived.

### **CONTRACT SECURITY**

We are still using PDF on a limited basis for the gate.

### **JOINT SECURITY MEETING**

The meeting has been set for March 25 at 10:00 am at the CSD Board Meeting room.

**2020 RMA Rule Violation Citations by CSD**

<b>Violation</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Back Area w/o Resident													
Basketball Standard		1											1
Commercial Vehicle Signage													
Construction Hours/Days													
Curfew													
Driveway Parking	31	19											50
Fishing License/Fish & Wildlife													
Guest Parking		5											5
Loose/Off Leash Dog													
Motorcycle North Streets													
Overloaded Golf Cart													
Overnight Street Parking	6	5											11
Park Hours	5	5											10
Speeding	3	14											17
Stop Sign													
Unauthorized Vehicle	1	5											6
Unlicensed Driver	1	2											3
Unsafe Driving	1												1
Intereference													
Parking Citations													
Warning Notice	3	3											6
<b>Total</b>	<b>48</b>	<b>56</b>											<b>104</b>

**2019 RMA Rule Violation Citations by CSD**

<b>Violation</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Back Area w/o Resident				1			1			3		1	6
Basketball Standard								8	4	1	2	1	16
Commercial Vehicle Signage								2	2				4
Construction Hours/Days													
Curfew						1							1
Driveway Parking	30	5	2		20	24	8	60	30	21	18	18	236
Fishing License/Fish & Wildlife													
Guest Parking											1		1
Loose/Off Leash Dog		1						1					2
Motorcycle North Streets										1			1
Overloaded Golf Cart													
Overnight Street Parking	7	9			4	19	5	29	7	17	13	4	114
Park Hours					2	6	6	8	15	4	4		45
Speeding	39	39	5	4	7	16	17		13	10	5	2	157
Stop Sign	6	7	1	1	1			2	6	3	1	16	44
Unauthorized Vehicle								1			1	2	4
Unlicensed Driver							1	1					2
Unsafe Driving	1				2	2							5
Intereference													
Parking Citations			12	13	3		1		2	7	2	1	41
Warning Notice							2		4				6
<b>Total</b>	<b>83</b>	<b>61</b>	<b>20</b>	<b>19</b>	<b>39</b>	<b>68</b>	<b>41</b>	<b>112</b>	<b>83</b>	<b>67</b>	<b>47</b>	<b>45</b>	<b>685</b>



**2019 RMA Rule Violations Enforcement by CSD**

<b>Violation</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Back Area w/o Resident				1	2	1	1		1	1			7
Basketball Standard											1		1
Barking Dog	14	10	9	12	6	5	11	10	16	15	13	8	129
Open Garage Doors		1	6	8	8	8	1	12	3	4	3	9	63
Curfew							1	1					2
Driveway Parking									1				1
Fishing License/Fish & Wildlife				2									2
Guest Parking								1	1				2
Loose/Off Leash Dog	8	4	13	2	3	7	4	6	8	9	3	3	70
Motorcycle North Streets				1									1
Overloaded Golf Cart										1	1		2
Overnight Street Parking			3					1					4
Park Hours	1			3	16	8	4	2	4	10	2	3	53
Speeding	12		5	4	3	1	1	4	6	7		3	46
Stop Sign	3	1	1						1				6
Unauthorized Vehicle											1	1	2
Unlicensed Driver	1	2	1	1		2		1	4		1		13
Unsafe Driving	5	2	5	2	1	4	5		2	2	4	2	34
Intereference									1				1
Gate Refusals	16	47	29	43	66	59	75	39	23	20	59	24	500
<b>Total</b>	<b>60</b>	<b>67</b>	<b>72</b>	<b>79</b>	<b>105</b>	<b>95</b>	<b>103</b>	<b>77</b>	<b>71</b>	<b>69</b>	<b>88</b>	<b>53</b>	<b>939</b>



## Rancho Murieta Community Services District

### Most Common RMA Rule Violation Sections Enforced by RMCS D Security Department

RULE I SECTION 5: IDENTIFICATION

RULE I SECTION 6: INTERFERENCE WITH CSD/RMA EMPLOYEE

RULE II SECTION 1: USE OF STREETS

RULE II SECTION 2: UNLICENSED DRIVER

RULE II SECTION 3: SPEED LIMIT VIOLATION

RULE II SECTION 4: ENHANCED SPEED

RULE II SECTION 5: STOP SIGN VIOLATION

RULE II SECTION 6: BUS STOP

RULE II SECTION 8: NO BARCODE

RULE II SECTION 9: TRAILERS AND COMMERCIAL VEHICLE PARKING

RULE II SECTION 10: OVERNIGHT STREET PARKING

RULE II SECTION 11: STORING OF VEHICLES

RULE II SECTION 12: MOTOR VEHICLE REPAIRS

RULE II SECTION 14: CARRYING OF PASSENGERS

RULE II SECTION 15: UNAUTHORIZED VEHICLES, NO 24 HR. PASS

RULE III SECTION 2: UNLEASHED PETS

RULE III SECTION 5: PET NOISE

RULE VI SECTION 1: COMMERCIAL SIGNAGE

RULE VII SECTION 6: BASKET BALL STANDARDS

RULE VII SECTION 9: NOXIOUS ACTIVITIES

RULE IX SECTION 1: GUEST WITHOUT RESIDENT

RULE IX SECTION 2: SWIMMING IN CHESBRO/CALERO

RULE IX SECTION 3: PARK HOURS

RULE IX SECTION 5: FISHING VIOLATIONS

RULE IX SECTION 6: FIREWORKS

RULE IX SECTION 8: SKATEBOARDING/SCOOTERS

RULE IX SECTION 9: CURFEW

RULE IX SECTION 10: VANDALISM

RULE XIII SECTION 1: DRIVEWAY PARKING

ARTICLE VII SECTION 12(B): GUEST PARKING

ARTICLE VII SECTION 13: BON FIRE



# **RANCHO MURIETA COMMUNITY SERVICES DISTRICT**

DISTRICT CODE  
CHAPTER 21

## **SECURITY SERVICES CODE**

POLICES REGULATING THE PROVISION  
OF AND TAXES FOR SECURITY  
SERVICE BY THE DISTRICT



AMENDED AUGUST 21, 2019  
ORDINANCE O2019-03

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# DISTRICT CODE

## CHAPTER 21

### POLICIES REGULATING THE PROVISION OF AND TAXES FOR SECURITY SERVICES BY THE DISTRICT

#### Section 1.00 General Provisions

##### **1.01 Title**

This Chapter shall be known as the "Security Services Code" and may be cited as such.

##### **1.02 Applicability**

This Chapter shall apply to security services in or affecting the territory of the Rancho Murieta Community Services District. The provisions of this Chapter define the type of security services provided by the District, the special tax levied to fund those services, the methods of collecting the special tax and other charges, penalties for violations of the provisions of this Chapter, and all other related matters concerning the provision of security services within Rancho Murieta Community Services District.

##### **1.03 Implementation**

The provisions of this Chapter shall be implemented by such policies and procedures as shall be developed from time to time by the Board and/or District staff at the direction of the Manager.

#### Section 2.00 Definitions

For the purposes of this Chapter, the following terms shall have the following meanings.

##### **2.01 Board**

Board shall mean the Board of Directors of the Rancho Murieta Community Services District.

##### **2.02 Customer**

Customer shall mean a District resident or property owner to whom District service is provided.

##### **2.03 District**

District shall mean the Rancho Murieta Community Services District.

##### **2.04 District Property**

District Property shall mean real property owned, leased or otherwise controlled by the District.

##### **2.05 Manager**

Manager shall mean the General Manager of the Rancho Murieta Community Services District.

##### **2.06 Premises**

Premises shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single unit for purposes of receiving, using and paying for security services. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single commercial enterprise or residential unit.

## **2.07 Security Chief**

Security Chief shall mean that person designated as the head of District Security Services.

## **2.08 Security Gate Officers**

Security Gate Officers shall mean those individuals hired by the District to perform duties related to the control and monitoring of access to gated portions of the District, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

## **2.09 Security Patrol Officers**

Security Patrol Officers shall mean those persons, including the Security Chief and the Security Sergeant, hired by the District to provide patrol services, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

## **2.10 Security Sergeant**

Security Sergeant shall mean that person hired by the District to participate in and supervise the activities of Security Gate Officers and Security Patrol Officers, and other security services identified herein in accordance with District policies and procedures, after receiving the appropriate training and certifications as determined by the Security Chief and Manager.

## **2.11 Security Services**

Security Services shall mean the security services provided by the District, as identified in Section 3.00 herein.

## **Section 3.00 Scope of Security Services**

### **3.01 Authority and Scope of Security Services**

Pursuant to Section 61100(j) of the Government Code and authorization of the Local Agency Formation Commission, the District provides Security Services necessary to protect lives and property within the boundaries of the District. Security Gate Officers and Security Patrol Officers are responsible for protecting lives and property by seeking to prevent an incident or offense from occurring in the District. In situations where prevention of an incident or offense is not possible, the function of Security Gate Officers or Security Patrol Officers is to observe and report the incident to a law enforcement agency, such as the Sacramento County Sheriff's Department, except as otherwise authorized by this Chapter. Security Gate Officers and Security Patrol Officers are not peace officers, and except in limited circumstances as authorized in this Chapter, are not responsible for any law enforcement activities, including but not limited to: chasing; apprehending or detaining suspected criminals; investigating criminal acts; or enforcing state or county laws, including traffic regulations.

### **3.02 Gate and Patrol Services**

The District shall provide gate and patrol services, at such level or to such extent as the Board may authorize as part of the annual budget process, or from time to time as the Board deems appropriate. The gate and patrol services shall generally include:

- a. Operating and staffing security gates located at the entrances to the Rancho Murieta community on a year-round basis;
- b. Providing twenty-four-(24) hour a day mobile patrol of all area within the boundaries of the District;

- c. Operating a communication system to maintain contact with local law enforcement, fire and other emergency services as well as appropriate entities within the District; and
- d. Registering guests or invitees of District Customers and other visitors within the District, in cooperation with Rancho Murieta Association or other homeowners' associations within the District as appropriate.

**3.03 Enforcement of District Rules and Ordinances**

Pursuant to Government Code Section 61064(b), Security Patrol Officers may enforce the rules, regulations, and ordinances adopted by the Board and may issue citations for violation of any such rule, regulation or ordinance to be processed as an infraction in accordance with subdivision (d) of Section 17 of the Penal Code.

**3.04 Enforcement of Covenants, Conditions and Restrictions**

Pursuant to Government Code Section 61105(e), the District may enforce covenants, conditions and restrictions ("CC&Rs"), and hereby authorizes Security Patrol Officers to enforce those non-architectural CC&Rs related to the provision of Security Services adopted for each tract within the boundaries of the District.

The Manager and/or the Board is hereby authorized to establish rules, regulations and procedures in cooperation with any homeowner's association within the District boundaries, including but not limited to, the Rancho Murieta Association, for the enforcement of non-architectural CC&Rs which shall be published and made available to the Board and Customers, including amendments thereto.

**3.05 Enforcement of State and County Law on District Property**

Security Patrol Officers may make arrests in accordance with Penal Code Section 836.5, and/or issue citations for misdemeanor or infraction violations of state law, county ordinances, or district rules, regulations, or ordinances when such violation is committed on District Property and in the presence of the District Security Officer making the arrest or issuing the citation pursuant to Government Code Section 61064(c).

**3.06 Contracting Authority**

Subject to Board approval and appropriation of funds, the District may contract or enter into any joint or cooperative arrangement with Rancho Murieta Association or any other entity or person, including the Sacramento County Sheriff's Department, to provide security services to District Customers.

**3.07 Violations of Chapter**

Pursuant to Government Code section 61064(a), a violation of a provision of this Chapter is a misdemeanor punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding one thousand dollars (\$1,000), or by both.

**3.08 Penalty for Obstructing District Security Officer**

Any person who willfully interferes with a Security Patrol Officer in the performance of his or her duties pursuant to Section 3.03 and/or 3.05 of this Code may be punished by a fine, not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment, in accordance with the provisions of Section 148 of the Penal Code.

**Section 4.00 Special Event Notification**

Prior to conducting or holding any event or activity within the District which is reasonably expected to involve twenty (20) or more participants, spectators, or similar persons, excluding District Customers, the sponsor of such event or activity shall notify the District Security Chief ten (10) days in advance of such event or activity. If Security Services are needed for the event, the event sponsor may request such services as provided for in Section 6.04 of this Chapter.

**Section 5.00 Special Tax for Security Services**

**5.01 Findings**

The Board of Directors of the District hereby finds and declares that the District’s ability to continue to provide Security Services depends on the availability of funds to support these services. The Security Services are a portion of the public safety services related to real property and provide for the security and protection of the real property, property owners, and residents within the District. The special tax [referred to as the "Security Tax"] was approved by two-thirds vote of the District voters in 1998. (See District Ordinance No. 98-1.) The Security Tax provides for a special and secure funding source to continue to provide Security Services.

**5.02 Authority**

This special tax is levied under each of the following authorities:

Government Code Section 61121 which provides the District with the power to tax for the purpose of carrying out the operations of the District; and which authorizes the District to impose special taxes pursuant to Government Code Section 50075, et seq.; Government Code Section 50075 through Section 50077; Government Code Section 61060(n) which authorizes the District to perform all acts necessary to carry out fully the provisions of the Community Services District law; and Article XIII C of the California Constitution. This tax is based, to the extent practicable, upon the cost of providing security services to the properties within the District and is not an ad valorem property tax.

**5.03 Security Tax**

Property within the District shall be assessed a monthly security tax as follows. The maximum tax rates shown reflect annual adjustments, per Section 5.05:

		Monthly Special Tax Rates Fiscal Year 2019-20	Monthly Special Tax Rates Maximum Ceiling Rate Year 2019-20
<b>Residential</b>			
<b>Inside Gates</b>			
- Metered	Per Lot	\$ 29.73	29.73
- Unmetered	Per Lot	\$ 23.79	23.79
Outside Gate	Per Lot	\$ 7.17	7.17
<b>Non-Residential - Per Building Sq. Ft.</b>			
- Highway Retail		\$ 0.2681	0.2681
- Other Retail/Commercial	"	\$ 0.0289	0.0289
- Industrial/Warehouse/Lt Industrial	"	\$ 0.0630	0.0630

- Office	“	\$ 0.0152	0.0152
- Institutional	“	\$ 0.0152	0.0152
- Public Utility	“	\$ 0.0480	0.0480
- Equine Complex	“	\$ 0.0045	0.0045
- RMCC	“	\$ 0.0755	0.0755
- Airport	“	\$ 0.0192	0.0192
- Hotel/Ext. Stay	“	\$ 0.0289	0.0289

**UNDEVELOPED PROPERTY**

- Inside Gates	Per Acre	\$25.1494	25.1494
- Outside Gates	Per Acre	\$ 3.7477	3.7477

The Security Tax for property and/or units not identified herein shall be determined by the Board based upon the total actual cost of providing security services to that property or unit, not to exceed the maximum charge per lot, acre, or building square foot for property identified herein.

For the fiscal year beginning July 1, 1998, and annually thereafter, the District Board shall set the actual security tax for the applicable fiscal year. The actual security tax set by the Board shall not exceed the maximum tax rate set forth in this section as adjusted pursuant to section 5.05. If necessary, to meet expenses, the Board may adjust the actual tax rate during a fiscal year so long as the actual tax rate does not exceed the maximum allowable tax rate.

**5.04 Collection**

The Security Tax shall be collected with other monthly District taxes, fees and/or charges and shall be subject to the same penalties for non-payment as other monthly District taxes, fees, and/or charges.

**5.05 Annual Adjustment**

Commencing July 1, 1999 and each July 1<sup>st</sup> thereafter, the amounts specified in Section 5.03 shall be increased by two percent (2%) per year. The General Manager shall maintain a current schedule of maximum tax rates based on the yearly increase specified herein and shall make the same available to any interested party upon request.

**5.06 Disposition of Revenue**

Revenues collected under the provisions of this Chapter shall be deposited in a special fund called the Security Tax fund and shall be used only for the provision of security services within the District. Security services include:

- a. Operating the security gates located at the entrances of Rancho Murieta, 24 hours a day, 365 days a year, including but not limited to staffing these gates;
- b. Providing a 24 hour a day mobile patrol of the District and its boundaries;
- c. Operating a radio communication system to maintain contact with external police, fire, and other emergency services as well as the appropriate entities within the District;
- d. Providing assistance to other agencies providing first aid, fire-fighting, police and emergency services within the District;
- e. Monitoring, controlling and registering guests or invitees of District customers and other visitors within the District;



- f. Conducting such other activities as the Board in its discretion may authorize for the protection of District customers and their property; and
- g. Other incidental costs of providing the services listed above.

#### **5.07 Effective Date**

The Security Tax shall take effect July 1, 1998.

#### **5.08 Appeals**

Any taxpayer aggrieved by the amount of this tax shall file a written appeal with the General Manager stating the grounds for the appeal. The General Manager shall meet with the taxpayer; they may agree to a resolution of the appeal or set the matter for determination by the Board. The Board may adopt rules for the timing, filing and hearing of appeals under this Chapter.

#### **5.09 Severability**

If any sentence, clause, article, section, subsection, phrase or portion of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Chapter. The voters of the District hereby declare that they would have adopted the remainder of this Chapter, including each sentence, clause, article, section, subsection, phrase or portion of this Chapter, irrespective of the invalidity of any other sentence, clause, article, section, subsection, phrase or portion of this Chapter.

### **Section 6.00 Billing Procedures**

#### **6.01 General Billing Procedures**

Except as otherwise specified herein, the Security Tax for District Security Services shall be collected together with, and not separately from the charges for other services and facilities rendered by the District to a Customer. All District special taxes and charges shall be billed on the same bill and collected as one item. Except as otherwise specified herein, the District shall bill directly each individual Customer receiving security service and such bill shall be due and payable upon receipt.

#### **6.02 Composite Billing Procedures**

The District may elect to send a composite bill for the Security Tax only to groups of customers when each of the following conditions are met:

- a. The owners of the property receiving services have formally organized by writing into a homeowners' association or similar group;
- b. The homeowners' association or similar group, through properly executed covenants, conditions, articles of incorporation, bylaws, or contract has the power to act as the sole agent for the owners or customers concerning the Security Tax in a manner which binds the individual owners or customers, and;
- c. The association or group enters into a written agreement with the District which provides, among other matters, that:
  - 1. The association or group shall be responsible for and guarantee payment of all such Security Taxes within the time required by the District's rules and regulations, regardless of whether any single owner or customer has paid the owners or customer's share of such charges to the association or group;

2. The District shall apply to and the association or group shall pay all delinquent, penalty and interest charges on the composite bill,
3. The District's bill or other notices to the association or group shall constitute a bill or other notice to each individual owner or customer, who shall agree that no other notice or bill to the individual owner or customer shall be necessary for, or a prerequisite to, the Districts exercise of its powers to terminate service, place liens on the owner's property, or exercise any of the other legal remedies necessary to collect delinquent bills and charges; and
4. The bill shall consist of the sum of the total monthly Security Taxes for each owner or customer represented by the association or group, as well as Security Services to any common area or other unit represented by the association or group.

### **6.03 Bill Payment**

Bills for the Security Tax are due and payable when mailed or delivered. A bill for services is delinquent if not paid and received at the Rancho Murieta Community Services District office by the 25<sup>th</sup> day of the month following the month in which the bill was mailed.

### **6.04 Security Services for Special Events**

The District may provide Security Services on a contractual or fee-for-service basis for any special event, as described in Section 4.00, or for any other activity within the District's boundaries which requires Security Services other than that routinely provided by the District.

### **6.05 Additional Fees and Charges**

Additional fees and charges may be required as part of an agreement or contract for additional Security Services, such as pursuant to Section 6.04 above.

## **Section 7.00 Collection of Special Tax**

### **7.01 Penalty for Late Payment**

A one-time basic penalty of ten percent (10%) of the delinquent taxes shall be added to each delinquent bill for the first month the charge is delinquent. Thereafter, an additional penalty of one percent (1%) per month shall be added to all delinquent taxes and basic penalties remaining unpaid, until the District requests the County Auditor to include the amount of the delinquent taxes and penalties for collection on the County property tax roll as set forth in Section 7.03. Monies paid when any portion of an account is delinquent shall first be credited to interest and penalties, then to the delinquent portion of the bill, and then to the current portion of the bill. *(Amended by Ordinance O2019-03)*

### **7.02 Imposition of Lien**

Delinquent special taxes and charges remaining unpaid after thirty (30) days may be recorded as a lien with the County in accordance with Section 61115 of the Government Code and, after recordation, shall constitute a lien upon all real property owned or thereafter acquired by the property owner in the County. The District shall include a statement to this effect on its bills to each property owner.

The District may compile lists of such delinquent charges and record them with the County Recorder as liens.

### **7.03 Process for Collection of Delinquent Charges**

All special taxes, charges, penalties and interest which remain delinquent as of June 30<sup>th</sup> of each year may be collected in the same manner as the general taxes for the District for the forthcoming fiscal year, as follows:

- a. The District shall prepare a written report, which shall be filed by the District Secretary. The report shall describe each parcel of real property for which there are any delinquencies in any charges for services rendered to each premise during the preceding year, and the amount of the delinquency. The report of delinquent security service charges may be combined with the report of any other delinquent charges, as long as the report identifies the delinquent charges for each service for each premise.
- b. The District Secretary shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published at least once a week for two weeks. The District Secretary shall also mail written notice of the report's filing to each property owner whose property or premises is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.
- c. At the time stated in the notice, the Board shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter, the Board may adopt, revise, change, reduce, or modify any delinquency or overrule any or all objections thereto. The Board shall then make its determination on each delinquency identified in the report; the Board's determination shall be final.
- d. On or before August 10<sup>th</sup> of each year following the Board's hearing, the District Secretary shall file with the County Auditor a copy of the report, signed by the Secretary, stating the Board has adopted the report. The Secretary shall request the County Auditor to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

### **7.04 Attorneys' Fees**

In the event the District is required to bring legal action to enforce any provision of this Chapter, including but not limited to the collection of delinquent special taxes, charges or penalties, the District shall be entitled to recover its reasonable attorneys' fees, interest, court costs, and any other costs incurred by the District in bringing such action.

### **7.05 Discontinuance of Service**

As an alternative method of enforcing the provisions of this Chapter or of any other District ordinance, rule or regulation, the District shall have the authority pursuant to Government Code Section 61115 to discontinue any and all services provided by the District to a customer if all or part of any bill is not paid. Such discontinuance of service shall be in the following manner:

- a. At least ten days before the proposed discontinuance, the District shall provide written notice to the customer and the Property owner, if other than the customer, of the District's intent to discontinue service and the procedure for, and the availability of, an opportunity to discuss the reasons for the proposed discontinuance of service.
- b. Before discontinuing service, the customer or property owner shall have the opportunity to discuss the reason for the proposed Discontinuance with an employee designated by the Manager who shall be empowered to dispute bills, rectify any errors, and settle controversies

pertaining to the review discontinuance of service.

- c. When service has been discontinued as provided in this section, the customer or property owner shall pay all unpaid special taxes, charges, including penalties and interest, plus all District expenses and charges for the discontinuance and restoration of service, prior to the restoration of the discontinued service.
- d. No service shall be discontinued on any Saturday, Sunday, legal holiday, or at any time during which the District's business offices are not open to the public.

#### **7.06 Remedies Cumulative**

All remedies set forth herein for the collection and enforcement of special taxes, charges, and penalties are cumulative and may be pursued alternatively or consecutively.

#### **7.07 Declaration of Procedures**

The District hereby declares the foregoing procedures are established as a means of enforcing the terms and conditions of the District's ordinances, rules and regulations and shall not be construed as penalties.

### **Section 8.00 Prohibited Activities on District Property**

The following activities are prohibited on District Property pursuant to the authority provided in Section 3.05 of this Code and Government Code Sections 61060 and 61064.

#### **8.01 Trespasses**

No person shall enter upon District Property, except for the purpose of conducting District business, to attend publicly noticed District meetings, or as otherwise authorized by law or District staff.

#### **8.02 Defacing Property**

No person shall deface, damage or destroy District Property. The terms deface, damage and destroy as used in this Section shall include graffiti.

#### **8.03 Loitering**

No person shall loiter upon District Property. As used in this Section, the word "loiter" means entering and remaining on District Property under such circumstances that a reasonable person would conclude that the person who has entered and remained on such premises does not have a purpose legitimately connected with District or otherwise authorized allowed by law.

#### **8.04 Use of Motor Vehicles:**

- a. No person shall drive or operate a motor vehicle on District Property except to conduct District business, attend a publicly noticed District meeting or as otherwise authorized by law or District staff.
- b. No person shall park a motor vehicle on District Property except in areas specifically designated as parking areas. In no case shall any person park a motor vehicle on District Property in a manner that presents a hazard to the public.
- c. No person shall park or otherwise allow a motor vehicle to remain on District Property during hours that the District Property is closed without a permit from the District.
- d. No person shall abandon any motor vehicle on District Property.

#### **8.05 Use of Skateboards**

No person shall ride or propel a skateboard on District Property.

**8.06 Animals**

No person shall bring an animal onto District Property, except for the purpose of aiding or assisting persons with disabilities.

**8.07 Disposal of Refuse**

No person shall dump, deposit, or release any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash in or upon District Property, except that refuse which is incidental to the use of the facility which may be deposited into the receptacles as provided therefore.

**8.08 Consumption of Alcoholic Beverages**

No person shall possess any can, bottle or other receptacle containing any alcoholic beverage which has been opened, or a seal broken, or the contents of on or within District Property, unless otherwise authorized by the Manager.

**8.09 Firearms**

No person shall bring a firearm onto District Property, except for law enforcement or District Security Officers.

**8.10 Fireworks**

No person shall possess or ignite any firecracker or fireworks on District Property, unless otherwise authorized by the Manager.

**8.11 Use of Bridge**

No person shall dive or jump from any bridge owned or authorized for use by the District, including, but not limited to, the Yellow Bridge and the Pedestrian Bridge.

**Section 9.00 False Alarm Service Fee**

**9.01 False Alarm Fee**

All persons operating an alarm system within the District shall pay a false alarm fee of \$100 per false alarm to reimburse the District for costs incurred by the District Security Department resulting from false alarms. Such fee shall apply to false alarms in excess of one false alarm per calendar month.

**9.02 Collection**

Fees for false alarms shall be collected in the same manner as set forth in Section 6.00 of this Chapter.