

SPECIAL DISTRICTS COMMITTEE

Cameron Estates Community Services District

Citizen Complaint #01/02-C-003

Reason for the Report

A complaint was received which alleged mismanagement of the affairs of the Cameron Estates Community Services District (CECSD) by its past and present Board of Directors. Additionally, the complaint alleged violations of the Brown Act, County Ordinance 4159 (Bidding Procedures), and Government Code §61240 (Appointment of Manager and Secretary). The complainant requested that the Grand Jury dissolve the District in favor of a Zone of Benefit.

“The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.”

Quote from the Ralph M. Brown Act

Scope of the Investigation

The 2001/2002 El Dorado County Grand Jury carried out a significant investigation into the allegations of the complaint. Members of the Grand Jury attended a district meeting and met with the present Board of Directors and District Secretary.

The following documents were reviewed:

- Complaint #01/02-C-003 to the El Dorado County Grand Jury, and associated information including a document entitled “History of Cameron Estates,”
20 complaint items, and 89 supporting exhibits;
- Ralph M. Brown Act, California Government Code §§54950-54962, as amended;
- California Government Code §§ 61240, 61241, 61242, 61244 (Community Services District Law);
- Inventory of Local Agencies, prepared by Local Agency Formation Commission (LAFCO), May 2001; and
- Documents from the California Special Districts Association’s web site. (www.csda.net)

Findings

- F1: Empowered services of the District are road and easement maintenance, definition of riding trails, CC&R enforcement, architectural control, water, fire and police protection, public recreation and parks. Currently provided services are road maintenance and CC&R enforcement.
- F2: On August 16, 2001, members of the Grand Jury attended a district meeting where a violation of the provisions of the Brown Act pertaining to closed sessions was observed. The closed session was not properly noticed or agendaized. There was no report out following the session.
- F3: The California Special Districts Association, a statewide organization, offers continuing education to all members of special districts boards.
- F4: Based upon investigation of Board of Directors agenda and meeting minutes, nothing irregular was found regarding the District's roadwork bidding or awarding process.
- F5: The District is in violation of California Government Code § 61240(a), in that a General Manager has not been appointed. A District Secretary, however, has been appointed in compliance with California Government Code § 61240(b).
- F6: The complaint alleges misappropriation of funds by the District. The District "donated" \$300 to the church where District meetings are held. The Board considered that expenditure to be an administrative cost in lieu of rent. Additionally \$100 was spent on a combination community picnic and District meeting. Neither of these incidents constituted a misappropriation of funds.
- F7: The Grand Jury has no jurisdiction to dissolve an existing Community Services District, as requested by the complainant.
- F8: The remaining complaint items are old and the Grand Jury chose not to address them.

Recommendations

- R1: Cameron Estates Community Services District should refrain from referring to payments for the use of church premises as "donations".
- R2: The CECSD should join the California Special Districts Association and avail itself of the education provided by that organization about how to legally and effectively administer the business of the District. The cost of membership

should be considered a necessary administrative expense. The web address is www.csga.net.

Responses Required for Findings

F1 through F8 CECSD Board of Directors

Responses Required for Recommendations

R1 and R2 CECSD Board of Directors