

RESOLUTION NO. 10-81

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LAKE SHASTINA COMMUNITY SERVICES DISTRICT ELECTING TO COVER THEIR EMPLOYEES UNDER THE CALIFORNIA STATE DISABILITY INSURANCE PROGRAM, EFFECTIVE 1 JANUARY 1981.

RESOLVED, by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California as follows:

WHEREAS, employees of the District are currently exempted from coverage under the California State Disability Insurance Program, due to an inadvertence in not filing Form 1378 M Rev.,

NOW THEREFORE, be it resolved by the Board that application is hereby made to the State of California Employment Development Department under Code Section 709 for all of its employees, excluding elected officials and appointees, to be covered under the California State Disability Insurance Program, effective 1 JANUARY 1981, the first day of the Quarter during which contributions were reported and paid, at the rate specified by the Director. Be it further resolved that the President of the Board is hereby authorized to execute said application on behalf of the Board of Directors of the District.

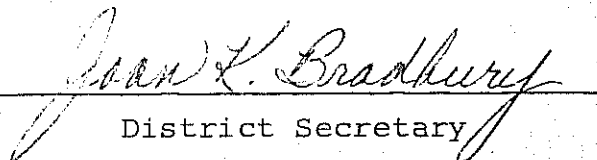
I hereby certify that the foregoing is a full, true and correct copy of a Resolution duly passed and adopted by the Board of Directors of the Lake Shastina Community Services District, Siskiyou County, California, at a meeting thereof, duly held on the 6th day of October 1981, by the following vote:

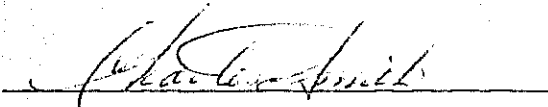
AYES, and in favor thereof: Directors Applegate, Carter, Miralles and Worsnop.

NOES, None

ABSENT, Director Erickson

APPROVED:


District Secretary


General Manager

NOTICE OF EXEMPTION

TO: Secretary for Resources
 1416 Ninth Street, Room 1311
 Sacramento, California 95814

FROM: Lake Shastina
 Community Services
 District
 Shastina Drive,
 Rt. 1, Box 2125
 Weed, CA 96094

County Clerk
 County of Siskiyou
Courthouse
Yreka, CA 96097

Project Title Sewer Service Charge Ordinance	
Project Location - Specific Lake Shastina Community Services District	
Project Location - City	Project Location - County Siskiyou County
Description of Nature, Purpose, and Beneficiaries of Project Sewer Service Charge Ordinance	
Name of Public Agency Approving Project Lake Shastina Community Services District	
Name of Person or Agency Carrying Out Project Lake Shastina Community Services District	

Exempt Status: (Check One)

- Ministerial (Sec. 15073)
- Declared Emergency (Sec. 15071 (a))
- Emergency Project (Sec. 15071 (b) and (c))
- Categorical Exemption. State type and section number:
- Establishment, modification, structuring, restructuring or approval of rates, tolls, fares or other charges by public entity. (Sec. 21080(8))

Reasons why project is exempt:

To meet operating expenses, including employee wage rates and fringe benefits, the purchasing and leasing of supplies, equipment and materials, and to meet financial reserve needs and requirements.

Contact Person	Area Code	Telephone	Extension
----------------	-----------	-----------	-----------

If filed by applicant:

1. Attach certified document of exemption finding. N/A
2. Has a notice of exemption been filed by the public agency approving the project: Yes _____ No _____ N/A

Date Received for Filing

Signature

Secretary, Lake Shastina Community
Title Services District

APPLICATION FOR ELECTIVE COVERAGE OF DISABILITY INSURANCE ONLY
LOCAL PUBLIC ENTITIES

Reference: California Unemployment Insurance Code Section 709

IMPORTANT

Do not complete this form unless you wish to apply for Disability Insurance only under Section 709 for ALL of your employees (excluding elected officials and appointees by the Governor). Coverage under this section of the Code does not make provision for Unemployment Insurance Benefits.

FOR DEPARTMENT USE ONLY	
EMPLOYER ACCOUNT NUMBER	STATISTICAL CODE
EFFECTIVE DATE	DATE EMPLOYER NOTIFIED
CLASSIFIED BY	DATE CLASSIFIED
SEND	NUMBER OF EMPLOYEES

PLEASE TYPE OR PRINT

1. NAME OF GOVERNMENT ENTITY BUSINESS TELEPHONE
Lake Shastina Community Services District (916) 938-3580

2. BUSINESS ADDRESS (NUMBER, STREET, CITY, COUNTY, STATE, ZIP CODE)
5219 A Spear Point Road, Weed, Siskiyou, CA 96094

3. MAILING ADDRESS (NUMBER, STREET, CITY, COUNTY, STATE, ZIP CODE)
Same as above

4. TYPE OF LOCAL PUBLIC ENTITY
 County City Other (Specify) Special District

5. Law under which agency was established: (Complete a, b, c, or d)

a. California Tax Law	TITLE OF ACT	NUMBER	DATE
b. California Codes	TITLE OF CODE <u>Commencing 61000</u> <u>CA. Comm. Serv. Dist. Law</u>	DIVISION <u>3</u>	PART <u>Chapter</u> <u>Title 6</u>
c. Charter	TITLE OF CHARTER		DATE
d. Ordinance	TITLE OF ORDINANCE		DATE

6. Members of governing body of Local Public Entity, such as Board of Supervisors, City Council, District Board of Directors, etc.

NAME	TITLE	RESIDENCE ADDRESS	TELEPHONE	SSA NUMBER
Thomas J. Carter	President	16818 Antler Way, Weed CA	938-4005	NA
Robert Applegate	Director	14828 Mt. Wood Dr. Weed CA	938-4201	"
Paul A. Erickson	Director	16408 Woodside Pl. "	938-2863	"
Richard Miralles	Director	17321 Gilbert Ct. "	938-2769	"
Robert Worsnop	Director	5141 Stag Mt. Rd. "	938-2339	"

NOTE: If your application is approved, the elective coverage agreement will be subject to all of the requirements and conditions outlined in form DE 1378L 'Information Concerning Elective Coverage Under Section 709 of the Unemployment Insurance Code.' Please retain your copy of form DE 1378L for reference.

Appointive Positions: (These persons are eligible for coverage unless appointed by the Governor).

TITLE OF POSITION	NUMBER OF POSITIONS IN THIS CATEGORY	BY WHOM APPOINTED	NUMBER OF PERSONS DESIRING COVERAGE

8. Total number of employees to be covered, excluding elected officers and those appointed by the Governor 4.

9. Date on which you wish coverage to be come effective 1 October 1981

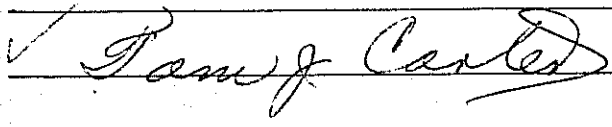
NOTE: Deductions should not be made from your employee's wages for the purpose of paying employee contributions required under the Code until your election is effective.

Attach a copy of the resolution in which the governing body described in Item 6 approved the filing of an application for elective coverage under Section 709 of the Unemployment Insurance Code.

The governmental entity described in Item 1 hereby files its application under Section 709 of the Unemployment Insurance Code to become an employer subject to the Code. It is understood that upon approval of the election by the Director, the governmental entity will be an employer subject to the Code for Disability Insurance purposes only to the same extent as other employers as of the date specified in the approval, and will remain a subject employer for at least two complete calendar years. Thereafter, this election may be terminated as provided by the Code.

I certify that this application has been examined by me, and to the best of my knowledge and belief, it is true and correct and made in good faith under the provisions of the California Unemployment Insurance Code.

This certificate must be signed by one or more of the persons under Item 6.

SIGNATURE	TITLE	DATE
	PRESIDENT, BOARD OF DIRECTORS	10/6/81



Lake Shastina Community Services District

1 October 1981

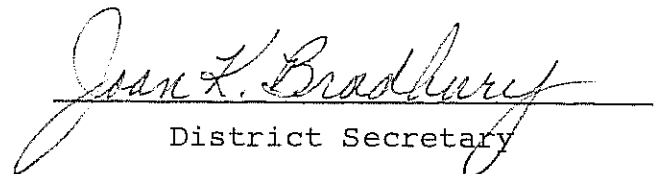
Members: Board of Directors

Re: Disability Insurance Coverage/District Employees

It has been learned recently, due to the return to this office of monies withheld for SDI contributions by District employees, that a Resolution calling for election of coverage under this program has never been enacted. Without such a resolution, employees of public agencies are exempt from coverage. Coverage under the State Unemployment Insurance Program is in effect.

SDI coverage is contributed to by the employees only, i.e., at no expense to the District. The provisions under this program could be of vital importance to any employee injured or disabled through illness in a non job related situation. Covered employees would be Mrs. Norma Hickson and the three members of the Lake Shastina Police Department.

Your consideration of this matter at the regular meeting to be held on 6 October 1981 is respectfully requested.


District Secretary

Attachments

To be returned to:

State of California
Employment Development Department
Audit Section, MIC 94
800 Capitol Mall
Sacramento, CA 95814

Account No.
Name Lake Shastina Community
Address Rt. 1, Box Services
District
2124, Weed, Ca 96094

SELECTION OF FINANCING METHOD AND ELECTION TO COVER EXCLUDED SERVICES

Beginning January 1, 1978, services performed in the employ of a "Public Entity" are subject to the compulsory provisions of the California Unemployment Insurance Code for unemployment insurance purposes.

The Code provides that such "Public Entities" may select one of three methods of financing the cost of benefits for unemployment insurance. The "Public Entity" may also elect to cover certain types of services which are excluded from compulsory coverage.

I. SELECTION OF FINANCING FOR UNEMPLOYMENT INSURANCE (check only one):

- A. Local Public Entity Employees Fund, Section 841 - 852 California Unemployment Insurance Code.
- B. Payment of contributions by the regular contribution rate method.
- C. Prorated cost of benefits paid. Section 803(b)(1) California Unemployment Insurance Code.

If you elect to finance costs of unemployment insurance benefits under method "A" or "C", your election may only be cancelled on January 1 of any year after it has been in effect for two calendar years. Please see attached DE 1378 F for potential liability under method "C".

II. ELECTION TO COVER EXCLUDED SERVICES

The following types of services are excluded from the compulsory provisions of the Code. You may elect to cover any of these excluded services which relate to your organization. Such an election must be for not less than two full calendar years, with the financing method to be the same as that selected for compulsory covered services. If you have any questions covering any of the following items, you should call the nearest Employment Tax District Office of this Department for a complete explanation.

Check the block for type of service you want to include under elective coverage:

- Domestic services in a private home where the total wages of one or more domestic workers is less than \$1,000.00 cash remuneration in a calendar quarter (Section 629).

Services described in Section 634.5:

- (a) For a church, convention of churches or organization operated primarily for religious purposes.

- (b) Duly ordained, commissioned or licensed minister.
- (c) In the employ of any public entity defined by Section 605, if such service is performed by an individual in the exercise of his or her duties as any of the following:
 - (1) A member of a State National Guard or Air National Guard.
 - (2) An employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood, or other similar emergency.
 - (3) In a position which, under or pursuant to state law, is designated as either of the following:
 - (A) A major nontenured policymaking or advisory position.
 - (B) A policymaking or advisory position the performance of the duties of which ordinarily does not require more than eight hours per week.
- (d) Services for a rehabilitation program by a participant in the program. (Except as provided by Section 605.5.)
- (e) Services in a work-relief or work training program by a participant in that program.
- (f) Services by an inmate of a custodial or penal institution.
- (g) Services by individual under 18 years of age in the delivery or distribution of newspapers or shopping news.
- (h) Services by an individual in, and at the time of, the sale of newspapers and magazines to ultimate consumers.
- (i) As a substitute employee whose employment does not increase the size of the employer's normal work force, whose employment is required by law, and whose employment as a substitute employee does not occur on more than 60 days during the base period; provided, however, upon receipt of a formal ruling from the Secretary of Labor, or the head of any federal agency that this provision cannot be given effect without causing the state's plan to be out of conformity with federal requirements or would result in decertification of provisions of the Unemployment Insurance Code and notification of intention to withdraw federal funds from the state, this provision shall become inoperative to the extent that it is not in conformity with federal requirements.
- Service under any unemployment system established by a law of the United States (Section 635).
- Domestic services in a local college club or local chapter of a college fraternity or sorority where the total wages of one or more domestic workers is less than \$1,000.00 cash remuneration in a calendar quarter.
- Casual labor not in the course of the employing unit's trade or business (Section 640).

Services for an organization exempt from income tax if remuneration for such service is less than \$50 in any calendar quarter (Section 641).

Service performed in the employ of a school, college or university if such service is performed: (Section 642, except as provided by Section 605.)

(a) By a student regularly attending classes at such college or university.

(b) By a spouse of such student in a program to provide financial assistance to such student. (To be excluded, the spouse must be so advised at commencement of services.)

Service performed in the employ of a foreign government (Section 643).

Service performed in the employ of an instrumentality of a foreign government (Section 644).

Service performed as a student nurse in the employ of a hospital or nurses training school except as provided by Section 605 (Section 645).

Service performed as an intern in the employ of a hospital except as provided by Section 605 (Section 645).

Service in a program combining academic instruction and work experience (Section 646).

Service performed for a hospital by a patient (Section 647).

Service on other than an American vessel or aircraft and the service therewith is performed outside the United States (Section 648).

Service performed by individuals: (Section 649)

(a) Under 18 in the delivery of distribution of newspapers, etc., to ultimate consumer.

(b) Who sell newspapers and magazines to ultimate consumer.

By Linda Jane Smith

Title Secretary Pro-Tem

Date 9/12/80

After further discussion, the Board agreed they would like more input from the community. President Carter stated he would like to call for a continuation of this meeting for two weeks from tonight and declare it a continuation of the public hearing. Director Worsnop so moved, seconded by Director Carter. AYES and therefore in favor of, Directors Carter and Worsnop. NOES, Directors Applegate and Miralles. Motion did not carry.

MOTION FOR
A CONTINUED
MEETING
FAILED

2. Customer Late Charges - Counsel Sherman/Gen. Mgr. Smith

One recommendation could be to go along with Judge Bigler's ruling and fix your late charges at 10% - which he will allow - rather than the 1½% per month. Gen. Mgr. Smith stated that the District is now collecting most of the \$1.00 late fees plus the 1½% per month interest being charged. There would be a reduction in income if the percentage were reduced on regular billings. The District can adjust the percentage to 10 when taking customers to small claims court. The consensus of the Board is to leave the finance charges as they are.

FINANCE
CHARGES ON
CUSTOMER
BILLINGS

VII. ANY OTHER BUSINESS:

1. Resolution Requesting SDI Coverage for CSD Employees Retroactive to 1 January 1981 from the State Employment Development Department.

Counsel Sherman requested that the wording "Be it further resolved that the President of the Board is hereby authorized to execute said application on behalf of the Board of Directors of the District" be added prior to the Secretary's statement of certification. With this addition, it was moved by Director Worsnop, seconded by Director Miralles that the Resolution be adopted. AYES and therefore in favor of, Directors Applegate, Carter, Miralles and Worsnop.

2. Public Relations Insert Regarding Police Department in October Billings.

This public relations letter from LSPD Chief Bailey will go out with the October billings as previously scheduled. There will be approximately 3,000 being mailed.