

CAMERON PARK COMMUNITY SERVICES DISTRICT

CC&R POLICY AND ENFORCEMENT SUBCOMMITTEE
2502 Country Club Drive, Cameron Park, CA 95682 - phone (530) 677-2231 fax (530) 677-2201

AGENDA
CC&R REGULAR SCHEDULED MEETING
Monday, July 11, 2016 6:30 P.M.
2502 Country Club Drive, Cameron Park, California

1.	Call to Order:			
	Roll Call:	Gerald Lillpop, Holly Morrison,, Amy Blackmon, Robert Dalton		
2.	Agenda Approval:			
	Agenda for	July 11, 2016		
	Recommended Action:	Approve agenda.		
3.	CC&R Conformed Agenda:			
	Conformed Agenda for	June 6, 2016		
	Recommended Action:	Approve Conformed agenda.		
4.	Public Comment: Time For the Audience to Address the Committee On Non-Agenda Items			
	Public testimony will be received on each agenda item as it is called. Principal party on each side of an issue (where applicable) is allocated 10 minutes to speak, individual comments are limited to 3 minutes, and individuals representing a group are allocated 5 minutes. Matters not on the agenda may be addressed by the public during the Open Forum. Public comments during Open Forum are limited to three minutes per person. The Committee reserves the right to waive said rules by a majority vote.			
5.	Communications Requiring Committee Review/Action:			
	None			
6.	Selection and Appointment of Citizen Volunteer to the CC&R Committee			
	A notice soliciting volunteers to fill a vacant citizen volunteer position on the CC&R Committee has been periodically posted in the Mountain Democrat Newspaper from May 23, 2016 through June 24, 2016. The same notice has been posted on the District's website. The deadline for submitting letters of interest was 5:00 p.m., June 30, 2016. Article IV of the CC&R Procedures Handbook requires that the volunteer members shall be appointed by the CC&R Committee via a quorum vote of the Committee.			
	Recommended Action: Review applications which have been submitted, interview applicants and appoint a citizen to fill the vacant position.			
	Monthly Staff Report:			
7.	Initial Notice:	Notice Sent	Unit	Complaint
A.	3493 Montero Road	06/22/16	Bar J Ranch Unit #3	Recreational vehicle trailer parked on street
B.	2862 Alhambra Drive	06/22/16	Cameron Park N. #7	Neglected landscaping/weeds in front of property
C.	2535 Country Club Drive	06/22/16	Bar J Ranch Unit #1	Neglected landscaping/barren area in front yard
D.	4030 Placitas Drive	06/22/16	Bar J Ranch Unit #1	Neglected landscaping/barren areas/front yard
E.	2642 Bertella Road	06/23/16	Bar J Ranch Unit #6	Neg. landscaping/needs ground cover/vegetation
F.	3886 Los Santos Drive	06/27/16	Cameron Park N. #1	Boat parked beside driveway/not screened
G.	3886 Los Santos Drive	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds & dead bushes
H.	3800 Los Santos Drive	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds in front yard
I.	3204 Western Drive	06/24/16	Air Park Estates	Exterior building modifications/no permit
J.	3763 Los Santos Drive	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds in front yard
K.	3921 Toronto Road	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds in front yard
L.	3951 Los Santos Drive	06/27/16	Cameron Park N. #1	Misc. debris/materials on side of property/visible
M.	3951 Los Santos Drive	06/27/16	Cameron Park N. #1	Utility trailer parked on the front of the property

N.	3896 Toronto Road	06/27/16	Cameron Park N. #1	"Free" furniture items placed in front yard
O.	4165 Crazy Horse Drive	06/28/16	Cambridge Oaks #1	Neglected landscaping/weeds in front yard
P.	3963 Toronto Road	06/27/16	Cameron Park N. #1	Boat parked/stored beside the driveway
Q.	3870 Los Santos Drive	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds front of property
R.	4236 Gailey Circle	06/27/16	Bar J Ranch Unit #9	Neglected landscaping/weeds in front yard
S.	2620 Wentworth Road	06/27/16	Cameron Park N. #3	Misc. debris/materials beside house/weeds
T.	2620 Wentworth Road	06/27/16	Cameron Park N. #3	Recreational vehicle trailer beside house
U.	3924 Los Santos Drive	06/27/16	Cameron Park N. #1	Misc. debris/materials near top of driveway
V.	3916 Los Santos Drive	06/27/16	Cameron Park N. #1	Neglected landscaping/weeds in front of property
W.	2885 Holly Hills Lane	06/30/16	Cameron Park N. #2	Miscellaneous goods/materials/top of driveway
X.	3683 Toronto Road	06/30/16	Cameron Park N.#1	Neglected landscaping/weeds & dead bushes
Y.	3105 Boeing Road	07/01/16	Air Park Estates	Airplane parked on an "aircraft" street
Z.	3221 Oxford Road	07/07/16	Air Park Estates	Neglected landscaping/weeds in front yard

Recommended Action: None

8.	Final Notice	Notice Sent	Unit	Complaint
A.	#6355 3995 El Norte Road	06/22/16	Bar J Ranch Unit #2	Neglected landscaping/weeds on front & side
B.	#6357 3875 Zianna Road	06/27/16	Bar J Ranch Unit #8	Recreational vehicle trailer parked on driveway
C.	#6360 3102 Knollwood Dr	06/30/16	Cameron Park N. #2	Boat parked/stored beside the driveway
D.	#6359 3006 Merrywood Cr	06/30/16	Cameron Park N. #2	Boats (2) parked/stored on & beside the driveway
E.	#6354 4449 Voltaire Drive	06/20/16	Cambridge Oaks #1`	Commercial trailer improperly parked
F.	#6361 4280 Gailey Circle	06/29/16	Bar J Ranch Unit #9	Neglected landscaping/no vegetation or covering
G.	#6362 2780 Hillcrest Drive	07/01/16	Creekside Estates #2	Cargo trailer parked on the side of the driveway
H.	#6363 3281 Woodleigh Ln	07/07/16	Viewpointe	Keeping chickens on the property

Recommended Action: None

9.	Pre-Legal Notice	Notice Sent	Unit	Complaint
A.	#6340 2527 Westridge Dr.	05/27/16	Cameron Park N. #3	Misc. trailers/equipment improperly stored
B.	#6335 3800 Trestle Glen Ct	06/07/16	Cambridge Estates	Motor home improperly parked on driveway
C.	#6353 3036 Boeing Road	06/30/16	Air Park Estates	Motor home improperly parked/not screened

Recommended Action: Recommend that Items 9A, 9B & 9C be forwarded to the Board of Directors for legal action.

10.	Legal Cases	Notice Sent	Unit	Complaint
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A.	#6228 2967 Royal Park Court	11/19/14	Royal Highlands #1	Vehicles on Property/Nuisance
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Status: Following several complaints of numerous vehicles stored on the property at 2967 Royal Park Court, the issue of violations associated with the property was reopened in August, 2014. The homeowner was issued a violation notice on August 14, 2014 related to the numerous vehicles stored on the property as being a nuisance to the neighborhood and additionally, the combination of weeds on the property and the large volume of vehicles presented a very potential fire hazard. No corrective action was taken and a Final Notice was sent on September 17, 2014. Although the homeowner and the Compliance Officer had several phone conversations during the months of September and October, still no corrective action was taken and a Pre-Legal Notice was sent on October 17, 2014. The homeowner and Compliance Officer had a meeting at the District Office on October 20, 2014. At that time the homeowner was informed that the "Recommended Action" related to this issue, which was on the CC&R Committee Agenda for the November 4, 2014 meeting, would be to hold further legal action in abeyance until after the Board of Directors held their annual reorganization meeting at their regular meeting in December. When the item was discussed at the committee meeting a motion was made, seconded and approved by a vote of 3-0, to forward the issue to the Board of Directors for legal action at the next regular meeting. On November 6, 2014 a letter was sent to the homeowner informing him of this change. The November 19, 2014 regular Board meeting was cancelled and the item was subsequently approved for legal action at the next regular Board meeting held on December 10, 2014. No further enforcement action had been taken pending further discussion by the Board of Directors. At the direction of the Board of Directors the District proceeded with further legal action to compel compliance. Legal counsel sent a letter to the homeowner informing him to cease and desist from parking more than four vehicles in the front yard, multiple vehicles on the side and back yards and more than two vehicles in the front of the home. The homeowner had until May 13, 2015 to comply. The District's attorneys researched and sent their previous letter to what appeared to be valid U.S. Mail addresses for the homeowner. The District's attorney was still in the process of determining whether their letter has been sent to valid U.S. Mail addresses for the homeowner. (The U.S. Postal Office does not deliver mail to the Cameron Park home of the homeowner since the home lacks a mail box.) Upon completion of this determination the District's attorney will report to the District about whether it should proceed to the next step, which

is litigation. In mid-July, 2015 legal counsel received signed receipts from both of the homeowners at their new address. The male homeowner contacted the CC&R Compliance Officer on July 24, 2015 and stated that he would call back the following week to schedule a meeting date with legal counsel and the Compliance Officer. As of July 30, 2015 the homeowner had not returned the call. On August 24, 2015 the El Dorado County Tax Collector posted a notice of 'Power to Sell Tax-Defaulted Property' on the property at 2967 Royal Park Court because of nonpayment of delinquent taxes. The property will be sold at public auction on November 24, 2015. The last day to redeem the property is November 5, 2015. CPCSD legal counsel is still in the process of filing a lawsuit related to non-compliance issues. The homeowner paid the delinquent taxes and legal counsel has filed the lawsuit. Legal counsel is in the process of attempting to personally serve the owner with the lawsuit. If legal counsel is unable to personally serve the owner, then legal counsel will request a court to serve the owner by publication. Once served, the homeowner will have 30 days to file a response. As of January 27, 2016 legal counsel advises that the Grant Deed lists two owners, one male and one female. Legal counsel successfully served the female owner with the lawsuit but has not been able to locate and serve the male owner. Legal counsel has verified with the post office that the male owner now receives mail at 2967 Royal Park Court and will make another attempt to serve him there. The female owner failed to respond to the lawsuit within thirty days of being served and legal counsel filed a notice of entry with the court for her. On February 22, 2016 the court held a case management conference. Legal counsel attended telephonically. The male owner appeared in court and told the court that he would accept service of the lawsuit if it is mailed to him. The court told legal counsel to mail the lawsuit to the male owner. The court scheduled the next case management conference for April 25, 2016. Once the male owner accepts service of the lawsuit he has 30 days to file a response. Legal counsel has successfully sub-served the male owner with the lawsuit. The male owner has 30 days from May 1, 2016 to file a response to the lawsuit. On April 25, 2016, legal counsel telephonically attended a hearing with the court to discuss the status of the lawsuit. The judge told legal counsel to complete the service of the lawsuit against the male owner and wait to see if he responds prior to filing a request for default judgment against the female owner. If the male owner fails to respond, then the judge told legal counsel to file a motion for default judgment for both owners at the same time, because only one judgment for the entire amount may be ordered by the court. If the male owner responds legal counsel will pursue the litigation against him. The male owner has been successfully served with the lawsuit and must file a response no later than June 10, 2016. Legal counsel will wait until June 10, 2016 to see whether a response is filed. If so, legal counsel will respond to the male owner's response. If the male owner fails to respond, legal counsel will file an entry of notice of default against him. The female owner is already in default. The male owner filed an answer to the District's complaint. Legal counsel is in the process of preparing discovery requests in the form of a) form interrogatories, b) requests for admissions, and c) requests for production of documents to be served on the defendant. Once legal counsel receives defendant's responses to the discovery they will evaluate the case and discuss with the District the possibility of participating in mediation in order to resolve this matter. The female owner is already in default and Plaintiff's counsel will file a motion for default judgment against the female owner.

B. #6294 3830 Hillsborough Road 10/08/15 Cameron Park N. #2 Shed Construction/No Permit

Status: On November 18, 2015 the Board of Directors, by a vote of 5-0, approved forwarding the case to legal counsel for further action. Accordingly, the case has been forwarded to legal counsel. On January 8, 2016 legal counsel sent a letter to the owners informing them that within two weeks they must submit an application for approval by the architectural review committee along with plans and specifications for the shed or the District would be forced to proceed with legal action. As of January 27, 2016 neither legal counsel or the District has received a response from the owner and legal counsel is preparing the lawsuit. Legal counsel has filed a lawsuit with the Court and on April 1, 2016 legal counsel successfully served the owner with the lawsuit. The owner had 30 days to respond and his response was due May 2, 2016. The owner failed to respond in a timely manner and legal counsel will file a notice of entry of default against him. The owner requested an extension of time to respond to the law suit and legal counsel allowed an extension until May 20, 2016. The homeowner requested and was sent a copy of the current invoice for attorney fees. The owner refused to pay the amount incurred by the District in attorney fees and costs. The owner then filed a response to the lawsuit in the form of a general denial. Legal counsel is preparing form interrogatories, requests for admissions and a request for production of documents in order to obtain evidence that the owner failed to comply with the CC&Rs. Once legal counsel receives defendant's responses to the discovery, they will evaluate the case and discuss with the District the possibility of participating in mediation in order to resolve this matter.

11.	Pending	Notice Sent	Unit	Complaint
A.	#5434 4524 Bocana Road	04/14/16	Bar J Ranch Unit #4	Neglected landscaping/weeds in front of parcel
B.	#6352 3304 Cambridge Rd	06/14/16	Cameron Park N. #8	Commercial truck parked on property
C.	3519 Montero Road	06/13/16	Bar J Ranch Unit #2	Dog creating an annoyance & nuisance
D.	3594 Covello Circle	06/14/16	Bar J Ranch Unit #7	Neglected landscaping/no vegetation or covering
E.	#6351 3704 Larkspur Lane	06/14/16	Cameron Park N. #2	Cargo trailer parked on side of driveway
Recommended Action: None				

12.	Corrected Violations	Notice Sent	Unit	Complaint
A.	4246 Gailey Circle	05/20/16	Bar J Ranch Unit #9	Miscellaneous debris/materials on driveway
B.	#6332 3253 Cambridge Rd	04/15/16	Cameron Park N.#8	Fence constructed in front setback area
C.	2582 Westridge Rd	05/26/16	Cameron Park N.#3	Boat parked on driveway/not screened
D.	3694 Larkspur Lane	05/26/16	Cameron Park N.#2	Recreational vehicle trailer parked beside dr/way
E.	2421 Riata Court	05/26/16	Bar J Ranch Unit #1	Neglected landscaping/weeds front & side yard
F.	3508 Covello Circle	05/02/16	Bar J Ranch Unit #3	Neglected landscaping/barren area in front yard
G.	2780 Hillcrest Drive	05/26/16	Creekside Estates #2	Recreational vehicle trailer parked on driveway
H.	3446 Montero Road	05/26/16	Bar J Ranch Unit #3	Miscellaneous debris/materials beside driveway
I.	4001 El Norte Road	05/26/16	Bar J Ranch Unit #2	Neglected landscaping/barren area in front yard
J.	3033 Granada Court	06/01/16	Cameron Park N.#8	Misc. debris/materials/front & side of property
K.	4225 Gailey Circle	05/30/16	Bar J Ranch Unit #9	Recreational vehicle trailer parked on driveway
L.	4416 Aventine Road	06/15/16	Bar J Ranch Unit #4	Recreational vehicle parked on street overnight
M.	3269 Cambridge Rd	04/04/16	Cameron Park N.#8	Fence constructed in front setback area
N.	521 Crazy Horse	05/26/16	Cambridge Oaks #3	Vehicles parked on the street overnight
O.	#6347 3734 Chelsea Road	05/19/16	Cameron Park N.#3	Recreational vehicle trailer parked on driveway
P.	2841 Holly Hills Ln	06/14/16	Cameron Park N.#2	Miscellaneous debris/materials in yard
Q.	3637 Covello Circle	06/15/16	Bar J Ranch Unit #7	Vehicles parked on the street overnight
R.	3478 Covello Circle	06/15/16	Bar J Ranch Unit #5	Boat parked beside the driveway
S.	#6358 4231 Crazy Horse	06/29/16	Cambridge Oaks #2	Boat parked on the driveway
T.	4252 Crazy Horse	06/14/16	Cambridge Oaks #2	Commercial truck parked on driveway
U.	#6350 3853 Los Santos Dr	06/14/16	Cameron Park N.#1	Cargo trailer parked/stored on driveway
Recommended Action: None				
13 Matters To and From Committee Members:				
At this time, the Committee and staff are provided the opportunity to speak on various issues. Direction may be given, however, no action may be taken unless the Committee agrees to include the matter on a subsequent agenda.				
14. Report Back Items:				
The Committee reviewed and discussed legal counsel's recommendation related to modification to be made to the District's CC&R Procedures Handbook to address violations against repeat offenders. The Committee requested that the Compliance Officer contact legal counsel to include additional language to clarify the intent as it relates to same and similar circumstances. The additional clarification verbiage has been included in the proposed modification.				
A.	<p>Modification to the District's CC&R Procedures Handbook to establish a process for the District to enforce regulations against repeat offenders.</p> <p>Add at "CC&R Enforcement Process" Article III, a new Section G that provides as follows:</p> <p>Repeat Offenders: If the property owner/resident repeats a prior violation, then the CC&R Compliance Officer shall issue a notice via first class mail, written to the recorded owner of the property. The notice shall specifically set forth the following:</p> <ol style="list-style-type: none"> 1. Specific nature of the CC&R violation including a reference to the paragraph or section number alleged to be violated. 2. A request that the conduct or activity constituting the alleged violation is resolved and rectified. 3. Appellate steps available to the owner/resident in relation to the violation. 4. A statement that if the property owner/resident fails to timely comply, then the District's next enforcement step will be the step after the last step that the District had previously taken upon the prior violation that has been repeated. <p>The notice applies no matter when the prior violation occurred. A repeat of a prior violation is a violation that is the same or substantially similar to the prior violation. For example, a repeat of a prior violation is when an owner/resident had parked a recreational vehicle without it being properly screened in violation of the CC&Rs and then later parks a different recreational vehicle without screening in violation of the CC&Rs.</p> <p>Recommended Action: Forward the proposed modification to the Board of Directors for approval.</p>			
15. Adjournment:				