



***CALAVERAS COUNTY ROAD  
MAINTENANCE COMMUNITY  
SERVICES DISTRICTS  
MUNICIPAL SERVICE REVIEW  
PUBLIC REVIEW DRAFT***

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*July 2022*

Prepared for the  
Calaveras County Local Agency Formation Commission  
by Policy Consulting Associates, LLC. and John Benoit

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# ***ACRONYMS***

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CHP:	California Highway Patrol
CIP:	Capital improvement plan
CKH:	Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
CSA:	County Service Area
CSD:	Community Services District
CSDA:	California Special District Association
CY:	Calendar year
DOF:	California Department of Finance
FY:	Fiscal year
GIS:	Geographic Information Systems
GM:	General Manger
GP:	General Plan
JPA:	Joint Powers Authority
LAFCo:	Local Agency Formation Commission
MSR:	Municipal services review
SR:	State Route



## ***PREFACE***

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Prepared for the Calaveras Local Agency Formation Commission (LAFCo), this report is a municipal services review—a state-required comprehensive study of services within a designated geographic area. This MSR focuses on community services districts providing road services in Calaveras County.

### **CONTEXT**

Calaveras LAFCo is required to prepare this MSR by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000, et seq.), which took effect on January 1, 2001. The MSR reviews services provided by public agencies whose boundaries and governance are subject to LAFCo. Those community services districts providing road services in Calaveras County are the focus of this review.

### **CREDITS**

The authors extend their appreciation to those individuals at many agencies that provided planning and financial information and documents used in this report. The contributors are listed individually at the end of this report.

Calaveras LAFCo Executive Officer, John Benoit, provided project direction and review. Dennis Miller prepared maps and provided GIS analysis. This report was prepared by Policy Consulting Associates, LLC, and was co-authored by Jill Hetland and Jennifer Stephenson. Jennifer Stephenson served as project manager.





# ***LAFCO AND MUNICIPAL SERVICES REVIEWS***

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This report is prepared pursuant to legislation enacted in 2000 that requires LAFCo to conduct a comprehensive review of municipal service delivery and update the spheres of influence (SOIs) of all agencies under LAFCo's jurisdiction. This chapter provides an overview of LAFCo's powers and responsibilities. It discusses legal requirements for preparation of the municipal services review (MSR), and describes the process for MSR review, MSR approval and SOI updates.

## **LAFCO OVERVIEW**

LAFCo regulates, through approval, denial, conditions and modification, boundary changes proposed by public agencies or individuals. It also regulates the extension of public services by cities and special districts outside their boundaries. LAFCo is empowered to initiate updates to the SOIs and proposals involving the dissolution or consolidation of special districts, mergers, establishment of subsidiary districts, and any reorganization including such actions. Otherwise, LAFCo actions must originate as petitions or resolutions from affected voters, landowners, cities or districts.

Calaveras LAFCo consists of seven regular members: two members from the Calaveras County Board of Supervisors, two city council members, two special district members, and one public member who is appointed by the other members of the Commission. There is an alternate in each category. All Commissioners are appointed to four-year terms.

## **MUNICIPAL SERVICES REVIEW LEGISLATION**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo review and update SOIs not less than every five years and to review municipal services before updating SOIs. The requirement for service reviews arises from the identified need for a more coordinated and efficient public service structure to support California's anticipated growth. The service review provides LAFCo with a tool to study existing and future public service conditions comprehensively and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are provided efficiently.

Government Code §56430 requires LAFCo to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determination with respect to each of the following topics:

- ❖ Growth and population projections for the affected area;

- ❖ The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the SOI (effective July 1, 2012);
- ❖ Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence);
- ❖ Financial ability of agencies to provide services;
- ❖ Status of, and opportunities for shared facilities;
- ❖ Accountability for community service needs, including governmental structure and operational efficiencies; and
- ❖ Any other matter related to effective or efficient service delivery, as required by commission policy.

## **MUNICIPAL SERVICES REVIEW PROCESS**

The MSR process does not require LAFCo to initiate changes of organization based on service review findings, only that LAFCo identify potential government structure options. However, LAFCo, other local agencies, and the public may subsequently use the determinations to analyze prospective changes of organization or reorganization or to establish or amend SOIs. Within its legal authorization, LAFCo may act with respect to a recommended change of organization or reorganization on its own initiative (e.g., certain types of consolidations), or in response to a proposal (i.e., initiated by resolution or petition by landowners or registered voters).

MSRs are exempt from California Environmental Quality Act (CEQA) pursuant to §15306 (information collection) of the CEQA Guidelines. LAFCo's actions to adopt MSR determinations are not considered "projects" subject to CEQA.

## **SPHERE OF INFLUENCE UPDATES**

The Commission is charged with developing and updating the sphere of influence (SOI) for each city and special district within the county.<sup>1</sup> SOIs must be updated every five years or as necessary. In determining the SOI, LAFCo is required to complete an MSR and adopt the seven determinations previously discussed.

An SOI is a LAFCo-approved plan that designates an agency's probable future boundary and service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage efficient provision of organized

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<sup>1</sup> The initial statutory mandate, in 1971, imposed no deadline for completing sphere designations. When most LAFCos failed to act, 1984 legislation required all LAFCos to establish spheres of influence by 1985.

community services and prevent duplication of service delivery. Territory cannot be annexed by LAFCo to a city or a district unless it is within that agency's sphere.

The purposes of the SOI include the following: to ensure the efficient provision of services, discourage urban sprawl and premature conversion of agricultural and open space lands, and prevent overlapping jurisdictions and duplication of services.

LAFCo cannot regulate land use, dictate internal operations or administration of any local agency, or set rates. LAFCo is empowered to enact policies that indirectly affect land use decisions. On a regional level, LAFCo promotes logical and orderly development of communities as it considers and decides individual proposals. LAFCo has a role in reconciling differences between agency plans so that the most efficient urban service arrangements are created for the benefit of current and future area residents and property owners.

The Cortese-Knox-Hertzberg (CKH) Act requires to develop and determine the SOI of each local governmental agency within the county and to review and update the SOI every five years. LAFCos are empowered to adopt, update and amend the SOI. They may do so with or without an application and any interested person may submit an application proposing an SOI amendment.

LAFCo may recommend government reorganizations to particular agencies in the county, using the SOIs as the basis for those recommendations.

In addition, in adopting or amending an SOI, LAFCo must make the following determinations:

- ❖ Present and planned land uses in the area, including agricultural and open-space lands;
- ❖ Present and probable need for public facilities and services in the area;
- ❖ Present capacity of public facilities and adequacy of public service that the agency provides or is authorized to provide;
- ❖ Existence of any social or economic communities of interest in the area if the Commission determines these are relevant to the agency; and
- ❖ Present and probable need for water, wastewater, and structural fire protection facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

By statute, LAFCo must notify affected agencies 21 days before holding the public hearing to consider the SOI and may not update the SOI until after that hearing. The LAFCo Executive Officer must issue a report including recommendations on the SOI amendments and updates under consideration at least five days before the public hearing.

## **DISADVANTAGED UNINCORPORATED COMMUNITIES**

On October 7, 2011, Governor Brown signed SB 244, which makes two principal changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. SB 244 requires LAFcos to: (1) deny any application to annex to a city territory that is contiguous to a disadvantaged unincorporated community (DUC) unless a second application is submitted to annex the disadvantaged community as well; and (2) evaluate disadvantaged unincorporated communities in a municipal service review (MSR) upon the next update of a sphere of influence after June 30, 2012.

The intent of the statute is to encourage investment in disadvantaged unincorporated communities that often lack basic infrastructure by mandating cities and LAFcos to include them in land use planning.

SB 244 defines disadvantaged unincorporated community as any area with 12 or more registered voters, or as determined by commission policy, where the median household income is less than 80 percent of the statewide annual median.

SB 244 also requires LAFcos to consider disadvantaged unincorporated communities when developing spheres of influence. Upon the next update of a sphere of influence on or after July 1, 2012, SB 244 requires LAFco to include in an MSR (in preparation of a sphere of influence update): 1) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere; and 2) The present and planned capacity of public facilities, adequacy of public services and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated community within or contiguous to the sphere of influence.

In determining spheres of influence, SB 244 authorizes LAFco to assess the feasibility of a reorganization and consolidation of local agencies to further orderly development and improve the efficiency and affordability of infrastructure and service delivery. LAFcos should revise their local policies to include the requirements imposed by SB 244 to ensure they fulfill their obligations under this legislation.

# **1. OVERVIEW**

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This report is a Municipal Service Review (MSR) report on road services provided by community services districts (CSDs) in Calaveras County prepared for the Calaveras Local Agency Formation Commission (LAFCo). An MSR is a State-required comprehensive study of services within a designated geographic area. The MSR requirement is codified in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.). After MSR findings are adopted, the Commission will begin the process of updating the spheres of influence (SOIs) of the agencies covered in this report.

## **SERVICE PROVIDERS**

This report focuses on community services districts providing road services in Calaveras County, which is centrally located between Sacramento, San Francisco, Lake Tahoe, and Yosemite, in northern California. The study area includes the following CSDs: Appaloosa Road (ARCSD), Circle XX (CXXCSD), Copper Cove Rocky Road (CCRRCSD), Lynn Park Acres (LPACSD), Middle River (MRCSD), Mountain Ranch Subdivision (MRSCSD), Three Cent Flat (TCFCSD), and Wallace (WCSD).

The intent of this report is to conduct a comprehensive evaluation of each of the CSD's provided services and come to the required MSR determinations. All eight districts reviewed here have the primary responsibility to provide road maintenance services. Such services can include grading, gravel, asphalt, chip-sealing, slurry sealing, and paving. WCSD is the only District to deliver services beyond basic road maintenance such as the upkeep of Wallace Lake and its dam, and security upgrades and maintenance for items like gates and fencing.

The last MSR performed on these Districts occurred in 2006, however, WCSD also underwent a Water and Wastewater review in 2012. The District has since divested control of those services to the County.

## **KEY FINDINGS**

All of the CSDs involved in this review indicated the land use for their Districts is primarily residential and mostly developed. None of the Districts have indicated any areas of interest for proposed boundary changes or sphere of influence updates.

Similarly, all Districts reported that the population of their CSD, as well as demand for services has remained steady year-over-year with slow growth likely to continue. The estimated population for Calaveras County in 2020 is listed as 45,162 and is only anticipated to rise by 2,689 by 2035. This equates to six percent overall growth, which translates to an annual growth rate of 0.4 percent.

The County's General Plan is the only planning document for land use that the districts utilize. Financial planning and management tools differ depending on the CSD. For instance, ARCSD just completed its first five-year audit. Meanwhile, CXXCSD provides annual audits,

WCSD performs audits every two years, and TCFCSO has never participated in a financial audit. None of the districts reported producing a Capital Improvement Plan. Resources vary widely across the districts, which impacts their ability to generate formal plans, policies and procedures.

All Districts perform road maintenance strictly within their boundaries. In spite of limited resources throughout many of the districts, the majority of CSDs report adequate capacity to be able to provide a minimum level of service. On the other hand, ARCSO, CCRRCSD, and TCFCSO, each reported deferred maintenance due to financial and staffing reasons.

Only the Wallace and Circle XX CSDs have facilities or equipment. None of the districts have paid staff and, in some cases, do not have volunteers either.

All CSDs in this review collect revenue primarily from either special assessment fees or property taxes. Still, financial limitations were reported to affect all districts in some capacity. For some, like ARCSO, even with the revenue they collect, they still struggle, stating the size of the District within its bounds is too great compared to the capacity of the residents to provide the amount of income needed.

While financial restrictions certainly affect these Districts, the lack of staffing and board involvement, in some ways, presents more challenges. Limited staff and volunteer numbers directly impact the amount of work that can be conducted, regardless of monies available. This is particularly the case in CCRRCSD, where the unexpected departure of its entire board crippled the actions of the District. TCFCSO has likewise struggled with staffing since, based on its policies, it requires two Directors to sign off on spending district funds. However, there is currently only one Director seated on the Board.

SB 929 and AB 2257 mandate that California's CSDs establish and maintain a website with requirements for transparency in terms of public access to meeting minutes and agendas. Only CXXCSD is in compliance with this legislation. Again, financial or staffing restrictions are likely the reason for the lack of online presence for these Districts, however, it is still being recommended that the districts make every effort to meet these requirements.

## **GOVERNANCE OPTIONS**

SB 135 requires districts to establish an elected, or appointed, five-member Board of Directors who are to serve four-year terms. Most of the CSDs included in the report are abiding by this governance structure. Currently, CCRRCSD, MRCSD, TCFCSO, and WCSD all have vacancies that need to be filled on their Boards. Other Districts, such as LPACSD, MRCSD, CCRRCSD, ARCSO, and TCFCSO do not have any term expiration dates for their members. MRSCSD did not provide any information for this MSR; the state of its governance structure is unknown. Creating term limits would be a best practice; however, it is likely not realistic because of the general lack of interest that is shown in participating in District activities.

All but one CSD showed accountability in its disclosure of information and cooperation with the Calaveras LAFCo. MRSCSD is the only District that did not respond to information requests. That said, MRCSD and TCFCSO required multiple requests and reminder over a lengthy period. Once again, limited volunteer time for many of these districts makes it challenging to meet legal requirements.

Aside from WCSO and LPACSD, a case could be made for each of the remaining districts to transition to a county service area (CSA). As a dependent special district of the County the County Board of Supervisors would become the governing body of the district and would offer a full and professional governing body in place of Boards that often struggle with vacancies. Additionally, a CSA would enhance the administrative capacity of the respective district to ensure compliance with legal requirements. Additionally, county staff can offer administrative and operational support services so that the constituents can capitalize on resource sharing and the related efficiencies.

ARCSO, CXXCSO, CCRRCSD, MRCSD, MRSCSD, and TCFCSO all have demonstrated the need for additional resources, which the County would be able to provide and that would ultimately benefit the constituents of these districts. However, it is recommended that CCRRCSD, MRCSD, MRSCSD and TCSFCD use the next year to improve or at least make progress with their given circumstances. If, at the end of that time frame, significant challenges are still present, it would be recommended that these CSDs become CSAs.

## 2. APPALOOSA ROAD COMMUNITY SERVICES DISTRICT

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Appaloosa Road Community Services District (ARCSD) provides road maintenance services within its boundaries.

The most recent MSR for the District was completed in 2006.

### AGENCY OVERVIEW

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#### Background

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Appaloosa Road Community Services District (ARCSD) was formed in 1995 for the purpose of providing road maintenance services.

The principal act that governs the District is the State of California Community Services District Law.<sup>2</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).<sup>3</sup>

#### Boundaries

The District is located in the southwestern portion of Calaveras County just east of State Route (SR) 4. Since an MSR was last prepared there was a boundary reorganization in 2007 that consisted of two annexations. The nearest CSDs to ARCSD are Circle XX to the northwest and Copper Cove Rocky Road to the south. The total current boundary area consists of 5.6 square miles.

#### Sphere of Influence

The District's boundaries and current Sphere of Influence are coterminous. The District, whose roads are public roads, at one point expressed concern regarding the subdividing and development of property surrounding the District which relies upon the District's maintained roads for access. However, these properties were not subject to assessments because the properties lie outside of the District's bounds. This has since been resolved with the annexation of parcels in 2007, which now contribute to the District's revenue through those fees.

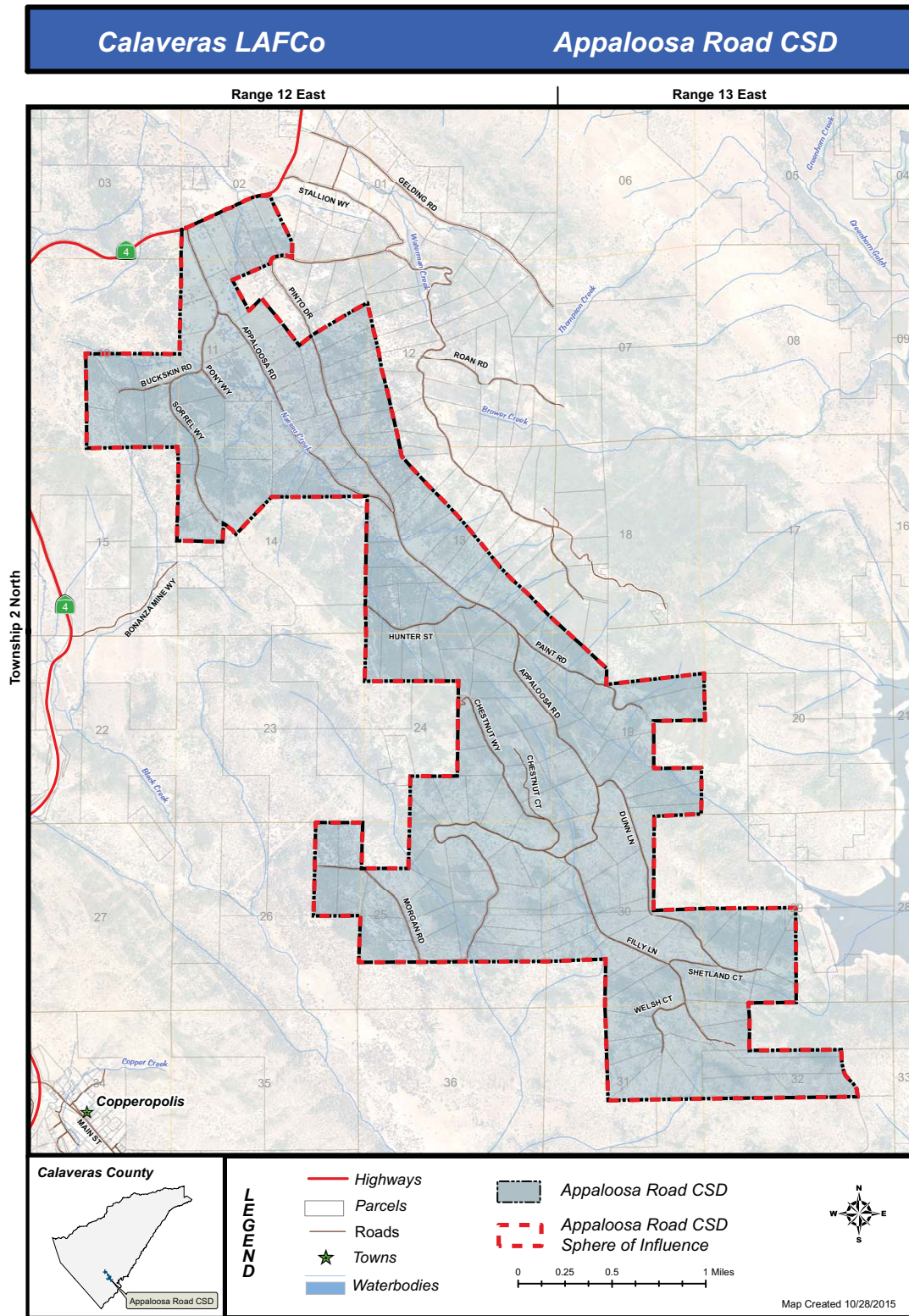
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<sup>2</sup> Government Code §61000-61226.5.

<sup>3</sup> Government Code §61106.



Figure 2-1: Appaloosa Road Community Services District Boundaries and SOI



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**Accountability and Governance**  
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ARCSD is governed by an elected five-member Board of Directors who are unpaid volunteers recruited from property owners within the District. The District reports that if there are no candidates available to fill a vacancy on the Board, volunteers are recruited to serve in a position, appointed by the district Board, and approved by the Board of Supervisors to serve four-year terms.

ARCSD holds quarterly board meetings at 9:00am on the third Saturday during the months of January, April, July and October. The District does not own any facilities where meetings can be held, and instead utilizes open air space within a district road right of way at the intersection of Appaloosa and Chestnut Roads. Agendas for meetings are posted on the bulletin board at the covered mailboxes location. Meeting minutes are distributed the same way as the agendas. District constituents are apprised of the agency’s activities through quarterly board meetings and meeting minutes.

**Figure 2-2: Appaloosa Road CSD Governing Body**

Appaloosa Road CSD			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Nicholas Meyer	Board Chair	12/22/01
	Constance Pitta	Secretary	n/a
	Gina Lynne Gonzales	Director	12/01/22
	Steve Metz	Director	12/5/22
	Ronald J. Pieretti	Director	12/01/22
<i>Manner of Selection</i>	Elected		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	Held quarterly on the third Saturday of January, April, July, and October at 9am in an open air space at the intersection of Appaloosa and Chestnut Roads.		
<i>Agenda Distribution</i>	Posted on the District’s bulletin board.		
<i>Minutes Distribution</i>	Posted on the District’s bulletin board.		
Contact			
<i>Contact</i>	Nick Meyer		
<i>Mailing Address</i>	P.O. Box 207 Altaville, CA 95221		
<i>Phone</i>	209-743-1066		
<i>Email/Website</i>	Nick_sandi_meyer@hotmail.com		

ARCSD does not send any updates between its meetings. The District stated that before each meeting commences, time is provided for public comments regarding subjects not listed on the agenda. Public comments are also solicited for agenda items before any Board action occurs.

If a customer is dissatisfied with the District's services, his or her concerns are addressed at the quarterly meetings. If property owners have road issues of immediate concern they may contact the ARCSD road manager. Issues raised at quarterly meetings are noted in the minutes of the meetings, along with any disposition or action taken. Typically, six road issues, on average, are raised at the meetings throughout the year. The full Board and the road manager hear and address all such issues.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district's contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district's governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California's AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency's website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a "contextual menu," such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an "integrated agenda management platform," meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, Appaloosa Road CSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District consider hosting a simple website that meets its needs and enhances transparency or adopt a resolution indicating hardship in meeting this requirement.

Although the District does not utilize a website for its outreach efforts, it still works to reach its constituents to the best of its ability, given its limited financial resources. There is a bulletin board near the Appaloosa Road entrance where the mailboxes reside. This board allows for the posting of information and announcements. There are also sign boards posted at this location before public meetings and access to agendas are made available here prior to meetings as well.

ARCSD demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCO. The District responded to the questionnaires and cooperated with document requests.

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## Planning and Management Practices

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The District does not have any paid staff and all district services are offered by volunteers. Operations, administration, and governance are conducted by the District's five-member Board, a volunteer Secretary, a volunteer Treasurer, and a volunteer Road Manager. The Road Manager functions as a General Manager.

All staff are volunteers, therefore, staff workload is not tracked and evaluations are not performed. The District similarly does not evaluate its own agency performance.

The District has no physical assets. The Road Manager, however, does receive a small stipend for the use of a personal vehicle while conducting District business on district roads. The District contracts for road maintenance services.

The District's financial planning efforts include an annually adopted budget and audited financial statements. The District reports that it completed its first five-year audit in 2021.

The District does not adopt a formal Capital Improvement Plan (CIP); however, there is a road repair priority list of road work prepared by the Road Manager and approved by the Board. The list does not change substantially but is reviewed periodically at quarterly meetings. No other planning documents are adopted.

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## Existing Demand and Growth Projections

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Designated land uses within ARCSD are primarily residential.

### Population

Of ARCSD's 158 parcels, 80 are presently occupied by residents. The remaining parcels are either undeveloped or unoccupied full-time. Some parcels, however, are periodically occupied by non-residents. The estimated population in ARCSD is about 235, based on an average household size of 2.94 in California.

### Existing Demand

According to the District, service demand within its boundaries has generally been staying the same or slightly increasing.

### Projected Growth and Development

The District anticipates slow growth to continue for the foreseeable future. The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to about 0.3 percent annual growth.

There is no current potential for any new roads to be built within the District's boundaries as the District states the number of parcels and lengths of District roads are fixed.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas such as ARCSO is Calaveras County.

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## Financing

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ARCSO reported that the current financing level was inadequate to provide the level of service the District would like, but it is adequate to ensure safe and serviceable roads. One of the primary challenges is that the District is responsible for maintaining and improving over 14 miles of road on a limited annual budget, which requires prioritizing road work based on the number of property owners benefitting from such work, and upon the condition of individual roads. Despite a recent special tax measure that was approved by the District's constituents, the District explained that the income this measure generates is still not sufficient to maintain the vast amount of roads that cover 20-acre parcels.

ARCSO collects no fees. The District receives its only operating income from both benefit assessments and special taxes. When ARCSO was created in 1996 a benefit assessment tax was implemented based on property owners' utilization of road mileage. In 2006, to fund a major road paving project, a special tax was approved by property owners by an election. This tax has no sunset date. All parcels within the District, whether developed or not, are subject to the assessment and special tax. There are no non-residential developments within the District. Annual special assessments are \$575 per lot except within the Buckskin Zone, which has a parcel assessment of \$500. In 2007, seven parcels that utilized District roads were annexed into the ARCSO. They are now also paying assessments and taxes as indicated.

In addition to benefit assessments and special taxes, ARCSO collects a traffic impact fee that has been imposed on a local vineyard. The vineyard hosts a wine tasting on its premises which increases traffic on a district road. As of 2021, the District levies a \$170 fee based on the estimated traffic, per the Calaveras County Planning Department. The District also states that recently, the owner of the winery voluntarily contacted the County about reassessing the winery's traffic in order to increase the traffic impact fee he pays. The response from the County is still pending.

In FY 20-21, the District received a total of \$87,812.97 in revenues through taxes and assessments.

The expenditures in FY 20-21 amounted to \$103,822.88 and consisted of road maintenance expenses and administrative costs for things such as postage, the District's P.O. Box, and the audit. While the expenditures exceeded revenues in this year, the District maintains a reserve for sizeable capital expenditures in any year.

Capital improvements are usually financed through the District’s regular income. The District has no long-term debt.

There is no formal reserve policy, but the District does have a financial reserve account. At the end of FY 19-20, the District had unrestricted net assets of \$111,434.

The District completed its first five-year audit in 2021.

## **ROAD SERVICES**

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### **Service Overview**

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ARCSD provides grading, gravel and paving services as prioritized and approved by the Board of Directors. The District has no staffing or equipment to provide these services, so all the work is contracted out. The District’s roads are not swept.

The District does not provide services outside of its boundaries.

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### **Facilities and Capacity**

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The Appaloosa subdivision has 158 parcels. The District provides road maintenance for two zones, the Appaloosa Zone and the Buckskin Zone, with a total 17.46 miles of road. Approximately fifteen miles are improved, the remainder being unimproved.

There are no signalized intersections. There is one bridge on Appaloosa Road, which is maintained by the District.

The main road, Appaloosa, is paved with either chip seal or asphalt. Some tributary roads are paved with chip seal, some are graveled, and some are unimproved. The unimproved roads are those serving land parcels, which are undeveloped. Approximately six miles of roads are paved with asphalt, primarily Appaloosa Road. There are nine miles of road that is chip sealed, roughly half a mile that is gravel, and two and a half miles that are unimproved.

The District reportedly has sufficient, but limited, capacity for road maintenance based on fixed assessments and special taxes. The District also reported that its roads have never been rated.

ARCSD currently does not engage in any facility sharing practices.

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### **Infrastructure Needs**

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The District, which contracts with local paving companies for road maintenance, rehabilitates about 0.5 miles of roads per fiscal year. The District does not use the Pavement Management System (PMS) to determine the number of miles in need of rehabilitation due to financial limitations. ARCSD focuses on trying to maintain Appaloosa Road, which all

property owners utilize, and making improvements to other tributary roads as funding permits.

The District typically receives one to two calls per year for road repairs due to storm damage. Between quarterly meetings the Road Manager periodically drives the roads and prepares a list of repairs or improvements needed and brings these to the Board for approval.

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## Challenges

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The main challenge for the District is its limited financing, which is only sufficient to maintain roads at a minimally acceptable level. It is not adequate for desired additional maintenance and repairs, as well as paving of the unpaved roads.

The District also states that there is minimal attendance at quarterly meetings and it has had difficulty attracting volunteers for board positions and officers. Despite their efforts posting for this need on the District's bulletin board, there has been no interest shown.

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## Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. As was already mentioned, ARCSD does not make use of PMS. The most frequently utilized Appaloosa Road is kept in good condition; other roads are improved as funding permits.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically

needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

While ARCSD does not seal roads, they do execute repairs with asphalt overlay and spot repairs for potholes and edgework on both paved and chip sealed roads. Since the initial paving, no roads have been completely sealed or re-paved.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads. The District does not maintain any formal standards regarding traffic volumes on its roads. It has stated there are no issues with congestion that need to be addressed and also indicated their roads have not been rated.



## **APPALOOSA ROAD COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ The District currently covers 5.6 miles and has 80 residential parcels. It is estimated that the District has a population of approximately 235.
- ❖ In 2007, seven additional parcels were annexed into the District and contribute to the taxes and assessment fees.
- ❖ The District anticipates minimal growth in population through 2030 and similarly in service demand, especially with no development projects expected. It is projected that population growth will be approximately 0.3 percent annually.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are no disadvantaged unincorporated communities within or adjacent to the District.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ ARCSO strictly provides road maintenance services of the District's 17.46 miles of roads. It does not share nor own any facilities. The roads are kept serviceable, particularly the main tributary, Appaloosa Road, although minimally maintained due to budget constraints.
- ❖ The District's roads appear to have sufficient existing capacity and future capacity for anticipated minimal growth based on the lack of congestion on any district roads.
- ❖ The District would benefit from the use of a Pavement Management System (PMS) to determine the amount of roads in need of rehabilitation. However, current financial constraints do not indicate the feasibility of this expense.

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### **Financial Ability of Agencies to Provide Services**

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- ❖ The District has stated it has long-been financially challenged and although its roads are passable, they are being minimally maintained due to lack of funding.

- ❖ The District successfully completed its first five-year audit.
- ❖ ARCSD indicated its revenues from taxes and fees, in contrast to the expansive land area it needs to maintain roads for, do not accommodate additional road services to be administered beyond the most basic level of service, as priorities indicate.
- ❖ There are currently no additional revenue channels that have been identified.

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### Status of, and Opportunities for, Shared Facilities

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- ❖ ARCSD does not practice facility sharing at this time as it does not have facilities of its own.

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### Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ ARCSD practices outreach efforts which enhance transparency in terms of sharing District information and announcements in a financially responsible manner. It also encourages participation in the District through volunteering and board membership.
- ❖ There are challenges within the District to generate a significant draw to quarterly meetings, indicating little sustained interest in the overall well-being of the District.
- ❖ Although financial and volunteer resources are limited, it is recommended that ARCSD establish a website which would more easily allow for transparency of records and the sharing of information with its constituents. A website would also provide more opportunities for outreach efforts while complying with state legislation that mandates this need.
- ❖ The District's Board appears to be providing sufficient services given its minimal resources. In order to alleviate the continual struggles of the District, such as staffing limitations, fulfilling the mandated need for a website, and being able to provide road maintenance services beyond the bare minimum, a governance structure option is transition of ARCSD to a county service area (CSA). With a CSA, the County's Board of Supervisors would be able to provide a robust governance structure and the ability to operate within the confines of legal requirements. A CSA would also allow for more available resources to be dedicated where needed and offer more administrative and operational support through County staff than the District is able to provide.

### ***3. CIRCLE XX COMMUNITY SERVICES DISTRICT***

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Circle XX Community Services District (CXXCSD) provides road maintenance services within the Circle XX residential subdivision.

The most recent MSR for the District was completed in 2006.

#### **AGENCY OVERVIEW**

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##### **Background**

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Circle XX CSD was originally a County Service Area (CSA). In the 1960s, the Pacific Cascade Land Company created 14.6 miles of unpaved roads as part of the Circle XX housing subdivision within Calaveras County. When the company went bankrupt in 1972, residents took over road maintenance. Eventually, the Calaveras County Board of Supervisors resolved that although the Circle XX roads were public county roads, they did not meet county standards and, therefore, the County would not maintain them. A petition was later submitted to the County Board of Supervisors to dissolve the CSA. In 1989, a vote resulted in the adoption of resolutions by the County and LAFCo to dissolve the CSA and form the Circle XX Community Services District. This change allows the District to be governed by its own Board of Directors that is responsible for the maintenance of Circle XX roads.

CXXCSD is situated in the west central portion of the County with Appaloosa Road CSD located to the southeast and Mountain Ranch CSD to the northeast.

The principal act that governs the District is the State of California Community Services District Law.<sup>4</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).

There have been no changes in services provided since the District was formed.

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<sup>4</sup> Government Code §61000-61226.5.

Boundaries

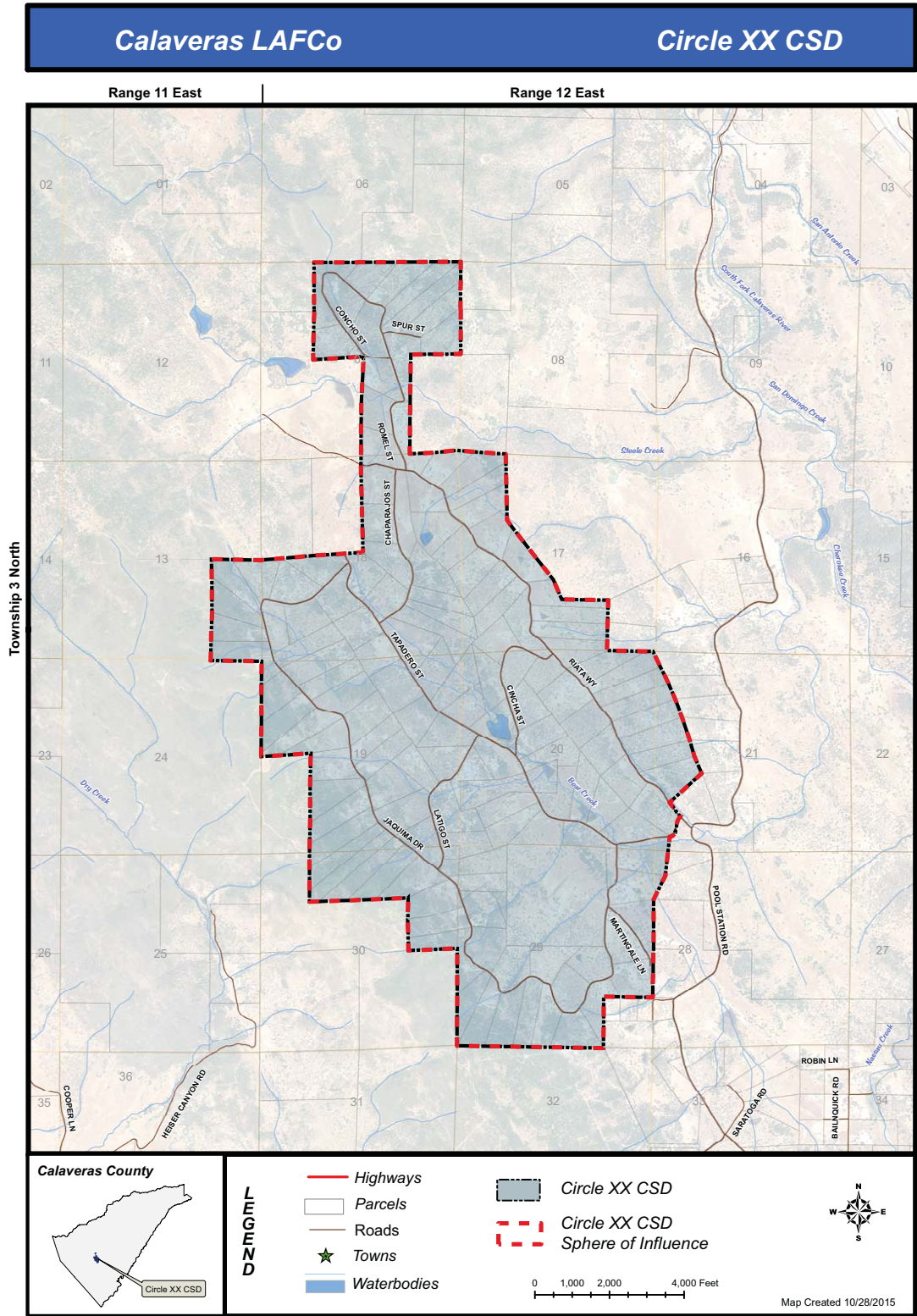
The District is located in the west central portion of Calaveras County. The total current boundary area consists of 3,206 acres or roughly five miles of land. Within its boundaries, there are 142 twenty-acre lots and three parcels of land. The Circle XX subdivision consists of 151 lots, however, nine of these lots, which have entrances on Pool Station Road, did not join the CSD when it was created. The District maintains 10 public roads, or approximately 14.6 miles of roads, that exist within the remainder of the subdivision.

There have been no boundary changes since the District's formation.

Sphere of Influence

The District's SOI is coterminous with its boundaries. The District's SOI was last updated in 2006 when it was reconfirmed as coterminous.

Figure 3-1: Circle XX Community Services District Boundaries and SOI



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**Accountability and Governance**  
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The CXXCSD is governed by an elected five-member Board of Directors who serve four-year, staggered terms. Registered voters must live in the Circle XX subdivision to be able to vote in the elections. If a vacancy for a Director occurs between terms, the position may be filled by appointment. Directors are unpaid and receive no benefits, however, they are allowed to have expenses reimbursed when incurred performing authorized Circle XX duties.

There are eight monthly meetings held between the months of March and October. A November meeting can be scheduled if necessary. These meetings take place at a private residence at 6:00pm on the third Thursday of the month.

Special meetings are scheduled as needed, relating to a single emergency issue. Historically, these meetings have occurred once or twice each year. In other years, there have been no special meetings held.

Board meetings must have a minimum of three Directors present and are open to the public. The District also posts advance notice of scheduled meetings, as well as agendas and minutes, both online and on the community bulletin board near the Circle XX entrance.

**Figure 3-2: Circle XX CSD Governing Body**

Circle XX CSD			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Pat Bourassa	Director	2024
	Aaron Cole	Director	2022
	Cathey Cothran	Director	2022
	Natalie Haney	Director	2024
	Rick Hill	Director	2022
<i>Manner of Selection</i>	Appointed in lieu		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	Third Thursday of the month between March and October at 6pm. November meetings as needed.	7601 Riata Way, Circle XX	
<i>Agenda Distribution</i>	Posted on County’s website and the bulletin board by the mailboxes at the District’s entrance.		
<i>Minutes Distribution</i>	Posted on County’s website, sent with a Circle XX mailing file.		
Contact			
<i>Contact</i>	Secretary Mary Dean		
<i>Mailing Address</i>	PO Box 1645, San Andreas, CA 95249		

<i>Phone</i>	209-890-0268 or 209-768-2340	
<i>Email/Website</i>	Circlexx.specialdistrict.org marydean@caltel.com	

If a customer is dissatisfied with the District’s services, their concerns are typically sent to the District via phone or through the website, or they attend a meeting. The secretary handles complaints and presents them to the Board. There are typically one or two issues raised per year, mostly regarding potholes.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district’s governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California’s AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency’s website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a “contextual menu,” such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an “integrated agenda management platform,” meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, Circle XX maintains a comprehensive website and is in compliance with both SB 929 and AB 2257. The CXXCSD website is the primary means to conduct outreach efforts for the District.

The District demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCo. The District readily responded to the questionnaires and cooperated with document requests.

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## Planning and Management Practices

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CXXCSD is comprised of five Board Directors, a Road Manager, a Secretary and a Treasurer. The District indicated it has no paid staff. There are also two CXXCSD volunteers who, likewise, do not receive pay nor benefits. Furthermore, staff and volunteer workloads are not tracked and employee evaluations are not performed. Likewise, the District does not have a process in place to evaluate the performance of its agency.

The public may bring issues to the Board for discussion at public hearings and may also request, in writing, that a matter specifically related to District business be placed on the agenda for a regular board meeting.

Because CXXCSD has no employees, private contractors and volunteers complete all road maintenance. The District does own equipment that was either purchased or donated, including items such as road cones, barricades, and a gas spray rig.

The District's financial planning efforts include an annually adopted budget and annually audited financial statements. These reports are readily available on the District's website.

The District primarily performs road maintenance as necessary without the benefit of a capital improvement plan (CIP).

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## Existing Demand and Growth Projections

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Land within the CXXCSD is privately owned and primarily for residential use. The General Plan outlines the zoning categories specified for the District. Currently, the CXXCSD lots are considered rural residential at a minimum of 20 acres (RR-20) for building zoning and rural transition-A for 10 to 20-acre parcels (RT-A) for general land use.

### Population

The estimated population in the District is 150. Residents represent 142 lots and three parcels of mostly developed land within Circle XX.

### Existing Demand

According to the District, the demand for road maintenance services generally remains steady and is not commonly impacted by tourism or seasonal residents. Although, the District reports sufficient funds to support existing demands, they noted there are limited financial resources.

There are, on average, one or two repair requests per year for road maintenance and the District is able to address these issues.

The District contracts out its services to a local company through an annual agreement. CXXCSD also does not provide services outside of its bounds.



Projected Growth and Development

CXXCSD does have new residents moving into the District each year and anticipates slow growth to continue for the foreseeable future. The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to roughly 0.3 percent annual growth.

The District does not have any areas outside of its boundaries where it may propose annexation. Three quarters of CXXCSD is developed, meaning the potential for future growth is fairly limited. The District struggles to afford the cost of repairs and expects this to be the case in meeting future demand based on current population projections.

Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas such as CXXCSD is the County.

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Financing

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CXXCSD indicates its current financing is not sufficient to provide an adequate level of service within the community.

The District collects a \$400 annual assessment per lot from Circle XX residents to be able to improve, repair, and maintain its roads. This fee is CXXCSD's primary income and was approved during a November 2012 election and expires June 30, 2023. The total amount of this assessment accounts for approximately \$58,000 in revenue annually. In September 2022, surveys will be sent to all landowners within the District asking if they want the fee to remain the same, increase, or decrease when the current assessment expires in 2023. Options will be presented by the District and the selection with the most votes will be placed on the ballot. The District states one of the challenges to their financial status is that they are restricted in what the assessment fee can be.

Per the District's audit for the FY 19-20, expenditures totaled \$49,347, of which \$45,299 was used for the cost of road maintenance.

The District's financial reserve policy is an informal plan to maintain a minimum balance of \$15,000 in its savings account for emergency use. As of the end of FY19-20, the reserve balance was \$17,591.

CXXCSD does not receive grants, nor traffic impact fees, and does not currently have capital expenditures. There are also no joint financing JPAs.

The District undergoes independent audits of its finances annually. These audited financial reports indicate that the District has consistently had no long-term debt and no fixed assets.

## ROAD SERVICES

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### Service Overview

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The CXXCSD consists of approximately 15 miles of public roads and is responsible for providing the road services throughout its subdivision, including:

- Filling potholes
- Road grading
- Road base spreading
- Laying chip and seal
- Laying asphalt
- Road side spraying
- Road side grass cutting at the Circle XX entrance
- Ditching
- Cleaning and repair of the District's culverts
- Tree trimming
- Road sign maintenance

All road work within the District is performed by private contractors and volunteer staff as prioritized by the Board of Directors. The District does not provide services outside of its boundaries. Road work is only performed once per year.

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### Facilities and Capacity

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The District is responsible for 14.6 miles of roads, 12.4 miles of which are paved. The roads vary in surface from asphalt and chip seal to gravel. There are no signalized intersections within the subdivision. Although the roads within the District are public roads, they are not maintained by the County. The CXXCSD maintains all the roads within its subdivision and the land within it is all privately owned.

The 10 interconnecting roads that comprise the District's road system include:

- 2.6 miles of paved road on Riata Way,
- 2.6 miles of road on Tapadero Street (98% paved),

- 4.5 miles of paved road on Jaquima Drive,
- 0.9 miles of paved road on Chaparajos Street,
- 0.8 miles of paved road on Latigo Street,
- 0.8 miles of road on Cincha Street (9.5% is paved),
- 0.4 miles of road on Romel Street (95% is paved),
- 1.5 miles of road on Concho Street (40% is paved),
- 922 feet of road on Spur Court (25% is paved), and
- 0.4 miles of unpaved road on Martingale Lane.

The District does not have any facilities but does own equipment that was either purchased by or donated to the District. This equipment is stored at the home of a Director and includes:

- A 100-gallon tow behind gas spray rig with a hand wand and spray booms - purchased in 2021,
- Barricades – four purchased, two donated,
- Two road cones – donated,
- One handheld stop sign – purchased,
- Three safety vests – donated, and
- A gas vibrator/compactor – donated.

Based on the current needs of the District, CXXCSD reportedly does not have sufficient capacity to complete the maintenance that is needed in spite of their current financial status due to the price of materials needed to execute repairs.

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### Infrastructure Needs

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The District indicates it is only able to rehabilitate less than one mile of roads per fiscal year. District roads are in need of sealing; however, financial limitations have prevented this.

The capability to perform the needed road work is dependent on the cost of materials and the District's ability to cover such costs.

The District does not utilize a PMS to evaluate the pavement conditions and related needs.

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## Challenges

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The District identified the price of materials needed to repair its roads as the primary challenge to fulfilling its road maintenance duties. In particular, rising gas prices prohibit additional projects from being completed.

The District also reported it is restricted in its ability to adjust assessments, which could potentially increase its revenue.

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## Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. The Circle XX CSD does not utilize a PMS. Attention is given to roads needing the most repair first, as funding permits.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

The District currently does not have the financial ability to seal its roads.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow

rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads. The District does not maintain any formal standards regarding traffic volumes on its roads and its roads have not been graded.

## **CIRCLE XX COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ The estimated population in the District is 150. The District currently has 142 lots within its bounds that cover five miles. Most of these lots are privately owned, residential structures.
- ❖ There has been slow but steady growth each year within the CXXCSD and service demand is not expected to increase significantly, as there are no existing planned or proposed development plans.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are no disadvantaged unincorporated community within or adjacent to the District.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ It appears that the District's roadways have sufficient existing and future capacity to serve the current and projected population as indicated by the lack of congestion.
- ❖ The District indicates it is only able to rehabilitate less than one mile of roads per fiscal year. District roads are in need of sealing; however, financial limitations have prevented this.
- ❖ The District does not maintain any formal standards regarding traffic volumes on its roads and its roads have not been graded. However, it appears that the District is providing adequate services as allowed by the current funding level.

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### **Financial Ability of Agencies to Provide Services**

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- ❖ CXXCSD has responsibly maintained its financial records, has made them publicly available, and easily accessible. It creates and adheres to annual budgets and conducts annual financial audits.

- ❖ The District does have a healthy reserve fund for emergency use which aligns with its informal reserve policy.
- ❖ Due to financial challenges restricting the work that can be completed on District roads, one recommendation is to seek out and utilize additional volunteers who may be able to complete repairs without further impacting the District's budget.
- ❖ The District indicated it is limited in its ability to raise assessment fees, although costs to provide the same services have increased over the last couple of years. As prices and commodities like gas costs increase, the less services that can be provided.
- ❖ Although the District is challenged by increased costs limiting the leveraging power of its revenues, it has established healthy reserves and been within budget, indicating that the level of financing is adequate to provide the essential level of road services within bounds. However, funding does not exist to broaden services provided.

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### Status of, and Opportunities for, Shared Facilities

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- ❖ The District has no shared facilities and no facilities of its own. No future opportunities for facility sharing were identified.

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### Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ CXXCSD demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCo. The District readily responded to the questionnaires and cooperated with the document requests.
- ❖ The District has established and maintains a well-kept, useful website that enables outreach efforts and transparency, and which also complies with legislative mandates.

## ***4. COPPER COVE ROCKY ROAD COMMUNITY SERVICES DISTRICT***

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Cooper Code Rocky Road Community Services District (CCRRCSD) provides road maintenance services within its boundaries.

The most recent MSR for the District was adopted in 2006.

### **AGENCY OVERVIEW**

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#### **Background**

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The Copper Cove Rocky Road CSD (CCRRCSD) was formed in 1984 near Copperopolis to provide road maintenance services.

The principal act that governs the District is the State of California Community Services District Law.<sup>5</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).

#### ***Boundaries***

The District is located near Copperopolis in the southwestern portion of Calaveras County, southeast of SR 4. Nearby CSDs include Appaloosa Road CSD to its north and the Saddle Creek CSD south of its boundaries.

The total current boundary area consists of roughly 1,424 acres and represents 626 parcels and approximately 16 miles of roads.

#### ***Sphere of Influence***

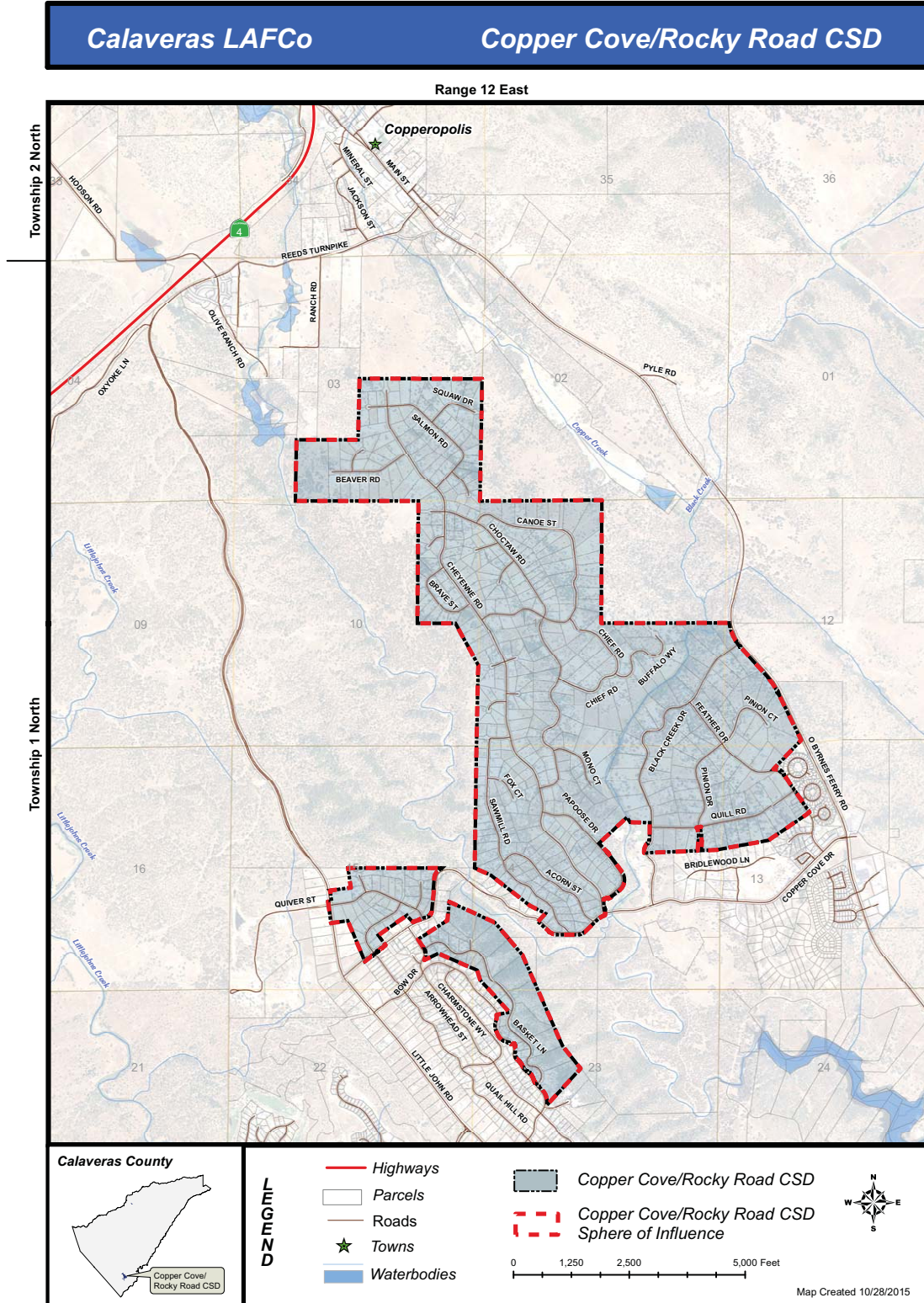
The District's boundaries and current Sphere of Influence are coterminous. CCRRCSD's SOI was last updated in 2006 when it was reconfirmed as coterminous. The District has not indicated a need to adjust its existing SOI.

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<sup>5</sup> Government Code §61000-61226.5.



Figure 4-1: Cooper Cove Rocky Road Community Services District Boundaries and SOI



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**Accountability and Governance**  
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The District is currently governed by an appointed, three-member Board of Directors. According to the District, in June of 2020, the previous Board members abruptly resigned. In December of 2020, a County Board Supervisor assembled an interim, three-person Board. Since that time, two seats were vacated but have recently been filled. Therefore, the current Board of Directors has only been in place for a matter of a few months. During this transitional time, the Board did not have access to any information that was saved about the District.

The Board has initiated contact with Calaveras County for guidance in establishing its governance structure and to communicate its request for help developing needed systems and processes to be able to execute its duties. The current Board Members have expressed a desire to more thoroughly be able to complete any requests for information in the future once the stability of the District has been restored.

**Figure 4-2: Copper Cove Rocky Road CSD Governing Body**

Copper Cove Rocky Road			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Sheldon Toso	President	12/05/2022
	vacant		
	vacant		
	Ryan Oatts		2024
<i>Manner of Selection</i>	TBD - currently appointed		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	N/A		
<i>Agenda Distribution</i>	N/A		
<i>Minutes Distribution</i>	N/A		
Contact			
<i>Contact</i>	Sheldon Toso		
<i>Mailing Address</i>	1822 Hoya Court, Copperopolis, CA 95288		
<i>Phone</i>	209-768-2340		
<i>Email/Website</i>	ccrrsddirtoso@gmail.com		

At present, if a customer is dissatisfied with the District’s services, their concerns are shared with the Copper Cove HOA, which has agreed to forward these issues to one of the District’s Board members. The District reported that no complaints have yet been registered.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district’s governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California’s AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency’s website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a “contextual menu,” such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an “integrated agenda management platform,” meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, CCRRCSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District develop a website to come into compliance with these requirements once the new board members have established regular functions.

CCRRCSD demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCo. The District readily responded to the questionnaires and cooperated with document requests.

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## Planning and Management Practices

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The District consists of three Board Members. It does not have paid staff. There are also no volunteers, at this time.

At present, CCRRCSD indicates it is not aware of any planning documents the District abides by beyond that of the County’s General Plan.

At the time of this report, the District was still awaiting access to past records, so the current Board’s knowledge of previous financial management practices is minimal. The last

known audit is believed to have occurred in 2018 and the most recent budgeting information is from FY19-20.

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## Existing Demand and Growth Projections

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Land uses within the District are primarily for residential use.

### Population

There are 626 parcels within CRRRCSD and the District reports that the majority of the land is developed, residential property. The population of the District is currently unknown.

### Existing Demand

Given the limited records the District currently possesses, the Board is not currently aware of anything that affects the demand for services within its boundaries. CRRRCSD believes the demand for road services has remained steady year-over-year, however.

### Projected Growth and Development

The District has not identified any areas of potential development at this time, and has not yet been in a position to determine demand forecasts and its ability to meet future needs.

Like other Districts in Calaveras County, slow growth is expected for the foreseeable future. The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to about 0.3 percent annual growth.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas is the County.

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## Financing

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There is little information currently available about the District's finances. CRRRCSD has stated it primarily obtains its revenues from property taxes; however, any special assessments are unknown. It is also unknown if any grants, traffic impact fees, funding or a need for capital expenditures, JPAs, debt, or reserve strategies currently exist for the District. Likewise, no financial challenges have been identified at this time.

CRRRCSD stated a financial audit was likely last conducted in 2018 but any documents supporting recent audits or budget activity were not yet available to the District.

Calaveras County FY 19-20 financial records for CRRRCSD indicate that budget actuals for the District equated to \$677,253 in revenue with \$673,906 in reported expenses. A

balance sheet summary shows that there is \$18,980.13 in cash assets with \$17,350.30 in a fund that is undesignated/unreserved.

The District's ability to maintain adequate services based on its current financial situation or with reduced revenues still needs to be assessed.

## ROAD SERVICES

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### Service Overview

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CCRRCSD does not have staff or equipment to provide road maintenance services. The District also does not have current contracts to be able to deliver services at this time.

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### Facilities and Capacity

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As of 2015, CCRRCSD reportedly had 626 parcels over roughly 1,424 acres of land and 16 miles of roads to service. The District does not own or share any facilities or equipment for road maintenance.

There are no signalized intersections within the District.

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### Infrastructure Needs

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Due to the recent establishment of an entirely new CCRRCSD Board, any needs of the District still need to be assessed.

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### Challenges

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The obvious struggle for CCRRCSD is having an entirely new Board of Directors with no institutional knowledge of the practices that were previously in place to inform them about the current status of the District as a whole.

CCRRCSDs lack of records has also delayed the Board's ability to move forward quickly without data to inform the decisions that need to be made regarding subjects like finances/spending, maintenance prioritization, staffing, and governance structure, to start.

Combined, these issues are especially challenging for a new Board that must learn their roles and information about CCRRCSD while simultaneously addressing the District's existing issues and need for services.

Additionally, ensuring roles are staffed reliably has been a hindrance during the transition to a new Board of Directors.

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### Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and

establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

Furthermore, traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads.

Unfortunately, nothing is known about the state of the District’s roads, systems, and what repairs are in need of prioritization at this juncture. CRRRCSD did state, however, that there are no known areas of congestion within the District and that no sections of road were repaved in 2020.

## **COOPER COVE ROCKY ROAD COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ The District covers 2.2 miles of land with 626 parcels that are mostly for residential use.
- ❖ Slow growth is anticipated within the District in terms of population and service demand for the foreseeable future.
- ❖ The District has not had access to records to determine the likelihood of future development.
- ❖ When the District receives all of its files, the Board should review its current boundaries and SOI and identify potential opportunities for development.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are no disadvantaged unincorporated community within or adjacent to the District.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ The District provides road maintenance services across approximately 16 miles of roads within its boundaries.
- ❖ Because the District does not have information about the status of its 16 miles of roads and does not currently have a pavement management system (PMS), it is recommended that a PMS be enacted as finances permit to allow for proper prioritization of needs.
- ❖ With no staff and no volunteers, it would benefit CRRCSO to immediately begin encouraging volunteers to join in the efforts of the District, as this appears to be its primary capacity limitation. This could inspire a sense of pride and belonging in district work while also setting the stage for potential replacements in case a vacancy on the Board needs to be filled.



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## Financial Ability of Agencies to Provide Services

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- ❖ The new District Board has minimal information about its financial condition. Assessing the District's overall fiscal health should be a priority for CRRCS D once it receives the appropriate files and documents. This should include establishing an annual budget and a routine schedule for audits, identifying a reserve policy, contracting with a local provider to provide road maintenance services, and determining if any needed repairs can immediately be afforded to ensure they are passable and safe. Any infrastructure needs can then be prioritized as necessary.

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## Status of, and Opportunities for, Shared Facilities

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- ❖ The District has no facilities, no equipment and does not partake in any shared facility practices.

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## Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ The District has recently experienced complete disruption with the resignation of its entire Board of Directors. The current three-member board was appointed and is in the process of reestablishing a governance structure, policies, and procedures.
- ❖ The Board has been in contact with the County for guidance on how to proceed with setting up policies and procedures to conduct district business appropriately and adequately.
- ❖ The District does not have a website and is, therefore, not currently complying with legislative mandates. Once the District determines its financial position, a website should be created to not only align with AB 2257 and SB 929 but to immediately be used to enhance transparency with district constituents regarding the present status of the District, who the District contact is and how to be in touch, and procedures and policies.
- ❖ It is recommended that over the course of the next year, the Board continue working with the County to learn the necessary steps to reestablish itself. By the end of 2022, the Board should assess its progress and determine if more time or more resources are needed to make improvements throughout the District. In the meantime, designing a governance structure should be a priority. In order to comply with State requirements for CSDs, the District will eventually need to seat two additional board members.
- ❖ The fact that there has been so much turnover within the district Board over the last year indicates there are likely issues that need to be addressed to prevent a complete abandonment of duties from occurring again. It is strongly suggested that the current Board invest time over the next year to examine the pitfalls that led to the District's current situation. It is also recommended that a process be instated for the proper

handling and storage of important district documents to ensure the next governing body is not inhibited by a lack of information and access to records. This could include not having records stored at any one person's personal property. Keeping copies of vital records in a second location or storing documents digitally/on a website.

- ❖ In order to address the District's existing instability, a governance structure option may be transition of CRRCS D to a county service area (CSA). With a CSA, the County's Board of Supervisors would be able to provide a robust governance structure and the ability to operate within the confines of legal requirements. A CSA would also allow for more available resources to be dedicated where needed and offer more administrative and operational support through County staff than the District is able to provide.

## **5. LYNN PARK ACRES COMMUNITY SERVICES DISTRICT**

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Lynn Park Acres Community Services District (LPACSD) provides road maintenance services within its District.

The most recent MSR for the District was completed in 2006.

### **AGENCY OVERVIEW**

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#### **Background**

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The Lynn Park Acres CSD (LPACSD) was formed for the purpose of providing road maintenance services. There have been no changes to services the District provides.

The principal act that governs the District is the State of California Community Services District Law.<sup>6</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).

#### ***Boundaries***

The District's boundaries are set on 4,139 acres which covers 6.5 miles and contains 195 parcels. LPACSD is located outside of West Point. LPACSD is situated south of Middle River CSD and north of Three Cent Flat CSD.

The District reported no history of boundary changes.

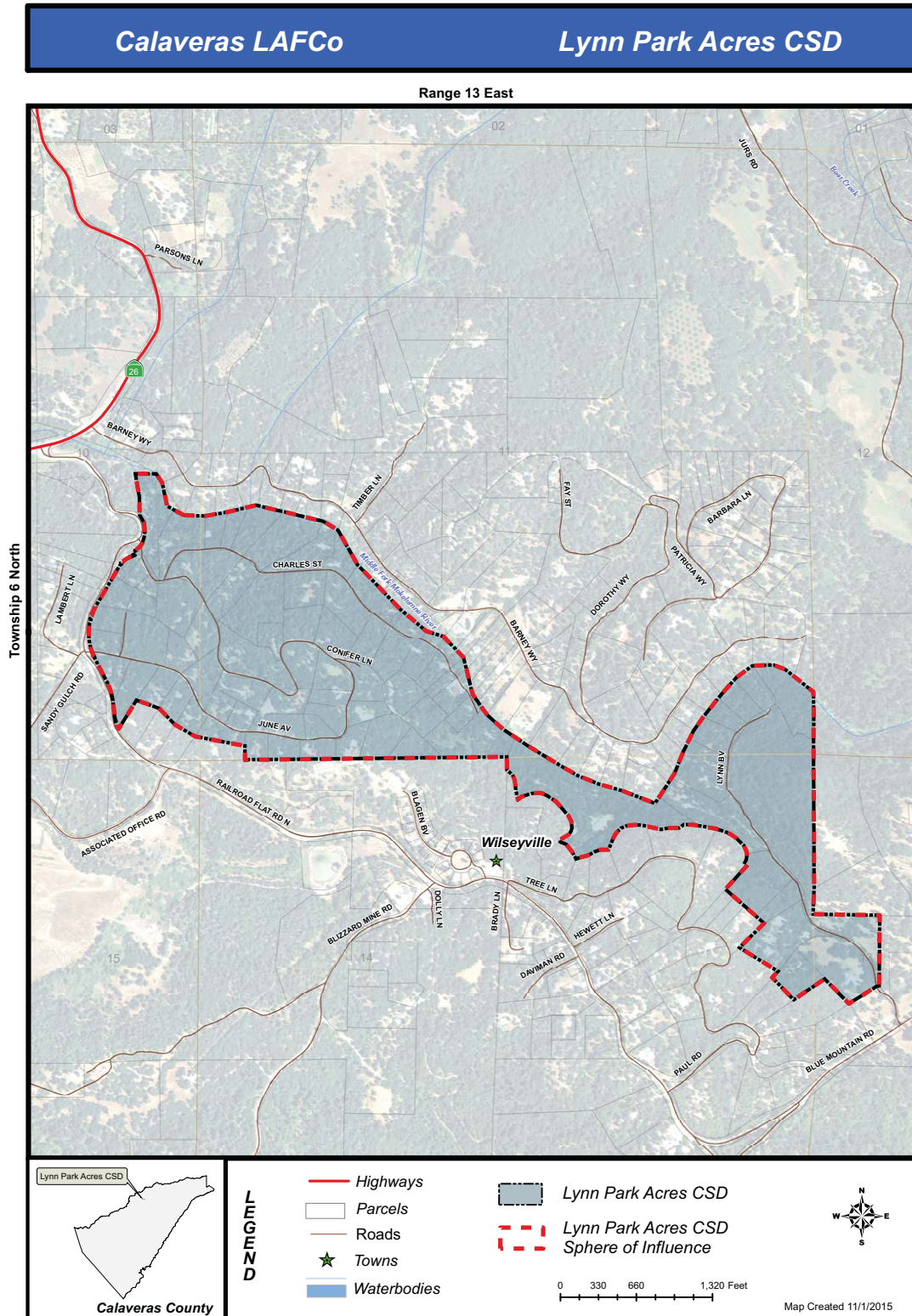
#### ***Sphere of Influence***

The District's boundaries and current Sphere of Influence are coterminous. LPACSD's SOI was last updated in 2006 when it was reconfirmed as coterminous. The District indicated that it has no interest in adjusting its SOI at this time.

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<sup>6</sup> Government Code §61000-61226.5.

Figure 5-1: Lynn Park Acres Community Services District Boundaries and SOI



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**Accountability and Governance**  
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The LPACSD is governed by an elected, five-member Board of Directors for both two- and four-year terms. Board meetings typically take place at the downtown benefit club. It is unclear how often and when meetings are held. Additionally, it is unknown if the District is meeting Brown Act requirements for posting of agendas.

**Figure 5-2: Lynn Park Acres CSD Governing Body**

Lynn Park Acres			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Eldie Bartlett	Chairman	12/05/2024
	Jared Woolston	Vice Chairman	12/05/2024
	Shirley Fulgham	Treasurer	12/01/22
	Linda Hartman	Secretary	12/05.2024
<i>Manner of Selection</i>	Elected or Appointed to vacancy		
<i>Length of Term</i>	2 and 4 years		
<i>Meetings</i>	Not provided		
<i>Agenda Distribution</i>	Not provided		
<i>Minutes Distribution</i>	Not provided		
Contact			
<i>Contact</i>	Shirley Fulgham		
<i>Mailing Address</i>	P.O. Box 179 Wilseyville, CA 95255		
<i>Phone</i>	209 479-2730		
<i>Email/Website</i>	<a href="mailto:shirleyo@volcano.net">shirleyo@volcano.net</a>		

The District reported it does not engage in any constituent outreach efforts.

If a customer is dissatisfied with the District’s services, complaints are to be submitted via phone to the Board’s Chairman. Complaints are not tracked; however, there have been no complaints received in the last two fiscal years.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district’s governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California’s AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency’s website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a “contextual menu,” such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an “integrated agenda management platform,” meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, LPACSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District consider developing a website to come into compliance with these requirements and enhance transparency to its constituents.

ARCSD demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCo. The District responded to the questionnaires and cooperated with document requests.

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### Planning and Management Practices

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The District consists of five directors and does not have any paid staff. The District reported that it utilizes five volunteers to provide services, and their workload is not tracked or evaluated.

The District does not have a system in place to evaluate its own performance.

Aside from the County’s General Plan, LPACSD does not adhere to any planning documents.

The District’s financial management practices include audits every five years. The most recent, completed audit took place in June of 2016 and there is one currently in process for 2021. The District does not maintain a capital improvement plan as needs are budgeted for annually. It is recommended that the District consider developing a multi-year capital improvement plan to aid in prioritization of funds over a longer period.

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### Existing Demand and Growth Projections

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Land uses within the District are primarily residential across.

### Population

LPACSD has 195 parcels on mostly developed land. The population within the District has remained steady, according to the District, although an exact number is not known.

### Existing Demand

LPACSD reported that there are no extraordinary circumstances that affect demand within the District and that current demand for services has remained the same. The District states it is able to meet or exceed demand for service.

There have been no calls for service requests over the past two years.

### Projected Growth and Development

The District anticipates slow growth to continue for the foreseeable future. The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to about 0.3 percent annual growth.

Most of the District's land is developed and there are no plans for undeveloped areas in the foreseeable future. LPACSD also indicates it has the capacity to meet demand for future growth as well.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas such as LPACSD is Calaveras County.

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## Financing

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LPACSD reported there are no challenges to financing and that it is capable of maintaining adequate services within the District currently and in the future.

The primary revenue source for the District is a benefit assessment leveled on each property. The assessment was most recently raised in 2021 to \$200 per year per developed lot. The fee is \$100 per year per undeveloped lot. LPACSD does not collect traffic impact fees.

In FY 19-20, the District's budget revenue was \$7,463. Expenses totaled \$7,467 in the same year. The District has no operating expenses and that all funds are used for capital expenditures.

The District had \$375 in cash assets at the end of FY 19-20. The district does not have a reserve policy.

LPACSD has no known long-term debt.

## ROAD SERVICES

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### Service Overview

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LPACSD provides chip-sealing and paving road maintenance services within its boundaries only. These services are performed by district volunteers.

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### Facilities and Capacity

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LPACSD has 195 parcels across 6.5 square miles of mostly developed residential land. There are 1.5 miles of chip-sealed roads for which the District is responsible.

The District has no employees, no facilities, and no equipment. There are also no signalized intersections within LPACSD.

LPACSD utilizes five volunteers to help fulfill district service needs.

The District reports it has sufficient capacity to provide adequate road maintenance based on current tax revenue and staffing.

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### Infrastructure Needs

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Sealing of the District's roads has not been completed in recent years and no repair needs have been reported. Infrastructure needs are budgeted for and addressed on annual basis.

The District indicated there is currently no need for additional facilities or equipment.

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### Challenges

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The primary challenge the District faces is accelerated wear and tear on the roads. The roads experience these issues throughout the year due to inclement weather, as well as damage from Pacific Gas & Electric (PG&E) trucks and tree trimming trucks that are sent by PG&E. These repairs are addressed as they arise.

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### Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs



and efficiently allocate resources. LPACSD does not make use of PMS. LPACSD's roads are reportedly kept in good condition as funding permits.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

LPACSD prioritizes road repairs based on damage and does not use a PMS to make this determination.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where "A" is the best rating and "F" the worst. LOS "E" means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS "F" means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD's roads. The District does not maintain any formal standards regarding traffic volumes on its roads.

The District indicates that its road conditions meet adequate standards for safety and functionality. There are no areas of congestion reported and no maintenance has needed to be deferred. No sections of road were repaved in 2020.

## **LYNN PARK ACRES COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ LPACSD currently has 195 parcels across mostly developed land with residential structures. It maintains 1.5 miles of road.
- ❖ The population within the District has remained steady in recent years.
- ❖ There is no anticipated development indicated for the District.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are two severely disadvantaged unincorporated community adjacent to the District. These DUCs are Rail Road Flat with a 2018 estimated population of 283 across 159 households with a median household income of \$31,490, and West Point which, as of 2018, has an estimated population of 571 between 253 households with a median household income (MHI) of \$31,307.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ The District has no employees, no facilities, and no equipment. It works with five volunteers to provide district road maintenance services.
- ❖ The District reportedly has sufficient capacity to meet current demand and anticipates continuing to have sufficient capacity to maintain road work services into the future.
- ❖ Sealing of the District's roads has not been completed in recent years and no repair needs have been reported. Infrastructure needs are budgeted for and addressed on annual basis.
- ❖ The primary challenge the District faces is accelerated wear and tear on the roads due to weather and heavy trucks and maintenance. These repairs are addressed as they arise.

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## Financial Ability of Agencies to Provide Services

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- ❖ LPACSD depends entirely on a benefit assessment leveled on each property to fund its services.
- ❖ Audits for the District are conducted every five years. An audit is currently being performed for 2021.
- ❖ The District reports it has sufficient funding available to meet both current and future demand for services.

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## Status of, and Opportunities for, Shared Facilities

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- ❖ The District does not have employees or facilities, and it does not participate in any shared facility practices.

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## Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ LPACSD uses an acceptable governance structure of five elected officials and meets routinely to discuss District matters.
- ❖ The District does not practice outreach efforts.
- ❖ The District does not maintain a website and is, therefore, not in compliance with California's AB 2257 or SB 929. It is recommended that the District establish and maintain a website for LPACSD business. It should meet state requirements for transparency regarding agendas, and meeting minutes. An appropriate website would also allow for outreach efforts, including communications with its constituents.

## 6. MIDDLE RIVER COMMUNITY SERVICES DISTRICT

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Middle River Community Services District (MRCSD) provides road maintenance services. The most recent MSR and SOI update for the MRCSD occurred in 2006.

### AGENCY OVERVIEW

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#### Background

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The Middle River CSD was formed in 1999 for the purpose of maintaining the roads in the community.

The principal act that governs the District is the State of California Community Services District Law.<sup>7</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).<sup>8</sup>

#### Boundaries

MRCSD is located outside of West Point and encompasses 144 parcels consisting of approximately 275 acres. The District is north of, and adjacent to, Lynn Park Acres CSD. There have been no changes to the District's boundaries since its formation.

#### Sphere of Influence

The District's boundaries and current Sphere of Influence are coterminous. The District's SOI was last updated in 2006 when it was reconfirmed as it previously existed.<sup>9</sup>

#### Extra-territorial Services

MRCSD does not provide any services outside of its boundaries.

#### Areas of Interest

The District did not identify any areas of interest.

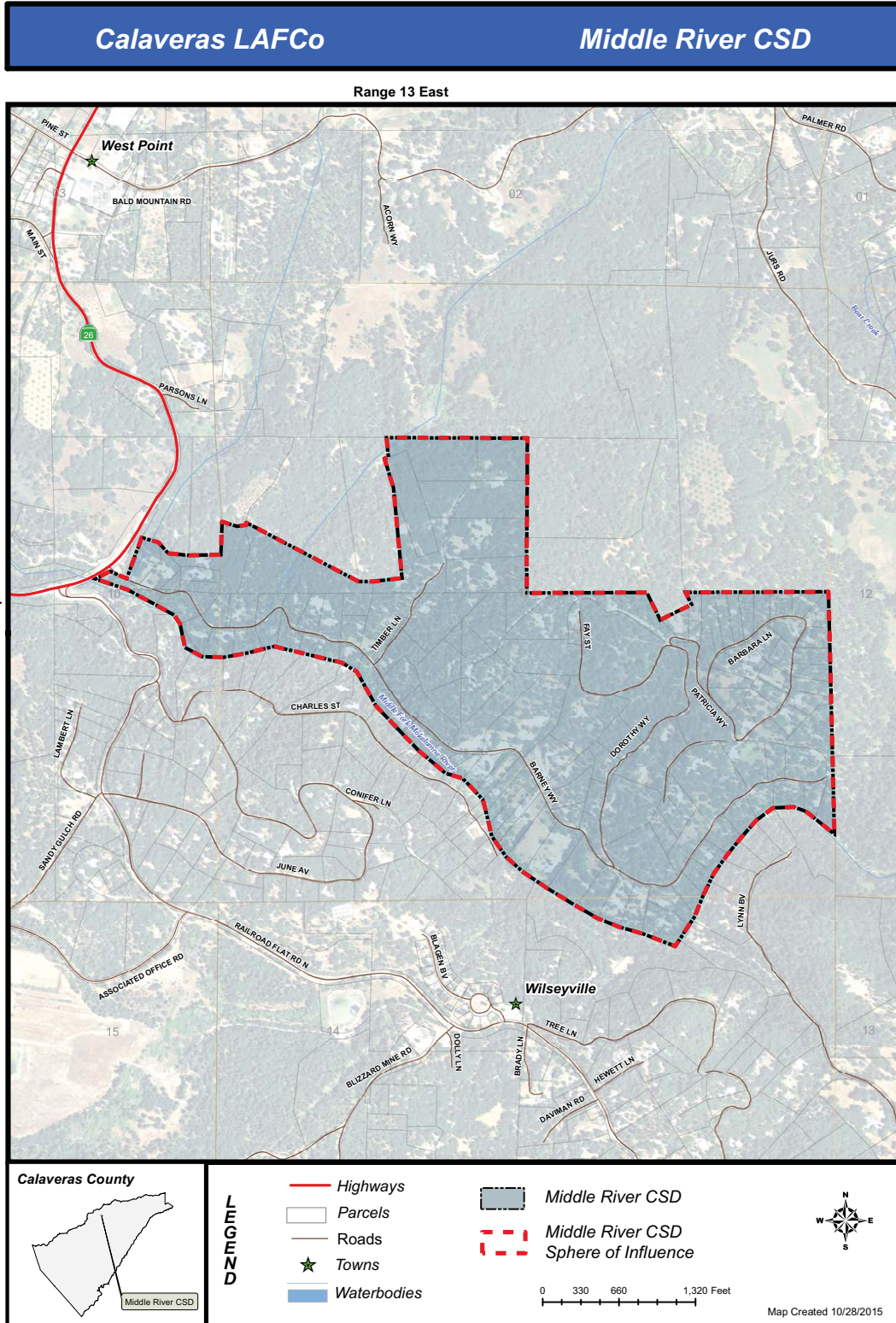
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<sup>7</sup> Government Code §61000-61226.5.

<sup>8</sup> Government Code §61106.

<sup>9</sup> LAFCo Resolution 2006-02.

Figure 6-1: Middle River Community Services District Boundaries and SOI



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**Accountability and Governance**  
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A five-member Board of Directors governs the District. Directors are typically appointed by the County Board of Supervisors. MRCSD does not have policies regarding timing or rotation of board member positions. In order to ensure equity amongst the members, the District may consider a policy defining when board member positions will rotate.

The Board typically meets four times a year on the first Saturday of the third month at 9 or 10 am. Due to the COVID-19 pandemic, the meetings have been held virtually on Zoom. Agendas are post in two locations 72 hours in advance of meetings as required by the Brown Act.

**Figure 6-2: Middle River CSD Governing Body**

Middle River CSD			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Anthony Lucero	Director	2020/2022
	Clay Westlake	Vice Chair	2020/2022
	James Carter	Director	2022
	Mackenzie E. Miller	Director	2020/2021
	Vacant	Director	
<i>Manner of Selection</i>	Elected or Appointed to vac		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	4 times a year on the first Saturday of every third month at 9 or 10 am. In the past, meetings were held at the Veterans Hall in West Point. More recently, meetings have been held on Zoom.		
<i>Agenda Distribution</i>	Posted at the post office and Barney Way on a bulletin board.		
<i>Minutes Distribution</i>	Available upon request and as part of agenda packet.		
Contact			
<i>Contact</i>	Anthony Lucero		
<i>Mailing Address</i>	P.O. Box 1192 West Point, CA 95255		
<i>Phone</i>	(209)293-4718		
<i>Email/Website</i>	bigsalmontony@att.net		

MRCSD conducts outreach by emailing those residents with email addresses, which constitutes approximately 70-75 percent of the residents, to inform of upcoming meetings or other ongoings within the District.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas,

minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district's governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California's AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency's website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a "contextual menu," such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an "integrated agenda management platform," meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, MRCSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. While the District has considered establishing a website, none of the volunteers have the time and ability to develop and manage it; consequently, the District intends to adopt a resolution indicating hardship in order to come into compliance.

When a resident has a complaint, it can be directed to any of the Board Members and will be discussed and considered at the regular meetings. Generally, the Director responsible for addressing the complaint to resolution will depend on the location of the complainant. According to MRCSD, in most years there are no complaints regarding the District's services.

Similar to many of the districts reviewed in this report, MRCSD relies entirely on volunteers and board members for operations and management making response to requests for information challenging. Throughout the process of this MSR, the Board struggled to respond in a timely manner to requests; however, ultimately, the information was provided.

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## Planning and Management Practices

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MRCSD relies entirely on volunteers for its governing body and road maintenance services. The District does not have any paid staff, and instead relies on a volunteer Road Manager. The Road Manager functions as a General Manager and is in charge of procuring supplies for road maintenance projects.

Additionally, projects are completed entirely by residents on a volunteer basis. For each project the Road Manager shops for supplies and presents estimates to the Board. The Board then authorizes a maximum budget amount. Local residents provide all necessary manpower to complete the project, including raking and operating of any machinery. All volunteers are required to sign a release to not hold the CSD liable in the event of an accident.

As there are no staff, the agency does not conduct staff evaluations. However, the board members provide feedback to one another on an annual basis. The workload of the volunteers is not documented formally in a timesheet or other record.

MRCSD does not formally evaluate the performance of the district agency wide; however, it does make an effort to meet the requests of the residents and reviews what has been completed in the past year during the annual budgeting process. The District reports that it aims to work within budgeted amounts.

The District maintains minimal planning documents to guide its efforts. The District has adopted a set of Bylaws, but, similar to other districts its size, does not have a strategic plan or master plan.

Financial reporting documents consist of an annual report to the State Controller's Office and an annual budget; however, the District has not yet developed a budget for the current fiscal year. The District plans to develop a budget in the near future depending on volunteer availability. Capital improvement needs are planned for on an annual basis in the budget. While special districts are required to complete regular audits of their financials, the District has never conducted one to date. It is recommended that the District begin the practice of completing formal audits at least every five years in order to come into compliance.

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## Existing Demand and Growth Projections

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Land uses within the District are entirely residential.

### Population

The District services 136 parcels of which 16 parcels are undeveloped and have no residences.

### Existing Demand

Demand for road maintenance services is largely defined by the population in the community as the area is entirely residential. Additional demand is a result of heavy trucks and equipment occasionally making use of the roads for ancillary maintenance activities, in particular PG&E.

In general, demand has been fairly constant with very little fluctuation over the last decade. However, road use is not formally tracked.



Projected Growth and Development

Future growth opportunities are limited within MRCSD's boundaries as there are only 16 undeveloped parcels, of which 15 are developable. There are no imminent plans for development of these parcels as reported by the District.

The District does not forecast future demand in a formal report, as the area is nearing build out. Given the minimal possible growth within the community, use of the subdivision's roads are likely to experience little growth.

Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas is the County.

The District reported that the County does not inform the District of permit applications in the area.

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Financing

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The District receives its revenue form an annual benefit assessment of \$100 for improved parcels and \$75 for unimproved parcels. Certain parcels are not charged because of the unlikely that they will be built upon. MRCSD indicated that its current financing levels are inadequate to meet all funding needs. Consequently, there are plans to increase the assessment to \$200 for improved parcels and \$150 for unimproved parcels.

Based on the transaction statement from the County Auditor, the District had revenues of \$13,189 in FY 19-20, a majority of which was from the per parcel assessment, and the remainder from interest earnings.

In FY 19-20, MRCSD had expenditures of \$13,191 consisting primarily of services and supplies and a small payment to LAFCo. Expenses exceeded revenues by \$2 in that year.

The District does not have any debt and funds capital projects out of its annual budget and savings.

At the end of FY 19-20, the District had a cash balance of \$663, which is equivalent to five percent of annual expenses or less than a month of expenses.

## ROAD SERVICES

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### Service Overview

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The District is responsible for maintenance on 4.5 miles of road way on Barney Way, Dorothy Way, Patricia Way, Fay Street, Barbara Lane, and Timber Lane. Maintenance activities include paving of unpaved areas, chip sealing of paved roads, spreading rock and filling holes on unpaved roads, and snow removal.

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### Facilities and Capacity

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Of the District's 4.5 miles of roadway, approximately 2.5 miles are paved and the remainder is rock. Barney way is entirely paved. Dorothy Way is approximately 95 percent paved, and Fay Street is partially paved by donation.

The roads have not been formally evaluated as to condition; however, the District aims to address issues and needs as they arise. In 2021, all paved streets were chip sealed and are considered to be in good to excellent condition.

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### Infrastructure Needs

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As the District recently chip sealed all of the paved roads within its boundaries, there are minimal infrastructure needs on existent pavement. However, the District aims to complete the remaining five percent of pavement on Dorothy Way. This project is estimated to cost approximately \$7,000 to complete. There is no timeline for completion of this project at present.

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### Challenges

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MRCSD indicated that its primary challenges were lack of financing, use of the roads by heavy equipment causing damage, and gaining resident support and involvement in district projects and management. The lack of homeowner involvement is particularly evident by the two vacancies on the Board.

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### Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-

date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. MRCSD does not make use of a PMS.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads. The District does not maintain any formal standards regarding traffic volumes on its roads. It has stated there are no issues with congestion that need to be addressed and also indicated its roads have not been rated.

While the District has not formally reviewed or rated its roads, due to the small nature of the service area and residences served, it makes efforts annually to address the needs of the community. There are reportedly minimal existing road needs due to the recent chip sealing project.

## MIDDLE RIVER COMMUNITY SERVICES DISTRICT DETERMINATIONS

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### Growth and Population Projections

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- ❖ Middle River CSD currently has 120 residential structures.
- ❖ There has been very little change in the District's population over the last 10 years.
- ❖ Minimal growth is anticipated as the subdivision is nearing build out with only 15 developable parcels. There are no planned or proposed projects on the vacant lots.

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### The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there is one severely disadvantaged unincorporated community adjacent to the District. This DUC is the town of West Point which, as of 2018, has an estimated population of 571 between 253 households and a median household income (MHI) of \$31,307.

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### Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies

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- ❖ Demand for road maintenance services is largely defined by the population in the community as the area is entirely residential. Additional demand is a result of heavy trucks and equipment occasionally making use of the roads for ancillary maintenance activities.
- ❖ Based on existing development levels and minimal space for additional growth, it appears that there is sufficient roadway capacity for existing and projected future demand.
- ❖ MRCSO indicated that its primary challenges were lack of financing, use of the roads by heavy equipment causing damage, and gaining resident support and involvement in district projects and management. The lack of homeowner involvement is particularly evident by the two vacancies on the Board.
- ❖ While the District has not formally reviewed or rated its roads, due to the small nature of the service area and residences served, it makes efforts annually to address the needs of the community. There are reportedly minimal existing road needs due to the recent chip sealing project.

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## Financial Ability of Agencies to Provide Services

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- ❖ The District receives its revenue from an annual benefit assessment of \$100 for improved parcels and \$75 for unimproved parcels. MRCSD indicated that its current financing levels are inadequate to meet all funding needs, and there are plans to increase the assessment.
- ❖ The District's revenues are minimal and appear to barely meet supply expenses for volunteer-run capital projects. There is a need for additional funds should the District desire to enhance services and increase capital improvements.

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## Status of, and Opportunities for, Shared Facilities

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- ❖ The District does not practice facility sharing. No opportunities for future facility sharing were identified.

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## Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ MRCSD demonstrated partial accountability in its disclosure of information and cooperation with Calaveras LAFCo. While multiple requests were made for information over a long period; ultimately, the requested information was provided and the District participated in an interview.
- ❖ Currently, MRCSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. While the District has considered establishing a website, none of the volunteers have the time and ability to develop and manage it; consequently, the District intends to adopt a resolution indicating hardship in order to come into compliance.
- ❖ Given MRCSD's challenges to increase resident engagement and volunteerism, maintain a full board, and fully fund capital needs, a potential governance option may be to transition the CSD into a county service area, which is a dependent special district of the County.

## ***7. MOUNTAIN RANCH SUBDIVISION COMMUNITY SERVICES DISTRICT***

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Mountain Ranch Subdivision Community Services District (MRSCSD) provides road maintenance services within its boundaries. It was formed in 1994 and is located outside of San Andreas.

The most recent MSR for the District was completed in 2006.

### **AGENCY OVERVIEW**

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#### **Background**

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MRSCSD was formed in 1994 for the purpose of road maintenance services.

The principal act that governs the District is the State of California Community Services District Law.<sup>10</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).<sup>11</sup>

#### ***Boundaries***

The District is located outside of San Andreas in Calaveras County. There have been no boundary changes since the last MSR. The closest CSDs to MRSCSD are Three Cent Flat to the north, Circle XX to the south, and Wallace to the west.

The total current boundary area consists of 40 parcels or 0.32 square miles.

#### ***Sphere of Influence***

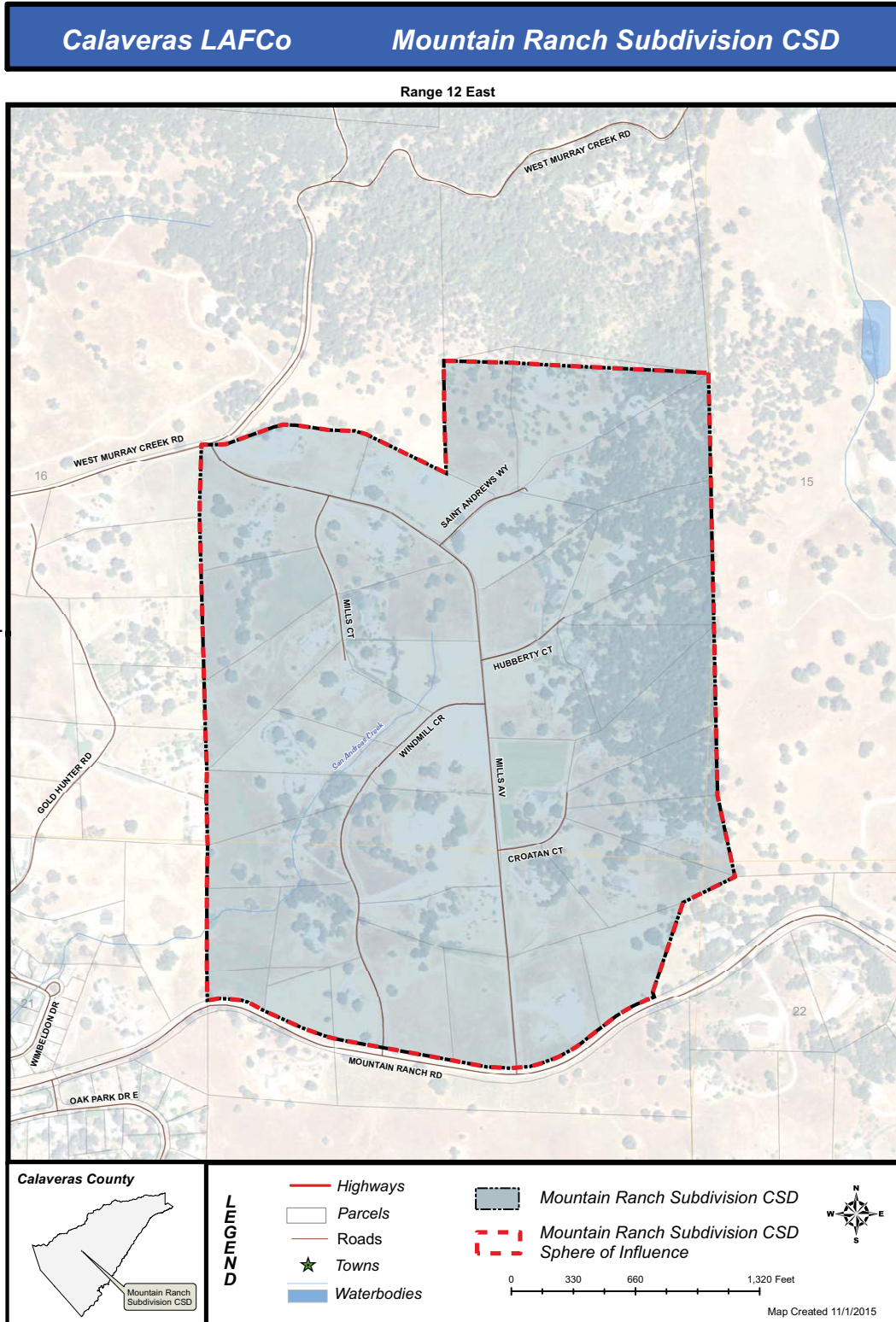
The District's boundaries and Sphere of Influence are presently coterminous. MRSCSD's SOI was most recently updated when it was reconfirmed as coterminous in 2006.

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<sup>10</sup> Government Code §61000-61226.5.

<sup>11</sup> Government Code §61106.

Figure 7-1: Mountain Ranch Subdivision Community Services District Boundaries and SOI



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**Accountability and Governance**  
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Based on previously reported information, MRSCSD is governed by a five-member Board of Directors who are elected at large to four-year terms. If a vacancy occurs mid-term, the Board of Directors may appoint a director. If the Board wishes to appoint a new member, they must appoint someone within 60 days of either being notified of the vacancy or the effective date of the vacancy, whichever date comes later. At least 15 days prior to the appointment, the remaining Board members need to make sure the public has been properly notified of the vacancy by posting a notice in three or more conspicuous places in the District. Once the appointment has been made, the district must notify the county elections official within 15 days of the appointment.

The Directors meet quarterly on the second Monday of November, February, May, and August at the Law Office of Airola & Airola at 550 E. St. Charles Street, San Andreas, CA 95249, which is considered to be the District’s business office. Meeting agendas are distributed by the U.S. mail and by email. Meeting minutes are disseminated in the same manner. Constituents are apprised of the District’s activities through an annual newsletter sent through U.S. mail.

The accuracy of this data is unknown as the District did not provide updated information.

**Figure 7-2: Mountain Ranch Subdivision CSD Governing Body**

Mountain Ranch Subdivision			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Tony Masselas	Director	2024
	Chester Eschen	Director	2024
	Bruce Kyse	Director	2022
	Catherine Brady-Brown	Director	2022
	James Lamb	Director/Treas	2022
<i>Manner of Selection</i>	Elected and Appointed in lieu		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	Held quarterly on the second Monday of November, February, May, and August at the Airola Law Office in San Andreas.		
<i>Agenda Distribution</i>	Via U.S. mail and email		
<i>Minutes Distribution</i>	Via U.S. mail and email		
Contact			
<i>Contact</i>	Ken Airola, Secretary		
<i>Mailing Address</i>	P.O. Box 1513 San Andreas, CA 95249		
<i>Phone</i>	209-754-3262		
<i>Email/Website</i>	airolalaw@yahoo.com		

The District provided no current information regarding how complaints are handled.



In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district’s governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California’s AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency’s website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a “contextual menu,” such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an “integrated agenda management platform,” meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, MRSCSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District establish a website to enhance transparency.

There are no known outreach efforts performed by the District at this time.

Over the course of several months and multiple requests for information, MRSCSD did not respond to inquiries and failed to provide documents in cooperation with Calaveras LAFCo and this MSR process.

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## Planning and Management Practices

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Current planning and management practices are unknown. According to previous reviews, MRSCSD has no paid employees. The District’s manager, Board President, Vice President, Secretary, and Treasurer serve as volunteers on a part-time basis. Staff workload, therefore, is not tracked and employee evaluations are not performed. The District similarly does not formally evaluate its own agency performance.

The District's financial planning efforts include an annually adopted budget and audited financial statements. Until recently, MRSCSD has not been preparing audited financial statements; the first financial audit occurred in FY 15-16.

The District has no capital improvement plan (CIP) nor a list of proposed capital improvements.

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## Existing Demand and Growth Projections

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Designated land uses within MRSCSD are primarily residential.

### Population

Of its 40 lots, the majority are on developed land and intended for residential use within the District. The estimated population in MRSCSD is not known.

### Existing Demand

It was previously reported by the District that growth patterns generally increase as undeveloped lots within its boundaries are improved. The demand for road maintenance services has remained fairly constant in recent years.

### Projected Growth and Development

In 2015 MRSCSD reported that it anticipated growth to occur only if the undeveloped lots were developed. It was expected that two lots would be developed within a few years, while the rest would be improved by the end of the next 10 years (2025). It is unclear if this came to fruition or if there is any potential for future development.

The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030, which translates into about 0.3 percent annual growth.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas is Calaveras County.

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## Financing

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The District did not provide current financial data or documents. In 2015, the District reported that its financing level was adequate. There were, however, financial limitations reported at that time. While MRSCSD had limited revenue the cost of maintenance of its roads was increasing particularly due to the large amount of public use of Mills Avenue as a connector road to West Murray Creek Road. Although the District did not provide updated

information, it is likely that this challenge continues to be an issue in light of continued cost increases reported by other districts.

The District did not provide current financial reports, and as such revenue sources and expenses are unknown at this time.

The District does not collect any traffic impact fees. Traffic impact fees are levied by the County of Calaveras, and MRSCSD does not receive a share of this revenue.

The District does not maintain any account considered a financial reserve and has no policy regarding financial reserves. MRSCSD maintains a minimum balance in the bank to finance immediate or emergency road repairs, however, that amount is unknown.

The District did not supply any financial information other than to state that an annual user fee is issued to each lot within the District's boundaries for road maintenance expenses.

## ROAD SERVICES

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### Service Overview

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Road maintenance is provided on an as-needed basis by contractors. Historically, parts of the roadway system have been resurfaced (chip sealed) each year. None of the streets within the District are swept.

The District does not provide services outside of its boundaries.

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### Facilities and Capacity

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The sole function of the District is to provide road maintenance to Mills Avenue, Windmill Circle, and four internal roads ending with cul-de-sacs. The District has not provided updated information relating to facilities and capacity. Based on the 2006 MSR, MRSCSD is responsible for 1.5 miles of its rural roads. The District's roads are in fair to good condition with a chip seal between 16 to 18 inches wide. There are no signalized intersections or bridges within the District.

As of 2015, there was sufficient capacity to provide services as reported by the District. There are no areas where the District finds it difficult or challenging to provide adequate levels of service.

Currently there are no known facility sharing or collaborative practices. The District believes, however, that Calaveras County should contribute to the cost of maintaining Mills Avenue as it is used by a large number of non-lot owners to gain access to their homes and businesses on West Murray Creek Road.

The District has no employees or facilities. Contractors generally perform road maintenance. MRSCSD owns a weed sprayer, which any lot owner has access to.

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### Infrastructure Needs

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The District did not provide updated information. Its current infrastructure needs are unknown.

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### Challenges

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The District did not provide any information regarding existing challenges; however, it is assumed that the District's limited budget combined with rising costs continues to be an issue similar to other CSDs reviewed here.

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## Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion. The District did not provide updated information and what is reported is outdated.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. As was already mentioned, MRSCSD does not make use of PMS. Road condition is evaluated at quarterly Board meetings; roads are generally kept in fair to good condition.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

In 2015, the District reported that chip sealing on select sections of the District’s roadway system is performed annually. MRSCSD focuses on road rehabilitation as a form of preventative maintenance.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads. The District does not regulate traffic volumes or set any standards.

## **MOUNTAIN RANCH SUBDIVISION COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ Mountain Ranch Subdivision CSD currently has 40 parcels, most of which are for residential use on developed land.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there one severely disadvantaged unincorporated community within the District. This DUC is the town of San Andreas which, as of 2018, has an estimated population of 3,085 between 975 households and a median household income (MHI) of \$37,917.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ Current capacity, facilities, and infrastructure needs and deficiencies are unknown.
- ❖ Based on previous reports, it is assumed that the roadways continue to have sufficient capacity to service existing demand and any minimal growth that may be anticipated in the future.
- ❖ The adequacy of the services provided by MRSCSD is unclear. The District lacked transparency throughout the MSR process and did not report the status of its services and the needs of its roadways.

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### **Financial Ability of Agencies to Provide Services**

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- ❖ The District did not provide current financial statements to be able to assess its ability to provide services. Similarly, the District did not provide financial information in the 2006 MSR. The County does not have financial records for this CSD. It is apparent that the CSD lacks financial transparency. It is recommended that the District make readily available all financial records.

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## Status of, and Opportunities for, Shared Facilities

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- ❖ The District has no known shared facilities or equipment.

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## Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ Based on previous reports, the District has an acceptable and appropriate governance structure. However, updates need to be provided regarding a current list of Board Members, the expiration of terms, and meeting details. If there are not enough members presently on the Board, that will need to be addressed to be in compliance with state mandates dictating five-member Boards are maintained.
- ❖ The District does not have a website and is, therefore, not in compliance with state legislative mandates AB 2257 and SB 929. It is recommended that the District establish and maintain a legally required website, following the guidelines for transparency with District agendas and meeting minutes.
- ❖ The District did not cooperate with LAFCo requests for information and documents. This is the second MSR for which financial information was not provided. If the District is unwilling or unable to comply with state mandated reviews, it is recommended that the District transition to a county service area (CSA) which will have the resources available to follow required legislative requirements.

## ***8. THREE CENT FLAT COMMUNITY SERVICES DISTRICT***

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Three Cent Flat Community Services District (TCFCSD) provides road maintenance services.

### **AGENCY OVERVIEW**

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#### **Background**

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The Three Cent Flat Community Services District was formed in 1984 as a way to provide road maintenance services and access to the subdivision and its neighboring parcels. The services the District provides have not changed since its formation.

The principal act that governs the District is the State of California Community Services District Law.<sup>12</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).

#### ***Boundaries***

The District is located near Glencoe in north central Calaveras County. The two closest CSDs to TCFCSD are Middle River and Lynn Park Acres, both to the northeast.

The total current boundary area consists of 0.18 square miles or approximately 116 acres.

There have been no reported boundary changes since formation.

#### ***Sphere of Influence***

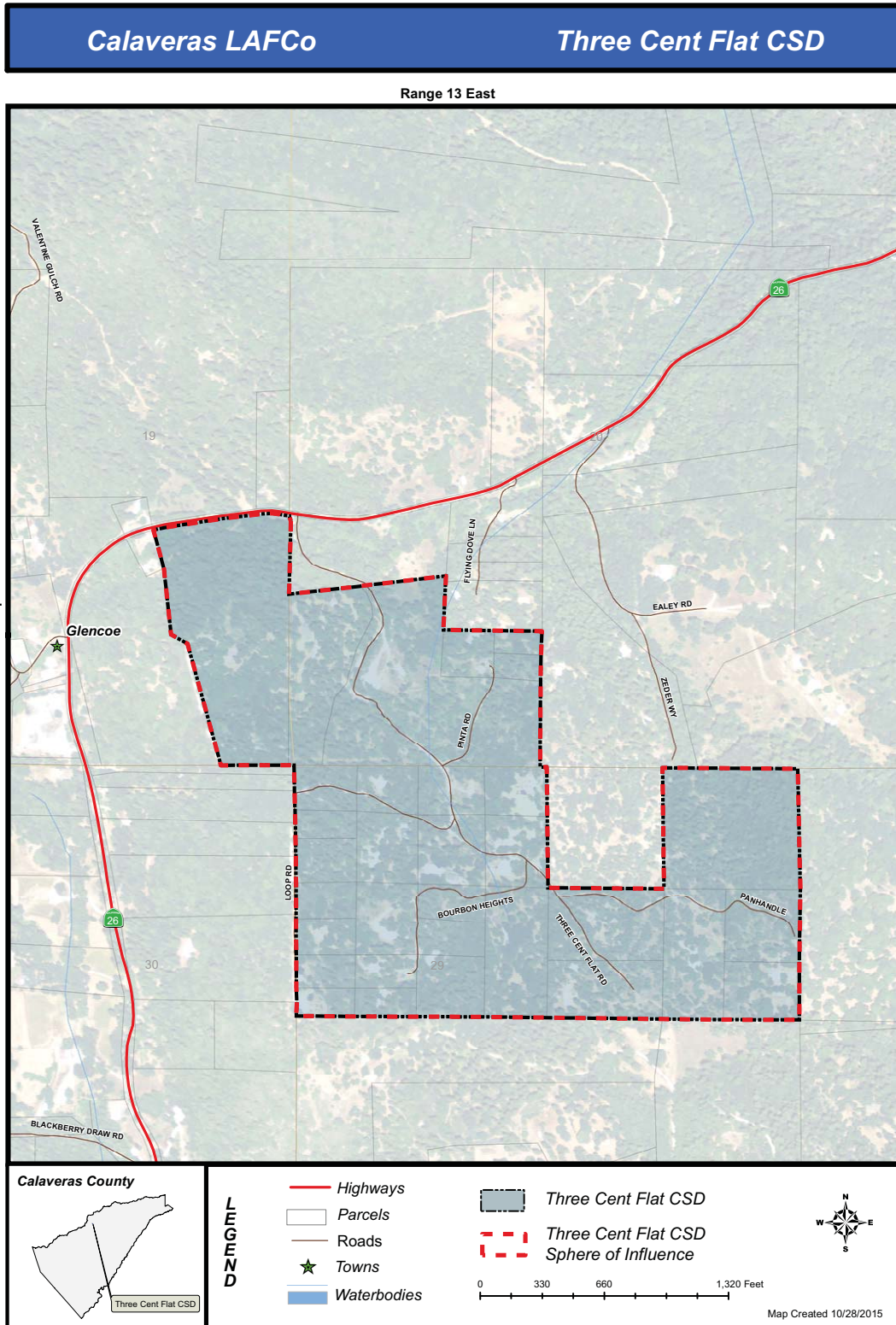
The District's boundaries and current Sphere of Influence are coterminous. In 1984, the District adopted an Ordinance addressing various aspects of TCFCSDs operation including annexation. The Ordinance states that any parcel served by the District's roads, but lying outside the District, shall apply for annexation to the District. Thus far, there have been no reported changes to TCFCSD's SOI, and it has not identified any areas it is interested in annexing into the District.

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<sup>12</sup> Government Code §61000-61226.5.



Figure 8-1: Three Cent Flat Community Services District Boundaries and SOI



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**Accountability and Governance**  
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TCFCSD is governed by an elected five-member board, which is required by California SB 135, Government Codes §61040 and §61041. However, the District reports it only has one Director at present and four vacancies. Meetings are held on an as needed basis every three or four years. The location, date, and time of the meetings is unknown. It is also unknown if the District meets the Brown Act agenda posting requirements.

**Figure 8-2: Three Cent Flat CSD Governing Body**

Three Cent Flat CSD			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Patrick McGreevy	Director	12/01/2022
	Vacant		
	Vacant		
	Vacant		
	Vacant		
<i>Manner of Selection</i>	Elected		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	As needed every 3-4 years		
<i>Agenda Distribution</i>	Unknown		
<i>Minutes Distribution</i>	Unknown		
Contact			
<i>Contact</i>	Patrick McGreevy		
<i>Mailing Address</i>	N/A		
<i>Phone</i>	209-293-2191		
<i>Email/Website</i>	Mcgreevy@volcano.net		

The District states it does not partake in any constituent outreach efforts.

If a customer is dissatisfied with the District’s services, his or her concerns are taken via phone call by the Board’s Director. Individual calls are not tracked and it is unknown how many complaints have been received throughout the last two fiscal years; however, the District states the majority of issues relate to a need for adding gravel or repairing drainage on access roads as well as removing trees blocking district roads.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8 ) was signed into law requiring special districts in California to have websites set up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district’s contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district’s governing body adopts a resolution by majority vote and provides detailed information regarding a hardship

preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California's AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency's website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a "contextual menu," such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an "integrated agenda management platform," meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, TCFCSO does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District establish a website in the interest of garnering public interest in sitting on the Board and participation in district activities.

TCFCSO was accountable in its disclosure of information to the Calaveras LAFCO.

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## Planning and Management Practices

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TCFCSO does not have any paid staff and the Board's current director is the only reported volunteer for the District. The District also does not contract out for its services and does not provide services outside of its boundaries. Therefore, there are no staff evaluations and similarly, the District does not evaluate its own performance.

Aside from abiding by the County's General Plan, the District does not adhere to any planning documents such as capital improvement plans, master plans or strategic plans.

TCFCSO compiles an annual budget, however, the District has never participated in any financial audits. Regular financial audits of special districts are required by state law. It is recommended that the District initiate regular audits every five years to come into compliance with this requirement.

The District's policy is to have two directors to be able to sign checks for expenditures. Given the lack of other board members, the District is unable to meet this policy and pay for supplies etc.

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## Existing Demand and Growth Projections

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Designated land uses within TCFCSO are primarily residential. The land within TCFCSO is partially developed.

### Population

There are 32 parcels within the District. The population of the district is listed as 16 residents and has remained steady over time.

### Existing Demand

Nothing has been identified by the District that impacts demand for road maintenance services within its boundaries.

The District indicates that demand for services has remained constant and that it is capable of meeting the existing demand. Finances for the District are also adequate to meet current service demands.

### Projected Growth and Development

The District anticipates slow growth to continue for the foreseeable future. The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to about 0.3 percent annual growth.

While TCFCSO does not expect any growth in the near future, it anticipates being able to meet demand for any future growth.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas is the County.

The District has never determined the point at which it would become involved with evaluating potential development within TCFCSO. However, the District will need to discuss any potential plans and application for development for the vacant parcels as they occur.

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## Financing

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TCFCSO primarily receives revenue through annual parcel assessments. These assessments are \$100 per year per parcel and do not have a sunset date. The District has no other income sources, such as traffic impact fees.

The District reports its current financing is adequate to provide the level of road maintenance services needed for the District.

The District's FY 19-20 budget transaction sheet shows a beginning equity balance of \$7,142. Revenue for the District included \$3,168 in assessments and \$0.86 in interest.

District expenditures totaled \$4,396 strictly for road maintenance leaving a balance of \$5,915. In contrast, FY 20-21 there was \$3117 in revenue, \$3,116 in assessments and \$1.43 in interest, while road maintenance costs were \$650, leaving a remaining balance of \$8,383.

The District has no known debt.

While the District did not identify any formal or informal reserve strategies, it does maintain a reserve account that would cover approximately two years of operating expenses.

At this time, the District states there are no overarching challenges to financing, however, there are two Directors required to write checks but there is currently only one Director on the Board. In the meantime, money is accruing and unable to be used for District spending, including roadwork services.

## ROAD SERVICES

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### Service Overview

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TCFCSD provides road maintenance services within the District's boundaries. It does not contract out for this work.

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### Facilities and Capacity

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The Three Cent Flat CSD is responsible for maintaining 1.28 miles of road. Roughly one mile of road is gravel while the remaining quarter mile is paved. Sealing has never been done within the District. It is unknown if the District's roads have been graded.

There are no signalized intersections within TCFCSD.

The District owns no facilities and no equipment and it does not participate in any facility sharing practices. Likewise, TCFCSD does not have any paid staff.

The District indicated it has sufficient capacity to provide adequate road maintenance services.

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### Infrastructure Needs

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The District provides its own maintenance on 1.28 miles of road within its bounds. The District reported that maintenance has been deferred and is needed to repair ditches and culverts.

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### Challenges

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TCFCSD has identified two interrelated principal challenges to the efficiency of its District. The primary issue is that access to funds has been restricted. It is the District's policy for two Directors to sign checks in order to spend funds for District service work. However, there is currently only one Director on the Board; therefore, funds have been confined to the District's account, unable to be withdrawn.

The secondary challenge is that constituents grow frustrated with roads that are in disrepair; however, residents have shown no interest in serving on the District's Board.

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### Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. TCFCSO does not make use of a PMS.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where “A” is the best rating and “F” the worst. LOS “E” means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS “F” means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD’s roads. The District does not maintain any formal standards regarding traffic volumes on its roads. It has stated there are no issues with congestion that need to be addressed and also indicated its roads have not been rated.

TCFCSO did not state the condition of its roads to be able to specify its level of service adequacy. The District only reported that maintenance has been deferred and is needed to repair ditches and culverts.

## **THREE CENT FLAT COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ The District currently has 32 parcels with an estimated population of 16.
- ❖ The District anticipates slow growth in population and similarly in service demand within the District in the next few years.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are no disadvantaged unincorporated communities within or adjacent to the District.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ The District provides road maintenance services for 1.28 miles of road within its boundaries.
- ❖ The District states it has the capacity to meet service needs at present and in the future.
- ❖ The District reported that maintenance has been deferred and is needed to repair ditches and culverts.
- ❖ TCFCSO did not state the condition of its roads to be able to specify its level of service adequacy.

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### **Financial Ability of Agencies to Provide Services**

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- ❖ The District reports it has sufficient financial capacity to provide current and future road maintenance services, with at least two year's worth of reserves for operating expenses.
- ❖ The District does generate annual balance transaction sheets, however, there is no formal, detailed budget nor does the District participate in any audits. It is recommended that the District establish a formal annual budget as well as audit



practices. It is likely, a five-year audit would be sufficient based on the size and resources of this District.

- ❖ The Board Director should be in contact with the County Board of Supervisors to discuss the difficulty with accessing the District's checking account based on its current policy of needing two Directors to sign a check. Potentially, the County could aid in appointing additional Board members for the District.

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### Status of, and Opportunities for, Shared Facilities

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- ❖ TCFCSO does not have its own facilities, nor does it take part in shared facility practices.

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### Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ TCFCSO struggles to meet state requirements for an acceptable governance structure that includes five elected Board members. The District currently only has one Director. TCFCSO reported no one has expressed interest in District Board Membership.
- ❖ Over the course of the next year, it is recommended that TCFCSO evaluate the roadblocks to staffing issues. This could involve discussions or meetings with constituents or examining ways to encourage involvement within the District. By the time of the next election cycle at the end of 2022, if the required five-member board is not able to be assembled, it is suggested that the CSD transition into a county service area (CSA) for the benefit of the District. The main advantage of a CSA would be having the full support of a robust governance structure that is understandably needed to make decisions, set policies and procedures, and the availability of resources (physical, staffing, and financial) to conduct needed road maintenance services rather than place a strain on the capabilities of only a few people.
- ❖ The District does not have a website and is, therefore, not in compliance with state mandates. It is recommended that the District establish a website in alignment with SB 929 and AB 2257. Additionally, the website would elevate District transparency, allow for outreach efforts, and could be used for recruitment of new members or volunteers.

## **9. WALLACE COMMUNITY SERVICES DISTRICT**

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Wallace Community Services District (WCSD) provides liquid petroleum gas, road and street light maintenance and repair, and recreational facilities and open space services in the Wallace Lake Estates subdivision. This MSR reviews only road and street light maintenance services provided by the District.

The most recent MSR for the District was completed in 2012. A separate municipal service review and sphere of influence plan was prepared and adopted for the WCSD in February of 2004.

### **AGENCY OVERVIEW**

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#### **Background**

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WCSD was formed on October 29, 1990 to provide water, wastewater, road, streetlight, drainage, front and back gate, walking trails, Wallace Lake (including the dam), and recreational facility maintenance and repair, and garbage collection in Wallace Lake Estates and the unincorporated town of Wallace. In 2012, the District divested its wastewater and water powers and services and designated the Calaveras County Water District as the successor agency.

The principal act that governs the District is the State of California Community Services District Law.<sup>13</sup> CSDs may potentially provide a wide array of services, including water supply, wastewater, solid waste, police and fire protection, street lighting and landscaping, airport, recreation and parks, mosquito abatement, library services; street maintenance and drainage services, ambulance service, utility undergrounding, transportation, abate graffiti, flood protection, weed abatement, hydroelectric power, among various other services. CSDs are required to gain LAFCo approval to provide those services permitted by the principal act but not performed by the end of 2005 (i.e., latent powers).<sup>14</sup>

#### **Boundaries**

WCSD is located near the intersection of SR 12 and Comanche Parkway South, immediately northeast of the unincorporated community of Wallace. The boundaries of WCSD extend easterly from SR 12 to just beyond Wallace Lake, and from just south of Wallace Lake to Comanche Parkway South in the north. The District has a boundary area of

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<sup>13</sup> Government Code §61000-61226.5.

<sup>14</sup> Government Code §61106.

approximately 383 acres or 0.6 square miles. Since its formation there have been no recorded changes to the District's boundaries.

The Wallace Community Services District (WCSD) is located within the northwestern corner of Calaveras County. WCSD is fairly isolated from the remainder of the CSDs in Calaveras County with MRCSD to the east and Circle XX to the southeast.

### *Sphere of Influence*

The District's SOI was last amended in 2012 during the water and wastewater powers divestiture process. At that time no territory was being removed or added to the District's SOI. The amendment was only to divest the wastewater and water services to be assumed by the Calaveras County Water District.

The District's SOI extends beyond the District's boundaries in the north to just beyond SR 12, in the west to the county line, and in the south to just beyond EBMUD Road. The SOI encompasses approximately 1.9 square miles or 1,206 acres.



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**Accountability and Governance**  
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WCSD is governed by an elected five-member Board of Directors who serve four-year terms, in compliance with SB 135. There are currently two vacancies reported which are expected to be filled at the next monthly meeting. Meetings are held at one of two locations within the District. These facilities are rented for \$30 each month.

The District does not have any paid or sworn staff but all members volunteer their time to the District. Therefore, there are no staff evaluations. Likewise, WCSD does not currently have processes in place to evaluate the District’s performance.

**Figure 9-2: Wallace CSD Governing Body**

Wallace CSD			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	Ken Reed	President	12/05/2024
	Eric Baysinger	Director	12/01/2022
	Tim Crews	Director	12/05/2024
	Mike Jones	Director	
	Vacant	Director	
<i>Manner of Selection</i>	Elected , Appointed to vac.		
<i>Length of Term</i>	4 years		
<i>Meetings</i>	Monthly meetings held at a rented location in town		
<i>Agenda Distribution</i>	Posted on the District’s bulletin board.		
<i>Minutes Distribution</i>	Posted on the District’s bulletin board.		
Contact			
<i>Contact</i>	Ken Reed		
<i>Mailing Address</i>	P.O. Box 398 Wallace, CA 95254		
<i>Phone</i>	209-712-3136		
<i>Email/Website</i>	<a href="mailto:Success2104@yahoo.com">Success2104@yahoo.com</a> or <a href="mailto:Kreed@ci.lathrop.ca.us">Kreed@ci.lathrop.ca.us</a>		

If a customer is dissatisfied with the District’s services, his or her concerns may be submitted via email, call, or at a district meeting. Once submitted, a Board member is responsible for handling or escalating the issue. Formally lodged complaints may be logged in meeting minutes; however, less formal concerns are not typically tracked and the repairs are made as needed. Generally, most issues relate to lights that have gone out or problems with the community’s gates. Over the last two fiscal years, the District has registered approximately 14 calls total.

In 2018, the Special District Transparency Act (SB 929, Government Codes §6270.6 and §53087.8) was signed into law requiring special districts in California to have websites set

up by January 1, 2020 in the name of transparency, as required by the Brown Act. The mandate indicates the site must clearly list the district's contact information, agendas, minutes, budgets and financial statements, compensation reports, and other relevant public information and documents. There is an exemption to the law if the district's governing body adopts a resolution by majority vote and provides detailed information regarding a hardship preventing the establishment or maintenance of a website. This resolution must be adopted annually over the duration of the hardship.

Additionally, California's AB 2257 (Government Code §54954.2), enacted in 2016, updated the Brown Act with new requirements governing the location, platform and methods by which an agenda must be accessible on the agency's website for all meetings occurring on or after January 1, 2019. AB 2257 provides two options for compliance. Under the first option, an agency that maintains a website must post a direct link to the current agenda on its primary homepage. The link may not be placed in a "contextual menu," such as a drop-down tab, that would require a user to perform an action to reveal the agenda link. Additionally, the agenda must be: (a) downloadable, indexable, and electronically searchable by common internet browsers; (b) platform independent and machine readable; and (c) available to the public, free of charge and without restrictions that might interfere with the reuse or redistribution of the agenda. Under the second option, an agency may implement an "integrated agenda management platform," meaning a dedicated webpage that provides the necessary agenda information. The most current agenda must be located at the top of the page. Under this option, a direct link to the current agenda does not need to be posted on the homepage; however, the agency is required to post a link to the platform containing the agenda information. Again, this link may not be hidden in a contextual menu.

Currently, WCSD does not have a website listed and is therefore not in compliance with either SB 929 or AB 2257. It is recommended that the District develop a website to come into compliance with these requirements and enhance transparency.

WCSD demonstrated accountability in its disclosure of information and cooperation with Calaveras LAFCo. The District responded to the questionnaires and cooperated with document requests.

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## Planning and Management Practices

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The District consists of a five-member Board of Directors. The District does not have any paid staff. All Board Members are considered volunteers and, therefore, staff workload is not tracked and evaluations are not performed. Similarly, the District does not evaluate the agency's own performance.

There are no long-term contracts for maintenance, however WCSD hires a weed abatement company annually to spray the weeds along the District's streets. An electrical company is also hired to address any issues with streetlights, but this is done on an as needed basis.

Outside of the County's General Plan, WCSD does not abide by any other planning documents. The District does, however, collaborate with an architectural committee to examine potential growth opportunities within WCSD.

The District's financial management practices include audits every two years. It is not known when the most recent audit took place, nor is it known if or how often an annual budget is adopted. The District does not adopt a formal capital improvement plan. WCSD's informal reserve policy is to maintain reserves specifically for future street projects.

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## Existing Demand and Growth Projections

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Designated land uses within WCSD are strictly residential.

### Population

The estimated population in WCSD is unknown but has reportedly remained steady with only two homes being built within the past two years.

### Existing Demand

WCSD has 157 parcels and stated that the land use within the District is almost fully built out. There are a few lots remaining that are owned but not yet developed. At this time, there are no plans for additional development within the District.

The District has not identified anything that would affect current demand such as tourism or seasonal residents. With limited growth expected, the District does not anticipate any increased demand for road maintenance services and financially, there are sufficient funds to be able to meet existing demand.

### Projected Growth and Development

The California Department of Finance projected approximately five percent growth in Calaveras County, as a whole, between 2015 and 2030. This translates to about 0.3 percent annual growth. This slow progression is not expected to notably impact the District, particularly since no future development is planned or possible at this time.

### Growth Strategies

The District is not a land use authority, and does not hold primary responsibility for implementing growth strategies. The land use authority for unincorporated areas is Calaveras County.

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## Financing

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WCSD reported that there is adequate financing to provide the level of service needed throughout the District.

Primary revenue for the District is through property taxes. There are also annual assessments that are periodically increased. WCSD intends to raise these fees within the next two years. The amount of these fees are currently unknown. The District does not, however, utilize traffic impact fees to generate any revenue.

Budget and audit documents were not provided, but based on the County's transaction sheets for WCSD, revenues for FY 19-20 were reported as \$73,458 from direct assessment charges and interest on the account. Expenditures for the District totaled \$60,774 for services and supplies that year.

The District plans for its reserves to be used for any capital projects, although none are anticipated at this time. At the end of FY 19-20, WCSD had a cash balance of \$164,536 and an unrestricted reserve balance of \$151,853.

WCSD states that it does not face any financial challenges and is capable of providing a sufficient level of service throughout its District.



## ROAD SERVICES

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### Service Overview

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The WCSD maintains all streets within the WCSD boundaries. The District has approximately 1.7 miles of streets. These roads were constructed to County standards as specified in the Wallace Lake Estates Subdivision map. Funding for street maintenance is obtained from a parcel assessment applied to the WCSD District Number 1.

The WCSD provides street lighting within the WLE development. Currently, there are 27 streetlights throughout the development. Pacific Gas and Electric Company (PG&E) provides energy and maintenance services for the street lighting system. PG&E bills the WCSD on a flat rate schedule (LS2-C). PG&E provides basic maintenance services such as replacement of lamps and photocells.

In the event that the WCSD expects new streetlights to be added to the system, the associated costs must be borne by the property owner. Maintenance costs are paid by the WCSD from funds received from property assessments.

Additional services the District provides are maintenance and repair work for the District's gates, walking trails, drainage issues, and the Wallace Lake, including the dam. There are no services provided outside the District's boundaries.

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### Facilities and Capacity

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WCSD owns one facility, an office trailer, for District use, which is in fair condition. It is able to meet capacity needs at this time, although the District indicates it will eventually plan to build a new, larger facility that can better accommodate its needs, including space to conduct its meetings. The District owns no equipment and does not take part in any facility sharing practices.

The District has no signalized intersections and its roads are in good condition, having recently completed a slurry seal project and restriping on all the roads in the District's SOI in 2019. No repaving has been needed.

The District does not use a PMS.

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### Infrastructure Needs

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Overall, the District has very few areas in need of attention. The only identified issue is a desire to expand security fences throughout the subdivision.

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## Challenges

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The District indicates it is not facing any challenges at this time. The community is well-maintained in a preventative manner and funds are available if projects or emergencies arise.

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## Service Adequacy

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This section reviews indicators of road service adequacy, including, condition of roadways, deferred maintenance, and congestion.

The condition of street pavement is typically evaluated by local agencies using a Pavement Management System (PMS), which regularly evaluates pavement condition and establishes a cost-effective maintenance strategy. Each segment of pavement is rated for distress (i.e., cracks and potholes) and the extent and severity of distress. Having an up-to-date PMS allows the local agency to quickly and efficiently gauge road maintenance needs and efficiently allocate resources. As was already mentioned, WCSD does not make use of a PMS.

The life cycle of pavement in good condition can be extended through preventative maintenance by applying a thin layer of asphalt mixture, better known as slurry sealing or seal-coating. When pavement is in fair condition—with moderate potholes and cracks—it can be treated with one- to two-inch thick overlays. Pavement with minor structural distress—with significant cracks—often requires rehabilitation, involving grinding of portions of the existing street and application of a thick overlay. Pavement with major structural distress—with extensive cracks—often requires reconstruction involving removal and replacement of the street segment.

Pavement management studies have shown that it is more cost effective to maintain pavement in good condition over its useful life than to let it deteriorate to the point that it requires a major overlay or reconstruction. Deferring maintenance can increase long-term maintenance costs as much as four times greater than a consistent preventative maintenance strategy, according to the Transportation Research Board. Street reconstruction is typically needed once asphalt is 20-35 years old, with the asphalt lifespan depending on the use of preventative maintenance efforts.

Within the past two years, the District's roads have been slurry sealed and restriped.

Traffic congestion is measured based on the daily number of vehicle hours of delay due to congestion. Historically, Level of Service (LOS) analysis has relied upon a conventional perspective of the primary use of public streets by motor vehicles rather than considering all modes of travel, including public transportation, bicycling and walking. LOS on streets and highways is rated on a scale of A-F, where "A" is the best rating and "F" the worst. LOS "E" means significant delays, unstable traffic flow, and rapidly fluctuating speeds and flow rates; LOS "F" means considerable delay with forced traffic flow and speeds dropping to zero. Calaveras County has an adopted minimum standard of LOS C; however, this standard is not applicable to the CSD's roads. The District does not maintain any formal standards regarding

traffic volumes on its roads. It has stated there are no issues with congestion that need to be addressed and also indicated District roads have not been rated.

## **WALLACE COMMUNITY SERVICES DISTRICT DETERMINATIONS**

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### **Growth and Population Projections**

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- ❖ The District currently has 157 residential parcels that are nearly completely developed.
- ❖ Slow growth is expected over the coming years, but there are no significant changes anticipated, nor are there plans or the ability to further build out within the District.

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### **The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI**

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- ❖ Based on the Department of Water Resources disadvantaged communities mapping tool, there are no disadvantaged unincorporated communities within or adjacent to the District.

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### **Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies**

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- ❖ The District provides road services, along with several other maintenance services, across 1.7 miles of streets. The District has been able to provide services as needed which has offered preventative benefits resulting in a well-maintained community.
- ❖ WCSD determined it has sufficient capacity to meet current and future service needs, although no additional development is expected at this time.
- ❖ The District has very few infrastructure needs. Of the two items mentioned, a new office trailer and expanded security fencing throughout the subdivision, the trailer is not currently being planned for as it is not an immediate need. Its present facilities are adequate.

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### **Financial Ability of Agencies to Provide Services**

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- ❖ The District is in a healthy financial position with adequate funds to not only meet capacity but be prepared for unexpected expenses and potential growth.
- ❖ The District has reserves available which would be used for capital projects without the need for financing from outside sources.

- ❖ WCSD receives income from almost entirely from assessments. It does not collect any other fees but is able to raise assessment fees when appropriate to maintain services in comparison to cost increases, for example.

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### Status of, and Opportunities for, Shared Facilities

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- ❖ The District does not take part in any facility sharing practices.

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### Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

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- ❖ The District uses an appropriate and acceptable governance structure of elected and appointed officials in line with the legal requirements outlined in SB 135.
- ❖ WCSD does not have a website and is not in compliance with AB 2257 and SB 929. It is recommended that the District establish a website to meet legal requirements and also allowing for further transparency with the posting of public documents like meeting minutes and agendas, audits, budgets, contact and Board information, as well as offering a chance to take part in outreach efforts for the benefit of its constituents. The website could also further streamline the process for tracking and receiving complaints and service requests through this online resource.