

### ***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.

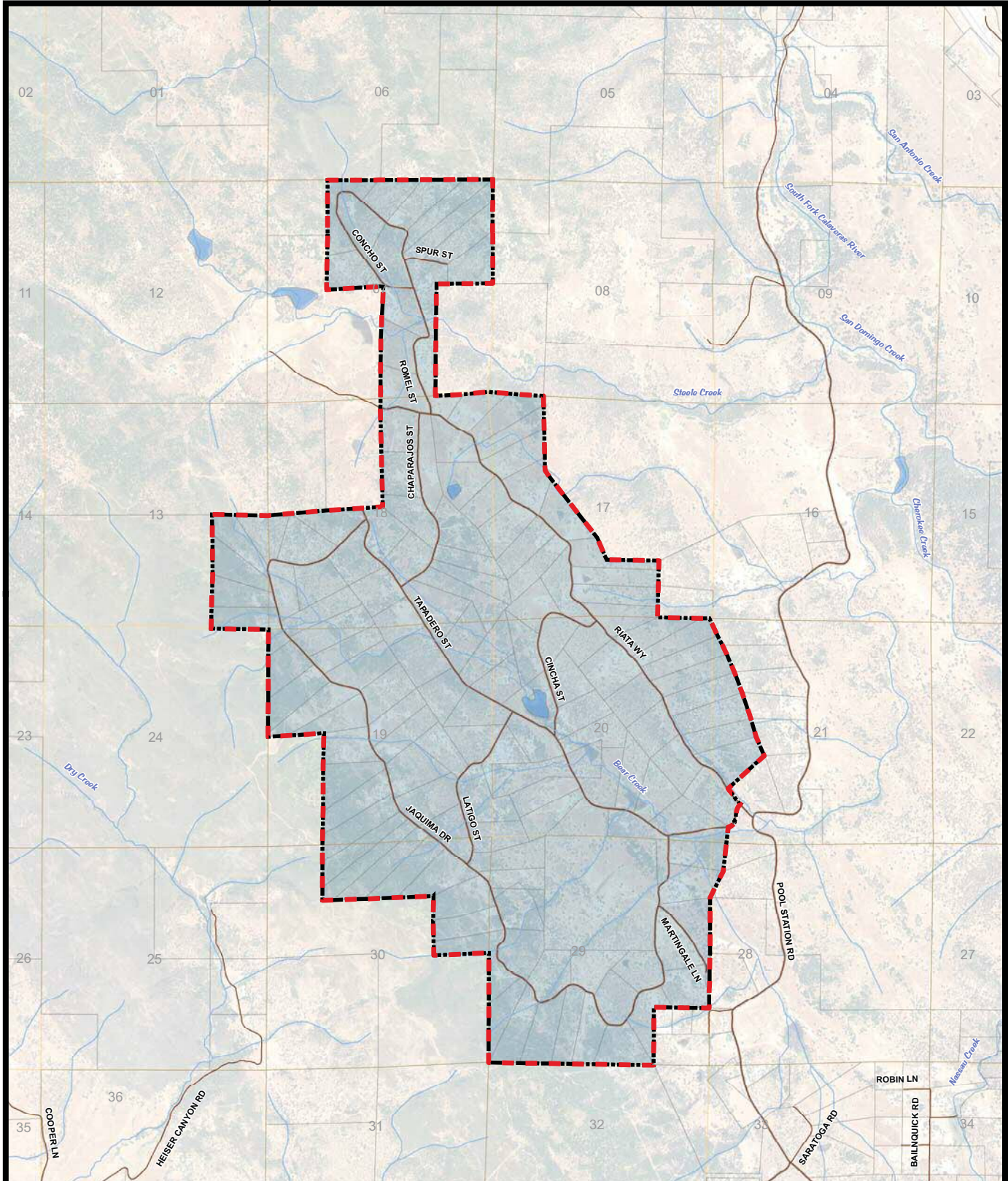
Sphere of Influence

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

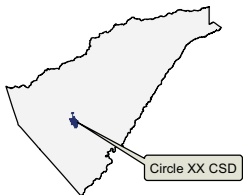
Range 11 East

Range 12 East

Township 3 North



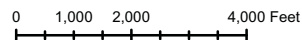
Calaveras County



LEGEND

- Highways
- Parcels
- Roads
- Towns
- Waterbodies

- Circle XX CSD
- Circle XX CSD Sphere of Influence



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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	2022
	Aaron Cole	Director	2024
	Cathey Cothran	Director	2024
	Natalie Haney	Director	2024
	Rick Hill	Director	2022
<i>Manner of Selection</i>	Election		
<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		
<i>Email/Website</i>	Circlexx.specialdistrict.org		

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.