

Circle XX CSD

Historical Information

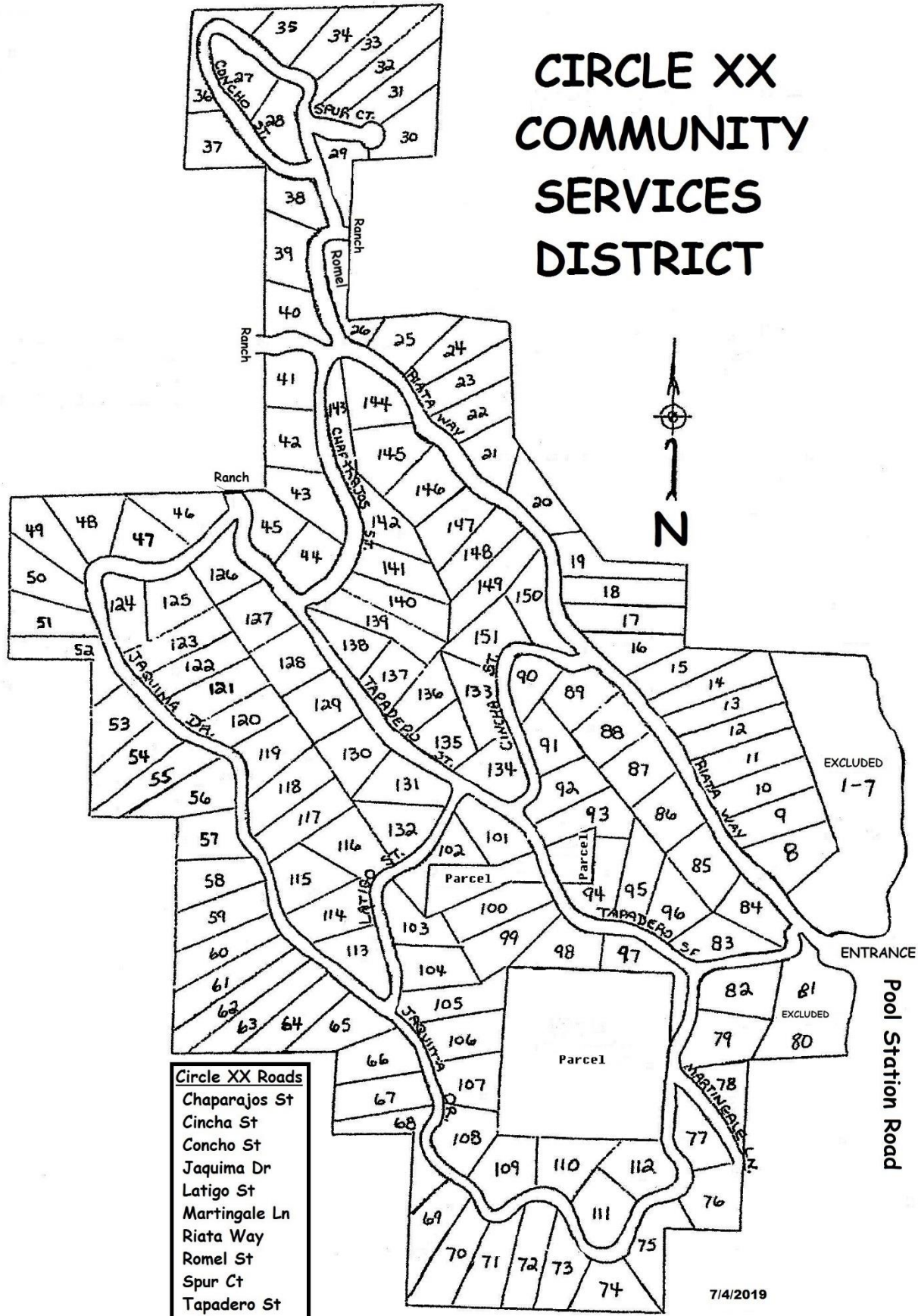
July 16, 2021

Table of Contents

Circle XX Map	3
1968 Feb 19 - Circle XX - original CCR's - Pacific Cascade Land Company - Page 1	4
1980 Circle XX - 1st road tax (\$300 for 4 years).....	6
1981 Board of Supervisors Resolution - Circle XX roads Public but NOT County maintained:	7
1987 12-1 Conversion of Circle XX CSA to a CSD Page 1.....	8
1988 8-22 Formation Circle XX CSD (excluding lots 1 through 7, 80 & 81) Page 1	11
1989 1-23 Board of Supervisors Circle XX CSD Resolution – CSD Formed - Page 1	13
1989 1-23 First Three Circle XX Directors appointed by Board of Supervisors -Page 1.....	16
1989 1-25 Circle XX becomes a Community Services District.....	18
1990 9-2 Circle XX – Resolution to increase Directors from 3 to 5 – Page 1	19
1990 10-7 Recall Targets Resign Circle XX - 2 of 3 Directors Resign	22
1990 10-24 Circle XX Situation Uncertain – with only 1 Director no quorum.....	23
1990 11-14 Supervisors postpone Circle XX Nov election results	24
1992 9-13 Speed Limits Page 1	25
1993 \$300 Road Tax (10 Year \$200,000 Loan) -Page 1	27
1993 Measure A Legislative Analysis -\$200,000 Loan (6 miles of road) Page 1	29
1993 Measure A Election Results - Page 1	31
1993 Voter instruction letter – \$300 Road Tax / \$200,000 Loan	33
1995 6-5 Encroachment onto Circle XX Roads - Page 1	34
1996 12-9 Adoption of Teeter Plan for collecting road tax	38
1998 Sainte Partners agree to pay \$600	39
2003 CSD Survey letter – Loan Paid / Continue \$300 Road Tax -Page 1	40
2003 \$300 Road Tax Board of Supervisors Election Resolution -Page 1	42
2006 County changes policy regarding future maintenance private subdivision roads.....	45
2007 Stallion (Bar XX) - cost for 7 miles of road	46
2007 County sets road fees (tax) for Bar XX (Stallion) /Diamond XX.....	47
2012 April – Letter to Circle XX Property Owners and Residence about Road Tax - Page 1	48
2012 October – \$400 Road Tax Letter to Circle XX Property Owners and Residence.....	53
2012 November – \$400 Road Tax Ballot Measure D.....	54
2012 November – \$400 Road Tax Election Results Page 1	55
2012 November – Meeting minutes & Nov Election Results \$400 Road Tax.....	57
2012 November – Director elections changed to 3 Directors then 2 on Nov of even years.....	58
2019 August – Circle XX Website created.....	60

Circle XX Map

CIRCLE XX COMMUNITY SERVICES DISTRICT



- Circle XX Roads**
- Chaparajos St
 - Cincha St
 - Concho St
 - Jaquima Dr
 - Latigo St
 - Martingale Ln
 - Riata Way
 - Romel St
 - Spur Ct
 - Tapadero St

7/4/2019

UN RECORDED

1968

DECLARATION OF ESTABLISHMENT OF
RESTRICTIONS AND COVENANTS

CC+RS

CIRCLE XX SUBDIVISION

Pacific Cascade Land Company, Inc., the owners of the real property in the County of Calaveras, State of California, herein referred to as Tract 186 and particularly described as follows:

Lots 1 through 133 and lots 135 through 144 and lots 146 through 151 of Tract No. 186 Circle XX according to the Map recorded in Volume J of maps, records of Said County.

hereby certifies and declares that it has established and does hereby establish a general plan for the improvement and development of said Tract and does hereby establish the provisions, conditions, restrictions, and covenants, upon and subject to which all lots in said Tract shall be improved or sold and conveyed as herein provided each and all of which is and are for the benefit of each owner of land in said Tract or any interest therein and shall insure to and bind the respective successors in interest of the present owners thereof, and are and each thereof is imposed upon said Tract, as a servitude in favor of each and every such lot or parcel of land therein, as the dominant tenements as follows: to wit:

RESIDENTIAL AREA COVENANTS

Lots 1 through 133 and lots 135 through 144 and lots 146 through 151 inclusive, shall be for residential purposes together with buildings suitable and necessary for the purposes for which said property is permitted or used and shall be known as RR District. The requirements for the RR District shall be as follows:

(a) That no building to be occupied as a residence with a floor area of less than 400 square feet shall be placed or maintained on said property.

(b) That no building shall be erected nearer to any side line than 30 feet, nor shall be located closer than 30 feet from the front or street line and shall be no closer than 30 feet to the rear line.

(c) That no basement, tent, shack, garage, barn or other outbuildings erected in the Tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence, except as hereinafter provided.

(d) That during the construction of a single family residence, a house trailer may be used as a temporary dwelling; provided, however, that such use of house trailers must be approved in writing by the Architectural Board and the County of Calaveras for a period of time which shall not exceed a total of one (1) year.

(e) Individual sewage disposal systems will be each designed by a person familiar with the latest research in this field and sound principals of engineering and subject to the approval of the Calaveras Health Department.

(f) That pedestrian and equestrian ways shall be reserved where shown on the map and shall be subject to the use of pedestrians, animals and vehicles of all kinds, as to provide reasonable access to and from streets and roads so as to serve the subject parcel and all other parcels in the subdivision.

No house, garage, outbuildings, fence or other structure shall be built, erected, placed or altered on any residential lot on said subdivision unless and until the building plan specifications and plot plan have been reviewed in advance by the Architectural Board, and the same has been approved conditionally or otherwise.

Said review and approval shall include without being restricted to, topography, finish, ground elevations, landscaping, drainage, color, material, design, artistic conformity to the terrain and other residences in the area, and architectural symmetry. Said requirements as to the approval of the architectural design shall apply only to the exterior

-1-

IMPORTANT NOTICE

The copy of this document has been provided to a specific person. The County of Calaveras has a public record of this document. The County of Calaveras has a public record of this document.

248 482

appearances of said improvements. It not being the intent of these restrictions to control the interior layout or design of said structures.

Said Architectural Board will be appointed by Pacific Cascade Land Company, Inc., owners herein, and any party seeking approval therefrom may contact said Architectural Board through the said Pacific Cascade Land Company, Inc.

ENFORCEMENT

If the owners hereto, or their heirs and assigns, or any person or persons firm or corporations deriving title from or through them shall violate or attempt to violate any of the covenants, conditions and restrictions herein, it shall be lawful for any other person or persons, firm or corporation owning real property situated within the bounds of said Tract to prosecute and proceed at law or in equity against such person or persons, firm or corporation, violating or attempting to violate said covenants and restrictions, or any of them and either to prevent them or him from so doing or to recover damages or other such violation.

SEVERABILITY

Invalidation of any of these covenants, conditions and restrictions by judgment or court order, shall in no wise affect any of the other provisions which shall remain in full force and effect.

BREACH OF RESTRICTIONS

Provided further, that a breach of any of the foregoing provisions, conditions, restrictions or covenants, or any re-entry by reason of such breach shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value as to any parcel in said Tract, or any part thereof and any improvements thereon, but said provisions, conditions, restrictions and covenants, shall be binding upon and effective against the owners thereof, whose title thereto is required by foreclosure of any mortgage or deed of trust or otherwise.

IN WITNESS WHEREOF, Pacific Cascade Land Company, Inc., has caused this instrument to be executed by its duly authorized officer this 8th day February, 1968.

PACIFIC CASCADE LAND COMPANY, INC.

by John Spornak
Vice President

ATTEST:

[Signature]

1332

248 482

INDEX

RECORDED AT REQUEST OF
[Signature]
AT THE COUNTY CLERK'S OFFICE
SANTA BARBARA COUNTY, CALIF.
FEB 19 1968

Bar P. Leonard
COUNTY CLERK

Homeowners Get Board OK To Vote On Special Road Tax

SAN ANDREAS - Although divided in their views on how to finance repair of roads in their subdivision, Circle XX homeowners will vote July 1 on adoption of a proposed road improvement fee.

County supervisors, ignoring the arguments of an attorney who said a majority want the improvement fee established by a court appointed arbitrator, set the election as re-

quested by Earl Lewis, chairman of the Circle XX Owners Committee.

Under the proposal as put forth by the committee, and amended slightly by the supervisors, the resident home owners will ballot on a proposal that each property owner pay a \$300 annual exaction fee for a period of four years.

This, according to Lewis, will raise \$46,500

per year from the 155 lots involved.

Cost of the road repairs have been set at upward of \$154,000.

There presently are 47 persons living in Circle XX who are registered to vote in Calaveras County.

However, attorney William Wolfson, of Angels Camp, told the supervisors that 28 of those 47 would rather have the exaction fee set by an arbitrator.

An arbitrator, according to Wolfson, would establish each property owner's fee on the basis of road frontage, lot location, and possibly, even on the type of vehicle each drove.

But, the supervisors voted 3-0 in favor of going to election after Wolfson challenged the right of Supervisors Ron Richards and Nancy Whittle to vote on the issue because of their possible personal feelings or involvement.

Wolfson is a campaigner for election of Richards to Congress, and thus, he said because of their close ties, Richards should not vote. He gave no clear reason as to why Mrs. Whittle should not have voted.

In all there are 15.6 miles of private road in the Circle XX subdivision, which is encompassed within County Service Area No. 3.

Supervisor Miller, in approving the move for an election, stipulated that if the issue is approved by the Circle XX voters, they must pay the \$400 cost of the election. In addition, he stipulated that the exaction fee be assessed for only four years, and after that time, it automatically cease. "If they want to continue it, they can hold another election at that time," he said.

In similar action during the Board's afternoon session, the supervisors approved a resolution setting an election on July 1st for residents of County Service Area No. 4, Diamond XX to vote on a special tax for road improvement and maintenance for their area.

Subdivision Road Improvement Fee Vote Scheduled in Calaveras

SAN ANDREAS - Despite the protest of some individuals, property owners in Circle XX subdivision will vote July 1 on adoption of a proposed road improvement fee. The Circle XX subdivision which lies between San Andreas and Copperopolis, is encompassed by County Service District No. 3, and is served by private roads.

Calaveras County Supervisors Monday, acting on the recommendation of a home owners committee headed by Earl Lewis, agreed that the election should be held.

The property owners who are registered to vote here will decide if an exaction fee of \$300 is to be collected annually for four years from each property owner to pay for road im-

provements in the subdivision. Since there are 155 lots in the subdivision, the funds would amount to \$46,500 per year.

Attorney William Wolfson, of Angels Camp, who said he represented a group of the property owners, argued against the election. He said those he represented would rather have a court appointed arbitrator set the fee. In this way, he said, each owner's fee would be established on basis of road frontage owned, lot location and possibly, even on the type of vehicle the person owned.

But, the supervisors voted that the election should be held, stating they felt it was the most democratic process.

Monday, April 28, 1980

14 STOCKTON RECORD

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BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA
JULY 27, 1981

RESOLUTION
NO. 81-334

A RESOLUTION ACCEPTING CERTAIN ROADS FOR PUBLIC USE

WHEREAS, certain roads were offered for dedication to public use during the formation of subdivisions, and,

WHEREAS the Board of Supervisors did reject or postpone acceptance on behalf of the public those roads until they were improved as required by Ordinance, and,

WHEREAS, certain of these roads were subsequently improved and accepted by the Board of Supervisors into the County Maintained System and,

WHEREAS, other roads were neither improved to county standards or accepted;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors that those offers of dedication in County Service Areas #1, (Rancho Calaveras), #2 (Bar XX), #3 (Circle XX), #4 (Diamond XX), #5 (Campo Seco Estates), and #6 (La Contenta), which have not previously been accepted on behalf of the public by the Board are now accepted by the Board of Supervisors for public use; however, said roads will not be maintained by the County until they are improved to county standards and accepted into the County maintained road system by Resolution of the Board of Supervisors.

ON A MOTION by Supervisor HODGSON, seconded by Supervisor WISTOS, the foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Calaveras, State of California, this 27th day of JULY, 1981, by the following vote:

- AYES: LODATO, KUEHL, HODGSON, TAYLOR, WISTOS
- NOES: NONE
- ABSENT: NONE

COUNTY OF CALAVERAS

PLANNING DEPARTMENT,
891 Mountain Ranch Road
Government Center
San Andreas, CA. 95249
(209) 754-6394
Office Hours: weekdays
8:00 a.m. to 3:30p.m.

December 1, 1987

TO: Ted Pederson
Jeff Tuttle

FROM: Brent Harrington BA

sent 12-3-87

SUBJECT: Conversion of the Circle XX CSA to a CSD

When we met on November 10, we agreed to the following:

1. Planning/LAFCO will determine the type of application and the process that will be needed.
2. Public works will act as the "applicant" for the purpose of assembling the necessary application information and to better control changes to the CSA's funds. Public Works will review whether staff has time to do the necessary work or if the work should be subcontracted.
3. County Counsel will determine what can be rightfully charged to the CSA for this conversion, and Jeff will contact Mr. Snyder to respond to his comments from the Board meeting.

As part of our review, we've determined the following:

1. PROCESS. The process is a "reorganization" (§56073) involving dissolution of the County Service Area (§56035) and formation of a Community Services District (§56039).
2. INITIATION. To initiate requires two petitions: one to dissolve the CSA, and the other to form the CSD.
 - a. Dissolution of the CSA. A petition meeting the requirements of §56700 et seq must be submitted with signatures of at least five percent of the registered voters (§56071). This means that the Board of Supervisors cannot initiate the dissolution.
 - b. Formation of the CSD. A petition meeting the requirements of §61102 with signatures as required in §61103 representing at least ten percent of the registered voters.
 - c. When a formation is included in the reorganization, the signature requirements for dissolution are changed to also be the same as the requirements for formation. (§56671(b)), i.e. ten percent.

- d. As explained by Mr. Snyder at his Board of Supervisors appearance and in a meeting with Eric and me prior to that, their goal is to drop 6+ lots that are now part of CSA, and to add area that is not currently part of the CSA. With this two step petition process, this can be done. The new CSD should start with the boundaries that Mr. Snyder wants.
3. FILING THE PETITION(S). There is a conflict in the law. The CSD Act (enacted in 1955) requires that its petition be filed with the Board of Supervisors (§61104). Cortese-Knox requires that the petition be filed with the executive Officer of the Local Agency Formation Commission. (§56651) However, §56100 says that Cortese-Knox is the sole and exclusive authority. My interpretation would be that with the exception of signature and petition content in §§61102 and 61103, the CSD initiation proceedings should generally be ignored. This outline is based on that interpretation.
4. CONTENTS OF THE PETITION(S). The content requirements are clearly stated in §56700. Jeff should review and approve the petitions before they are circulated.
5. CONDITIONS ON THE PETITION. It would seem reasonable that the conditions on the petition include:
- a. Following final accounting, the assets of the CSA will be transferred to the CSD.
 - b. The size and method of seating the Board of Directors. (Snyder said something about having the Board appoint some to two year terms and others to four year terms.) CSD law requires that the selection be made by lot (§23506(c)).
 - c. The amount of the initial assessment, its period of time to be in effect, and its use.
 - d. A sphere of influence should be adopted as part of the initial establishment of the CSD. As I remember, Mr. Snyder indicated that there was land that derived access through Circle XX, but hadn't been developed yet. They did not want to have the land as part of the CSD now, but would want it in the future if it were to be developed.
6. OTHER REQUIREMENTS OF APPLICATION. A plan for service should be required. Its contents are specified in §56653. A plan for services is not mandatory for a petition submittal, only when the proposal is generated by a local agency. However, if the ultimate goal is to make the CSA, the proponent in order to pay for the proceedings, I would urge the plan as a technical protection in the event of litigation.
7. REORGANIZATION PLANS. (§56475 et seq) It appears that a plan for reorganization (defined §56073) is required. I am not sure of the context because we have never had a reorganization like this.

I will have to follow up on this item.

8. SUBMITTING THE PETITIONS. The signatures must be collected within six months of the first signature, and submitted within 60 days of the collection of last signature. (\$56705)
9. FEES. The LAFCO application fee will be \$750.00. The Board of Equalization fee will be \$1700-\$2000.00. The application fee must be submitted with the application. The BOE fee isn't paid until later, but we must remember to budget for this expense.
10. PROPERTY TAX EXCHANGE. Because of the formation, the exchange is different than for an annexation. LAFCO makes the determination. This is set forth in §56842. The exchange need not be completed prior to application submittal.
11. APPLICATION PROCESS. After submittal to LAFCO, the various items are processed as usual. Hopefully I'll have staff on board by then that can expeditiously process the application materials.

I recommend that we meet as a group to decide where to go from here, and to get back to Mr. Snyder. Ted, since you'll be the "applicant", would you please set up a meeting?

CC: ~~Jack Burns~~

BOARD OF SUPERVISORS
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
AUGUST 22, 1988

RESOLUTION
NO. 88-349

A RESOLUTION OF APPLICATION BY COUNTY SERVICE AREA #3
(CIRCLE XX) REQUESTING LOCAL AGENCY FORMATION COMMISSION TO
TAKE PROCEEDINGS PURSUANT TO THE LOCAL GOVERNMENT REORGANI-
ZATION ACT OF 1985

RESOLVED, by the Board of Supervisors acting as the Board of Directors of the County Service Area #3 (Circle XX), that the County Service Area (CSA) #3 (Circle XX) be reorganized into a Community Services District (Circle XX) and that the boundary of the Community Services District (Circle XX) not include lots 1 through 7 nor 80 nor 81, and

WHEREAS, the County Service Area #3 (Circle XX) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 1985, Title 7, Division 3, commencing with Section 56000 of the California Government Code for the reorganization, and

WHEREAS, the territory proposed to be reorganized is inhabited and a description of the boundaries of the territory is set forth in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the sphere of influence of the affected district, and

WHEREAS, it is desired to provide that the proposed district be subject to the following terms and conditions: that lots 7 and 80 not be granted access to Community Services District Roads (Riata Way & Tapadero Street), and

WHEREAS, the reasons for this proposed reorganization are as follows: to allow local control over the road maintenance and improvement.

RESOLUTION NO. 88-349

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Board of Directors of the County Service Area #3 (Circle XX), State of California, and the Local Agency Formation Commission of the County of Calaveras, State of California, is hereby requested to take proceedings for the reorganization of territory as described in Exhibit A, according to the terms and conditions stated above and in the manner pursuant to Chapter 4, commencing with section 56800, the Cortese-Knox Local Government Reorganization Act of 1985.

ON A MOTION by Supervisor BURNS, seconded by Supervisor HARRIS, the foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Calaveras, State of California, this 22 day of AUGUST, 1988, by the following vote:

AYES: SUPERVISORS BURNS, TAYLOR, HARRIS, SILVEIRA AND TRYON

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Thomas M. Tryon
Chairman, Board of Supervisors

ATTEST:

Nedie Jackson
County Clerk and Ex-Officio Clerk
to the Board of Supervisors,
County of Calaveras, California

csa/csd

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BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA

JANUARY 23, 1989
(Date)

RESOLUTION NO. 89-27 RESOLUTION ORDERING DISSOLUTION OF
COUNTY SERVICE AREA NO. 3
AND FORMATION OF CIRCLE XX
COMMUNITY SERVICES DISTRICT

WHEREAS, on August 22, 1988, the Board of Supervisors of the County of Calaveras adopted Resolution 88-349 requesting the Local Agency Formation Commission to commence proceedings for the dissolution of County Service Area No. 3 and the formation of Circle XX Community Services District; and

WHEREAS, on November 30, 1988, the Local Agency Formation Commission of the County of Calaveras adopted its Resolution No. 88-04, making determinations and approving the proposed reorganization consisting of the dissolution of County Service Area No. 3 and the formation of the Circle XX Community Services District; and

WHEREAS the Board of Supervisors of the County of Calaveras adopts this Resolution approving the reorganization described above pursuant to the authority contained in Government Code Section 57082; and

WHEREAS the Local Agency Formation Commission has designated the Calaveras County Board of Supervisors as the "Conducting Authority" for this reorganization;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Calaveras as follows:

1. The Board finds that no oral or written protests to the proposed reorganization have been received.

Resolution 89-27

1 2. The reorganization consisting of the dissolution of
2 County Service Area No. 3 and the formation of Circle XX Com-
3 munity Services District is hereby approved.

4 3. The territory to be included within the Circle XX
5 Community Services District is described in Exhibit A, attached
6 hereto.

7 4. Circle XX Community Services District shall be the
8 name of the Community Services District formed hereunder.

9 5. This reorganization is approved by the Board of
10 Supervisors upon all the terms and conditions of the Local
11 Agency Formation Commission, which are incorporated herein by
12 this reference.

13 6. The reason for the reorganization hereby approved is
14 to allow the residents of County Service Area No. 3 to be
15 governed by their own elected Board of Directors to improve
16 efficiency of road improvement and maintenance.

17 7. The Circle XX Community Services District shall use
18 the regular County Assessment Roll.

19 8. The territory constituting the Circle XX Community
20 Services District will not be taxed for existing general bonded
21 indebtedness of any agency whose boundaries are changed hereby.

22 9. The Board of Supervisors, as the Board of Directors
23 of County Service Area No. 3, unanimously consents to the disso-
24 lution of County Service Area No. 3.

25 10. A certified copy of this Resolution shall be sent to
26 the Executive Officer of the Local Agency Formation Commission
27 for examination and issuance of a certificate of completion
28 pursuant to Government Code Section 57201.

Resolution 89-27

1 ON A MOTION by Supervisor Dell'Orto, seconded
 2 by Supervisor Taylor, the foregoing Resolution was
 3 duly passed and adopted by the Board of Supervisors of the
 4 County of Calaveras, State of California, this 23rd day of
 5 January, 1989, by the following vote:

- 6 AYES: Supervisors Taylor, Dell'Orto, Harris,
 7 NOES: None
 8 ABSENT: None
 9 ABSTAINED: None

10 /s/ THOMAS M. TRYON
 Chairman, Board of Supervisors

11 ATTEST:
 12 /s/ NADINE JACKSON
 13 County Clerk & Ex Officio Clerk
 14 of the Board of Supervisors of
 the County of Calaveras, California

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STATE OF CALIFORNIA)
) SS
 County of Calaveras)
 I, NADINE JACKSON, County Clerk and Ex-
 Officio Clerk of the Board of Supervisors of the
 County of Calaveras, do hereby certify that the
 within and foregoing and certifying of a portion of the
 resolution of said Board of Supervisors of
 the County of Calaveras, State of California, is
 a true and correct copy of the original of
 said resolution.
 Witness my hand hereunto set
 and the seal of said County to be
 signed this 27th day of Jan, 1989
 NADINE JACKSON, County Clerk
 By Mary Jane Stiffra Deputy

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA

JANUARY 23, 1989
(Date)

RESOLUTION
NO. 89-28

RESOLUTION APPOINTING DIRECTORS
TO CIRCLE XX COMMUNITY SERVICES DISTRICT

WHEREAS, on January 23, 1989, the Board of Supervisors of the County of Calaveras, acting as the conducting authority, held a hearing pursuant to Government Code Sections 57050, et seq., to consider the formation of the Circle XX Community Services District; and

WHEREAS no protests were received at said hearing, and the formation of Circle XX Community Services District was approved by the Board of Supervisors without election; and

WHEREAS the Circle XX Community Services District is to be governed by its own Board of Directors; and

WHEREAS a petition signed by residents of the Circle XX Community Services District nominating three people for appointment as members of the first Board of Directors has been submitted to the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Calaveras that the following three Directors are appointed as the governing body of Circle XX Community Services District:

1. James T. Newman;
2. Charles E. Snyder; and
3. August W. Walters.

RECEIVED

FEB 8 1989

CALAVERAS COUNTY
DEPT. OF PLANNING

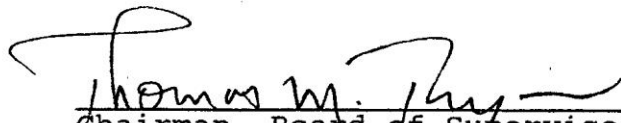
BE IT FURTHER RESOLVED that the terms of the above-named Directors be determined by lot, with the term of two directors


1 to be until noon on the last Friday of November, 1991; and the
2 term of the remaining director to be until noon on the last
3 Friday of November, 1989. Thereafter, all directors shall be
4 elected to staggered four-year terms.

5 ON A MOTION by Supervisor Dell'Orto, seconded by
6 Supervisor Taylor, the foregoing Resolution was duly
7 passed and adopted by the Board of Supervisors of the County of
8 Calaveras, State of California, this 23rd day of January,
9 1989, by the following vote:

- 10 AYES: Supervisors Dell'Orto, Taylor, Harris, Silveira
and Tryon
- 11 NOES: None
- 12 ABSENT: None
- 13 ABSTAINED: None

14
15 ATTEST:


Chairman, Board of Supervisors

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17 
18 County Clerk & Ex-Officio Clerk
19 of the Board of Supervisors of
20 the County of Calaveras, California
21



CERTIFICATE OF COMPLETION

Pursuant to Government Code Section 57200, this Certificate is issued by the Executive Officer of the Local Agency Formation Commission of Calaveras County, California.

1. The short-form designation, as determined by LAFCo, is a dissolution of County Service Area #3 and formation of Circle XX Community Services District

2. The name of each district or city involved in this change of organization or reorganization and the kind or type of change of organization ordered for each city or district are as follows:

<u>City or District</u>	<u>Type of Change of Organization</u>
<u>County Service Area #3</u>	<u>Circle XX Community Services District</u>
_____	_____
_____	_____

3. The above listed cities and/or districts are located within the following county(ies):
Calaveras

4. A description of the boundaries of the above cited change of organization or reorganization is shown on the attached map and legal description, marked Exhibit A and by reference incorporated herein.

5. The territory involved in this change of organization or reorganization is
inhabited
(inhabited/uninhabited)

6. This change of organization or reorganization has been approved subject to the following terms and conditions, if any: None

7. The resolution ordering this change of organization or reorganization without election, or confirming an order for this change after confirmation by the voters, was adopted on January 23, 1989 by Calaveras County Board of Supervisors.

I hereby certify that I have examined the above cited resolution, including any terms and conditions, and the map and legal description and have found these documents to be in compliance with LAFCo Resolution No. 88-04, adopted on November 30, 1988.

Dated: January 25, 1989

Mary Dunning
Acting, Executive Officer

BOOK **918** PAGE **183**

1 BOARD OF DIRECTORS, CIRCLE XX COMMUNITY SERVICES DISTRICT
2 COUNTY OF CALAVERAS, STATE OF CALIFORNIA
3 SEPTEMBER 2, 1990

3 RESOLUTION RESOLUTION ACCEPTING CERTIFICATION OF THE INITIATIVE
4 NO. 90-6 PETITION RE INCREASE IN THE BOARD OF DIRECTORS OF THE
5 CIRCLE XX COMMUNITY SERVICES DISTRICT AND CALLING A
6 SPECIAL ELECTION

6 WHEREAS, attached hereto and made a part hereof and marked "Exhibit A"
7 is the Certificate of Sufficiency of the Initiative Petition re Increase in the
8 Board of Directors of the Circle XX Community Services District, County of
9 Calaveras, State of California, by Nadine Jackson, County Clerk, and as
10 required by Section 5153(e) of the Elections Code; and

11 WHEREAS, said petition contains a request that the ordinance be
12 submitted immediately to a vote of the people at a special election; and

13 WHEREAS, pursuant to Section 5154 of the Elections Code, the district
14 board is required to immediately order that the ordinance be submitted to the
15 voters without alteration; and

16 WHEREAS, pursuant to Section 61210 of the Government Code, it is
17 required that at the time of submitting such a proposition an election shall
18 be held to select two persons to serve as directors in the event that the
19 proposition is adopted; and

20 WHEREAS, pursuant to Section 1340 of the Elections Code, it is
21 determined that the election may be conducted as an all mailed ballot election.

22 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Circle
23 XX Community Services District as follows:

24 1. That the Certificate of Sufficiency of the Initiative Petition re
25 Increase in the Board of Directors of the Circle XX Community Services
26 District, is hereby accepted.

27 2. That a special election shall be called on December 11, 1990 for the
28 purpose of voting on the proposition as set forth in Exhibit "B" attached

Resolution No. 90-6

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hereto and made a part hereof and to select two persons to serve as directors in the event that the proposition passes.

3. That the polls shall close at 5:00 p.m., December 11, 1990.

4. That the special election shall be conducted as an all mailed ballot election.

5. That the County Clerk is hereby requested to conduct the special election and shall be reimbursed by the Circle XX Community Services District for expenses incurred in conducting the election.

ON A MOTION by Director Newman, seconded by Director Kastner, the foregoing Resolution was duly passed and adopted by the Board of Directors of the Circle XX Community Services District, County of Calaveras, State of California, this 2nd day of September, 1990, by the following vote:

AYES: Directors Snyder, Newman and Kastner

NOES:

ABSENT:

ABSTAINED:

Charles E. Snyder
Chairman, Board of Directors

ATTEST:

Janet F. Munro
Secretary

EXHIBIT "B"

Whereas the Board of Directors of the Circle XX Community Services District shall be increased from three members to five members.

EXHIBIT "A"

CLERK'S CERTIFICATE TO INITIATIVE PETITION

I, Nadine Jackson, County Clerk of the County of Calaveras, State of California, hereby certify;

That the Initiative Petition to Increase the Board of Directors of the Circle XX Community Services District has been filed with this office on August 6, 1990;

That said petition consists of 9 sections;

That each section contains signatures purporting to be the signatures of qualified electors of this county;

That attached to this petition at the time it was filed was an affidavit purporting to be the affidavit of the person who solicited the signatures, and containing the dates between which the purported qualified electors signed this petition;

That the affiant stated his or her own qualifications, that he or she had solicited the signatures upon that section, that all of the signatures were made in his or her presence, and that to the best of his or her knowledge and belief each signature to that section was the genuine signature of the person whose name it purports to be;

That after the proponent filed this petition I verified the required number of signatures by examining the records of registration in this county, current and in effect at the respective purported dates of such signing, to determine what number of qualified electors signed the petition, and from that examination I have determined the following facts regarding this petition:

- 1. Number of unverified signatures filed by proponent (raw count) 24
- 2. Number of signatures verified 9
 - a. Number of signatures found SUFFICIENT 9
 - b. Number of signatures found NOT SUFFICIENT 0

That the number of signatures required to call a special election is 9, that there is a sufficient number of valid signatures on the petition to necessitate the calling of a special election.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 13th day of August, 1990.

Nadine Jackson, County Clerk

By *Richard L. Smith*
Deputy

(SEAL)

Recall targets resign

10/17/90

Circle XX

Two members of the three member board of the Circle XX Community Service District have resigned.

The two members, James Newman and Charles Snyder, were targets of a recall election scheduled for the November ballot to remove them from the board.

According to Newman, he and Snyder chose to resign from the board amid controversy over their administration of the dis-

trict.

Remaining board member Jack Kastner pointed out, in response to speculation that his fellow board members' resignations were due to some complaints about recent roadwork done in the area, that the recall was initiated before the roadwork was ever completed.

Running for the open seats on the board are Lloyd Jordan and Leon "Bill" Tinson. If elected, the two will take their seats in November.

10-24-90

Circle XX situation uncertain

Copperopolis

The small Circle XX community service district near Copperopolis may have a complete board of directors by the end of the year, if the Board of Supervisors cooperate and if the voters can understand what's going on.

The November 6 ballot includes the recall of two board members; however those two members have since resigned.

The November ballot also includes two candidates to replace those being recalled.

The county elections office is uncertain at this point what exactly the passage or failure of the recall would mean, if anything.

One thing is certain. Since it's a three member board that currently has only one member, the district is at a standstill until at least one more member is added. Without a quorum, the remaining member cannot conduct any business, including signing checks.

It appears the likely solution is for the Board of Supervisors to appoint one member. The two-member board could then ap-

point a third member.

Voters will have the opportunity in December to see that this set of circumstances doesn't occur again.

A special mail-in election is scheduled for December 11 to determine if the board should be expanded to five members.

Voters must first vote yes or no on expanding the board, and then select two of five candidates to fill the additional positions in the event they are added.

The five candidates for the expansion positions are J.C. "John" Engstrom, who lists his occupation as a motor carrier specialist; Mary Dean, small farmer; James "Jim" Read, advertising; Ernest M. Hill, retired; and Chris J. Brodehl, printer.

The one current member of the board is Jack Kastner.

James Newman and Charles Snyder, the targets of the recall, have resigned from the board, and Lloyd Jordan and Leon "Bill" Tinson are listed on the November ballot as candidates to replace them.

11-14-90
Supes postpone Circle XX decisions

San Andreas

The Calaveras County Board of Supervisors voted to postpone any decisions concerning the Circle XX Community Service District until the County Clerk certifies the election of two new board members who appeared on the November ballot.

Currently, only one person still sits on the three member board, rendering it powerless to make any decisions.

Supervisor Mike Dell'Orto asked the board to appoint a second person to serve on the district board until the election results can be sorted out, thus

allowing the district to become operational.

James Newman, one of the original board members recalled in the November election, requested that the results be thrown out even if the election is certified because he doesn't feel residents of Circle XX were given proper notification of the open positions on the board and that current representation would be "one-sided."

Leon Tinson, one of the two who ran for the open seats, stressed the importance of the supervisors appointing "anyone"

so that work can be continued in the area.

Before voting on a continuance of the matter, Supervisor David Silveira commented that he saw the Circle XX situation as a "tragedy" because \$6,000 of the district's road maintenance fund was spent to form a district that "can't even get along with themselves."

A motion was made by Dell'Orto and seconded by Supervisor Tom Taylor to continue the discussion until the next meeting. The motion passed by a 4-1 vote with Silveira voting no.

1 CIRCLE XX COMMUNITY SERVICES DISTRICT

2 Resolution #92-0 SEPTEMBER 13, 1992

3
4 RESOLUTION ACKNOWLEDGING PRIMA FACIE SPEED LIMITS
AND PROVIDING FOR POSTING OF SPEED LIMIT SIGNS

5
6 WHEREAS, California Vehicle Code Section 22352(a)(2) pro-
7 vides for a maximum speed of 15 miles per hour within 100 feet of
8 an intersection where the driver does not have a clear and unob-
9 structed view of the intersection and of traffic in all directions
10 within 100 feet of the intersection, and where the intersection
11 is not regulated by traffic control signs or devices; and

12 WHEREAS, California Vehicle Code Section 22352(b)(1) pro-
13 vides for a maximum speed of 25 miles per hour in any business or
14 residence district other than on a state highway;

15 NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of
16 the Circle XX Community Services District that, in accordance with
17 California Vehicle Code Section 22352, the maximum speed limit
18 within the Circle XX Community Services District shall be 25 miles
19 per hour, except within 100 feet of an unregulated, obstructed
20 intersection, where the maximum speed limit shall be 15 miles per
21 hour.

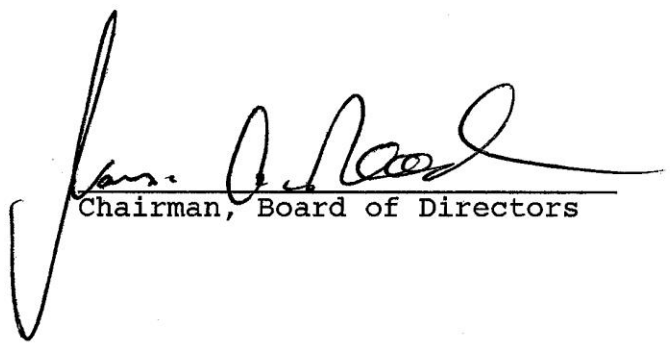
22 BE IT FURTHER RESOLVED that the General Manager of the
23 Circle XX Community Services District is authorized to implement
24 this Resolution by posting applicable speed limit signs and by
25 other appropriate means, and is further authorized to enforce this
26 Resolution as provided by law and in conjunction with appropriate
27 law enforcement agencies.

28 BE IT FURTHER RESOLVED that this Resolution shall take
effect upon its adoption.

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ON A MOTION by Mr. Eric Hill —, seconded by
Mr. Kastner, the foregoing Resolution was duly
passed and adopted by the Board of Directors of the Circle XX
Community Services District this 13th day of September, 1992 by
the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAINED: 0


Chairman, Board of Directors

CIRCLE XX COMMUNITY SERVICES DISTRICT

April 18, 1993
(Date)

RESOLUTION NO. 93-3 RESOLUTION TO SET THE ANNUAL ASSESSMENT FEE AT \$300.00 FOR A PERIOD OF TEN YEARS

WHEREAS, The Circle XX Community Services District plans to borrow funds to complete road improvements in the District, and to repay those funds over ten years using revenue received from annual road improvement and maintenance assessments; and

WHEREAS, The General Manager has determined that the current annual assessment of \$200.00 is insufficient to repay the contemplated debt over ten years; and

WHEREAS, The General Manager has determined that an annual assessment of \$300.00 would be sufficient to repay the contemplated debt over ten years; and

WHEREAS, The Board of Directors finds it necessary and in the best interest of the District to change the annual assessment amount in 1993, one year in advance of the schedule set forth in the Board's Resolution #89-1; and

WHEREAS, The Board finds that proper notice and opportunity for public input have been provided with regard to this matter.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Circle XX Community Services District that beginning with the Fiscal Year 1993/94 and continuing for a period of ten years, the annual assessment fee shall be \$300.00 per lot and single accessory dwelling unit.

BE IT FURTHER RESOLVED that the annual assessment fee shall apply to all lots located in the Circle XX Subdivision

1 except for Lots #1 through #7 and #80 and #81, but including
2 Assessor's Parcel Nos. 52-010-33, 52-010-03, and 52-010-40

3 BE IT FURTHER RESOLVED that if the proposal to borrow funds
4 to complete road improvements is not approved by a majority of
5 qualified electors at a Special Election to be held in the Dis-
6 trict in July, 1993, this Resolution shall be automatically res-
7 cinded and Resolution #89-1 shall continue in full force and
8 effect for purposes of the annual assessment for Fiscal Year
9 1993/94.

10 ON A MOTION by Director Kastner, seconded by
11 Director Dean, the foregoing Resolution was duly
12 passed and adopted by the Circle XX Board of Directors this 18th
13 day of April, 1993, by the following vote:

14 AYES: 5
15 NOES: 0
16 ABSENT: 0
17 ABSTAINED: 0

18
19 Ernest M. Hill
20 Chairman, Circle XX C.S.D.
Board of Directors

21 ATTEST:

22 Donna M. Burnes
23 Secretary to the Circle XX
Board of Directors

IMPARTIAL ANALYSIS

MEASURE A

SHOULD THE CIRCLE XX COMMUNITY SERVICES DISTRICT BORROW \$200,000.00, TO BE REPAYED WITH ASSESSMENT REVENUES OVER TEN YEARS AT TEN PERCENT ANNUAL INTEREST, FOR PURPOSES OF DISTRICT ROAD IMPROVEMENTS AND MAINTENANCE?

The Circle XX Community Services District Board of Directors has proposed that the District borrow funds from a private individual to pay for immediate improvements to District roads. The improvements would consist of necessary subgrading, drainage work, and chip and seal surface on the following routes:

- RIATA WAY: Approximately 1.6 miles (northwest from existing blacktop, including intersection with Chaparajos Street)
- TAPADERO STREET: Approximately 0.9 mile (northwest from existing chip and seal, including northwestern intersection with Jaquima Drive)
- LATIGO STREET: Approximately 0.4 mile, connecting existing chip and seal segments
- ROMEL: Approximately 0.4 mile (from Riata Way, including intersection with Concho)
- JAQUIMA DRIVE: Approximately 2.7 miles, beginning at southeastern intersection with Tapadero Street

Some of the funds would also be used for ongoing road maintenance.

1993 Measure A Legislative Analysis \$200,000 Loan (6 miles of road) -Page 2

The proposed loan would be repaid with revenues from the District's annual assessments. Per Circle XX Community Services District Board of Directors' Resolution 93-3, if this Measure is approved by a majority of those voting, annual assessments will increase to \$300.00 beginning Fiscal Year 1993-94 and continuing through Fiscal Year 2002-03. If this Measure does not receive majority approval, the current \$200.00 annual assessment will remain in effect for Fiscal Year 1993-94, and the amount of future annual assessments will be determined by the Circle XX Community Services District Board of Directors after a public hearing.

The term of the proposed loan would be ten years. The annual interest rate would be ten percent. Total interest paid over the ten year life of the loan would be \$107,100.00. There would be no penalty for early repayment.

A "YES" vote on this Measure is a vote in favor of borrowing \$200,000.00 for road improvements and maintenance. The annual assessment in Circle XX would increase to \$300.00 for the next ten years.

A "NO" vote on this Measure is a vote in opposition to borrowing \$200,000.00 for road improvements and maintenance. The annual assessment in Circle XX would remain at \$200.00 for Fiscal Year 1993-94.

This Measure requires a majority "YES" vote for adoption.

JEFFREY TUTTLE
COUNTY COUNSEL

By: s/ ADRIENNE M. FINCH
Deputy County Counsel

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CIRCLE XX COMMUNITY SERVICES DISTRICT

RESOLUTION
NO. 93-7

RESOLUTION ACCEPTING CANVASS OF RESULTS OF THE
SPECIAL ALL MAIL BALLOT ELECTION HELD IN THE
CIRCLE XX COMMUNITY SERVICES DISTRICT ON JULY
20, 1993

WHEREAS, the election returns for the Special All Mail Ballot
Election held in the Circle XX Community Services District on July 20, 1993,
has been presented to this Board by County Clerk, Karen Varni, following her
canvass of same;

NOW, THEREFORE, BE IT RESOLVED that the canvass of returns of the
Special All Mail Ballot Election held in the Circle XX Community Services
District on July 20, 1993, as delineated in Exhibit "A" and attached hereto
and made a part hereof, is hereby approved.

BE IT FURTHER RESOLVED that said Measure "A" has passed by the
required majority of the votes cast.

ON A MOTION by Director Dean, seconded by
Director Kastner, the foregoing Resolution was duly
passed and adopted by the Board of Directors of the Circle XX Community
Services District this 25th day of July, 1993 by the following vote:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAINED: 0

Ernest M Hill
Chairman, Circle XX Community Services
District Board of Directors

ATTEST:

Donna Buemes
Secretary to the Circle XX
Board of Directors

EXHIBIT "A"

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS OF RETURNS OF THE SPECIAL ALL-MAIL BALLOT ELECTION HELD IN THE CIRCLE XX COMMUNITY SERVICES DISTRICT ON JULY 20, 1993

STATE OF CALIFORNIA)
) SS:
COUNTY OF CALAVERAS.)

I, Karen Varni, County Clerk of said County, do hereby certify that I did canvass the returns of the votes cast for the Special All-Mail Ballot Election held in the Circle XX Community Services District on Tuesday, July 20, 1993, for and against said Measure "A" submitted to the vote of the voters, and that the Statement of Votes Cast shows the whole number of votes cast for and against said Measure in said District, and that the totals as shown for and against said Measure are full, true and correct.

WITNESS my hand and Official Seal this 21st day of July, 1993.

Karen Varni, County Clerk

By *Sandra Rader*
Deputy

STATEMENT OF VOTES CAST

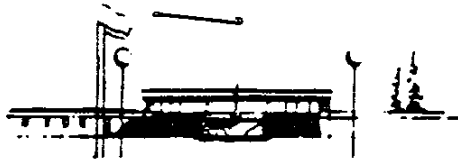
MEASURE "A"

Should the Circle XX Community Services District borrow \$200,000.00, to be repaid with assessment revenues over ten years at ten percent annual interest, for purposes of District road improvements and maintenance?

<u>Yes</u>	<u>No</u>
46	41

1993 Voter instruction letter – \$300 Road Tax / \$200,000 Loan

GOVERNMENT CENTER
891 MOUNTAIN RANCH RD.
SAN ANDREAS, CA 95249



County Clerk 209-754-6310
County Recorder 209-754-6372
Elections 209-754-6376

CALAVERAS COUNTY

Office of

CLERK & RECORDER

KAREN VARNI
Clerk & Recorder

IMPORTANT - PLEASE READ CAREFULLY

June, 1993

TO: QUALIFIED VOTERS OF CIRCLE XX COMMUNITY SERVICES DISTRICT

RE: SPECIAL ELECTION ON WHETHER THE CIRCLE XX COMMUNITY SERVICES DISTRICT SHOULD BORROW FUNDS FOR ROAD IMPROVEMENTS AND MAINTENANCE

Enclosed herewith please find your OFFICIAL BALLOT and Impartial Analysis prepared by the County Counsel in the matter of whether the Circle XX Community Services District should borrow funds for road improvements and maintenance.

This election is being conducted by mail in accordance with Election Code Section 1340 and the General Election Law of California.

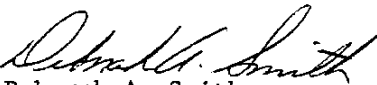
May I suggest that you VOTE YOUR BALLOT AS SOON AS POSSIBLE to avoid the possibility of forgetting to do so before the deadline and thereby losing your vote. Place your voted ballot in the identification envelope and BE SURE THAT YOU SIGN AND DATE THE SAME. Then immediately mail or return it to the Election Department in the envelope provided. If you wish, the voted ballot may be returned by certified or registered mail. This is your option.

YOUR BALLOT MUST BE RECEIVED BY THE COUNTY CLERK NO LATER THAN 4:00 P.M. ON TUESDAY, JULY 20, 1993 IN ORDER TO BE COUNTED.

If you have any questions, please do not hesitate to call our office at 754-6376 for assistance.

Sincerely,

Karen Varni
County Clerk

By 
Deborah A. Smith
Elections Coordinator

CIRCLE XX COMMUNITY SERVICES DISTRICT
COUNTY OF CALAVERAS
STATE OF CALIFORNIA

ORDINANCE NO. 94-1 ORDINANCE AMENDING ENCROACHMENT
REQUIREMENTS, STANDARDS AND PENALTIES

Pursuant to Government Code Section 61621.5 (c) and Streets & Highways Code Section 1460 et seq., the Board of Directors of the Circle XX Community Services District hereby ordains as follows:

SECTION 1. This Board's Ordinance Nos. 89-1 and 93-1 regarding encroachments are superseded by this Ordinance. The provisions of this Ordinance shall apply to all District road encroachments established after the Ordinance effective date, as well as to existing encroachments as specified herein.

SECTION 2. ENCROACHMENT REQUIREMENTS AND STANDARDS

(A) Each lot within the Circle XX Community Services District must adequately provide for encroachment onto District roads.

(B) Each new encroachment onto District right-of-way shall be constructed to District standards in effect at the time of construction, as established and maintained and as may be amended by the Circle XX C.S.D. General Manager.

(C) Each new or existing encroachment shall include an apron constructed of like or better material than that of the abutting roadway. All aprons shall measure at least three (3) feet deep, by the total usable width as determined by the General Manager based on actual usage. The General Manager's determination of required width may be appealed to the Circle XX C.S.D. Board of Directors.

SECTION 3. ENCROACHMENT PERMITS

(A) A written encroachment permit must be obtained from the Secretary before any new encroachment onto District right-of-way may be established.

(B) Each encroachment permit application shall be accompanied by a non-refundable fee of \$75.00, representing the estimated cost of inspection and permit processing.

Ordinance #94-1 page 2

(C) Each encroachment permit application shall also be accompanied by a deposit of \$225.00 representing the estimated cost to the District of constructing or completing a driveway encroachment. The deposit shall be refunded if the encroachment is completed and passes final inspection within one year from the date the permit is issued, or within any time period for which the permit has been extended by the General Manager. Unreasonable inspection delays caused solely by the District shall not be counted against the permittee for purposes of this subsection.

(D) The Circle XX C.S.D. General Manager shall establish and maintain, and may from time to time amend, permit application forms and written information regarding encroachment construction specifications, inspection requirements and other procedures.

SECTION 4. LIABILITY FOR DAMAGE TO DISTRICT ROADWAYS

(A) The performance of any work under a permit issued pursuant to this Ordinance shall constitute the permittee's acceptance of all liability for personal injury and damage to property, including District roadways and road surfaces, then or later resulting from that work or from the permitted encroachment.

(B) In addition to any other provision of this Ordinance respecting liability for personal injury and property damage, the owner of any real property enjoying access onto District roads shall be liable for all damage to District roadways or road surfaces thereof, including, but not limited to, damage due to surface run off or inadequate drainage.

SECTION 5. PENALTY FOR NON-COMPLIANCE

Any person who places, constructs or erects a driveway, culvert or other structure, or who encroaches upon, excavates, alters or otherwise disturbs the right-of-way of any District road without first applying for and obtaining an encroachment permit shall be fined \$150.00 for each day on which such unauthorized work is attempted or performed. The fine will be levied commencing ten (10) working days after receipt, via certified mail, of notification.

SECTION 6. AMENDMENT

The amount of any fee, deposit or penalty set forth in this Ordinance may be amended at any time by resolution of the Circle XX C.S.D. Board of Directors.

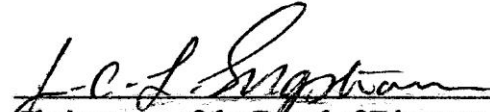
SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from the date of its passage.

Ordinance No. 94-1, page 3

ON A MOTION by Director Kastner and seconded by Director Hill, the foregoing Ordinance was duly passed and adopted by the Circle XX Community Services District Board of Directors this 5th day of June, 1994, by the following vote:

AYES.....	5
NOES.....	0
ABSENT.....	0
ABSTAINED.....	0



 Chairperson of the Board of Directors, Circle XX
 Community Services District, Calaveras County

ATTEST:



 Secretary to the Board of Directors, Circle XX
 Community Services District

ORD94-1

§ 61621.4 COMMUNITY SERVICES DISTRICTS Title 6

for the expenses the county may reasonably incur as a result of the obligations created pursuant to such sections.

(Added by Stats.1979, c. 286, p. 1066, § 3, eff. July 24, 1979. Amended by Stats.1980, c. 705, p. 2111, § 2, eff. July 27, 1980.)

Historical Note

The 1980 amendment substituted "for any purposes or any" for "or" following "rates or charges"; and substituted "lien for service charges for street lighting purposes" for "service charge lien".



§ 61621.5. Regulations governing use of facilities and property

(a) Except as otherwise provided in this section, a district may by ordinance adopt regulations binding upon all persons to govern the construction and use of its facilities and property, including regulations imposing reasonable charges for the use thereof. Violation of any such regulation relating to the construction and use of sanitation facilities or of roads is a misdemeanor.

(b) A district may by ordinance adopt regulations binding upon all persons to govern the use of its park and recreational facilities and property, including regulations imposing reasonable charges for the use thereof. Violation of any such regulation relating to the use of park and recreational facilities is a misdemeanor.

(Added by Stats.1963, c. 1737, p. 3456, § 1. Amended by Stats.1973, c. 573, p. 1096, § 1.)

Historical Note

The 1973 amendment inserted subd. designations; added "Except as otherwise provided in this section" to the beginning of subd. (a); added "construction and" preceding "use" in two places; added "sanitation facilities or of" preceding "roads" in the second sentence; and added subd. (b).

§ 61622. General powers

Each district has the power generally to perform all acts necessary to carry out fully the provisions of this division.

(Added by Stats.1955, c. 1746, p. 3215, § 3.)

Historical Note

Derivation: Former § 60622, added by Stats.1951, c. 1711, p. 4005, § 1.

Notes of Decisions

1. In general

The collecting of a reasonable security deposit from new customers and imposing a reconnection charge after water services have been terminated appears to be authorized under the implied powers of this section. 55 Ops.Atty.Gen. 379.

1996 12-9 Adoption of Teeter Plan for collecting road tax

CIRCLE XX COMMUNITY SERVICES DISTRICT
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
DECEMBER 9, 1996

RESOLUTION #96-1

ADOPTION OF THE TEETER PLAN

WHEREAS, the Board of Supervisors, County of Calaveras, State of California have adopted the Teeter Plan.

BE IT THEREFORE RESOLVED, that the Circle XX Community Services District also formally adopt said Teeter Plan.

ON A MOTION by Director Daly, seconded by Director Dean, the foregoing Resolution was duly passed and adopted by the Board of Directors of the Circle XX Community Services District, this 9th day of December, 1996, by the following vote.

AYES-----Directors, Daly, Dean, Martin, Stratton, Engstrom
NOES-----
ABSENT-----
ABSTAINED-----

J. C. Stratton
Chair person of the Board of Directors

ATTEST:

Jamet F. Munn
Acting Secretary to the Board of Directors

1998 Sainte Partners agree to pay \$600



PARTNERS II, L.P.

POST OFFICE BOX 4159 MODESTO, CALIFORNIA 95352-4159
209 523-0777 FAX 209 523-0839

July 31, 1998

Circle XX Community Services District
Route 3, Box 628
Angels Camp, California 95222

Attention: Chris Brodehl
Road Manager

Dear Mr. Brodehl:

As you are aware, the Calaveras County Planning Commission gave Sainte Partners permission to start construction on the new tower at our ranch in back of the properties along the Circle XX Road. As a condition, we are required to commit \$300.00 per year as an annual fee in participation of road improvement and upkeep. This amount is currently charged to the other landowners using the road.

This will affirm that we are willing to pay that amount each year so long as the other participating users so likewise. Further, we have voluntarily indicated that, as long as we operate a communications tower, we are willing to pay a double proportionate share, since there are technicians that use the road from time to time to service the equipment at the site, which, of course, has been true since 1978.

Should there be any questions regarding this communication, please do not hesitate to let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester Smith", written over a circular scribble.

Chester Smith
General Partner

lh

cc: Dan Seider, Calaveras County Planning Department

CIRCLE XX COMMUNITY SERVICES DISTRICT

Dear Property Owner,

This letter is to advise you that our \$200,000 ten (10) year loan has been paid in full. It is now time to address the budget of the roads remaining to be improved and the maintenance of the already improved roads. Everyone is aware that the cost of road repair has drastically escalated; therefore, the Board feels that the current \$300 should continue. Due to the approval of California Proposition 218 in November 1996 we no longer will be asking for an assessment per parcel but rather a special tax per parcel.

The roads that remain to be improved are the back end of Jaquima, all of Cincha, Romel, Chaparajos, Martingale and Spur. There is approximately 5 miles of mandatory road improvements, whether with chip seal, asphalt or just gravel. We all must share in the cost of Circle XX roads. Our road manager has received contractor's estimates on the cost of all the unimproved roads, we are looking at \$253,000 which includes prep work: brush clearing, road leveling, 2" of base and ditching, another \$120,000 is needed to repair the existing roads. In order to accomplish this goal, we must continue with the \$300 special tax per parcel for the next 10 years. Hopefully it will be less time than that, but we will always need a maintenance account for all the roads after the improvements are completed. We expect with this revenue we could accomplish about \$30,000 of work per year without having to pay interest on borrowed funds.

Enclosed is a questionnaire designed to provide the Community Services District Board with the opinions of all property owner's within the Circle XX complex so that we can better represent the wishes of the entire community. Only Calaveras County registered voters owning property in Circle XX will be able to vote on this measure. In order for this tax measure to pass we will need 2/3 of the voters to approve it. **Please complete and return this questionnaire before May 8, 2003.** We must present a resolution to the County Supervisors and Election Department before May 13th in order to have it placed on the August 26, 2003 special election ballot.

Sincerely,

The Board of Directors of the Circle XX
Community Services District

CIRCLE XX COMMUNITY SERVICES DISTRICT

This is not an actual vote—only a survey to determine your interest. An election is necessary before any tax can be made.

I AM SURE THE QUESTION WILL ARISE AS TO THE \$200 PER PARCEL THAT WAS IN EFFECT WHEN WE VOTED TO BORROW THE \$200,000 AND INCREASE THE ASSESSMENT TO \$300. WHEN THE RESOLUTION TO BORROW MONEY AND CHANGE THE ASSESSMENT TO \$300 PER PARCEL WAS VOTED IN THAT NEGATED THE PREVIOUS ASSESSMENT OF \$200, WHICH WAS ONLY FOR FIVE (5) YEARS. IF THIS SPECIAL TAX IS NOT VOTED IN THE DISTRICT WILL NO LONGER HAVE ANY FUNDS TO CONTINUE WITH ROAD IMPROVEMENTS AND MAINTENANCE. THAT WOULD MEAN THE LAST 10 YEARS AND ALL THE MONIES SPENT ON WORK DONE WAS A WASTE AND THAT TRULY WOULD BE A SAD COMMENTARY FOR ALL THOSE PEOPLE WHO HAVE VOLUNTEERED THEIR TIME AND ENERGY IN KEEPING THIS DISTRICT FUNCTIONING AND FOR US ALL TO WATCH OUR ROADS GO BACK INTO DISREPAIR.

QUESTIONNAIRE:

SHALL THE CIRCLE XX COMMUNITY SERVICES DISTRICT APPLY A SPECIAL TAX OF \$300. PER PARCEL FOR THE PERIOD OF TEN (10) YEARS, FOR THE PURPOSE OF FINISHING THE LAST 5 MILES OF UNIMPROVED ROADS AND CONTINUED MAINTENANCE OF ALL ROADS.

YES _____ NO _____

IF NO WHY? _____ ARE THERE ANY CHANGES THAT YOU WOULD LIKE TO SEE?

PROPERTY OWNERS SIGNATURE _____

PLEASE RETURN NO LATER THAN MAY 8TH TO: CIRCLE XX CSA
SPECIAL TAX BALLOT
P O BOX 628
ANGELS CAMP, CA 95222

CIRCLE XX COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 03-02

RESOLUTION OF THE CIRCLE XX COMMUNITY SERVICES DISTRICT
CALLING FOR A SPECIAL ALL MAIL BALLOT ELECTION
TO BE HELD ON AUGUST 26, 2003,
FOR FUNDING FOR A TEN-YEAR PERIOD, 2003 TO 2013,
ON A MEASURE AUTHORIZING A SPECIAL TAX FOR THE
PURPOSE OF ROAD CONSTRUCTION, MAINTENANCE, REPAIR AND
INCIDENTALS THERETO, AND CONSOLIDATING SAID ELECTION
WITH ANY OTHER ELECTION TO BE HELD ON THE SAME DATE.

WHEREAS, the 1993 to 2003 District Assessment will be expire in calendar year 2003, and continued funding is necessary to complete five miles of unimproved roads within the District and for ongoing maintenance, and repairs, and;

WHEREAS, such construction, maintenance and repairs cannot be secured without continued funding, and;

WHEREAS, a special tax would provide a source of revenue to assist in meeting such costs; and

WHEREAS, Article XIII A, section 4, and Article XIII C, section 2, of the California Constitution, and Sections 61615.1 and 50075 through 50077.5 of the California Government Code authorize the Board of Directors of the Circle XX Community Services District (hereinafter called "Board"), following notice and hearing, to propose the adoption of such a special tax and to submit the proposition to the voters of the District; and

WHEREAS, the Board desires the establishment of a special tax to fund construction, maintenance, repairs, and incidentals thereto as permitted by Government Code Section 61600(j) and 61600(k); and

WHEREAS, state law requires that such measures be submitted to the voters of the District for their approval, and authorizes the Board to call an election for that purpose;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Circle XX Community Services District hereby resolves and orders as follows:

1. The Board finds and declares that the amount of revenue available to the District will be inadequate to meet the cost of improving remaining unimproved roads and for maintenance and repair of all roads within the District.
2. The Board finds and declares that establishing a special tax is necessary to fund and secure the above-described items.

The Board finds and declares that Article XIII A, section 4, and Article XIII C, Section 2, of the California Constitution, and Government Code sections 50075 thru 50077.5 and sections 61615.1 authorize the Board, following notice and hearing, to propose the adoption of a special tax and to submit the measure to the voters of the District.

The Board finds and declares that the District has complied with all laws requiring notice of the actions contained herein, and has held a public hearing as required by law.

The Board finds and accepts the following definitions:

1. Parcel of Real Property shall be defined as a separate parcel of real property having a separate assessor=s parcel number as shown on the secured tax rolls of the County of Calaveras, or an assessment of a structural property on the unsecured tax rolls of the County of Calaveras, or an assessment made by the State Board of Equalization.

The Board determines that a measure establishing a special tax having a rate of:

\$300 per parcel of real property

shall be presented to the voters of the Circle XX Community Services District. Pursuant to state law, this resolution shall not be effective unless it is approved by two-thirds of the votes cast by the voters of the District voting upon the measure to approve the resolution.

The Board hereby calls a special election for August 26, 2003, to be conducted by an all mail ballot, and consolidating said election with any other election to be held on the same date and in the same territory and directs that the foregoing proposition shall be submitted to voters of the district at the election in the following manner:

1. There shall be included on the ballot to be marked by voters of the District, in addition to any other matters required by law, ballot language in the following form:

Shall Resolution No. 03-02 of the Circle XX Community Services District, establishing a special tax for a ten year period (July 1, 2003 through June 30, 2013) in the annual amount of \$300 per parcel of real property (for constructing, opening, widening, extending, straightening, surfacing, or maintaining any street in the District, or for any incidental purposes, including construction and improvements of bridges, culverts, curbs, gutters, and drains) be adopted?

- 8. The ballot to be used for the election shall be in legal form and matter contained therein as required by law. On the ballot, in addition to any other printed matter required by law, opposite the measure to be voted upon and to their right, the words Ayes@ and Ano@ shall be printed on separate lines with voting squares.
- 9. The Calaveras County Elections Official is hereby authorized, instructed, and directed to provide and furnish any and all official ballots, notices, printed matter, and all supplies, equipment and paraphernalia that may be necessary to properly and lawfully conduct the election.
- 10. The Circle XX Community District hereby agrees to reimburse Calaveras County in full for all services herein requested and performed by the Calaveras County Elections Official upon presentation of a bill to the Circle XX Community Services District.
- 11. Ballots must be received by the election official no later than 8:00 p.m. on August 26, 2003.
- 12. The Clerk of the Circle XX Community Services District is directed to forward a certified copy of this Resolution to the Calaveras County Elections Official.
- 13. The special tax shall be collected in the same manner and subject to the same penalty as other charges and taxes collected by or on behalf of the District by the County of Calaveras. The Calaveras County Tax Collector may deduct an annual administrative fee of 1 percent to be retained by the County to cover administrative costs incurred in collecting this special tax and deposit the amounts deducted into the Calaveras County General Fund.

ON A MOTION by Director _____, seconded by Director _____, the foregoing Resolution was duly passed and adopted by the Board of Directors of the Circle XX Community Services District, this _____ day of _____, 2003, by the following vote:

AYES: _____
 NOES: _____
 ABSENT: _____
 ABSTAINED: _____

 President, Board of Directors

ATTEST:

I, _____, Secretary of the governing Board of the District, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the Board at a

BOARD OF SUPERVISORS

The Calaveras County Board of Supervisors Monday acted on or discussed the following items:

Subdivision Roads – The board officially changed county policy regarding future maintenance of roads in private subdivisions.

Currently, the county is not responsible to maintain roads in private subdivisions with most being maintained by private groups such as special districts or homeowners associations.

Some roads under the jurisdiction of a special district or a defunct homeowners association need maintenance and repair. Under current regulation, the county does not have the authority to make those repairs or take the roads back into its system.

This resolution establishes a mechanism by which roads in new subdivisions that previously were unable to be adopted into the county system can, in the future, be taken under the umbrella of the county.

The decision also institutes a

certain minimal county road standard throughout the county that new subdivisions must follow regardless of who takes over road maintenance.

Supervisor Merita Callaway was the only opposing vote for this resolution.

“We’re going to buy a whole lot of problems down the road,” said Callaway, who pointed out that sometimes there is not enough money to keep up with the roads currently in the county-maintained system without taking on more. She also pointed out that there is a public expectation of road maintenance should the county take over a private road system.

Funding for maintenance of private-road systems is typically paid for by the property owners in the subdivision.

This resolution will apply to new subdivisions.

County awards money – Through the Community Development Block Grant program, the county awarded the Human Resources Council a grant

of \$125,000 and Habitat for Humanity, Calaveras, a no interest, no payment loan of \$50,000.

The county established a new division of the revolving loan program called Housing New Construction Revolving Loan Account in order to provide funding for Habitat for Humanity to acquire land for the building of low-income housing.

HRC will use the grant money to help purchase property for their proposed new facility on Pool Station Road.

Tom Mitchell, county administrative officer, said the county has a working partnership with HRC, which runs programs such as the food bank, the women’s crisis center and the Women, Infant and Children (WIC) program, along with sponsoring Santa’s Express.

“We want to do everything we can to support them (HRC),” said Mitchell.

Bar XX Stallion residents buck tax

KATY BRANDENBURG
Union Democrat

Voters in the Stallion portion of Bar XX subdivision have voted down a parcel tax that could have paved seven miles of dirt road — and cost each homeowner an extra \$2,000 per year for the next decade.

The 59 percent of residents who voted in favor of the tax fell sev-

votes short of two-thirds that they needed for passage.

The Calaveras County Board of Supervisors had agreed to loan the county Service Center — 76 parcels of 10 acres each — to \$1.2 million for road improvements. But if the work ended up costing more than \$2 million, residents farthest from Highway 4 would not get their money's worth, said Philip Odum, chairman of the CSA roads committee.

That's part of why it got shot down," he said. Several other residents, including Linda Weir, voted against the tax because the distribution of costs was not equitable.

"It would be nice to have it paved. My horses cough because of the dust. It just rolls," Weir said. "But the people at the bottom of the hill, who pay more in property taxes already, would pay the same amount for using less than a mile of the road."

Assessment costs, which residents pay for maintenance, are incrementally staggered how far back on Stallion Way someone lives.

'It would be nice to have it paved. My horses always cough because of the dust ...'

— LINDA WEIR,
Bar XX resident

BAR XX: The cost distribution is not equal, residents say

FROM THE FRONT PAGE

People at the bottom of the hill, closest to the highway, pay \$175 per year; residents in the middle pay \$200; and top-of-the-hill dwellers pay \$225.

"They had talked about making (the tax) incremental, but (officials) said they couldn't because it's a capital improvement project," Weir said. "There are people out here who can't afford to take a hit like that."

Weir said real estate agents tell prospective buyers the county is going to pave the road "in the next couple years." She has lived in the neighborhood more than 15 years, and seen the paving issue come up again and again without action. This month's was the first formal vote, she said.

The Appaloosa portion of Bar XX, which is classified as a Community Service District, took out a bank loan and paved its main road within the past

year. People rave about how much better it is, but Weir said cracks are already beginning to show. Stallion is too small to be able to afford the insurance and commitments needed to become a CSD, she added.

Odum said the neighborhood will soon have to raise its assessments anyway, just to keep up with maintenance. New residents who want more services and the rising cost of labor, he said, necessitate the increase.

Weir compared the roads to an airport she lived next to in Concord. The airport had been in operation since the 1940s, but new residents continued to move in next to it and then complain about the noise.

"It's not like we didn't know this was a dirt road when we moved here," she said.

Contact Katy Brandenburg at kbrandenburg@union-democrat.com or 736-0916.

\$1,200,000 FOR 7 MILES ROAD

= \$171,000 PER MILE

= \$32 PER FOOT

SEE BAR XX/PAGE 7A

County approves road-service fees

By ROY ELLIOTT
The Union Democrat

Parcel fees to pay for road improvements and repairs in the Rancho Calaveras, Bar XX, and Diamond XX subdivisions were approved by the Calaveras County Board of Supervisors on Tuesday after a hearing in which Rancho Calaveras representatives questioned whether the road

funds were being properly spent.

Alice Raines, chairwoman of the Rancho Calaveras road committee, complained that the Public Works Department had undertaken projects using Rancho Calaveras fees for work the residents didn't request, and apparently failed to perform some work for which

SEE FEES/PAGE A7

FEES: Current levies were unchanged since '89

FROM THE FRONT PAGE

the parcel owners were billed.

She acknowledged that the parcel fee structure doesn't generate enough money to do everything that needs to be done in the subdivision, but noted that the shortage of funds makes it essential to spend every penny where it is needed most.

Voters in all three of the service areas have rejected attempts to increase parcel fees for road improvements. Current levies approved by the board have remained unchanged since 1989.

Fifth District Supervisor Russ Thomas

said a meeting on Nov. 19 has been scheduled to air complaints against the Public Works Department and to sort out billing procedures.

One of the most difficult financial problems for parcel owners to overcome, according to District 4 Supervisor Tom Tryon, is that the roads in the subdivisions weren't built to county standards. If they had been, Tryon noted, the cost of proper roads could have been built into the landowners' 30-year mortgages. It's much harder to pull money out of pocket to improve the roads all this time later, he said.

Parcel fees approved for the mainte-

nance of Ranch Calaveras' 47 miles of maintained roads range from \$19 per parcel fronting on county and state maintained roads; \$28.50 for corner lots which have both state and county maintained and non-maintained frontage, and \$38 per parcel for lots on non county maintained roads.

Bar XX has 7.2 miles of maintained road. Fees of \$175, \$200 and \$225 will be charged, based on travel distance along Stallion Way to Highway 4.

Diamond XX, with 18.2 miles of maintained road, will pay \$300, \$325 or \$350 per parcel, depending on travel distance along Hodson Road to Highway 4.

Note this is for Bar XX - Stallion Way 7.2 miles UNPAVED
Diamond XX 18.2 miles UNPAVED

Circle XX Community Services District

April 17, 2012

Dear Circle XX Property Owners and Residents

We need your support to continue maintaining our roads in the Circle XX.

The current 10 year property assessment fee period is due to expire on June 30, 2013. An election is required prior to this date to approve fees to continue to maintain our 14.7 miles of Circle XX roads and ditches.

Please help us determine the future of our roads by completing the survey at the end of this letter.

HISTORY OF CIRCLE XX ROADS

In the late 1960s Boise Cascade created 14.7 miles of unpaved roads as part of the Circle XX development. Residents have maintained the roads ever since. Residents approved the first road maintenance tax in 1980 at \$300 per parcel. On July 27, 1981, the County Board of Supervisors adopted a resolution that the Circle XX roads were public roads but they would NOT be maintained by the County. In the 1980s a little over 3 miles of the roads were paved. On January 23, 1989, we became a formal Community Services District which allowed us to be governed by our own elected Board of Directors responsible for the maintenance of the roads.

In 1993 Circle XX residents voted to obtain a ten year \$90,000 loan at 10% interest (\$107,000) to pave 6 miles of the roads while also approving a ten year \$300 annual assessment fee to repay this loan and maintain the roads. The loan was paid off in 2002 and in 2003 an election was held to continue a \$300 a year assessment fee for another 10 years for road maintenance. Since 2003 another 2 miles of road have been paved. The 2003 authority to collect the \$300 assessment fee ends June 30, 2013.

ROAD	Length Miles	Paved Miles	Percent Paved	Unpaved Miles	Percent Unpaved
Jaquima	4.5	3.4	74.4%	1.2	25.6%
Riata Way	2.6	2.6	100.0%	0.0	0.0%
Tapadero	2.6	2.5	98.4%	0.0	1.6%
Concho	1.5	0.6	39.5%	0.9	60.5%
Chaparajos	0.9	0.9	100.0%	0.0	0.0%
Cincha	0.8	0.0	0.0%	0.8	100.0%
Latigo	0.8	0.8	100.0%	0.0	0.0%
Martingale	0.4	0.0	0.0%	0.4	100.0%
Romel	0.4	0.4	95.3%	0.0	4.7%
Spur St	0.2	0.0	0.0%	0.2	100.0%
Total:	14.7	11.1	76.0%	3.5	24.0%

THE CIRCLE XX COMMUNITY SERVICE DISTRICT

Formed in 1989 to manage the Circle XX roads, the Circle XX Community Services District is made up of a Board with five elected Directors, a Board Secretary/Treasurer and a Road Manager. The Directors administer the funds and make the decisions. The Secretary/Treasurer takes care of business. The Road Manager gets the work done. All are unpaid volunteers.

Circle XX Community Services District

The Road Manager does the road spraying and, to save money, puts together volunteer work parties of Circle XX residents to spread roadbase, fill potholes, clear ditches, do road shoulder work, maintain road signs, and repair culverts. Paid contractors are used to do the major road work.

Thank you to all of our volunteers.

WHERE DO WE GET OUR MONEY AND HOW HAVE WE SPENT IT?

We have put together the attached report, "Circle XX Road Revenue and Expenditure Analysis" to show how much we have received from the current assessment fee and how we have spent the money over the last six years.

We receive about \$43,500 each year from the \$300 property assessment on 145 lots and we spend about \$38,500 (89.5% of our expenditures) directly on Circle XX roads. Note that none of the money goes for salaries or for benefits; it all goes to maintaining our roads.

THE NEED

In addition to the normal annual wear and tear created mainly by water damage, gopher holes, and heavy trucks, our paved roads are now 20 years old or older, and are starting to require more repairs. The remaining unpaved roads have normal weather damage that requires periodic scraping, hole filling and re-rocking. On an annual basis we need to clear blocked road side ditches and spray along the roads to prevent fire hazards.

If we do not vote to approve a new property assessment fee starting July 1, 2013, the County will stop the tax collection for us and we will run out of money to maintain the roads in Circle XX. We can continue to have volunteers but we will not be able to pay for rock, asphalt, chemicals for road spraying, or contractors to deliver materials and work on the roads.

THE RISING COST

You all know the price of gas is going up. Asphalt is a petroleum byproduct that's price goes up with gas prices; 76% of our roads are paved which require asphalt repairs. The cost for delivery trucks and contractors to work on the roads also goes up as they have to pay more for their gas.

In 1993 the \$90,000 for chip and seal paving 6 miles of road calculated out to be around 26 cents per square foot. In 2005 the rate for asphalt road work was \$1.00 per square foot. Last year, 2011, our lowest bid for asphalt road work was \$1.80 per square foot (our high bid was \$2.20 per square foot). The cost for asphalt road work has jumped **80%** in six years.

What does this mean to us? If we only have \$20,000 to spend on an asphalt overlay to repair a section of 11 foot wide road, how much road can we cover?

In 1993 at 26 cents a square foot we could cover 6,993 feet of road.

In 2005 at \$1.00 a square foot we could cover 1,818 feet.

As of 2011 at \$1.80 a square foot we could only cover 1,010 feet.

We have 11.1 miles of ageing paved roads that require work each year and we also need to support our unpaved roads. We expect the price of gas and the cost of asphalt work to continue to rise.

Circle XX Community Services District

THE PROPERTY ASSESSMENT FEE

Over the last six years the current \$300 fee provides us with an average annual revenue of \$43,482.48. If we continue the \$300 we should see the same amount in coming years.

We calculate that if the fee is raised \$50 to \$350 per year; the total revenue would go up to \$46,201 giving us an increase of \$7,244 to cover some of the growing costs. The following chart shows how much more we would receive to work on the roads if the assessment fee is increased:

<u>If Approve</u>	<u>Increased Road Money</u>
300	0
350	7,244
400	14,493
450	21,741
500	28,985

Just to keep pace with the 80% rise in the cost of asphalt work over the last six years, we would need an additional \$25,700 per year to do the same amount of work as in 2005.

None of us like to pay taxes but in the case of the property assessment fee for our roads you have local control and see exactly where the money is going. If we keep the current \$300 fee, each year we will have to do less work on our roads as prices keep going up.

THE PLAN

With the following survey we would like your input on the future of maintaining the Circle XX roads. We invite you to attend one of our next three Board meetings:

- Tuesday, May 8, 7:00pm at the home of Michael Fritz, 6459 Chaparajos
- Saturday, May 19, 1:00pm at the home of Rick Hill, 7685 Riata Way
- Tuesday May 22, 6:00pm at the home of Mary Dean, 5336 Jaquima Drive

Please come with any questions or comments. We want your input so that we put out a measure to the Circle XX voters that has your support.

Once we have your input we will adopt a formal resolution for the County to place a measure on the November 2012 election. Each eligible voter living in the Circle XX will have a chance to vote on continuing to maintain our roads. Please note that it is a State law that limits the vote to Circle XX residents only.

These are our roads, we use them every day. Without your support we will not be able to maintain our Circle XX roads.

Sincerely,

Circle XX CSD:

Debie Winans-Caldwell, Director
 Michael Fritz, Director
 Debbie Fudala, Director
 Rick Hill, Director

Karen Osborn, Director
 Mary Dean, Board Secretary/Treasurer
 Richard Fudala, Road Manager

Circle XX CSD Road Revenue and Expenditure Analysis

Year:	2006	2007	2008	2009	2010	2011	Six Year Average	Percent Total Expenditures
EXPENDITURES:								
Paved Work (potholes / asphalt overlays / edge repairs)	\$ 30,097.18	\$ 35,032.98	\$ 34,250.91	\$ 19,607.44	\$ 25,650.15	\$ 47,942.83	\$ 32,096.92	74.5
Unpaved Work (grading / rocking / culverts / ditches)	\$ 3,263.93	\$ 8,470.00	\$ 1,707.87	\$ 17,480.00	\$ 3,140.00	\$ 4,865.08	\$ 6,487.81	15.0
Sub-total direct Road Work:	\$ 33,361.11	\$ 43,502.98	\$ 35,958.78	\$ 37,087.44	\$ 28,790.15	\$ 52,807.91	\$ 38,584.73	89.5
Road Spraying (materials / equipment / classes)	\$ 215.48	\$ 230.79	\$ -	\$ 3,743.67	\$ 1,788.52	\$ 828.12	\$ 1,134.43	2.6
Road Signs	\$ -	\$ 81.27	\$ -	\$ -	\$ 836.58	\$ -	\$ 152.98	0.4
Total Road Maintenance:	\$ 33,576.59	\$ 43,815.04	\$ 35,958.78	\$ 40,831.11	\$ 31,415.25	\$ 53,636.03	\$ 39,872.13	92.5
Secretary Use (Agenda / Meeting Minutes / Mail)	\$ 282.51	\$ 214.07	\$ 163.00	\$ 171.00	\$ 106.00	\$ 162.70	\$ 183.21	0.4
State Required Insurance & Required Financial Accounting Audits	\$ 2,924.67	\$ 3,133.97	\$ 3,045.02	\$ 2,927.47	\$ 3,378.08	\$ 2,919.65	\$ 3,054.81	7.1
Total Overhead:	\$ 3,207.18	\$ 3,348.04	\$ 3,208.02	\$ 3,098.47	\$ 3,484.08	\$ 3,082.35	\$ 3,238.02	7.5
Total Circle XX CSD Expenditures:	\$ 36,783.77	\$ 47,163.08	\$ 39,166.80	\$ 43,929.58	\$ 34,899.33	\$ 56,718.38	\$ 43,110.16	
Annual Property Assessment Revenue:	\$ 43,805.56	\$ 43,256.78	\$ 43,844.64	\$ 43,727.45	\$ 43,140.34	\$ 43,120.12	\$ 43,482.48	
Beginning Year Reserve for Emergencies:	\$ 10,088.18	\$ 10,113.36	\$ 10,160.59	\$ 10,178.71	\$ 10,190.36	\$ 10,200.55	\$ 10,155.29	
				2012	Starting Balance for 2012:		\$ 6,269.50	
					Current 2012 Reserve for Emergencies:		\$ 10,206.09	
					Estimated Property Assessment Revenue for 2012:		\$ 43,120.00	

Circle XX Community Services District

SURVEY

Some of the options we are discussing are listed below and we would like your thoughts. Please mark the numbers you support. **Remember that when we vote in November, by State law 66% of the votes cast must approve the new assessment for it to start July 1, 2013.** If it is not approved we will no longer have money to maintain our Circle XX roads.

How much should the assessment fee be?

___ Continue the current \$300 a year assessment. This will continue the \$43,500 per year.

___ Increase the assessment to \$350 a year to provide an additional \$7,244 per year.

___ Increase the assessment to \$400 a year to provide an additional \$14,493 per year.

___ Increase the assessment to \$450 a year to provide an additional \$21,741 per year.

___ Increase the assessment to \$500 a year to provide an additional \$28,985 per year.

___ Other options: Please Explain _____

Print Name: _____ Date: _____

Street Address: _____

E-Mail Address: _____ (So you can receive monthly updates.)

PLEASE RETURN NO LATER THAN May 25, 2012

Mail to : Circle XX CSA Survey
PO Box1645
San Andreas, CA 95249

Or you may email feedback to: marydean@caltel.com. (Be sure to include your name)

NOTE, this is NOT the actual vote, that will come in November.

Circle XX Community Services District

October 9, 2012

Subject: Assessment Fee Election

Dear Circle XX Property Owners and Residents,

Last April your Board of Directors started the process to put a measure on the ballot this fall to collect an annual property assessment for maintenance of our roads. With the current 10 year authority to collect District funds ending on June 30, 2013, it became necessary to put a new measure before us to continue collecting funds beyond the 2013 date.

Many of you responded to a spring letter from the Board that summarized the District's history, needs, rising costs, and solicitation of your input regarding what fee level you would be willing to support. We thank you for your responses and attendance at three special Board meetings.

As a result of this input and the costs associated with maintaining our road system, the Board unanimously supported a formal resolution for the County to place a measure on the November ballot reflecting a period of 10 years with an annual assessment of \$400. This was by no means an easy decision as many supported the current fee and some are on fixed incomes. Responses to the fee survey (50 returned) were divided as 56% supported \$400 or more while 44% supported a lesser amount.

We ask that you support MEASURE D on the November ballot to continue to support our roads. It's important that each and every one of us vote. ***It will take a 2/3 majority of eligible Circle XX registered voters who vote to pass this measure.*** If this measure fails to pass, the District will be unfunded after 2013.

Thank you to all who have volunteered their time, expertise and energies in support of our roads. Future funding and your ongoing support will allow us to continue to maintain and improve Circle XX roads, ditches and culverts.

Thank you for voting this November.

Circle XX Community Services District

IMPARTIAL ANALYSIS BY COUNTY COUNSEL

**CIRCLE XX COMMUNITY SERVICES DISTRICT
Special Tax**

MEASURE D

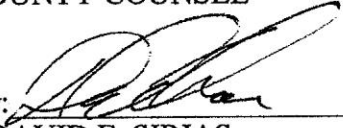
Shall Resolution No. 12-02 of the Circle XX Community Services District, establishing a special tax for a ten year period (July 1, 2013 through June 30, 2023) in the annual amount of \$400 per parcel of real property (for constructing, opening, widening, extending, straightening, surfacing, or maintaining any street in the District, or for any incidental purposes, including construction and improvements of bridges, culverts, curbs, gutters, and drains) be adopted?

A “YES” vote on this Measure would grant the Circle XX Community Services District (“District”) legal authority to levy an annual special tax of \$400 per parcel of real property within the District boundaries. Approval of this Measure would authorize the District to secure these additional tax revenues to be applied only for purposes described in the Measure, which are authorized by Government Code section 61121 and sections 50075 et seq., and require compliance with other accountability measures under Government Code section 50075.1 et seq., including establishment of a special account into which the revenues of the special tax shall be deposited, and filing of an annual report by the Chief Fiscal Officer of the District with the District Board of Directors regarding collection and expenditure of the special tax revenues.

A “NO” vote on this Measure is a vote against the levy of the special tax.

Measure D must be approved by two-thirds (2/3) of the voters of the Circle XX Community Services District voting upon said Measure to become effective.

JANIS J. ELLIOTT
COUNTY COUNSEL

By: 
DAVID E. SIRIAS
ASSISTANT COUNTY COUNSEL

Any person desiring a copy of the details of this proposed Measure may telephone the Circle XX Community Services District at (209) 785-3293

THE ABOVE STATEMENT IS AN IMPARTIAL ANALYSIS OF MEASURE A. IF YOU DESIRE A COPY OF THE MEASURE, PLEASE CALL THE ELECTIONS OFFICE AT (209) 754-6376, AND A COPY WILL BE MAILED TO YOU FREE OF CHARGE.

CIRCLE XX Community Services DISTRICT

RESOLUTION
NO. 12-05

RESOLUTION ACCEPTING THE CANVASS OF THE PRESIDENTIAL
GENERAL ELECTION HELD ON NOVEMBER 6, 2012 PURSUANT TO
DIVISION 15 CHAPTER 4 OF THE ELECTIONS CODE

WHEREAS, the election results for the Presidential General Election,
held on November 6, 2012, have been presented to the Board of CIRCLE XX CSD
District by the County Clerk, following the canvass of said election;

NOW, THEREFORE, BE IT RESOLVED, that the Board of the
CIRCLE XX CSD - District of the County of Calaveras hereby
accepts the canvass of the returns of the Presidential General Election,
held on November 6, 2012, as delineated in Exhibit A attached
hereto and made a part hereof, is hereby accepted;

ON A MOTION by Director Fudala, seconded by Director
Hill, the foregoing Resolution was duly passed and adopted by
the Board of the CIRCLE XX CSD District of the County of
Calaveras, State of California this 21st day of December 2012 by
the following vote:

- AYES: 4
- NOES:
- ABSENT: 1
- ABSTAINED:

Debra L. Fudala
Director

ATTEST:
Marjorie Dean
Secretary

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS OF THE
PRESIDENTIAL GENERAL ELECTION

STATE OF CALIFORNIA)
) SS.
COUNTY OF CALAVERAS)

I, Madaline Krska, County Clerk of said County, do hereby certify that, in pursuance to the provisions of Elections Code Section 15300, et seq., I did canvass the results of the votes cast in the Presidential General Election, held in said County on November 6, 2012 for the elective public offices that were submitted to the vote of the voters, and that the Statement of Votes Cast to which this certificate is attached, shows the number of votes cast in the Circle XX Community Services District Measure D in said County and in the respective consolidated precinct therein, and that the totals of the respective columns and the totals as shown for or against the measure are true and correct.

Witness my hand and official seal this 29th day of November, 2012.

Madaline Krska
Madaline Krska
County Clerk

SUMMARY REPORT

GENERAL ELECTION
CALAVERAS COUNTY, CALIFORNIA
TUESDAY, NOVEMBER 6, 2012

OFFICIAL RESULTS

RUN DATE:12/05/12 10:19 AM

	VOTES	PERCENT
PRECINCTS COUNTED (OF 36)	36	100.00
REGISTERED VOTERS - TOTAL	29,009	
BALLOTS CAST - TOTAL	22,077	
VOTER TURNOUT - TOTAL		76.10
D CIRCLE XX COMMUNITY SERVICES DISTRICT		
Vote for no more than 1		
YES	97	72.93
NO.	36	27.07
Total	133	

CIRCLE XX COMMUNITY SERVICES DISTRICT

THE REGULAR MEETING of the Circle XX CSD was held November 13, 2012. This meeting was called to order at 6:00 pm and roll was taken. Present were Directors Hill, Fudala, Caldwell, Osborn and Fritz, also present were road manager Fudala and secretary/treasurer Dean.

APPROVAL OF MINUTES: For the regular meeting of Oct.16, on a motion by Director Hill and seconded by Director Caldwell the minutes were approved as presented, vote being 5 ayes and 0 nays. For the special meeting on Oct 9th, on a motion by Director Caldwell and seconded by Director Osborn the minutes were approved as presented, vote being 5 ayes and 0 nays.

STAFF REPORTS: Correspondence wa our monthly bank statement, monthly county report, bill from C N A Surety Insurance. Financial report was read. Presentation of the C N A Surety bill for \$114.82 for our bond and a bill presented by Rich Fudala for paint in the amount of \$78.91. On a motion by Director Caldwell and seconded by Director Osborn the bills will be paid as presented. Vote being 5 ayes and 0 nays. The two resolutions from the county on consolidation of the election that we received that month were approved and signed.

ROAD MANAGERS REPORT: Rich reported that Rick Hill had cut a ditch on the corner of Latigo and Tapadero on lot 101 to allow the water to flow from one culvert to another. To grade and gravel from the top of Cincha to Tapadero would be about \$1500, this will be brought back up after the first of the year. Rich wants to again order 8 tons of cold patch to repair potholes as they appear; right now the cost is about \$85 a ton. A motion was made by Director Hill to go ahead and get 8 tons with the cost not to exceed \$1000 this is to include delivery, this was seconded by Director Caldwell, vote being 5 ayes and 0 nays. Rich needs to get supplies for spraying and this year the Ranger Pro is \$69 per 2 ½ gal and we need 6, a motion was made by Director Osborn to go ahead and order with it not to exceed \$450 this was seconded by Director Caldwell, vote being 5 ayes and 0 nays. The cattails need to be cut on Riata Way it has been two years and the Byler boys will do it again this year for \$75, on a motion by Director Hill and seconded by Director Osborn they will be hired to cut the cattails, vote being 5 ayes and 0 nays. We need some road base to put along certain portions of Riata way Rich wants one truck and trailer load at a cost not to exceed \$450. A motion was made to order this by Director Hill and seconded by Director Osborn with the vote being 5 ayes and 0 nays.

OLD BUSINESS: Election results. The measure to raise our road tax from \$300 per year to \$400 per year passed. The official counts was 97 for and 36 against with a total of 133 votes be cast. This will show up on your 2013-14 tax bill.

Approval of the final encroachment letter will be held over until sometime next year. Road repairs and maintenance was covered in Rich Fudala report.

PUBLIC DISSCUSSION: No public present.

AGENDA FOR NEXT MEETING: The next meeting will be held **March 19, 2013.**

MEETING ADJOURNED: On a motion by Director Fudala and seconded by Director Osborn this meeting was adjourned at 7:02 on a vote of 5 ayes and 0 nays.

CIRCLE X Community Services DISTRICT

RESOLUTION NO. 12-05 RESOLUTION REQUIRING ELECTIONS OF GOVERNING BODY MEMBERS BE HELD ON THE SAME DAY AS THE STATEWIDE GENERAL ELECTION

WHEREAS, it has been determined that it is cost effective for the District and the County to consolidate the District’s elections for governing body members with the Statewide General Elections; and

WHEREAS, Election Code §10404 allows a special district to consolidate with the Statewide General Election; and

WHEREAS, Election Code §10404 requires jurisdictions to file with the Board of Supervisors, and the County Clerk, a resolution requesting consolidation with said election; and

WHEREAS, pursuant to Election Code §10554 elective officers take office at noon on the first Friday in December following the General Election and is not impacted by changing the date of the election; and

WHEREAS, the District agrees to reimburse the County Elections Department for actual costs accrued as a result of this consolidation; and

THEREFORE, BE IT RESOLVED, that the CIRCLE X Community Services District requests the Board of Supervisors of Calaveras County to consolidate the District Election with the Statewide General Election;

BE IT FURTHER RESOLVED, pursuant to Election Code §10404 (i) the governing body members whose terms are set to expire in December of 2013 shall continue in office until their successors are elected but the term shall not extend past December 31 of the year following the year the County Board of Supervisors approves the consolidation;

BE IT FURTHER RESOLVED, pursuant to Election Code §10404 (i) the governing body members whose terms are set to expire in December of 2015 shall not be extended, the offices either remaining vacant until the 2016 election or filled by appointment until the 2016 election;

BE IT FURTHER RESOLVED, that all future general district elections shall be consolidated with Statewide General Election in accordance with Election Laws of the State of California.

ON A MOTION by Director Carroll seconded by Director Osborne the foregoing resolution was duly passed and adopted by the following vote on 11-15, 2012.

YES Votes	NO Votes	ABSENT	ABSTAIN
<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
(Number)	(Number)	(Number)	(Number)

Neha L. Jadhav
Chair of the Board of Directors

Attest:

Nancy E. Dean
Secretary of the Board of Directors

CIRCLE XX Community Services DISTRICT

RESOLUTION NO. 12-05 RESOLUTION REQUIRING ELECTIONS OF GOVERNING BODY MEMBERS BE HELD ON THE SAME DAY AS THE STATEWIDE GENERAL ELECTION

WHEREAS, it has been determined that it is cost effective for the District and the County to consolidate the District's elections for governing body members with the Statewide General Elections; and

WHEREAS, Election Code §10404 allows a special district to consolidate with the Statewide General Election; and

WHEREAS, Election Code §10404 requires jurisdictions to file with the Board of Supervisors, and the County Clerk, a resolution requesting consolidation with said election; and

WHEREAS, pursuant to Election Code §10554 elective officers take office at noon on the first Friday in December following the General Election and is not impacted by changing the date of the election; and

WHEREAS, the District agrees to reimburse the County Elections Department for actual costs accrued as a result of this consolidation; and

THEREFORE, BE IT RESOLVED, that the CIRCLE XX Community Services District requests the Board of Supervisors of Calaveras County to consolidate the District Election with the Statewide General Election;

BE IT FURTHER RESOLVED, pursuant to Election Code §10404 (i) the governing body members whose terms are set to expire in December of 2013 shall continue in office until their successors are elected but the term shall not extend past December 31 of the year following the year the County Board of Supervisors approves the consolidation;

BE IT FURTHER RESOLVED, pursuant to Election Code §10404 (i) the governing body members whose terms are set to expire in December of 2015 shall not be extended, the offices either remaining vacant until the 2016 election or filled by appointment until the 2016 election;

BE IT FURTHER RESOLVED, that all future general district elections shall be consolidated with Statewide General Election in accordance with Election Laws of the State of California.

ON A MOTION by Director Carroll seconded by Director Osborne the foregoing resolution was duly passed and adopted by the following vote on 11-15, 2012.

YES Votes	NO Votes	ABSENT	ABSTAIN
<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>
(Number)	(Number)	(Number)	(Number)

Nelva L. Jutala
Chair of the Board of Directors

Attest:

Mary Dean
Secretary of the Board of Directors

NOTICE

Circle XX CSD has a website:

<https://circleXX.specialdistrict.org/>

Google search any of the following to find us:

Circle XX CSD

Circle XX Community Services District

Circle XX Special District

Search results: **Circle XX CSD Community Services District**

The website has information on:

Circle XX Map (you can download and print)

History of the Circle XX & the Community Services District (CSD)

What is a Community Services District?

CSD Mission & Services

Board Members (Directors)

Volunteer Staff (Road Manager / Secretary/Treasurer)

How to contact us

Our Income

Annual Budgets

Financial Reports

Our Circle XX roads

Circle XX speed limit

Driveway encroachment & culvert requirements

Helpful website links

Circle XX Planning & Building Information

Calaveras County building codes

MORE

Board Meetings

When

Where

Board Agendas (back to 2016)

Board Minutes (back to 2016)

USE WEBSITE TO REPORT Circle XX ROAD PROBLEMS

Add it to your website FAVORITES If you like the new site