**AGENDA**

AMADOR LOCAL AGENCY FORMATION COMMISSION

6:00 P.M. – THURSDAY JANUARY 17, 2019
810 COURT STREET, JACKSON
BOARD OF SUPERVISORS CHAMBERS

Please Note: All LAFCO meetings are recorded. Anyone who wishes to address the Commission must speak from the podium and should print their name on the Meeting Speaker list, which is located on the podium.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the LAFCO staff, at (209) 418-9377, by e-mail to amador.lafco@gmail.com. Requests must be made as early as possible, and at least two business days before the start of the meeting.

Meeting Materials are available for Public Review at the LAFCO desk, located at the County Planning Department, 810 Court Street, Jackson, and posted on the Amador LAFCO website.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. APPROVAL OF AGENDA FOR JANUARY 17, 2019

4. APPROVAL OF THE MINUTES OF NOVEMBER 15, 2018

5. APPROVAL OF CLAIMS TO JANUARY 17, 2019

6. PUBLIC FORUM –PUBLIC COMMENT

Any person may address the Commission on any subject within the jurisdiction of LAFCO which is not on the agenda. No action may be taken at this meeting. There is a five (5) minute limit.

7. SPHERE OF INFLUENCE UPDATE, DRYTOWN COUNTY WATER DISTRICT, LAFCO PROJECT # 302; RESOLUTION #2019-01 (public hearing)

Commission will review and update/affirm the Drytown County Water District Sphere of Influence Resolution #2019-01. CEQA exempt 15061(b)(3) of the Public Resources Code, no change anticipated in services or service demand and no possibility that the project could have a negative effect on the environment.

8. FINAL MUNICIPAL SERVICE REVIEW (MSR) 2018 UPDATE, RIDGEWOOD ACRES COMMUNITY SERVICE DISTRICT; LAFCO PROJECT #306; RESOLUTION #2019-02 (public hearing)

Commission will review the Final Ridgewood Acres Community Services District Municipal Services Review, make determinations regarding the district & adopt Resolution #2019-02. CEQA: Public Resources Code Section 21102 and
21150, descriptive and planning study for possible future action for which funding has not been committed.

9. AFFIRM AND ADOPT A COTERMINOUS SPHERE OF INFLUENCE FOR RIDGEWOOD ACRES COMMUNITY SERVICE DISTRICT; LAFCO PROJECT #307; RESOLUTION #2019-03 (public hearing)

The Commission will review and update/affirm a coterminous sphere of influence for the district & adopt Resolution #2019-03. CEQA: categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code, no change in services or service demand and no possibility that the project could have a negative effect on the environment.

10. PUBLIC REVIEW DRAFT MUNICIPAL SERVICE REVIEW (MSR) 2019 UPDATE, PINE GROVE COMMUNITY SERVICE DISTRICT; LAFCO PROJECT #308 (public hearing)

Staff will present the Pine Grove Community Service District draft MSR and it will be circulated for comment. Final action is planned for the next LAFCO meeting.

11. FOLLOW UP REPORT ON ISSUES IDENTIFIED IN THE MUNICIPAL SERVICES REVIEW FOR JACKSON VALLEY FIRE PROTECTION DISTRICT

Discussion and possible direction to staff.

12. MEETING SCHEDULE FOR 2019

13. ELECTION OF OFFICERS: CHAIRMAN & VICE-CHAIRMAN (No written materials)

14. DESIGNATION OF SIGNATURE AUTHORITY FOR 2019

15. OTHER BUSINESS, REPORTS

a. Correspondence
b. Commissioner Announcements
c. Executive Officer’s Report
d. Budget Report (Mid-year Budget report is deferred to February Meeting)
e. Legislation Report (CALAFCO materials)

16. ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for February 21, 2019.

[Signature]
Roseanne Chamberlain  
Executive Officer

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 48 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 10 copies.

NOTE: State law requires that a participant in LAFCO proceedings who has a financial interest in the decision and who has made a campaign contribution to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.

PLEASE DO NOT REMOVE POSTING BEFORE:  
January 18, 2019
MINUTES
November 15, 2018

This meeting was available via live audio streaming and was digitally recorded.

1. **Call to Order, Pledge of Allegiance & Roll Call**

   The November 15, 2018, meeting of the Amador Local Agency Formation Commission (LAFCO), held at the County Administration Center, 810 Court Street, Jackson, California, was called to order by Chairman Crew at 6:01 p.m.

2. **Roll Call**

   Members Present:
   - Pat Crew, Chairman
   - Dominic Atlan, City Member
   - Tim Murphy, City Member
   - Jim Vinciguerra, Public Member
   - Brian Oneto, County Member (arrived 6:12 p.m.)

   Staff Present:
   - Roseanne Chamberlain, Executive Officer
   - Nancy Mees, Clerk to the Commission
   - William Chamberlain, Legal Counsel

3. **Approval of Agenda for November 15, 2018**

   **Motion:** It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to approve the agenda as submitted.

4. **Approval of the Minutes of September 20, 2018**

   **Motion:** It was moved by Commissioner Murphy, seconded by Commissioner Vinciguerra, and carried to approve the Minutes for September 20, 2018, as submitted, with Commissioner Atlan abstaining.

5. **Approval of Claims to November 15, 2018**

   Executive Officer Chamberlain stated that the Approval of Claims should be amended to change conference costs for Commissioner Crew to zero and conference costs for Commissioner Vinciguerra to $225.75.

   **Motion:** It was moved by Commissioner Murphy, seconded by Commissioner Atlan, and carried unanimously to approve the Approval of Claims – Meeting Final, as amended.
6. **Public Forum – Public Comment**

There was no public comment.

7. **Municipal Service Review (MSR) 2018 Update, Drytown County Water District, LAFCO Resolution #2018-08 (public hearing)**

Chairman Crew opened the Public Hearing, continued from the September 20, 2018, Commission meeting.

Executive Officer Chamberlain stated that the edits received from Drytown County Water District (DCWD) had been included in the current version of the MSR, but that none of the edits were substantive. The Determinations mostly focus on policy decisions DCWD will have to make regarding potential future demands on the district from the area surrounding the district. There will be challenges regarding growth and the funding of that growth. There will also be effects on staffing if and when the district grows.

Ms. Chamberlain reported that the Determinations also discuss the Capital Improvement plan which the district is currently in the process of completing, and that this plan is necessary and will be beneficial to the district. She also stated that the district needs to do a better job of monitoring its water loss rates and sources.

Ms. Chamberlain said she had met with Robert Fancher regarding the district boundary as he had some questions about it. After their discussion, he agreed that the currently identified boundary is the correct one. He did, however, provide copies of some old documents that were useful in clearing up some questions as to why there were so many out-of-boundary connections in the area of New Chicago Road.

Chairman Crew pointed out a spelling error on page 5, which will be corrected. He then asked if there were accepted standards for water loss, or whether it was unique to each district. Ms. Chamberlain responded that they are unique. Part of the problem in monitoring water loss in DCWD is that the tracking periods for water bought from Amador Water Agency and water distributed by the district are not the same, making it hard to find correlations in measured water in versus measured water out. Hard-to-track losses could also occur because Amador Water Agency does backwashing of the system, but uses water already sold to DCWD without buying it back from DCWD. However, there has been no history of any water loss monitoring, so the district does need to start doing so to the extent it can.

Commissioner Murphy asked about two grandfathered lots mentioned in DCWD’s comment letter, and whether they had to be considered now or in a future sphere action. Ms. Chamberlain replied that she believes they are already in the sphere, but that the Sphere of Influence will be considered at the next Commission meeting. The district will need to identify which parcels it wants in its sphere and what possible future connections there may be. She added that property cannot be grandfathered in, but must be annexed in the proper manner.

There was no public comment.

**Motion:** It was moved by Commissioner Murphy, seconded by Commissioner Oneto, and carried unanimously to close the Public Hearing.
Motion: It was moved by Commissioner Oneto, seconded by Commissioner Atlan, and carried unanimously to approve Resolution #2018-08.

8. Municipal Service Review (MSR) 2018 Update, Ranch House Estates Community Service District; LAFCO Resolution #2018-09 (public hearing)

Chairman Crew opened the Public Hearing, continued from the September 20, 2018, Commission meeting.

Clerk to the Commission Mees, author of the report, explained that the only edit to the Public Review Draft was a clarification of the dates when the Amador Water Agency took over water service from the district.

There was no public comment.

Motion: It was moved by Commissioner Vinciguerra, seconded by Commissioner Atlan, and carried unanimously to close the Public Hearing.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Murphy, and carried unanimously to approve Resolution #2018-09.

9. Affirm and Adopt a Coterminous Sphere of Influence for Ranch House Estates Community Service District; LAFCO Resolution #2018-10 (public hearing)

Chairman Crew opened the Public Hearing.

Clerk to the Commission Mees stated that the last Sphere of Influence (2016) was set as a Zero Sphere because at the time the district had a number of management issues, including lack of a Board of Directors. Since then, however, the district has made many improvements and now has a fully functioning board. Therefore, since there is no possibility of future growth in the district, it is recommended that the district sphere be changed to a coterminous sphere. Executive Officer Chamberlain added that the district itself is also requesting a coterminous sphere.

There was no public comment.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Vinciguerra, and carried unanimously to close the Public Hearing.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Vinciguerra, and carried unanimously to approve Resolution #2018-10.


Chairman Crew opened the public hearing.

Clerk to the Commission Mees, author of the report, briefly reviewed the items in the memo in the packet. She stated that the district may have funding issues in the future, and therefore LAFCO staff, with the help of the Auditor’s office, has been researching the process for the district to obtain an assessment increase. Ms. Mees emphasized, however, that the district’s
biggest issue at the moment is obtaining a full Board of Directors and a General Manager, and meeting the other legal requirements for a Special District.

There was some discussion among the Commissioners and staff as to whether it would be more beneficial to the district if the MSR were to be postponed until the district can bring itself into better compliance. Ms. Chamberlain explained that having the MSR out now would actually provide greater incentive for the current minimal board and the residents of the district to comply with the legal requirements necessary to keep the district alive. Ms. Mees added that the three board members, at least, seem motivated to bring the district up to standard, but had just been unaware that there were problems. (The three board members had not seen the 2014 MSR prior to now and did not know of the legal requirements for special districts.)

There was no public comment.

**Motion:** It was moved by Commissioner Atlan, seconded by Commissioner Murphy, and carried unanimously to continue the Public Hearing and to direct staff to circulate the Draft Municipal Service Review for Ridgewood Acres Community Service District 2018 Update for public comment.

11. **Other Business, Reports**

   a. Correspondence – none.

   b. Commissioner Announcements – Commissioners Crew and Vinciguerra gave a brief report on the annual CALAFCO conference they attended in October.

   c. Executive Officers Report, Project Status Report, and Legislation Report – Executive Officer Chamberlain reported that in response to the passage of SB 448 in 2017, the State Controller’s Office has made a list of what it considers to be inactive districts throughout the state. Although the three inactive districts in Amador County (CSA3, CSA7, and Willow Springs Water District) did not make that list, we are still allowed to use the streamlined procedures of SB 448 to dissolve those districts, and Ms. Chamberlain will be doing so in the near future.

      Ms. Chamberlain reported that another upcoming project will be detaching property from the Amador Resource Conservation District that is within the county of Calaveras. Calaveras now has its own Resource Conservation District that includes that property. When the Calaveras district was formed, a detachment from the Amador Resource Conservation District should have occurred, but Calaveras LAFCO failed to do so.

      Ms. Chamberlain also reported that Amador County’s IT Department has agreed to host websites for special districts within our county at a cost of $180 per year for each district that wishes to use them. She added that, although small districts can opt out of the website requirement due to financial hardship, she believes the cost for use of the county’s website, at only $15 per month, would make it hard for a district to claim financial hardship.
12. Adjournment

The next regular LAFCO meeting is scheduled for December 20, 2018. Chairman Crew adjourned the meeting at 6:43 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: ____________________
Nancy Mees, Clerk to the Commission
## APPROVAL OF CLAIMS - PACKET DRAFT

**AGENDA OF January 17, 2019**

**APPROVAL OF CLAIMS TO**

**January 17, 2019**

**Agenda Item 5**

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**TOTAL**

$8,376.25

**Note:** Denotes any invoices paid prior to Commission Approval, per Policy 2.3.7

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**CHAIR:**

Presiding Officer

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**ATTEST:**

Nancy Mees
CLERK TO THE COMMISSION
AGENDA ITEMS # 7

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: AFFIRM THE SPHERE OF INFLUENCE FOR DRYTOWN COUNTY WATER DISTRICT
        EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
DATE: MEETING OF JANUARY 17, 2018

DESCRIPTION & BACKGROUND

Government Code requires the commission to adopt and update as needed, the spheres of influence of each district and city every five years. The Drytown County Water District sphere of influence was adopted in 2009 and reaffirmed in 2014. It includes all the parcels within the district and those where the district has extended water service or made commitments to serve years ago. Some development of these parcels has proceeded, infrastructure has been extended to them and the need for the district to annex additional lands within its sphere has become more timely.

The 2018 Municipal Services Review (MSR) review for Drytown County Water District updated the status of Drytown CWD and was reviewed by the commission in November 2018. Determinations regarding the district were made in Resolution #2018-08. Those determinations are consistent with affirming the existing sphere of influence and encouraging the district to annex the properties where service has been extended and is planned. The district is initiating its capital improvement plan effort and will review the possibility of adding some parcels to its sphere of influence at a later date once those plans are completed. The district board decided to request that LAFCO affirm the current sphere of influence at this time and understands that they can request a sphere amendment in the future.

The analysis and complete profile for the district is contained in the 2018 Municipal Services Review update and is made a part of the record of this action by reference.

CEQA

LAFCO is the lead agency for the project. The Executive Officer has reviewed the proposal and determined that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), Section 15061(b)(3) of the Public Resources Code, in that there is no change in services or service demand and no possibility that the project could have a negative effect on the environment (Notice of Exemption attached).
RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Hold the public hearing and determine whether the previously adopted sphere of influence should be affirmed unchanged for Drytown County Water District.

2. Find that the project is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) and direct staff to prepare a Notice of Exemption pursuant the California Code of Regulations.

3. Adopt Resolution #2019-01, making determinations and affirming the existing sphere of influence of the Drytown County Water District.

4. Direct staff to complete the necessary filings and transmittals as required by law.

Attachments: Resolution #2019-01
Exhibit A: Map
Exhibit B: Determinations
Notice of Exemption
AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION MAKING DETERMINATIONS, UPDATING/REAFFIRMING THE SPHERE OF INFLUENCE FOR THE DRYTOWN COUNTY WATER DISTRICT

LAFCO RESOLUTION NUMBER 2019-01

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with §56000, et seq. of the Government Code, and specifically in accordance with §56425; and

WHEREAS, a municipal services review update has been completed and was found by LAFCO to be adequate and complete on November 15, 2018; and

WHEREAS, the functions and classes of services provided by the Drytown County Water District are water supply & treatment and retail domestic and irrigation distribution services as described in the Municipal Services Review; and

WHEREAS, water service is currently provided to some customers outside the boundaries of the district and the Board of Directors of the Drytown County Water District intends to complete annexation of those parcels currently receiving service in the future; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders containing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the Sphere of Influence, including but not limited to comments, objections, the Executive Officer's written and oral report and recommendation, the environmental document and determination, plans for providing service, and previously adopted spheres of influence;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as follows:

1. The adoption of the Sphere of Influence for the Drytown County Water District without change is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) in that there is no possibility that the action taken by the Commission may have a significant effect on the environment.

2. The Sphere of Influence of the Drytown County Water District is determined and approved as shown on the attached map marked "Exhibit A", and includes all territory within the District's boundaries, plus parcels outside the boundaries currently receiving service and those parcels where the District has longstanding commitments to serve.

3. Determinations with respect to the Sphere of Influence for the Drytown County Water District are set forth and described in the attached "Exhibit B" and are incorporated herein by this reference.
4. The Executive Officer is hereby directed to file a Notice of Exemption in compliance with the California Environmental Quality Act and local ordinances implementing the same.

The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 17th day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

__________________________
Presiding Officer
Patrick Crew, Chairman

ATTEST:

__________________________
Nancy Mees, Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California
1. No changes to the present and planned land uses in and around the Drytown County Water District are anticipated within the planning horizon of this sphere of influence, including agricultural and open space lands. Existing parcels, not yet receiving service but where service commitments have been made by the district, are within the sphere and are noted as appropriate for annexation in the future when service is needed.

2. While growth may be likely in the future, the physical limitations of the distribution system and uncertainties regarding capital improvements as described in the Municipal Services Review do not support an expansion of the existing sphere at this time.

3. No changes in the present and probable need for public facilities and services in and around the Drytown County Water District are anticipated within the planning horizon of this sphere of influence.

4. The Commission recognizes that the present capacity of public facilities and the adequacy of public services that the Drytown County Water District provides, or is authorized to provide, are adequate within the current service area.

5. The Commission recognizes that the Drytown County Water District is a community of social and economic interest represented by the district Board of Directors. The commission acknowledges that the district intends to complete the annexation of parcels outside district boundaries which are currently receiving service at some time in the future.

6. While the commission recognizes that the Drytown County Water District currently provides service outside its boundaries and these lands are included in the sphere of influence, no change in service or new service may be extended to these areas without review under Government Code Section 56133 or completion of annexation proceedings.
Notice of Exemption

TO: Office of Planning and Research
    1400 Tenth Street, Room 121
    Sacramento, CA 95814

FROM: Public Agency:
      Amador LAFCO
      810 Court Street, Jackson, 95642
      Contact: 209-418-9377
      amador.lafco@gmail.com

Project Title: 1) Affirm a Coterminal Sphere of Influence for Ridgewood Acres CSD (RACSD) &
               2) Affirm the Existing Sphere of Influence for Drytown County Water District (DCWD)

Project Location - Specific: 1) RACSD is 4.5 miles from the intersection of SR49 and Ridge Rd;
                              2) DCWD is 3 miles south of the City of Plymouth

Project Location - City: NA Project Location - County: Amador

Description of Project: Affirm the current spheres of influence for RHECSD & DCWD

Name of Public Agency Approving Project: Amador LAFCO

Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)
               Ministerial
               Declared Emergency
               X Categorical Exemption Section 15061(b)(3)
               Statutory Exemptions. State code number:

Reasons why project is exempt: Section 15061(b)(3) of the Public Resources Code, in that there is
no change in services or service demand and no possibility that the project could have a negative
effect on the environment.

Signature: __________________________________ Date: 1/17/19 Title: Executive Officer

X Signed by Lead Agency Date received for filing at OPR: ________________________

Signed by Applicant

POSTED ON:
AGENDA ITEM #8

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: FINAL MUNICIPAL SERVICE REVIEW (MSR), 2018 UPDATE, RIDGEWOOD ACRES COMMUNITY SERVICE DISTRICT (PROJECT #306)
DATE: MEETING OF JANUARY 17, 2019

BACKGROUND:

The district was formed in 1974 to provide street maintenance and water service. Water service was transferred to Amador Water Agency in 2003. The 43-acre District currently provides street maintenance services to one looped road that connects to SR 104 on each end.

The Final Municipal Services Review (MSR) for Ridgewood Acres Community Service District describes the district and its services and is attached and made a part of this action by reference.

DISCUSSION SUMMARY:

A volunteer District Board of only three members performs the management and administration of the District; however, state law requires a 5-member board. Numerous problems and challenges for the district are noted in the MSR, and may have worsened as a result of being unable to maintain a full board of directors and function as a government agency, comply with the Brown Act, effectively plan for future services, etc.

To date RACSD has been able to maintain its informal plan of chip sealing the roads approximately every seven years. The Board is concerned, however, that with the current assessment of $100/parcel, they may not be able to afford to do a complete chip seal of the entire road in 2022. The district’s small size may compound its problems.

CEQA
The Ridgewood Acres Community Service District Municipal Service Review of 2018 is found by the Executive Officer to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21102 and 21150 in that it is a descriptive and planning study for possible future action for which funding has not been committed.
STAFF RECOMMENDATIONS:

1. Find that the Ridgewood Acres Community Service District Municipal Service Review of 2018 is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21102 and 21150 in that it is a descriptive and planning study for possible future action for which funding has not been committed.

2. Adopt Resolution #2019-02, finding the MSR adequate and complete and making determinations regarding the district

Attachments:

Resolution #2019-02
Final MSR 2018 Update for Ridgewood Acres Community Service District
Map
CEQA: Notice of Exemption
RESOLUTION MAKING DETERMINATIONS AND FINDINGS RELATED TO THE
2018 UPDATE OF THE RIDGEWOOD ACRES COMMUNITY SERVICE DISTRICT
MUNICIPAL SERVICES REVIEW

LAFCO RESOLUTION NO. 2019-02

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization
Act, commencing with §56000, et seq. of the Government Code, specifically in accordance with
§56430, requiring a review of municipal services provided in the county; and

WHEREAS, LAFCO initiated and conducted a service review of all municipal services
in all areas of Amador County in 2008, and prepared a comprehensive update and review of
agencies and services in 2014 and has now completed a review and update of the services of
Ridgewood Acres Community Service District (RACSD); and

WHEREAS, the Commission held a noticed public hearing of the Ridgewood Acres
Community Service District municipal services review on November 15, 2018 and January 17,
2019, received and heard testimony and comment related to the report, its findings and
determinations;

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED AND ORDERED as
follows:

1. The Ridgewood Acres Community Service District Municipal Service Review of 2018 is
found to be exempt from the provisions of the California Environmental Quality Act
(CEQA) pursuant to Public Resources Code Section 21102 and 21150 in that it is a
descriptive and planning study for possible future action for which funding has not been
committed.

2. The Ridgewood Acres Community Service District Municipal Service Review is found to
be adequate and complete pursuant to the requirements of Government Code Section
56430. Determinations regarding municipal services are approved as set forth and
described in the attached “Exhibit A” and by this reference incorporated herein.

3. The Executive Officer is hereby directed to file a Notice of Exemption in compliance
with the California Environmental Quality Act and local ordinances implementing the
same.
The foregoing resolution was duly passed and adopted by the Local Agency Formation Commission of the County of Amador at a regular meeting thereof, held on the 17th day of January, 2019, by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Presiding Officer
Patrick Crew, Chairman

ATTEST:

______________________________
Nancy Mees
Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California
SUMMARY OF DETERMINATIONS
EXHIBIT A LAFCO RESOLUTION 2019-02

Growth and Population Projections

- There has been no growth within the District since 1962 and no future growth requiring District services is anticipated within or adjacent to the District.

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

- The District does not provide services related to wastewater, municipal and industrial water, or structural fire protection; thus the requirements regarding identification of DUCs is not applicable.

Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs and deficiencies

- Present capacity of public facilities is sufficient, and service provision is adequate within financial constraints; the District chipseals its roadway every seven to ten years.
- Future capacity will remain constant.
- While the District reports that the roadway is in good to excellent condition, it is not constructed to minimum County standards and the long-term road maintenance needs may be problematic. The District anticipates major maintenance will be needed at some point in the future, however there is no plan in place to fund long term maintenance needs.

Financial ability of agencies to provide services

- The District reported that the current level of financing will not be sufficient to perform future maintenance due to increased costs. Continued assessments through 2022-2025 (i.e., when the next chipseal will be performed) plus current reserves should be enough to cover the cost of that maintenance if costs do not increase dramatically. However, that will most likely deplete all reserves. The current assessment levels are not high enough that there will then be sufficient funds for the subsequent chipseal in another seven to ten years. Options for the district include: increasing the assessment, bringing the roads up to County standards such that maintenance could be turned over to County Service Area 5, or dissolving the District and finding a way to privatize the maintenance.
Residents were not receptive to a District-proposed assessment increase in August 2007.

At one time, the District was amenable to consolidation with other local street maintenance providers or dissolution with the transfer of services to the County. Since approximately 2008, however, neither consolidation nor dissolution has been further discussed.

The District serves as a vehicle for collecting fixed assessments, but is not functioning in its capacity as an independent government agency.

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Status of, and opportunities for, shared facilities

There are no known current or feasible shared facilities.

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Accountability for community service needs, including governmental structure and operational efficiencies

The District does not comply with state law in numerous aspects. The 2014 MSR found many failures in the operation and administration of the District with respect to the requirements of the Community Service District Law. None of those findings have been addressed since the prior MSR, and, in fact, operation of the District has deteriorated further.

The District currently has only three board members, in violation of state law.

The District lacks a general manager and has not designated a volunteer general manager.

Multiple deficiencies are found with regard to Board meetings, including the lack of quarterly meetings, proper notice, agendas, minutes and records.

Although the District was granted a five-year audit schedule by the Board of Supervisors in 2004, no audit has been performed since 2002.

The District transmits terms of office for board members and annual Form 700s at the request of the County Elections Office, and should continue to do so.

The District has no bylaws, policies or procedures as required by law. Copies of bylaws from other local CSDs that provide only road maintenance are available to RACSD as samples.

There is no formal complaint process and no procedure for handling Public Records Act requests. While these may have been handled informally in the past, reliable procedures to comply with state laws will improve District accountability and transparency.

Board Members and the General Manager, once appointed, should have sexual harassment training, as well as training to comply with the Brown Act and Public Records Act.
Due to the passage of SB929, the District will need to set up and maintain a website that complies with the requirements of the new legislation, as well as previously enacted legislation, by January 1, 2020. The County is currently working to help provide a platform on its website which small districts in the County could utilize at a minimal cost.

The District needs to pursue a way in which it can affordably acquire both liability insurance and Errors & Omissions insurance.

The District financial reports are filed with the State Controller by the County Auditor. The most recent figures appearing on the State Controller’s website are for 2016.

The District has reported that it maintains, distributes and enforces the Covenants, Conditions and Restrictions (CC&Rs) for the Ridgewood Acres subdivision. Enforcement of CC&Rs is a service that cannot legally be provided by the CSD, and the District should therefore cease performing such activities.

Operational efficiencies are achieved by the use of volunteers to trim trees and clear brush. While private volunteer services are cost-effective to the district in the short term, the District should use these services as part of an integrated long-term plan. Because the district does not have insurance, the use of volunteers significantly increases District liability.
RIDGEWOOD ACRES COMMUNITY SERVICES DISTRICT

Ridgewood Acres Community Services District (RACSD) provides street maintenance services.

Agency Overview

Background

Ridgewood Acres Community Services District (RACSD) was formed on September 16, 1974, as an independent special district. RACSD was formed to provide street maintenance and water services. Water services were transferred to Amador Water Agency in 2003. The District currently provides street maintenance services.

The principal act that governs the District is Community Services District Law. CSDs may potentially provide a wide array of services, including water supply, wastewater; solid waste; police and fire protection; street lighting and landscaping; airport, recreation and parks; mosquito abatement; library services; street maintenance and drainage services; ambulance service; utility undergrounding; transportation; graffiti abatement; flood protection; weed abatement, and hydroelectric power; as well as various other services. Since 2005, CSDs are required to gain LAFCO approval to add or divest those services permitted by the principal act (i.e., latent powers). The functions and classes of services for Ridgewood Acres CSD were authorized by LAFCO in January, 2006 and are as follows: Acquire, construct, improve, and maintain streets, roads rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works.

Boundary

The District is located along Ridgeview Drive, which extends south of Ridge Road, just west of New York Ranch Road. The District is approximately 4.5 miles northeast of Ridge Road’s intersection with SR 49. Ridgeview Drive is a circular route, and the bounds are limited to parcels on either side of this road. The bounds encompass approximately 43 acres (0.07 square miles).

LAFCO records indicate one detachment, which occurred in 1974 and detached just over one acre from the District. There are no records of annexations to the District.

Sphere of Influence

RACSD’s sphere was originally adopted in 1976. After adoption of the 2008 MSR, in August, 2009, LAFCO updated the District’s SOI to be smaller than the district boundary,

1 Amador County Board of Supervisors Resolution #3630 certifying election results. Certificate of Filing with Secretary of State, September 16, 1974.
2 Government Code §§61000-61226.5.
3 Government Code §61106.
4 Raine Detachment, LAFCO Project No. 69; unnumbered Resolution, December 19, 1974.
excluding those parcels that do not receive services, i.e. that do not access district maintained roads. This SOI was affirmed in 2014.

**Local Accountability and Governance**

The principal act requires that districts have five-member governing boards, including a President and Vice-President. Accordingly, RACSD was governed by a five-member board of directors. If the election is not contested, the members are appointed by the County Board of Supervisors to staggered, four-year terms. In March of 2017, two board members resigned and two were determined ineligible because they were not registered Amador County voters. In December 2017 the current three board members were appointed by the Board of Supervisors to new four-year terms. Therefore, the Board is currently two members short and does not have a Vice-President. See Figure 1 for information on individual board members and term expirations.

**Figure 1: Ridgewood Acres CSD Governing Body**

<table>
<thead>
<tr>
<th>Governing Body</th>
<th>Name</th>
<th>Position</th>
<th>Term Ends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members</td>
<td>Patti Miller</td>
<td>President</td>
<td>December 2021</td>
</tr>
<tr>
<td></td>
<td>Monica Bennion</td>
<td>Director/Secretary</td>
<td>December 2021</td>
</tr>
<tr>
<td></td>
<td>Justin Bennion</td>
<td>Director</td>
<td>December 2021</td>
</tr>
<tr>
<td></td>
<td>Vacant</td>
<td>Director</td>
<td>NP</td>
</tr>
<tr>
<td></td>
<td>Vacant</td>
<td>Director</td>
<td>NP</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Manner of Selection</th>
<th>Nominated by CSD Board, appointed by County BOS.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of Term</td>
<td>Four years</td>
</tr>
<tr>
<td>Meetings</td>
<td>Date: as needed, Location: NP</td>
</tr>
<tr>
<td>Agenda Distribution</td>
<td>Mailed or hand-delivered to home owners.</td>
</tr>
<tr>
<td>Minutes Distribution</td>
<td>By request</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact</th>
<th>Monica Bennion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
<td>13070 Ridgeview Drive, Sutter Creek, CA 95685</td>
</tr>
<tr>
<td>Phone</td>
<td>209-625-6654</td>
</tr>
<tr>
<td>Email/Website</td>
<td><a href="mailto:mochamix79@gmail.com">mochamix79@gmail.com</a></td>
</tr>
</tbody>
</table>

The principal act requires that boards convene at least four times per year, or every three months. For some time the Board has only been meeting on an as-needed basis. In addition, they do not have a regular method of posting or distributing notices of meetings, agendas, or minutes pursuant to Brown Act provisions, nor does it have a website. The District uses letters or word-of-mouth to update homeowners on current issues. The District reported that it has had no known reported Brown Act violations in recent history.

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5 LAFCO Resolution 76-81.
7 LAFCO Resolution 2014-12.
8 Government Code §§61040, 61043.
9 Government Code §61044.
The District does not have written bylaws or rules for its proceedings, nor does it have any policies regarding administration, operation of the District, or handling of fiscal issues. These are all required by statute.\textsuperscript{10}

Form 700 Financial Interest Statements have been completed by all Board Members, and are on file at the County Elections Office. The District does not have a separate Conflict of Interest Code.

The District demonstrated accountability in its disclosure of information and cooperation with LAFCO. The agency responded to LAFCO’s written questionnaires and cooperated with document requests.

Management

The principal act calls for community services districts to appoint a general manager to implement board policies.\textsuperscript{11} RACSD did not have a general manager position as of the 2014 MSR, and still does not have one. The District should consider designating a general manager, although due to the District’s size and limited funds, it would likely be unable to hire a general manager. Therefore, the District should consider designating a volunteer general manager to ensure that it is operating within legal requirements.

The District has no employees. The Board contracts with a private company to perform all necessary maintenance. Maintenance and capital needs are determined by the Board at necessary meetings. An annual financial report is performed by the Amador County Auditor’s Office.

The District has not produced any planning documents, such as a master plan, but has reported that it maintains, distributes and enforces the Covenants, Conditions and Restrictions (CC&Rs) for the Ridgewood Acres subdivision. Enforcement of CC&Rs is a service that cannot legally be provided by the CSD.\textsuperscript{12}

District financial planning efforts do not include regular audits. The District was granted a five-year audit schedule in 2004. The most recent audit appears to be the one completed in 2002, which is on file with the county Auditor. The District does not adopt an annual budget or a capital improvement plan. Plans for capital improvements over a seven-year period are made informally at Board meetings. The current unwritten policy is to chipseal the road every seven years.

The District did not report whether its management practices include risk management. The District did report that it holds no insurance.

Ethics training is required every two years by Government Code §53234. None of the board members have completed such training. Board Members and supervisory staff are also required to complete sexual harassment training every two years (Government Code §61010).

\textsuperscript{10} Government Code §61045(f), (g).
\textsuperscript{11} Government Codes §61055(a) Per §61040(e), the general manager may not be a member of the board.
\textsuperscript{12} Government Code §61105 provides “special statutory powers” to certain grandfathered districts, allowing for “special services and facilities that are not available to other districts.” Government Code §61105(e) lists the community services districts that are authorized to provide CC&R oversight. Because RACSD is not a grandfathered agency under Government Code §61105(e), and CC&R oversight is not an authorized power under Government Code §61100, RACSD is not authorized to perform CC&R oversight.
§53237). This training has not been completed, although sexual harassment training is less important as there are no employees or staff.

The California Special Districts Association recommends board member training on the Brown Act and the Public Records Act. None of the board members have taken any such training. There is no procedure in place for handling a Public Records Act request. Neither is there any official procedure for handling resident complaints.

The District is not a member of any group, such as the California Special Districts Association, and therefore does not have any reliable means of learning about changes in law or regulations pertaining to special districts.

Service Demand and Growth

There is no economic activity in the District; land use is entirely suburban residential. The District’s closest economic centers are the City of Sutter Creek and Pine Grove, which are equidistant (five miles) in opposite directions along SR 104.

The District serves approximately 66.7 residents. The District’s population density is 870 per square mile; however, the District’s size is less than one-tenth of a square mile. Comparatively, the countywide population density is 64 per square mile.

The District reports that there has been no growth in the District since 1962. It is anticipated that there will continue to be no growth within the District as all parcels are already developed.

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

Disadvantaged Unincorporated Communities

LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community is defined, under Amador LAFCO Policies, as any area with at least 15 dwelling units at a density not less than one unit per acre, where the median household income is less than 80 percent of the statewide annual median. The issue of DUCs only applies, however, if the district in question is providing services related to wastewater, municipal and industrial water, or structural fire protection. These services are not provided by RACSD. Therefore, there is no need to identify DUCs.

Financing

The District’s finances are tracked in a single fund. Just prior to the 2007-2008 MSR, a second water enterprise fund was closed out and consolidated with the general fund. Financial reporting and bookkeeping services are provided by the County.

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13 Amador County, General Plan, Land Use Map, 2016.
14 The population estimate is the product of the total occupied parcels and the average household size (2.3) for Amador County, according to the California Department of Finance 2010.