

****AGENDA****

AMADOR LOCAL AGENCY FORMATION COMMISSION

**6:00 P.M. – THURSDAY AUGUST 15, 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 AUGUST 15, 2019**
- 4. APPROVAL OF THE MINUTES OF JUNE 20, 2019**
- 5. APPROVAL OF CLAIMS TO AUGUST 15, 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. PINE GROVE COMMUNITY SERVICES DISTRICT - SERVICE AREA ANNEXATION, RESOLUTION #2019-15, LAFCO PROJECT #324, (public hearing)**

Annexation of 21 parcels in various locations contiguous to district boundaries & historically receiving water service from the district; no new service connections to be added. CEQA Statutory Exemption §15319(b), annexation of existing facilities and exempt lots, and no possibility that the project could have a negative effect on the environment.

- 8. ADOPTION/AMENDMENT OF THE SPHERE OF INFLUENCE FOR SUNSET HEIGHTS COMMUNITY SERVICE DISTRICT; RESOLUTION #2019-16; LAFCO PROJECT #316 (public hearing)**

Proposed as a smaller area than the boundaries, excluding those parcels which have historically not been charged and have not received road maintenance;

CEQA Categorical Exemption §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.

9. FINAL MUNICIPAL SERVICE REVIEW (MSR) 2019 UPDATE, PINE ACRES COMMUNITY SERVICE DISTRICT; RESOLUTION #2019-17, LAFCO PROJECT #314 (public hearing)

Staff will present the Pine Acres CSD MSR with Determinations; CEQA: Public Resources Code Section 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed.

10. PUBLIC REVIEW DRAFT MUNICIPAL SERVICE REVIEW FOR FIDDLETOWN COMMUNITY SERVICE DISTRICT; LAFCO PROJECT # 318; (PUBLIC HEARING)

Staff will present the Pine Acres CSD draft MSR and it will be circulated for comment. Final action is planned for the next LAFCO meeting. CEQA: Public Resources Code Section 21102 and 21150, descriptive and planning study for possible future action for which funding has not been committed

11. ADOPTION/AMENDMENT OF THE SPHERE OF INFLUENCE OF RIDGEWOOD ACRES COMMUNITY SERVICE DISTRICT (public hearing, continued from January 17, 2019)

The District proposes a zero sphere of influence to facilitate dissolution. Efforts to establish a private road association are proceeding successfully.

12. FEE WAIVER REQUEST DUE TO FINACIAL HARDSHIP: LAFCO FEES FOR THE FUTURE DISSOLUTION OF RIDGEWOOD ACRES CSD

13. CALL FOR NOMINATIONS TO THE CALAFCO BOARD OF DIRECTORS

14. OTHER BUSINESS, REPORTS

- a. Correspondence
- b. Commissioner Announcements
- c. Executive Officer's Report
- d. Budget Reports
- e. Legislation Update

ADJOURNMENT

Note: The next regular LAFCO meeting is scheduled for September 19, 2019 (This meeting may be cancelled, pending sufficient items for the agenda).



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:
AUGUST 16, 2019**

AMADOR LAFCO



LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642 ♦ (209) 223-6380

MINUTES

June 20, 2019

DRAFT

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

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

The June 20, 2019, 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 Vice Chairman Vinciguerra at 6:02 p.m.

2. **Roll Call**

Members Present:

Jim Vinciguerra, Vice Chairman
Dominic Atlan, City Member
Jon Colburn, City Member Alternate

Staff Present:

Roseanne Chamberlain, Executive Officer
Nancy Mees, Clerk to the Commission
William Chamberlain, Legal Counsel

3. **Approval of Agenda for June 20, 2019**

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

4. **Approval of the Minutes of May 16, 2019**

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Colburn, and carried unanimously to approve the Minutes for May 16, 2019, as submitted.

5. **Approval of Claims to June 20, 2019**

Motion: It was moved by Commissioner Colburn, seconded by Commissioner Atlan, and carried unanimously to approve the Approval of Claims – Meeting Final, as submitted.

6. **Public Forum – Public Comment**

There was no public comment.

7. **Dissolution of County Service Area #7; Resolution #2019-11, LAFCO Project #312**

Vice Chairman Vinciguerra opened the Public Hearing.

Executive Officer Chamberlain reported that the Notice of Exemption for this project had been filed in May, and that there is no exchange of property tax and this item is on the Board of Supervisors' agenda for June 25. She reiterated that this is a mandatory dissolution as it was on the list of inactive districts sent out by the State Controller's office. Ms. Chamberlain added that a 1/8-page ad had been placed in the Ledger Dispatch in April in lieu of mailed notice.

In answer to a question from Commissioner Colburn, Ms. Chamberlain responded that the district had originally been set up for the purpose of providing solid waste disposal service, but that an assessment had not been approved so the district never performed any function.

There was no public comment.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Colburn, and carried unanimously to approve Resolution #2019-11 as presented, with direction to staff to complete the necessary filings and transmittals for the dissolution.

8. **Final Municipal Service Review (MSR) 2019 Update, Lockwood Fire Protection District; Resolution #2019-12; LAFCO Project #311 (public hearing)**

Executive Officer Chamberlain stated that this is the final version of the Draft MSR presented at the May meeting, and that it includes the revisions received from the District. She added that the project is exempt from CEQA under sections 21102 and 21150 of the Public Resources Code.

There was no public comment.

Motion: It was moved by Commissioner Atlan, seconded by Commissioner Colburn, and carried unanimously to approve Resolution #2019-12 as presented, and to give staff direction to file a Notice of Exemption.

9. **Final Municipal Service Review (MSR) 2019 Update, Sunset Heights Community Service District; Resolution #2019-13; LAFCO Project #313 (public hearing)**

Clerk Mees reported that this is the final version of the Draft MSR presented at the May meeting, and that it includes the revisions received from the District. She added that additional clarifications had been received from the District since the packet had been distributed, that none were significantly substantive, and that those corrections were in the hand-outs presented at the dais prior to the meeting. Ms. Mees stated that these changes would appear in the final version of the MSR if approved by the Commission. She also reported that the boundaries have recently been verified according to recorded maps.

Executive Officer Chamberlain added that she wished to thank the three District Board Members in the audience for their active cooperation and participation in preparing this MSR. Vice Chairman Vinciguerra stated that the Commission appreciated District boards that cared enough to be involved in the MSR process. District Board Member Chuck Lowrie said their board appreciated the work LAFCO staff has done.

Motion: It was moved by Commissioner Colburn, seconded by Commissioner Atlan, and carried unanimously to adopt Resolution #2019-13 as presented, including the additional changes presented at the meeting.

10. **Public Review Draft Municipal Service Review (MSR) 2019 Update, Pine Acres Community Service District; LAFCO Project #314 (public hearing)**

Clerk Mees briefly reviewed the information in the packet memo, and explained the various road zones and fee structures of Pine Acres CSD. She reported that the two most important issues for the District currently are that they have no General Manager and that there are no written policies governing how property owners can join or leave a road improvement zone, or create a new one.

Executive Officer Chamberlain added that the attached map showed the recently verified boundaries of the District, which included a section that had historically not been shown on maps of the District. Ms. Mees added that mapping was currently being done to show which parcels are assessed which fees, and which parcels within the District are not currently being served by the District.

There was no public comment.

Motion: It was moved by Commissioner Colburn, seconded by Commissioner Atlan, and carried unanimously to circulate the Draft MSR for Pine Acres CSD for comment.

11. **Sphere of Influence for Ridgewood Acres Community Service District; LAFCO Project #307; Resolution #2019-03 (hearing continued from January 17, 2019); no written materials**

Executive Officer Chamberlain stated that Ridgewood Acres was currently having a meeting in the County building regarding whether to privatize their road maintenance, and she therefore requested the hearing be continued to August as she expected a resolution of the District's continued existence as a CSD in the near future.

By consensus, the Commission continued this item to the August meeting.

12. **Other Business, Reports**

- a. Correspondence – Executive Officer Chamberlain reported that, in the pass-around binder, there was a letter of thanks from CALAFCO for Amador staff's attendance at the annual staff workshop.
- b. Commissioner Announcements – none.
- c. Executive Officers Report – none.
- d. Legislation Update – Ms. Chamberlain stated that she had not been able to obtain a legislative update from the CALAFCO website. She did report that all bills previously discussed at Commission meetings were still in various stages in the Legislature, but that the annual omnibus bill was now going to the Governor and Amador LAFCO was sending a letter to his office stating support for his signing it.
- e. Project Status Report – Ms. Chamberlain reported that there is some pre-application discussion regarding a nine-acre-parcel attachment on the border of Plymouth. She also stated that LAFCO Project #301 regarding City of Sutter Creek is currently being held up due to some title issues; that the final documents for the Dissolution of CSA #3 have been sent to the Board of Equalization; and that the documents for the Dissolution of CSA #7 will also soon

be completed and sent to the BoE. Ms. Chamberlain commented that the new legislation regarding dissolution of inactive districts has really streamlined the process.

13. **Adjournment**

By consensus of the Commission, the July 18, 2019, meeting is cancelled and the next regular LAFCO meeting is scheduled for August 15, 2019. Vice Chairman Vinciguerra adjourned the meeting at 6:33 p.m.

Pat Crew, Presiding Officer
LOCAL AGENCY FORMATION COMMISSION

ATTEST: _____
Nancy Mees, Clerk to the Commission

APPROVAL OF CLAIMS - PACKET DRAFT

AGENDA OF August 15, 2019

APPROVAL OF CLAIMS August 15, 2019

Agenda Item 5

<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>INV.DATE</u>	<u>AMOUNT</u>
R Chamberlain 6/18/2019-8/12/2019	Consulting Services Labor	8/15/2019 estimate	\$ 6,500.00
	Expense Total, (mileage, PO Box, Conf)	8/15/2019 estimate	\$ 515.00
N Mees 6/19/2019-8/13/2019	Clerical & Admin Labor	8/15/2019 estimate	\$ 1,195.00
LAFCO Board	Meeting Stipends (Maximum of 5 @ \$50.00)		\$ 250.00
Amador Ledger	Public Notice for 8/15/19 hearing		\$ 157.44
Surveying Dept.	Printing charges	6/30/2019**	\$ 20.00
Planning Dept.	Copying charges		\$ 257.90
IT Dept.	Q4 share of Tech Cost Matrix & IT Support	6/30/2019**	\$ 113.45
	TOTAL		\$ 9,008.79

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

CHAIR:

Presiding Officer

ATTEST:

Nancy Mees
CLERK TO THE COMMISSION

AGENDA ITEM #7

TO: ALL COMMISSIONERS, ALTERNATES
FROM: ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
SUBJECT: EXECUTIVE OFFICER'S REPORT AND RECOMMENDATION
PINE GROVE COMMUNITY SERVICE DISTRICT SERVICE AREA ANNEXATION
(LAFCO PROJECT #324)
DATE: MEETING OF AUGUST 15, 2019

DESCRIPTION OF PROJECT

This proposal for annexation consists of 21 parcels, which are currently receiving service in various locations around the district periphery. The project consists of the following parcels:

	APN	Property Owner	Service Address	Year Installed
1	038-490-032	Hamon, Jeremiah & Krystal	19674 Pitts Dr	2008
2	038-490-030	Hock, Josh & Sara	19676 Pitts Dr	2005
3	038-640-001	Cressman, Bruce; & Heintz, Paul	Lot 4 Kyle Ct	no meter
4	038-640-003	Greely, Michael & Melissa	19456 Kyle Ct	2005
5	038-640-004	Schoen, Dan & Sharon	19450 Kyle Ct	2003
6	038-640-005	Loftus, Bob & Cabrinha, Jackie	19453 Kyle Ct	2005
7	038-100-003	Moreira, Harold & Donna	13886 Druid Ln	2002
8	038-500-042	Stewart, Alex & Cecelia	13760 Tank Dr	2000
9	038-500-005	Blankenheim, Charles & Shari	13840 Tank Ct	2002
10	038-500-006	Carnell, Logan & Desiree	13901 Tank Dr	2009
11	038-500-043	Fazzio, Gary & Linda	13750 Tank Dr	2000
12	038-500-048	Mt. Zion Assembly of God Church	13891 CedarPine Ln	2004
13	030-730-016	Moreno, Robert & Dana	13961 Hilltop St	2005
14	030-080-121	Olar, Mike & Karen	14250 Lupe Rd	2004
15	030-080-120	Manus, Gloria & Robert	14260 Lupe Rd	2003
16	030-670-034	Franklin, Shea	14339 Lupe Rd	2004
17	030-670-035	Beckley, Marion	18885 Ridge Rd	2003
18	030-380-035	Reeva LLC/R.Jones; (Nursery)	18815 Ridge Rd	1996
19	030-650-022	Anderson, Ken & Kay	18989 Leona Ln	2007
20	030-490-004	Greathouse, Ted & Lillya	18943 Leona Ln	2007
21	030-140-029	Dillard, David	14631 Spurlock Ln	2004

The annexation is made by resolution of Pine Grove Community Services District (PGCSD). The proposal is a boundary clean-up effort and will bring into the district all parcels where the district extended water service in the past without annexing them prior to initiating service. Notice of the annexation and hearing was individually mailed by LAFCO to registered voters and landowners. The notice of hearing was published in the Ledger Dispatch.

LOCATION

The areas proposed for annexation are in various locations as shown in the attached descriptive map. The parcels are adjacent and contiguous to Pine Grove CSD.

PURPOSE

The proposal will clean up the boundary/service area mismatch that was created during a period in the past when the district believed that any parcels within the sphere of influence were allowed to receive service without additional annexation proceedings. The proposal will complete annexation for each parcel, will allow the residents to participate in district elections and be subject to all the rights and privileges as citizens of the district.

BACKGROUND and LAND USE

The District has desired to annex the parcels since at least 2009 when they realized that the district's internal proceedings to serve were not sufficient to legally annex the properties.

The district provides service to all parcels, has infrastructure in place for the service and has been collecting user rates sufficient for the costs of the service. All service connection fees and participation fees were paid at the time service was extended. One parcel is inactive. A meter box was installed in the past in anticipation of an active connection going in, but water has not yet been sold to this account. No new service will result from the annexation, and no new development is planned.

Pine Grove is an identified Town Center in the County General Plan. Land uses include developed residential properties and one connection to an existing nursery business. No change in services or service demand will result from this annexation.

CEQA

Staff has reviewed the proposal and found the annexation to be exempt under Section 15319(b), annexation of existing facilities and lots for exempt facilities. The Notice of Exemption is attached.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the factors listed below. The condensed review is presented below for the

commission's consideration. The commissioners should consider these factors and staff recommended determinations, then make their own determinations for the project.

<i>FACTOR TO CONSIDER</i>	<i>POLICY/STATUTE CONSISTENCY</i>	<i>COMMENT</i>
<i>1. NEED FOR SERVICES, FUTURE NEEDS (10 years)</i>	Consistent	Water supply in place, existing service is adequate
<i>2. ABILITY TO SERVE, TIMING, CONDITIONS</i>	Consistent	No new services, water services have been adequate
<i>3. WATER SUPPLY</i>	Consistent	No new connections, water supplies historically adequate
<i>4. SERVICE ALTERNATIVES</i>	Consistent	None known; District service is in place
<i>5. SERVICE IMPACTS</i>	Consistent	No negative impacts noted
<i>6. COORDINATION OF APPLICATIONS</i>	Consistent	N/A; district annexation only to affirm water service
<i>7. COST/ADEQUACY OF SERVICES, FACILITIES</i>	Consistent	Distribution infrastructure in place; system connections in use
<i>8. EFFECT IN AREA AND ADJACENT AREAS</i>	Consistent	No changes anticipated; no new service; significant effects noted
<i>9. ALTERNATIVES, COST & ADEQUACY</i>	Consistent	Rates/charges appear adequate based on MSR findings and district history
<i>10. SUFFICIENCY OF REVENUES, A.V.</i>	Consistent	Costs/rates revenues appear sufficient; No property tax shift
<i>11. "BEST INTEREST"</i>	Consistent	Appears to be the most logical option to match service area to boundaries and remediate historic failure to annex before services were extended
<i>12. BOUNDARIES: LOGICAL, CONTIGUOUS</i>	Consistent	Follows parcel lines, lines of ownership; contiguous, eliminates split parcels
<i>13. TOPOGRAPHY</i>	Consistent	No significant topographic features, irregular terrain
<i>14. SPHERES OF INFLUENCE</i>	Consistent	SOI adopted March 2019, Resolution #2019-07; includes all parcels
<i>15. EFFECT ON ADJACENT AREAS, COMMUNITIES</i>	Consistent	No change anticipated; no significant untoward effects
<i>16. COMMENTS FROM LANDOWNER OR OWNERS</i>	Consistent	Significant landowner consent; no comments rec'd

<i>17. EFFECT ON OTHER COMMUNITY SERVICES</i>	Consistent	None; no change anticipated
<i>18. OTHER AGENCY COMMENTS, OBJECTIONS</i>	Consistent	No substantive comments received to date
<i>19. FAIR SHARE OF REGIONAL HOUSING</i>	Consistent	No change or effect anticipated; no development
<i>20. LAND USE, ZONING DESIGNATIONS, REGIONAL TRANSPORTATION PLANS</i>	Consistent	Developed residential uses with one existing business; no changes anticipated
<i>21. POPULATION</i>	Consistent	No growth or change in populations anticipated
<i>22. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING</i>	Consistent	No change anticipated; all existing uses consistent with zoning and land use
<i>23. AGRICULTURE LANDS AND OPEN SPACE LANDS</i>	Consistent	No change; no known adjacent agricultural uses; no effect on agriculture
<i>24. ENVIRONMENTAL JUSTICE</i>	Consistent	No effect noted; no change
<i>25. LOCAL HAZARD MITIGATION PLAN, GP SAFETY ELEMENT, HIGH FIRE HAZARD ZONE</i>	Consistent	Pine Grove is a very high fire hazard area & State Responsibility Area; no new development or change in existing uses is proposed

DETERMINATIONS

The Commission should review the factors summarized above, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The subject territory is “inhabited” per Government Code §54046. Application for this reorganization is made subject to Government Code §56650 et. seq. by resolution of an affected district. All landowners (100%) have not consented to the reorganization.
2. The annexation is consistent with the Sphere of Influence of the Pine Grove Community Services District and the property is contiguous to the existing district boundary.
3. The boundaries are definite and certain and conform to lines of ownership and parcel lines.
4. The annexation will provide a logical and orderly boundary and eliminate some parcels divided by district boundaries.
5. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area.
6. The annexation will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, will not affect the county’s ability to achieve its fair share of the regional housing needs and will not increase safety or fire

hazard risk.

7. The annexation is found to be exempt under Section 15319(b), Title 14, Article 19, Class 19 of the California Code of Regulations, annexation of lots containing existing facilities and lots for exempt facilities.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Adopt Resolution #2019-15, making determinations, adding conditions and approving the Pine Grove Community Services District Service Area Annexation (LAFCO Project #324).
2. Direct the Executive Officer to prepare and file a Notice of Exemption pursuant to Title 14, Article 19, Class 19 of the California Code of Regulations.
3. Direct the Executive Officer to hold Conducting Authority proceedings in compliance with Resolution #2019-15, and Government Code Section 57000 et. seq.
4. Direct the executive officer to complete the necessary filings and transmittals as required by statute and policy.

Attachments:

Resolution 2019-15
Exhibit A – Descriptive Map (final map to follow approval)
Exhibit B – Conditions
Notice of Exemption

LAFCO RESOLUTION NO. 2019-15

**RESOLUTION MAKING DETERMINATIONS AND APPROVING THE
PINE GROVE COMMUNITY SERVICES DISTRICT SERVICE AREA ANNEXATION
(LAFCO Project #324)**

WHEREAS, a resolution making application for the proposed annexation of certain territory in the County of Amador was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act, commencing with Section §56000, et seq. of the Government Code; and

WHEREAS, the Executive Officer has examined the application documents and has accepted the proposal for filing; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, notice of the proposal and its hearing was provided to landowners, registered voters, agencies and all persons requesting notice; and

WHEREAS, LAFCO, as lead agency, has reviewed the project and finds that it is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15319(b) of the California Code of Regulations because it consists of annexation of lots containing existing facilities and lots for exempt facilities; and

WHEREAS, the Commission has received, heard, discussed and considered all oral and written information related to the proposal, including but not limited to, comments and objections, the Executive Officer's report and recommendation, the environmental review, plans for providing service, spheres of influence and applicable General plans; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is "inhabited" per Government Code §54046. Application for this reorganization is made subject to Government Code §56650 et. seq. by resolution of the subject agency.
2. The annexation is consistent with the Sphere of Influence of the Pine Grove Community Services District as adopted March 20, 2019, and the parcels to be annexed are contiguous to the existing district boundary.
3. The boundaries of the annexation are definite and certain and conform to lines of ownership and parcel lines.
4. The annexation will provide a logical and orderly boundary and eliminate some parcels divided by district boundaries.

5. The annexation will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area.
6. The annexation will not have an adverse effect on agriculture and open space lands, will not have an adverse effect on environmental justice, will not affect the county's ability to achieve its fair share of the regional housing needs and will not increase safety risks or fire hazard risk.
7. The annexation is found to be exempt under Section 15319(b), Title 14, Article 19, Class 19 of the California Code of Regulations, annexation of lots containing existing facilities and lots for exempt facilities.

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

1. The annexation is categorically exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15319(b) of the California Code of Regulations and consists of annexation of 21 parcels where water service has historically been provided by the district and service is currently in place.
2. Said territory is annexed, as set forth and described in the attached map and legal description marked "Exhibit A" and by this reference incorporated herein.
3. Said territory includes total approximately 80.97+/- acres and is found to be inhabited, and the territory is assigned the following short form designation:

Pine Grove Community Service District Service Area Annexation
(LAFCO Project #324)

4. The following changes of organization or reorganization are approved:

Annexation to Pine Grove Community Service District
5. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
6. The Executive Officer is hereby directed to complete Conducting Authority proceedings as soon as feasible.
7. 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.
8. The effective date shall be the date of recordation.

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 15th day of August, 2019, by the following vote:

AYES:

NOES:

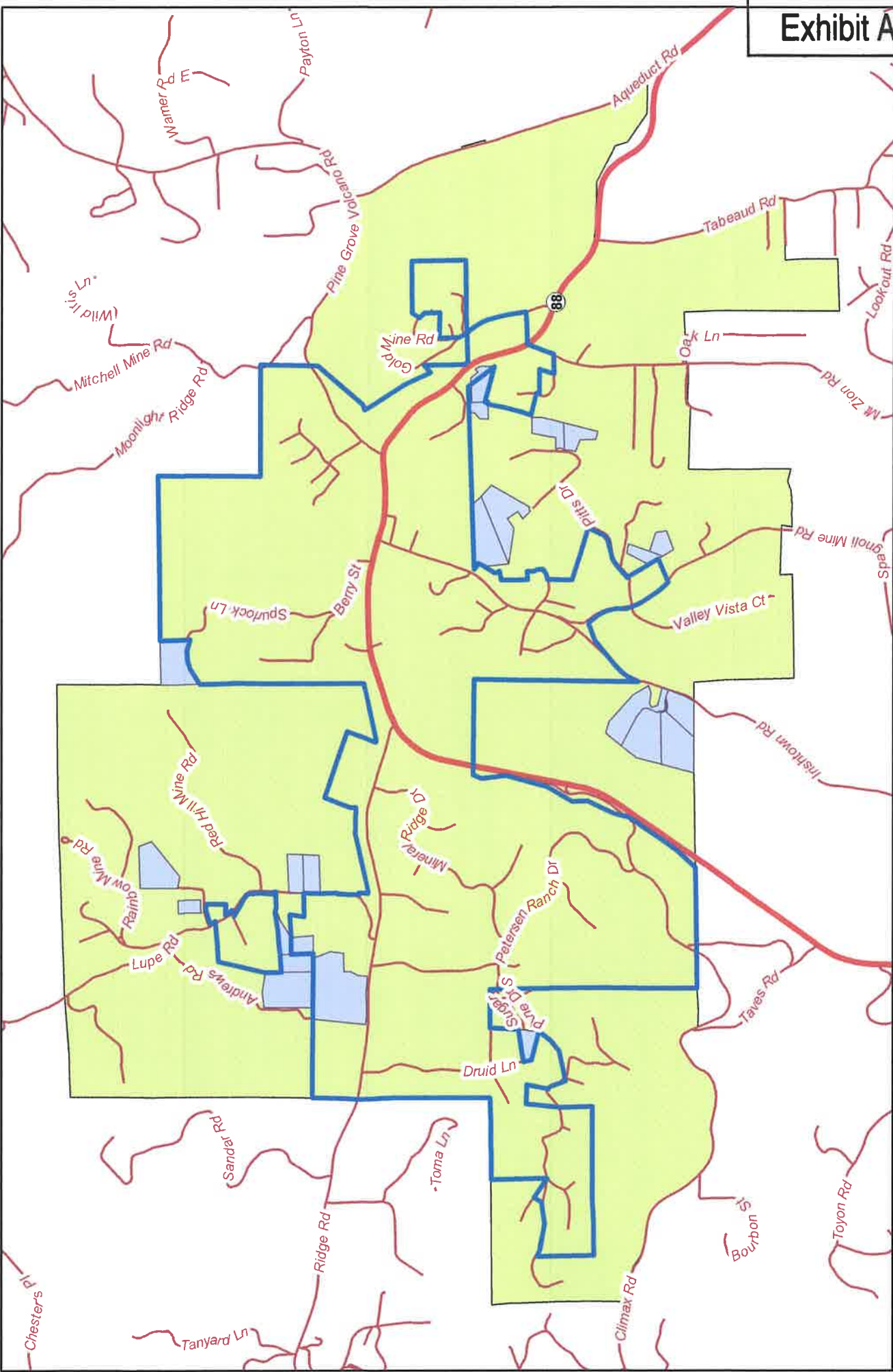
ABSENT:

Presiding Officer
Patrick Crew, Vice-Chairman

ATTEST:

Nancy Mees, Clerk to the Commission
Amador Local Agency Formation Commission
Amador County, California

Attachments: Exhibit A – Map and Legal Description
Exhibit B – Terms and Conditions



**Pine Grove Community Services District
Service Area Annexation**

Map created April, 2019 for Amador LAFCO by:
Amador County Transportation Commission GIS staff
117 Valley View Way, Sutter Creek CA 95685 (209) 267-2282

The Amador County Transportation Commission assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

— County Road
— State Highway
— Parcel
 District Boundary
 Sphere of Influence
 Annexation Area LAFCO Project 324 (21)

0 500 1,000 2,000 3,000 Feet
 N

LAFCO Project #324

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

EXHIBIT B TO LAFCO RESOLUTION NO. 2019-15
CONDITIONS OF APPROVAL
PINE GROVE COMMUNITY SERVICES DISTRICT SERVICE AREA ANNEXATION
(LAFCO Project #324)

1. Upon and after the effective date of said reorganization, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
 - a) Shall be subject to the jurisdiction of the Pine Grove Community Services District;
 - b) Shall have the same rights and duties as if the affected territory had been a part of the district upon its original formation;
 - c) Shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the district, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the district;
 - d) Shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and
 - e) Shall be subject to all of the rules, regulations, ordinances of the district as now existing or hereafter amended.
2. The applicant shall complete all map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.
3. The Certificate of Completion shall be issued and recorded subsequent to final payment by the applicant of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

Notice of Exemption

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

FROM: Public Agency:
Amador LAFCO
810 Court Street, Jackson, 95642

Project Title: Pine Grove Community Service District Service Area Annexation
Applicant: Pine Grove Community Service District
Project Location - Specific: Various parcels adjacent to Pine Grove CSD boundaries
Project Location - City: NA **Project Location - County:** Amador

Description of Project: Annexation of 21 developed residential/business parcels in various locations contiguous to the district boundaries where the district historically extended water service without annexation. Clean-up action to conform service area to legal boundaries of the district. No new service to be added.

Name of Public Agency Approving Project: Amador LAFCO
Name of Person or Agency Carrying out Project: Amador LAFCO

Exempt Status: (check one)
 Categorical Exemption. State type and selection number: 15319
 Statutory Exemptions. State code number:

Reasons why project is exempt: annexation of existing facilities and lots for exempt facilities

Lead Agency Contact Person: Roseanne Chamberlain Executive Officer (209) 418-9377

If filed by applicant: NA

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: 8-15-19 Title: Executive Officer

Signed by Lead Agency Date received for filing at OPR: _____
 Signed by Applicant

POSTED ON:

AGENDA ITEMS #8

TO: ALL COMMISSIONERS, ALTERNATES
FROM: NANCY MEES, CLERK TO THE COMMISSION (REVIEWED BY EXECUTIVE OFFICER)
SUBJECT: AMEND/ADOPT THE SPHERE OF INFLUENCE FOR SUNSET HEIGHTS COMMUNITY SERVICES DISTRICT RESOLUTION #2019-16, LAFCO PROJECT #316
DATE: MEETING AUGUST 15, 2019

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 Sunset Heights Community Services District (SHCWD) sphere of influence was adopted in 2008, affirmed in 2014 (Resolution #2014-13). It includes all the parcels within the district with the exception of nine parcels which historically have not been charged an assessment and have not received maintenance services.

The 2019 Municipal Services Review (MSR) review for Sunset Heights Community Services District updated the status of SHCSD and was reviewed by the commission in June 2019. Determinations regarding the district were made in Resolution #2019-13. Those determinations are consistent with reducing the existing sphere of influence and encouraging the district to detach the properties where service has not been provided. On June 14, 2019, the district board decided to request that LAFCO remove the five parcels along Ridge Road from the current sphere of influence at this time, and on June 28, 2019, the district board decided to request that LAFCO remove the four parcels on Sunrise Court from the current sphere of influence at this time, and understands that they can request a detachment of those parcels from the district boundary in the future.

The analysis and complete profile for the district is contained in the 2019 Municipal Services Review 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 amended for Sunset Heights Community Services 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 #2019-16, making determinations and amending the existing sphere of influence of the Sunset Heights Community Services District.
4. Direct staff to complete the necessary filings and transmittals as required by law.

Attachments: Resolution #2019-16
Exhibit A: Map
Exhibit B: Determinations
Notice of Exemption

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION MAKING DETERMINATIONS AND ADOPTING AN AMENDED SPHERE OF INFLUENCE FOR THE SUNSET HEIGHTS COMMUNITY SERVICES DISTRICT

LAFCO RESOLUTION NUMBER 2019-16

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 comprehensive municipal services review has been completed and was found by LAFCO to be adequate and complete on June 20, 2019; and

WHEREAS, a written statement of the functions and classes of services provided by the Sunset Heights Community Services District was filed with LAFCO in 2005; and

WHEREAS, a written statement of the functions and classes of services provided by the Sunset Heights Community Services District was filed with LAFCO in 2005, including water services; however water service has been transferred to Amador Water Agency; and the functions and classes of service authorized by LAFCO in 2008 and 2014 for the district are reauthorized as follows:

- Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.
- Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works.
- Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code.
- Remove snow from public streets, roads, easements, and rights-of-way.

WHEREAS, there are nine parcels within the Sunset Heights Community Services District boundaries which have historically not been charged and have not received road maintenance services; 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 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 determination, the Municipal Services Review, previously adopted spheres of influence and proposed amendment to the historic sphere of influence;

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

AMADOR LAFCO

DRAFT

LOCAL AGENCY FORMATION COMMISSION

1. The adoption of the reduced Sphere of Influence for the Sunset Heights Community Services District to remove parcels not receiving service 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 Sunset Heights Community Services District is determined and approved as shown on the attached map marked "Exhibit A", and includes all territory within the Districts boundaries, less parcels within the boundaries which are not currently receiving service and are not assessed by the District.
3. Determinations with respect to the Sphere of Influence for the Sunset Heights Community Services 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 15th day of August, 2019, by the following vote:

AYES:

NOES:

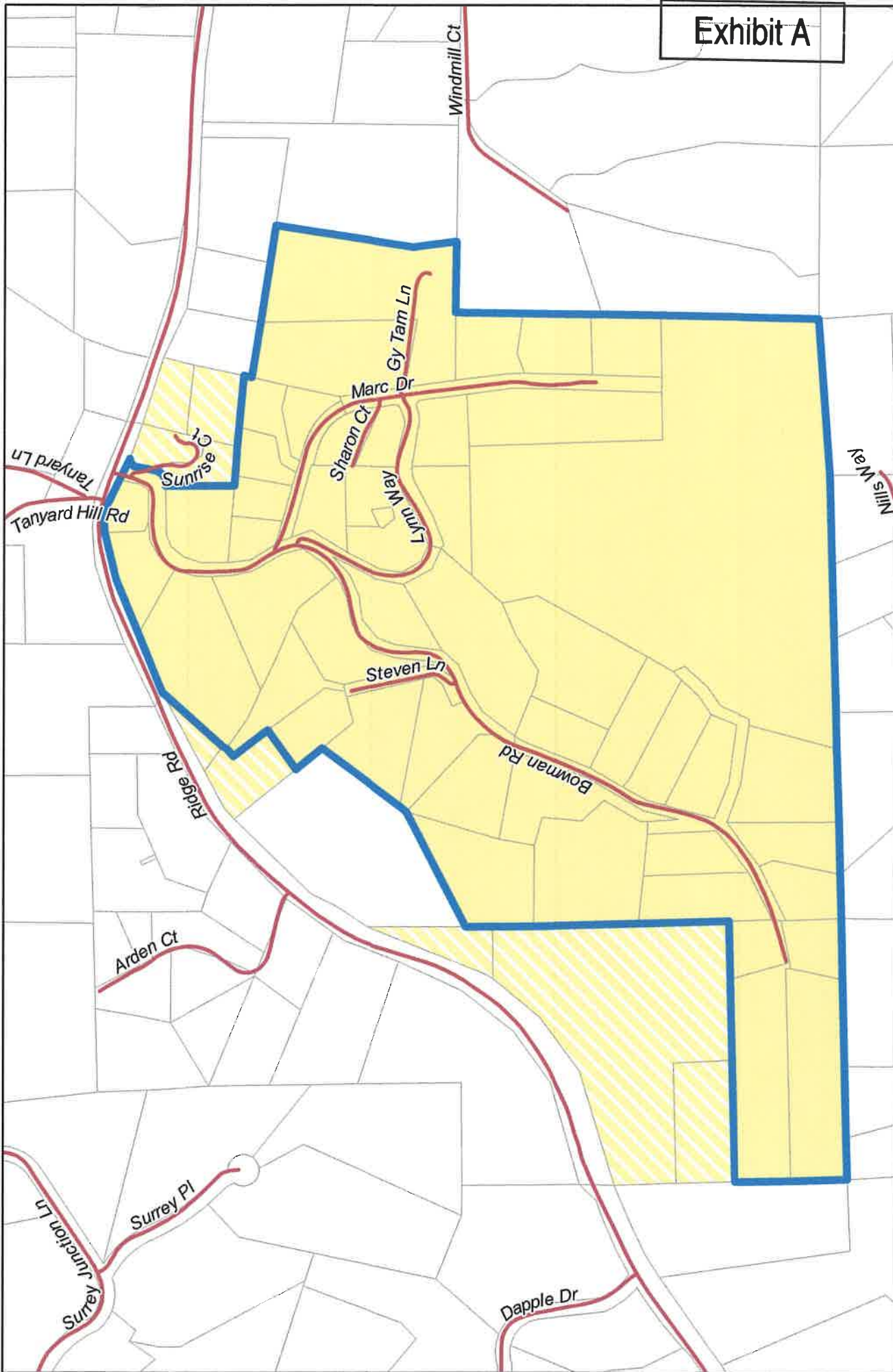
ABSENT:

Presiding Officer
Patrick Crew, Chairman

ATTEST:

Nancy Mees, Commission Clerk
Amador Local Agency Formation Commission
Amador County, California

Exhibit A



Map created July 24, 2019 for Amador LAFCO by:
Amador County Transportation Commission GIS staff
117 Valley View Way, Sutter Creek CA 95866 (209) 267-2282

The Amador County Transportation Commission assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions based on this data before validating your decision with the appropriate County office.

Sunset Heights Community Services District Verified Boundary and Sphere of Influence

LAFCO RESOLUTION #2019-16

Legend

- Sunset Heights CSD
- Unassessed Parcel
- Sunset Heights CSD SOI
- Parcel
- Road

0 250 500 1,000 Feet

N

LOCAL AGENCY FORMATION COMMISSION

Exhibit B TO LAFCO RESOLUTION NO. 2019-16

RESOLUTION MAKING DETERMINATIONS AND ADOPTING AN AMENDED SPHERE OF INFLUENCE FOR THE SUNSET HEIGHTS COMMUNITY SERVICES DISTRICT

1. No changes to the present and planned land uses in and around the Sunset Heights Community Services District are anticipated within the planning horizon of this sphere of influence, including agricultural and open space lands.
2. No changes in the present and probable need for public facilities and services in and around the Sunset Heights Community Services District are anticipated within the planning horizon of this sphere of influence.
3. The Commission has not identified any community of social and economic interest that is relevant to this sphere action.
4. The commission recognizes that the Sunset Heights Community Services District boundary currently includes parcels which do not receive services and are not assessed for services and determines that these parcels shall be excluded from the sphere of influence to allow for a future detachment from the boundaries of the district.

AMADOR LAFCO
LOCAL AGENCY FORMATION COMMISSION

DRAFT

Notice of Exemption

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

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

Project Title: Adopt/Amend the Existing Sphere of Influence for Sunset Heights Community Services District (SHCSD) to remove certain parcels not paying assessments or receiving road maintenance services.

Project Location - Specific: Intersection of Ridge Rd. and Bowman Rd.

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

Description of Project: Adopt/Amend/Reduce the current sphere of influence for SHCSD

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
- 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:** 8/15/19 **Title:** Executive Officer

Signed by Lead Agency Date received for filing at OPR: _____
 Signed by Applicant

POSTED ON:

AGENDA ITEM #9

TO: ALL COMMISSIONERS, ALTERNATES
FROM: NANCY MEES, CLERK TO THE COMMISSION (REVIEWED BY EXECUTIVE OFFICER)
SUBJECT: FINAL MUNICIPAL SERVICE REVIEW (MSR), 2019 UPDATE, PINE ACRES
COMMUNITY SERVICES DISTRICT (LAFCO PROJECT #314)
DATE: MEETING OF AUGUST 15, 2019

BACKGROUND:

The Final Municipal Service Review (MSR) for Pine Acres Community Services District is attached. This MSR was undertaken at this time to comply with the statutory requirement of updating the MSR once every five years.

DISTRICT HISTORY:

The district was formed in 1964 as an independent special district. The District was originally created to provide street and roadway improvements, street lighting, fire protection and water service, as well as several other services that were never initiated. Fire service was transferred to Amador Fire Protection District in 1994, and water service was transferred to Amador Water Agency in 1995. The District currently provides only street maintenance and street lighting. Pine Acres Community Services District (PACSD) is located approximately one mile southeast of Pine Grove. The boundary begins near State Route 88 at the intersection of Maudern Lane and Tabeaud Road, and stretches southeasterly to along Clinton Road.

The District currently encompasses approximately 841 acres, consisting of 493 assessed parcels. The Wildwood Subdivision is within District boundaries, but is only assessed an administration fee; the roads in the subdivision are maintained by the County. There are other parcels within the District which maintain their own small road or court, and are not assessed by the District. The current boundary exists after one annexation in 1969. PACSD has a coterminous sphere of influence, most recently affirmed in 2014. The District boundaries were reviewed and verified based on recorded legal description. There are differences between the verified boundaries and the historically accepted boundaries.

DISCUSSION:

The attached MSR describes the district and its services. A volunteer District Board of five members performs management and administration of the District, which includes

three distinct road improvement zones. Each zone is directed by a road committee consisting of volunteer property owners within the zone. Each committee determines needed improvements for its zone and solicits bids for contractors, subject to PACSD Board approval. Services consist primarily of road maintenance and snow plowing, with the work being done by contractors.

The District tracks its finances through a single general fund held by the County Auditor, with separate cash accounts existing for each of the three road zones, as well as one for administration and one for snow removal. The administration account, which would cover any repairs to the office building owned by the District as well as ongoing office expenses, is currently underfunded. An independent audited financial statement is prepared every two years.

The District board, meets monthly, posts agendas, has regular financial reviews, and has the required insurance. Although the board and its zone committees actively manage maintenance service and repairs through hired contractors, it does not have a General Manager as required by state law. This finding was made in the 2014 MSR, and has still not been resolved.

So far PACSD has been able to maintain its plan of road maintenance and repaving, but the Board is concerned about the impact of escalating oil costs as they affect paving costs.

Identification by map of the assessed and unassessed parcels, as well as which roads are maintained and not maintained, needs to be undertaken by the district. Currently this information is not available in any easily identifiable way. In addition, a policy for amending the road zones needs to be established to allow currently privately maintained roads in the District to be allowed to become part of one of the zones, and then be assessed, if the property owners along those roads so desire. The District currently has no bylaws or policies.

STAFF RECOMMENDATIONS:

1. Find that the Pine Acres Community Service District Municipal Service Review of 2019 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 #2019-17, finding the MSR adequate and complete and making determinations regarding the district.

Attachments:

Resolution 2019-17

Exhibit A – Summary of Determinations and Findings

Final MSR 2019 Update for Pine Acres Community Services District

District SOI Map – informational

Notice of Exemption

AMADOR LAFCO

LOCAL AGENCY FORMATION COMMISSION

810 COURT STREET ♦ JACKSON, CA 95642-95334 ♦ (209) 418-9377

RESOLUTION MAKING DETERMINATIONS AND FINDINGS RELATED TO THE 2019 UPDATE OF THE PINE ACRES COMMUNITY SERVICE DISTRICT MUNICIPAL SERVICES REVIEW

LAFCO RESOLUTION NO. 2019-17

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 Pine Acres Community Service District (PACSD); and

WHEREAS, the Commission held a noticed public hearing of the Pine Acres Community Service District municipal services review on June 20, 2019, and August 15, 2019, and 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 Pine Acres Community Services District Municipal Service Review of 2019 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 Pine 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.

DRAFT

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 15th day of August, 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 AND FINDINGS

Growth and population projections

- ❖ There has been no recent growth in the Pine Acres Community Services District (PACSD), and there are few open parcels for potential development within District bounds. While population is unlikely to change within the district, gradual population growth in surrounding areas may impact roads and maintenance services provided by 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; therefore, requirements regarding identification of DUCs is not applicable to this review.

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

- ❖ Present and planned capacity of public facilities is sufficient, and service provision appears adequate, as the District has plans to resurface some paved roads (in the road improvement zones) in FY 19.
- ❖ All paved roads are reported to be in excellent condition, and the District did not report any infrastructure needs or deficiencies.
- ❖ Some roads not in the improvement zones are not paved, as the homeowners in that zone have chosen not to pay for paving.
- ❖ The roads in the Wildwood subdivision within district boundaries are paved, but are maintained by the County and are not the responsibility of the District.
- ❖ The District should write policies governing the determination of which roads are maintained and assessed, as well as how roads already within the district can become part of one of the Road Maintenance Zones if the property owners wish to have the District maintain their road now or in the future.
- ❖ The District should create and maintain a listing and maps of which roads are maintained and which parcels are assessed for which fees.

Financial ability of agencies to provide services

- ❖ As long as oil prices do not increase significantly, the current financing level is adequate to deliver road maintenance services; however, the District reports that it lacks the resources to hire a paid general manger as required by law.

- ❖ In the absence of long range planning, and clear reserves for future cost increases and policies for contingencies, road maintenance could be adversely affected.
- ❖ Funding in the administration account has been less than expenses in that account in recent years. Therefore, the District may want to consider increasing the annual \$12 assessment or modifying its budget to manage this issue.

Status of, and opportunities for, shared facilities

- ❖ The District does not presently share facilities, and no such opportunities were identified as feasible in the course of this study. The District should continue providing cooperative uses of its office building for community or other uses.

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

- ❖ The District lacks a general manager, as required by law, to implement board policies. In order for the District to comply with State legal requirements, it is recommended that PACSD appoint a volunteer general manager.
- ❖ No government structure options are apparent, as there are no other road maintenance districts adjacent to PACSD. District maintained roads do not meet the design standards to be accepted into the County's public road system.
- ❖ 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 may be required by law. These would prudently minimize risks and improve the overall efficiency of the district. Copies of appropriate bylaws from similar local agencies are available to PACSD as samples. The District should consider the benefits of establishing relationships with similar agencies in Amador County to enhance improve performance and efficiency.
- ❖ 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 to its citizens and transparency to the public.
- ❖ The District should ensure that its Board Members and the General Manager, once appointed, complete ethics and sexual harassment training, as well as training to comply with the Brown Act and Public Records Act.
- ❖ The District should have a written policy concerning legal counsel should they require it. They should also consider putting an attorney on retainer, or at least having an attorney who has agreed to serve as their counsel if the District ever has the need for one.
- ❖ The District should consider joining California Special Districts Association or another similar organization. This could ensure that it stays current with changes in state law and requirements for districts.

- ❖ 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 Board is considering its options, including using the County website, which has been made available to help provide a platform which small districts in the County could utilize at a minimal cost.

PINE ACRES COMMUNITY SERVICES DISTRICT

Pine Acres Community Services District (PACSD) provides maintenance of private roads (including snow removal) and street lighting services.

AGENCY OVERVIEW

Background

PACSD was formed on November 6, 1964, as an independent special district.¹ PACSD was originally formed to provide street and roadway improvements, police protection, mosquito abatement, street lighting, recreation, fire protection, domestic water supply, and sewage and garbage disposal. The District initiated street maintenance, street lighting, fire protection, and retail water services at the time of formation; however, in 1994 and 1995 the District halted fire protection and water services, respectively, and these services were assumed by the Amador Fire Protection District and Amador Water Agency, respectively. Police protection, mosquito abatement and sewage and garbage disposal services were never implemented by the District and are not active powers.

The principal act that governs the District is the Community Services District Law.² 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).³

The functions and classes of services offered by PACSD, which were authorized by LAFCO in January 2006 and reaffirmed in 2009, are as follows:⁴

- ❖ Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.
- ❖ Acquire, construct, improve, and maintain streets, roads, rights-of-way, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works.

In 2009, LAFCO also recognized that PACSD could not provide oversight and maintenance of Covenants, Codes and Restrictions (CC&Rs) in the Pine Acres subdivisions, as these services are not authorized in the District's enabling act. The District reports that it no longer

¹ BOS resolution 941. Formation date is from Board of Equalization records.

² Government Code §61000-61226.5.

³ Government Code §61106.

⁴ LAFCO Resolution 2009-10.

provides oversight and maintenance of CC&Rs, and that enforcement is done through County Code Enforcement when possible.

Boundary

PACSD's boundary is located approximately one mile southeast of the community of Pine Grove in the vicinity of Pine Grove Tabeaud Road, east of Mt. Zion. The bounds begin near SR 88 (at the intersection of Maudern Lane and Pine Grove Tabeaud Road) and stretches southeasterly to along Clinton Bar Road. The District covers approximately 841 acres, or approximately 1.3 square miles.

LAFCO records indicate there has been one completed annexation to the District. The Rodman annexation occurred in 1969 and included an unknown amount of land.⁵ A second annexation, the Betz, et al., annexation, was attempted in 1979. The annexation was approved by LAFCO⁶; however, there are no completion documents or any record of Conducting Authority proceedings and the area is not within the verified boundaries or election precincts.

Sphere of Influence

LAFCO records of PACSD's sphere history are not clear. The original SOI was adopted in April 1976, but no map is attached to the resolution in the LAFCO archives.⁷ In 2009, LAFCO conducted boundary research through recorded documents and subsequently affirmed a coterminous SOI for the District.⁸ The coterminous SOI was affirmed in 2014.⁹

Although the Wildwood Subdivision is within the District's boundaries and Sphere of Influence, road maintenance and snow removal in this area are performed by the County. The District collects an annual Administrative Assessment.

Local Accountability and Governance

A five-member board of directors who are to be elected at-large to four-year terms governs PACSD. All board members since 1994 have been nominated by the District and appointed by the Board of Supervisors in lieu of an election, as each of the positions were uncontested. See Figure 1 for information on individual board members and term expirations.

⁵ LAFCO Resolution 69-12.

⁶ LAFCO Resolution 79-133.

⁷ LAFCO Resolution 1976-73.

⁸ LAFCO Resolution 2009-10.

⁹ LAFCO Resolution 2014-11.

Figure 1: Pine Acres CSD Governing Body

Pine Acres Community Service District			
Governing Body			
	Name	Position	Term Ends
<i>Members</i>	James Greene	Secretary	2019
	Christina Wendland	Director	2019
	Lynn Warner	Director	2021
	Chris Elsman	Director	2019
	Kirsten Harris	Director	2021
<i>Manner of Selection</i>	Members are elected at large; if unconstested, may be appointed by County BOS.		
<i>Length of Term</i>	Four years		
<i>Meetings</i>	Date: Second Tuesday every other month at 7pm; Location: District Office		
<i>Agenda Distribution</i>	Posted outside office		
<i>Minutes Distribution</i>	By request		
Contact			
<i>Contact</i>	James Greene		
<i>Mailing Address</i>	P.O. Box 384, Pine Grove, CA 95665		
<i>Phone</i>	(209) 296-8405		
<i>Email/Website</i>	jimg@volcano.net		

The District does not have a website, but currently informs constituents through an annual newsletter and occasional events such as neighborhood potlucks. They are aware, however, of their need to have a website by January 1, 2010, and have been looking at options. The programs they have looked at so far are not within their budget. LAFCO recently informed them, however, of Amador County’s offer to host CSD websites on the County website at a reasonable cost, and the Board will be discussing this at their next board meeting.

Agendas are posted three days in advance of their bi-monthly meetings in a protected area on the outside of their office on Tabeaud Road.

The District reported that it has had no Brown Act violations in recent history.

The District does not have written bylaws or policies, nor does it have any policies regarding administration, operation of the District, or handling of fiscal issues. These are required by statute.¹⁰

Form 700 Financial 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 transmits terms of office for board members and annual Form 700s at the request of the County Elections Office.

¹⁰ Government Code §61045(f), (g).