

**COUNTY OF TUOLUMNE
GRAND JURY
12855 Justice Center Drive
Sonora, CA 95370**



County Service Areas (CSAs) in Tuolumne County, June 10, 2024: Road Maintenance in Subdivisions



SUMMARY

County Service Areas (CSAs) are used for many different purposes throughout California. In Tuolumne County, CSAs have mainly been used for maintaining roads in subdivisions. They are dependent special districts governed by the Board of Supervisors. Although there were only 17 CSAs left in Tuolumne County by the end of 2023, it is important to note that they cover and affect over 1,000 households.

Tuolumne County stopped accepting roads in subdivisions into the county-maintained road system in 1987. A policy manual for CSAs was developed soon after that and has remained unchanged since 1992. The Grand Jury found outdated sections in the manual and noted that some topics had not been addressed in the manual at all. These missing policies included how to dissolve CSAs and how to handle complaints. The timing and utility of the engineer's report also should be addressed. While Public Works has made efforts to keep the work done for CSAs separate from the general efforts of Public Works, there remains a need for more transparency in financial reporting.

In 2008, the state law governing CSAs was substantially revised requiring that CSAs be financially sustainable in the long term and removed the requirement for annual elections. Since the elections in 2009, the Board of Supervisors no longer has annual budgets to approve or reports to review for CSAs. There is a concern that governmental and public understanding of CSAs has declined since then.

The finances of the CSAs are subject to audit as part of the Tuolumne County financial records. This appears to meet the requirement for an annual audit. However, the Board of Supervisors does not review the results of the audits. The only external review comes from the state.

County Service Areas have enabled road maintenance to continue in subdivisions. An updated Policy Manual can help CSA management be more transparent and accountable to those who live on these roads.

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GLOSSARY

Ad Valorem	A tax based on the assess value of something, here referring to the 1% property tax on real estate in California
BOS	Tuolumne County Board of Supervisors
CCI	Construction Cost Index
CSA	County Service Area
GIS	Geographical Information System, a relational database that includes spatial information
HOA	Homeowner's Association.
LIDAR	Lasar Imaging, Detection, and Ranging uses laser to more closely map landforms, tree canopy, and other objects.
PRD	Permanent Road Divisions
SOI	Sphere of Influence an analysis done by LAFCO.

BACKGROUND

County Service Areas began in 1953 to provide services to those who were willing to pay. They cover unincorporated parts of the county and can be used for a variety of services including extended police, fire, parks and recreation, libraries, local television, water, and garbage. They can be formed by a vote of the board of supervisors or by a petition of registered voters. They can be funded by special taxes approved by a 2/3 vote or as benefit assessments that were subject to annual approval at a public hearing. They are covered by the County Service Area Law (California Government Code §25210.1 et seq.), which was last modified in 2013.

When new subdivisions are created, the maintenance of any new roads is considered as part of the approval process. In 1987, Tuolumne County decided it could not accept the responsibility to maintain additional roads, so a different method of funding road maintenance had to be used. Specifically, the Tuolumne County Board of Supervisors (BOS) resolved to use County Service Areas (CSAs). CSAs are dependent (vs. independent) special districts governed by the Tuolumne County BOS. These districts ensure that those who use services pay for them.

Although CSAs can be used for a variety of purposes, in Tuolumne County, CSAs have mainly been used for road maintenance. In subdivisions created after 1987. A board resolution 282-87 in 1987 required that a CSA be created to maintain the roads for any new subdivision. New roads created by development would no longer be taken into the county road system. Tuolumne County has more CSAs and special districts than neighboring counties. In 2008, Tuolumne County had 49 CSAs, Calaveras had 11, and Amador and Mariposa Counties each had four CSAs.¹ Based on the 2023 reports² for the 17 active CSAs, they had over \$3,600,000 in reserves and covered 1,024 parcels, 65 roads, and 34 miles of roads.

An examination of the websites for Calaveras (<https://publicworks.calaverasgov.us/CSA>) and Mariposa Counties showed that information available online about CSAs can vary greatly. Calaveras has a page under Public Works for CSAs with links to general information on CSAs as well as the County ordinance. In addition, there was a page for each CSA with any LAFCO actions as well as BOS resolutions on Benefit Assessments. That in turn had a folder with the past three years of actual budgets and expenses for that CSA. In contrast, Mariposa had the most recent Sphere of Influence (SOI) analysis and Municipal Services Review for all of the CSAs in a single document. Tuolumne County has the current annual report for each CSA on its Public Works website.

CSAs have not been looked at in depth in the last 20 years by the Grand Jury. In 2007, the Grand Jury interviewed the Director of Public Works and wrote up a two-page report³. In 2012, the Grand Jury did a much more extensive study on roads and had more information on CSAs⁴. The 2018 report⁵ also

¹ California Senate Local Government Committee. Serving the Public Interest: A Legislative History of SB 1458 and the “County Service Area Law.” (2008, p. 11)

² Reports prepared by Public Works available at <https://tuolumnecounty.ca.gov/617/Special-Districts>

³ Tuolumne County Civil Grand Jury. Tuolumne County Grand Jury Final Report 2006-2007. (2007) Available at <https://www.tuolumnecounty.ca.gov/DocumentCenter/View/1488>

⁴ Tuolumne County Civil Grand Jury. Final Report of the Civil Grand Jury 2011-2012. (2012) Available at <https://www.tuolumnecounty.ca.gov/518/2012-Grand-Jury-Report>

⁵ Tuolumne County Civil Grand Jury. 2017-2018 Tuolumne County Civil Grand Jury Final Report. (2018) Available at <https://www.tuolumnecounty.ca.gov/1132/2018-Grand-Jury-Report>

addressed roads in subdivisions as part of their study of roads. The 2018 Grand Jury pointed out that much of road maintenance is not funded, that only 21 subdivisions had CSAs, and recommended the use of a sales tax for that purpose.

The engineering staff for county Public Works provide the current reports for CSAs on their website. The reports include projected budget amounts for major maintenance projects, and other expenses including snow removal. Last year was a significant snow year, and for six of the 17 active CSAs, the projected snow plowing expenses exceeded the total tax assessment income for those CSAs for the entire year. As a result, all the income for those six CSAs may have been spent paying for snow plowing, leaving nothing for other maintenance or to build reserves for major road work.

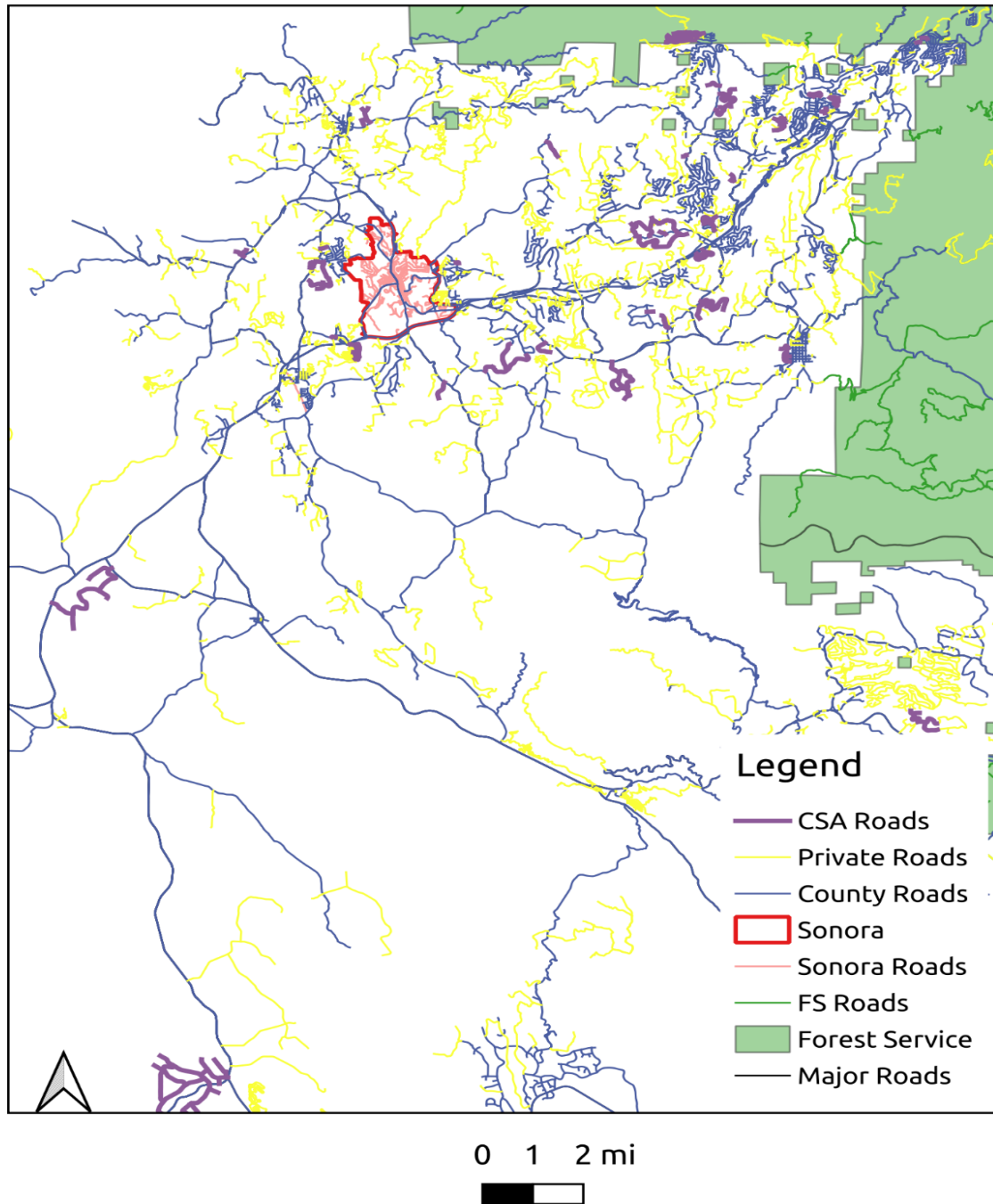
In looking over these reports, the Grand Jury also noticed the financial information did not include the actual expenses from the previous year. The projected overhead expenses (as budgeted) were over \$3,000/mile. Projected interest for two of the CSAs appeared to be at a different rate than the rest of them. No CSAs had formed since 2009 and about half of the 34 listed were inactive. For these reasons, the Grand Jury decided to take a closer look.

As of 2024, there have been 60 CSAs proposed or formed. Of the 43 being tracked now⁶, 16 are active, eight have been dissolved, and 19 are inactive. Please see Figure 1 for current locations.

Figure 1. CSA Roads Map, also shows the large number of private roads and the roads in older subdivisions, which were incorporated into the county road system.

⁶ (CSA Fund List.xlsx)

CSA Roads



In our investigation, we also looked over documents about the history of the CSAs from the beginning until now. That information is summarized in Appendix A. We found that the policy manual that governs CSAs has not been updated since 1992. Both a revised Attachment A and Exhibit A have been added to it (see Appendix B). With the changes of Senate Bill (SB) 1458, the budgets are no longer approved by vote annually. HOAs and Permanent Road Divisions (PRDs) now exist as alternatives to CSAs. No CSAs have been formed since 2009 in Tuolumne County. Two PRDs were formed, but those subdivisions have not been developed yet, so the PRDs are not active.

METHODOLOGY

For the initial research, the Grand Jury compiled a summary spreadsheet from the 17 individual CSA reports found on the web⁷.

For the investigation, the Grand Jury conducted eight interviews with individuals from the Public Works Department, County Auditor's Office, the Assessor-Recorder's Office, the Office of the County Counsel, and County Supervisors. The committee made three records requests with additional follow-up requests. The Grand Jury also used Geographic Information Systems (GIS), Google Earth, and County parcel and road layers to examine the areas around CSAs.

These are some of the materials that were examined as part of the investigation:

- California Senate Bill No. 1458. Chapter 158. Amending 25210. Et. Seq. (2008)
- California Senate Local Government Committee. Serving the Public Interest: A Legislative History of SB 1458 and the "County Service Area Law." (2008) available at <https://sgf.senate.ca.gov/sites/sgf.senate.ca.gov/files/STPIPublication.pdf>
- California Tax Data. What is a County Service Area? (ND) available at <http://www.californiataxdata.com/pdf/CountyServiceArea.pdf>
- Tuolumne County Board of Supervisors. Minutes, approval of postcard notice of reports online. June 15, 2021. (2021)
- Tuolumne County Board of Supervisors. Resolution 131-13. (2013)
- Tuolumne County Board of Supervisors. Resolution 107-09. (2009)
- Tuolumne County Board of Supervisors. Resolution 86-07. (2007)
- Tuolumne County Board of Supervisors. Minutes June 15, 2004, adopted a revision of Attachment "A" to the Benefit Assessment Methodology Policy for County Service Areas. (2004)
- Tuolumne County Board of Supervisors. Resolution 287-89. (1989)
- Tuolumne County Board of Supervisors. Resolution 282-87. (1987)

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances the juror may ask to be recused from all aspects of an investigation. Those members do not

⁷ Tuolumne County. CSA Annual Reports (2023-2024 Fiscal Year). available at <https://tuolumnecounty.ca.gov/617/Special-Districts>

investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation.

Therefore, whenever the perception of a conflict of interest existed on the part of a member of the 2023-2024 Tuolumne County Grand Jury, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject. There were no recusals for this investigation.

DISCUSSION

The focus of the jury shifted upon receipt of additional information. With actual expenses and income statements, it was clear the interest rate was the same for all CSAs. The policy manual was the document that governed what was in the reports. The new accounting system, installed a couple of years ago, has not allowed the actual expenses for administration to be separated from other expenses of the CSAs. This has reduced transparency and the effectiveness of the administration of those CSAs. In addition, LAFCO has taken steps to dissolve many of the inactive CSAs.

The jury focused on three areas: the policy manual, which has not changed since 1992; the engineering reports, which are intended to provide cost estimates for needed road work; and the notice mechanism for how prospective buyers can be informed that there is no mechanism for road repair for a subdivision once a CSA is dissolved. There are also concerns about training of the BOS on CSAs and who reviews the audits. A final concern is that the Sphere of Influence analysis has not been done by LAFCO for many years. Some of the concerns mentioned above have been incorporated into these areas.

Policy Manual

The County of Tuolumne has a policy manual created to maintain and improve roads. It is in four parts. The first part focuses on the formation of CSAs and includes a description of the engineering report. The second part focuses on administration of the CSAs including routine administration, maintenance and improvements project administration, administrative charges, and administrative support. The third part focuses on expenditure of funds covers preliminary design engineering service, construction management, construction engineering services, service contracts, maintenance and improvement construction contracts, and expenditures for emergency work and signs. The final part covers benefit assessment methodology. It discusses how to allocate the charges based on the benefits received. It included the areas of community, zone, road usage, and individual. All the copies of this manual that were examined by the Grand Jury only had the community section. This manual is available in Appendix B and was an attachment to a memo to the BOS from Public Works on June 15, 2021, in support of an item on the consent calendar.

As noted in the background, the policy manual for the CSAs has not been updated since 1992. The manual's attachment has been modified, but now there are both an Attachment A and an Exhibit A (see Appendix B) that have been approved by the BOS. This manual is the key guide for those working with CSAs, and we found several problems.

Some of the information in the policy manual is outdated. As an example, in section D, Service Area Maps, the policy manual specifies making maps of the roads on mylar along with other details. Mylar was replaced by other systems (Geographic Information Systems or GIS) many years ago but is still specified in the policy manual. When a document serves for a long time, it is better to state that current best practices will be used, rather than mention a specific technique.

Some areas of the policy manual are missing. The manual was developed when CSAs were being formed. It did not address what would happen when they were dissolved. In 2009, an election was held

for each CSA to decide whether it would continue or not. The 2008 changes in the state CSA law⁸ meant that the annual elections would stop and a single election would allow CSAs to continue indefinitely with cost-of-living increases based on the Construction Cost Index (CCI). That process for dissolving CSAs was detailed in the notice sent to CSAs in 2009 for the election and was later extended into spending them down before dissolving them. In addition, whenever expenses increase beyond what the CCI allows, a new assessment ballot election is required. The process for dissolving the CSAs was never approved by the BOS as a resolution nor incorporated into the policy manual. This step of incorporation into the manual ensures consistency when this situation arises again and that the BOS has reviewed and approves of this process.

The policy manual also does not set up a complaint system for landowners who have concerns about road conditions or snow plowing. Currently, Public Works is quite responsive to complaints. However, those complaints may lead to work that other landowners did not review and approve. These responses to complaints could be enough to make a difference between a sustainable CSA and one that is not sustainable in the case of snow removal. This points to the need to develop a complaint system that sets thresholds for different ways of responding and informing other members of the CSA.

In the specifications for what is included in the annual reports, only the upcoming year's budget is included. A practice followed by most organizations is to include the budget and actual expenses of the previous year to provide context for evaluating the current proposed budget. This issue would be more of a concern when the budget was voted on each year. With the current use of an index for cost increases this is less important. However, providing actual expenses for the previous year would inform the members of actual costs and is a step toward transparency.

All of these issues have been fairly effectively mitigated by having one person in Public Works who has worked extensively with CSAs. Having the policy manual up to date and covering all areas would help to provide continuity if a new person is involved or if that person leaves or is unavailable.

In 2020, the CSA Coordinator was dropped from the County budget during cost cutting. As a result, the road fund was not legally able to charge the administration fees that were specifically allowed for in the policy manual (for project and routine administration as specified on page 2-3 Appendix B). At that time, Public Works employees began to charge as worked⁹ meaning that they would charge the CSAs when they worked on CSA activities as a way of ensuring work on CSAs were paid for by CSA funds. Landowners in CSAs receive an annual report about the CSA. These reports have not included overhead charges and admin charges as a separate category from other expenses. Therefore, there is no opportunity for oversight by CSA members if these costs become too much. In most other areas related to CSAs, the County has been careful to ensure that there is accountability. For example, work on the roads is done through contracts, clearly separating that work from the work of county road crews. This is one key area with little transparency or accountability.

One issue with CSAs is the amount charged for overhead and the expenses of the work that is done. Every year a road condition survey and a report are completed for each active CSA. In higher elevation CSAs there is also snow plowing. These expenses are there even when there is no road work. Each of

⁸ California Senate Bill No. 1458. Chapter 158. Amending 25210. Et. Seq. (2008)

⁹ Tuolumne County Department of Public Works. CSA Admin Meeting addressing loss of CSA coordinator position July 22, 2020. (2020)

these activities reduces the amount of the previous assessment that can be saved for future maintenance and major road work.

In 2021, Public Works proposed and BOS approved a change from mailing out the yearly report to making it available online and sending a postcard to let landowners know when the report was available. This greatly reduced printing and mailing costs and as well as the time to fold and prepare the reports for mailing. This is good example of a positive change that reduced costs while still making the information available.

There may be other areas for reducing costs. One option may be combining CSAs under California Government Code section 25210.7(a), which states, "Territory, whether contiguous or noncontiguous, in the unincorporated area of a single county may be included in a county service area." There may also be other possible changes such as doing condition surveys or reports less frequently. There is software that can estimate road condition change for the intervening year. A thorough review of the procedure manual may reveal more ways to reduce these costs.

Finally, members of the Board of Supervisors who were interviewed did not know about the policy manual and had not received any training on CSAs. They are the governing body for the CSAs as specified in the County Services Areas Law.

Engineering Reports

The engineering report is also covered in the policy manual in the first part (see Appendix B). It is covered separately because it is much less frequent than the other parts of the operations. The engineering reports cover estimated expenses for 20 years. They were originally to be reviewed every five years as specified in the policy manual. This was changed to every ten years as a part of BOS Resolution 86-07, but that Resolution was rescinded in 2013.

A limited look at engineering reports for two CSAs showed that engineering reports for CSA 10 were done in 1990 and 2004. Those for CSA 48 were done in 1994, 2002, and 2008. Those for CSA 10 did not meet the specified time interval. Those for CSA 48 did. The most recent engineering reports are from 2004 to 2009. These reports had all been redone before the 2009 election. Since these are the most recent reports, all of them have not been redone in the past 15 years. These cost estimates and work projections have not been checked since 2009 despite the increasing intensity of storms and rising costs.

The every-five-year standard does not reflect actual practice and may not be needed. Rather than by time period, it may work better to review them based on specific changes in expenses relative to income. That type of system would likely have been triggered if snowplow expenses exceeded income for several years. That would tie the frequency to the actual need.

In addition, an examination of one report¹⁰ showed a 20-year projection of costs which were kept the same over the entire 20 years (the same cost for snow plowing at the start as 20 years later). The income was increased based on the estimated CCI. Showing inflation with income and not with expenses creates a bias that makes CSAs look more financially sustainable than they may be. It

¹⁰ McKenzie, William A. Engineer's Report CSA #26 Manzanita Drive. (2008)

undermines the utility of the analysis. There may be standards for the report or review of the reports that would better ensure the effectiveness of the analysis.

Notifications for Prospective Buyers

County Public Works sometimes receives calls from people who think the County is responsible for the maintenance of the roads in their subdivision. The Grand Jury understands that the normal title insurance reporting process identifies when there are expenses such as CSA or a Homeowners Association (HOA) that come with buying a property. Yet they may not be informed that there is no entity responsible for road repair if a CSA is dissolved. Access to a property with a reasonably maintained road can be important to the value of a home.

To remedy this problem, there are two different types of possible notification. A physical reminder such as a “Not a County Maintained Road” sign could be posted at the beginning of the CSA before they are dissolved and/or when the subdivision is first built. In addition, some sort of memo or other document could be recorded with the deed that would point to the resolution dissolving the CSA. This could show up in a title search and alert the buyer. These remedies were suggested in the course of our interviews. This is another area that could be addressed in the Policy Manual with the other aspects of dissolving or opening CSAs.

Board of Supervisors Training

As mentioned earlier, with the changes in the 2008 CSA law, members of the BOS no longer need to act annually on CSAs and so are less familiar with them. CSAs were not included in their initial training even though the BOS is their governing body. Additionally, these Supervisors were not aware of the policy manual. Including CSAs in their training would provide basic information and awareness of their roles with CSAs.

Audit

CSAs are to be audited yearly. The jury learned that the CSA finances are part of the County system which is audited yearly. The Board of Supervisors does not address these audits, nor does its finance committee. An examination of the minutes of the finance committee found that the committee has met twice or less per year since September 2018 and did not meet at all in 2019. Even when it met 8 times in one year (early 2018), it did not review the audit. In addition, the finance committee only has two members who are on the Board of Supervisors.

CSA and Possible Expansions

CSAs are initiated and dissolved through LAFCO. Districts under LAFCO are mandated to have a Sphere of Influence (SOI) analysis done every five years if needed. A quick examination of the CSAs and other roads near them found instances of non-CSA roads that must use CSA roads to get to any other road (Elliot Road off of Armario in CSA#10 Monte Grande Heights and gaps between parcels at CSA #48 Mono Vista, that may add access to adjacent large parcels). CSAs are intended to ensure that those who use the services are the ones who pay for them. An SOI should address this use on a regular basis by someone not paying toward the maintenance of that road.

Some possible examples of situations that could be addressed in an SOI include landlocked parcels adjacent to CSAs or on roads that must use a CSA road to connect to a more major road. There may also be landlocked parcels that are part of a string of landlocked parcels that have one adjacent to a CSA road. An examination on Google Earth or of LIDAR, which shows roads even under canopy could help.

The quality of the CSA roads compared to other roads that are not county-maintained makes them attractive to those who live nearby but are not in the CSA. There may be others who choose to use these roads that may adjacent to the existing CSA but not directly on the CSA road. In this regard, CSAs are not limited to roads in subdivisions. There may be commercial or agricultural land nearby that uses the roads even more heavily than the current members. There is one concern in the law about agricultural land:

25210.7.d) Land devoted primarily to the commercial production of agricultural products, timber, or livestock may be included in a county service area only if that land is contiguous to other land within the county service area and only if the land will benefit from the services and facilities that the county service area provides. A local agency formation commission shall not approve any change of organization or reorganization that would result in the inclusion of land devoted primarily to the commercial production of agricultural products, timber, or livestock in a county service area unless the board finds that the land will benefit from the services and facilities that the county service area provides.¹²

One addition consideration with adding parcels that are much larger to a CSA is a provision in the new law that makes voting by number of acres¹¹. That could really affect a CSA if a parcel that added was larger than half the total size of the CSA. It would be better to limit such additions to less than ¼ the current size of the CSA.

Possible issues related to expansion of CSAs were seen using Geographical Information System (GIS) with county parcel and roads layers, Google Earth and with LIDAR. CSA residents are also likely to know if there is regular traffic from those not in the CSA. Postcard outreach during an SOI evaluation could provide helpful information on the sources and extent of use. They suggest the range of possible considerations for SOI analysis.

All of this indicates that there is a need for Sphere of Influence (SOI) analysis for some of the CSAs and a careful review of all the CSAs.

¹¹ 25211.5.(b) https://california.public.law/codes/ca_gov't_code_section_25211.5

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

Policy Manual

F1. The policy manual was last updated in 1992 and some of the policies no longer reflect current operations. As such, the manual is outdated, which undermines its authority and utility.

F2. The policy manual does not address the dissolving of CSAs. A process was specified in 2009 when members voted on CSA continuation, but it had not been approved by the BOS.

F3. The policy manual does not address the process to be followed when Public Works receives a complaint from a property owner within a CSA. Responses to landowner's complaints can affect the economic viability of the CSA. Yet there is no specification of what is an emergency action and what can wait for approval the following year.

F4. The policy manual does not specify providing the actual expenses to the members of the CSA and does not break out the cost of overhead separately from the cost of the work. This prevents accountability and is a lack of transparency.

F5. The Board of Supervisors members interviewed, part of the governing body, did not know about the policy manual.

Engineering Report

F6. With increasing revenues and no increases in expenses over the 20 years covered, the engineering report does not always provide the information needed to ensure sustainable operations.

F7. The engineering report has never been updated every five years. The timing specified for the report is clearly not workable or cost effective.

Board of Supervisor Training

F8. Supervisors were not trained on CSAs even though they are the governing board for them.

Audit

F9. The Board of Supervisors does not review the results of the county audit leaving no accountability at the county level.

LAFCO

F10. LAFCO has not reviewed Sphere of Influence for CSAs in the last five year which doesn't allow for reassessment of non-contributors. Those benefiting from a CSA regularly should be members of that CSA.

Recommendations

Policy Manual

R1. Within nine months, Public Works should revise the CSA policy manual for Board of Supervisor approval. In this revision consider ways to reduce overhead expenses, if possible. In addition, create a policy for the review of the policy manual every 10 years. (F1)

R2. Within nine months, Public Works should add procedures for dissolving CSAs, those with and without ad valorem to the policy manual including consideration of how to notify prospective buyers that there is no entity responsible for road maintenance.

R3. Within six months, Public Works should Develop a complaint system with a corresponding policy. for approval by the Board of Supervisors. (F3)

R4. Within nine months, Public Works should increase transparency and accountability by specify that the yearly report include the previous year's expenditures for review and approval by the Board of Supervisors. (F4)

R5. Within five months, the BOS staff should create a binder of policies for each BOS member to serve as a reference. Include the CSA policy in that binder. (F5)

Engineering Report

R6. Within nine months, Public Works should re-evaluate the engineering report for effectiveness, state the purpose of the report and align the structure to that purpose for review and approval by the Board of Supervisors. (Finding 6)

R7. Within nine months, Public Works should set a review frequency for the engineering report based on some measure of need for review and approval by the Board of Supervisors. (Finding 7)

Board of Supervisors Training

R8. By the next BOS training for new members, the BOS should include all the entities where the BOS is the governing body in that training. (F8)

Audit

R9. Within three months, the Finance Committee of the Board of Supervisors should establish a practice to review the county audit each year within eight weeks of its release and make recommendations to the board on that audit if indicated as a local review independent of county administration. (F9)

LAFCOR10. Within the next nine months, LAFCO should do Sphere of Influence (SOI) analysis that addresses any other landowners who may primarily use the CSA roads for access and expand the CSA to include those parcels. (F10)

Commendations

Public works has carefully administered CSAs and has implemented the postcard notification and online availability of the annual reports as a cost saving measure.

REQUEST FOR RESPONSES

Required Responses

Pursuant to Penal Code Sections 933 and 933(c), responses are required from the following governing body within 90 days: ¹.

- Tuolumne County Board of Supervisors: Findings F1-F9 and Recommendations R1-R9.
- Tuolumne County Local Agency Formation Commission (LAFCO) Finding F10 and Recommendation R10.

Invited Responses

Although not required under Penal Code Sections 933 and 933(c), the following responses are invited within 90 days. ⁴

- Tuolumne County Department of Public Works: Findings F1-F4, F6, and F7. Recommendations R1-R4, R6, and R7.

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Tuolumne County. CSA Annual Reports (2023-2024 Fiscal Year). available at <https://tuolumnecounty.ca.gov/617/Special-Districts>

APPENDIX A

CSA History

County Service Areas began in 1953 to provide services to those who were willing to pay. They cover unincorporated parts of the county and can be used for a variety of services including extended police, fire, parks and recreation, libraries, local television, water, and garbage. They can be formed by a vote of the board of supervisors or by a petition of registered voters. They can be funded by special taxes approved by a 2/3 vote or as benefit assessments that were subject to annual approval at a public hearing. They are covered by the County Service Area Law (California Government Code §25210.1 et seq.), which was last modified in 2013.

The original issue that prompted the creation of CSAs was to allow counties with many incorporated areas to be able to provide services to these unincorporated areas with funding collected from those same areas. Those in the incorporated areas did not want to be funding those services for the unincorporated locations.

In Tuolumne County, most of the CSAs are for road maintenance in subdivisions. A board resolution 282-87 in 1987 required that a CSA be created to maintain the roads for any new subdivision. New roads created by development would no longer be taken into the county road system.

Twenty-eight of the Tuolumne County CSAs were established before 1987. Twenty of these were established before Proposition 13 and were still funded in part or entirely by property tax though the amounts were reduced to a proportion of the 1% (Ad Valorem)¹².

After that 1987 resolution, policies were established for the formation of CSAs to maintain and improve roads. These policies were updated in 1992 to increase the percentage paid to the County to ensure they were paying for all the costs. The benefit assessment was also modified in 2004¹³ by a revision of Attachment A. (See Appendix A for these documents)

In 2007 resolution 86-07 established that Permanent Road Divisions (PRDs) were another way of paying for road work. They do not go through the Tuolumne County Local Agency Formation Commission (LAFCO) and can be set up more quickly. It also required the approval of a special tax to be established when they were formed so that the PRDs and CSAs ensure a permanent funding source for road maintenance by waiving their rights to repeal it.

In 2008, California SB 1458 was passed which included the changes introduced by propositions 13, 4, 218, and 1A. The previous law had not kept up with all the changes and previous attempts to change it had been vetoed. At this point CSAs were required to be sustainable indefinitely and budgets were no

¹² The CSAs are numbered in the order they are formed. This is based on the year of formation for each of the CSAs and interview.

¹³ Tuolumne County Board of Supervisors. Minutes June 15, 2004.

longer required to be approved annually. In addition, this law permits CSAs to include areas that are not contiguous.

In 2009 the members of active Tuolumne County CSAs were given a ballot that would allow them to go forward without further balloting with the budget amounts automatically increased based on the Construction Cost Index (CCI). This also required them to sign to waive their rights to appeal it. A memo to the Board was sent on May 4, 2009, but the Board never took action on it. Two hearings were conducted by the BOS on May 19 and May 26, 2009 to hear from the CSA members.

Those CSAs that did not approve going forward would be placed in inactive status. Services could be reduced or eliminated based on funds in the account. The intent of the County was to begin dissolving the inactive CSAs with the remaining funds to go to the General Fund. This was never approved by the BOS. Of the seven CSAs voting, five voted to continue.

In 2013 BOS Resolution 31-13 was approved which rescinded the resolutions from 1987 (282-87), 1989 (287-09), 2007 (86-07), and 2009 (107-09). It added Homeowners Associations (HOAs) for subdivisions where all the roads are private. It also provided an Exhibit A but did not address how that related to Attachment A from 2004.

In 2020 with cuts of positions, there was no longer a specific CSA coordinator position. This person had been assigned to prepare all the reports and other activities associated with the CSAs. When this position was cut, it apparently was not possible to keep the administration funds in a separate account, Public Works decided to charge as worked. They were aware this could cause problems for CSAs and that they needed to watch the expenses. This also meant that a more highly paid employee would be doing these activities.

In 2021 the BOS approved sending postcards telling the CSA members to look online for their current report as a cost saving measure. The background materials for that decision included the 1992 Policy Manual.

APPENDIX B

COUNTY OF TUOLUMNE

POLICIES FOR FORMATION OF COUNTY SERVICE AREAS

CREATED TO MAINTAIN AND IMPROVE ROADS

A county service area may be formed to carry out maintenance and improvement activities for the preservation of those roads within the service area in accordance with an adopted plan that details the design standards and level of maintenance service.

The formation of such a county service area shall be in accordance with the Tuolumne County Local Agency Formation Commission (LAFCO) process. LAFCO is empowered to act on proposals involving formation of, annexation to, and detachment from local service districts. The procedures are guided by the requirements of California Government Code, Section 56000, et seq. (See attached Tuolumne County LAFCO Instructions For Applicants.)

As part of the LAFCO process the application to form a service area for road maintenance will be reviewed by the Department of Transportation and Engineering Services. The Department shall require as part of its review process, the submittal of an engineer's report as described below. This report shall become the basis of the service area charges.

Upon approval of the service area application by the Board of Supervisors, a Notice of Completion shall be filed with the State Board of Equalization. The notice must be filed before January 1 in order that charges can be included on the subsequent tax roll.

Engineers Report

The engineers report shall be presented in a standardized format as provided by the Department of Transportation and Engineering Services and shall be prepared by a registered civil engineer in the State of California. This report shall include the following:

A. Analysis of Existing Road Condition and Needs

The engineers report shall present an inventory of the roads and their initial or current conditions. Special attention shall be given to any deficiencies or needed improvements which will return the roads to their intended design standard and level of maintenance service. The engineer's analysis shall also determine any specific needs that should be scheduled as part of the 20-year Maintenance Plan.

B. 20-Year Maintenance Plan

The maintenance plan shall be developed for a 20-year period. It shall include routine maintenance, major maintenance, reconstruction and improvements that the engineer determines necessary to be accomplished during this 20-year period. An engineer's estimate for the cost of this work shall be developed. The estimate shall provide for the cost of engineering, administration, labor (at prevailing wage), materials, equipment, bonds, insurance, traffic control, inspection, testing and any other service necessary to carry out the maintenance plan. The plan shall also indicate the total 20-year cost of maintenance and the average annual cost. Below is a partial list of maintenance activities that shall be considered as part of any proposed plan.

Routine Maintenance

Repairing Shoulders	Brushing & Tree Removal	Cleaning Culverts
Crack Sealing ¹	Cleaning Paved Ditches & Dikes	Sign Replacement
Snow Removal	Grading Ditches & Shoulders	Pavement Repair
Vegetation Control	Striping and Delineation	Emergency Work*

*Emergency Work shall be programmed as a contingency to cover unanticipated events or conditions which may occur.

Major Maintenance

Fog Sealing	Rock & Grading of Gravel Roads	Chip Sealing
Filling Cracks	Asphaltic Concrete Overlay	Culvert Replacement

Improvements

Road Realignment		Curve Widening
Safety Projects	Drainage Improvements	Paving Projects

C. Budget

An Annual Budget for the work programmed for each year shall be presented. This budget shall show cost per type of work or project. The cost shall be supported by engineer's estimate of the work.

D. Service Area Maps

A reproducible mylar map (24" x 36") of the service area shall be prepared by the engineer and submitted to the Department of Transportation and Engineering Services. The map shall not contain bearings and distances, but shall accurately indicate the boundaries of all parcels, road easements and drainage easements to the scale specified by the County Engineer. Fifty-foot interval road stationing, beginning at the edge of the connecting roadway and terminating at the end of the improved roadway, shall be shown for each service area road. The map shall be titled with the service area name and number and have a vicinity map which clearly indicates the

location of the service area, a north arrow, and scale. A reduced (11" x 17") mylar copy shall also be submitted.

E. Engineers Report Updates

Every five years¹⁴ the engineer's report shall be updated by the County Engineer or under a Consultant Engineering Services Contract. The report shall assess the current condition of roads and update the 20-year maintenance plan and budget. The updated maintenance plan will be presented to the Board of Supervisors with the annual report.

F. New Service Areas Formed for New Subdivisions

Developers whose projects require the formation of a Service Area for roads shall deposit funds in the service area account for the purpose of meeting emergency and snow removal needs during the first year. The actual amount of funds required will not be less than 150% of the combined annual emergency work and snow removal allowances as determined by the approved engineer's report.

¹⁴ This was changed to "no less than once every ten years" [res. 86-07] in 2007 and that resolution was rescinded in 2013 by res. 31-13.

COUNTY OF TUOLUMNE
POLICIES FOR ADMINISTRATION OF COUNTY SERVICE AREAS
CREATED TO MAINTAIN AND IMPROVE ROADS

The Department of Transportation and Engineering Services, by the authority of the County Board of Supervisors, is responsible for the administration of county service areas. New and existing service areas created to maintain and improve roads shall develop and be administered in accordance with an engineer's report as described under "Formation Policies County Service Areas Created to Maintain and Improve Roads". County Service Areas require routine administration, administration of maintenance and improvement projects and administrative support from other County departments. These areas of administration are described below.

Routine Administration

A. Maintenance of county service area records and files which include:

1. Copy of resolution establishing the service area
2. Current list of assessor's parcel numbers for properties in service areas
3. Current list of property owner's names and addresses
4. Annual reports
5. Records of charges against service areas
6. Correspondence
7. Maintenance and improvement project records
8. Current county service area boundary map

B. Field Review

1. Each year a field review of the service area shall be conducted. The survey shall inventory the work to be a part of the current years maintenance and improvement program and log any unusual conditions which should be incorporated in the upcoming reports.

C. Annual Reports

Each year annual reports shall be developed. Each annual report shall contain the following:

1. Background: General information including name, location, supervisors district, date of formation and reference to the associated resolution.
2. Administration: Statement as to whom the Board has delegated administrative authority.

3. Road Inventory: A listing of the service area roads shall be shown with data indicating length, width, structural material and condition.
4. Maintenance Record: A schedule should be provided showing past road projects, year of activity and cost.
5. Revenue: A breakdown of revenue including beginning fund balance of current fiscal year, current years anticipated revenue, source of revenues, estimate of total funds available for current year, estimate of beginning balance of upcoming year, anticipated revenues and anticipated funds available for upcoming fiscal year.
6. Field Review: A brief discussion of current conditions of roads should be provided. Comment should be made regarding any unanticipated or unusual conditions which have evolved.
7. Proposed Work Program: This section shall provide a brief report of proposed activities programmed for the upcoming year and their associated costs. These items to be addressed include professional services, road, maintenance, road improvements, administration and parcel charges.
8. Administration: The charges for routine administration shall be shown along with other administrative charges such as charges for County administrative support and for administering maintenance and improvement projects. A breakdown and justification for these charges shall be given.
9. Parcel Charge: The current parcel charge is to be shown and a justification and recommendation made for a proposed change; if any.
10. Fiscal Year Budget: Submitted with the annual report shall be a proposed budget. This budget lists all expenses and anticipated revenues.
11. Board Action: A recommended Board action shall be presented requesting approval of annual report, annual program, administration charge, FY budget and parcel charge.

Maintenance and Improvements Project Administration

The primary purpose of service areas is to carry out work required to maintain the existing-roads at their design standard and planned level of maintenance. The work consists of development and administration of maintenance and improvement projects.

These projects may be broken down into several tasks including preliminary and design engineering, bid process and awarding of contract, contract administration and construction engineering. The completion of the above work will be carried out by staff or contracted services, i.e., professional engineering consultants and public works contractors with the cost charged to the county service area.

The County shall administer these approved maintenance and improvement projects.

Administrative Charge

Project administration, routine administration and special administration charges shall be levied against the service areas to fund the County Service Area Coordinator position committed to service area administration. The charges shall be apportioned to the service areas as follows:

A Project Administration

An administrative fee in the amount of **15%*** of all maintenance and improvement project costs will be paid for preliminary engineering, development of plans and specifications, construction engineering, quality control, and project administration.

B. Routine Administration

The charge for routine administration is made up of a basic administration charge and a surcharge.*

A basic administration charge of \$400 per year shall be charged for basic administrative services for each active service area.

The surcharge will be developed as follows: That portion of the salary cost not covered by the project administration and basic fee revenues shall be prorated evenly over the total number of County Service Area parcels to establish a per parcel surcharge. Each service area would be charged the amount of the surcharge multiplied by the number of lots in the service area.*

C. Special Administration

In addition to project administration fees, inactive service areas will pay the weighted hourly rate for staff participation in routine administration activities such as meetings and surveys.

Administrative Support

The administration of service areas generates additional expenses such as printing, mailing, and support from other departments such as Data Processing and County Counsel. Each service:

Area shall reimburse the County for the actual cost incurred for such services.

BE IT FURTHER RESOLVED that the Board of Supervisors finds and determines that in order to fulfill their intended function(s) County Service Areas and Permanent Road Divisions must be permanently funded. Therefore, a condition shall be imposed on each tentative map requiring the owner(s)-voter(s) of a proposed Permanent Road Division, Zone of Benefit within a Permanent Road Division, or County Service Area to approve a perpetual maximum special tax to provide for perpetual maintenance of the roads and associated facilities within the identified entity. The tentative map condition also shall include a requirement that the owner(s)-voter(s) of the proposed Permanent Road Division, Zone of Benefit within a Permanent Road Division, or County Service Area shall execute a waiver of his/her/their right to petition for an initiative election to reduce or repeal any special tax approved as a condition of the tentative map. (Resolution 86-07) [repealed and superseded by 31-13 in 2013]

BE IT FURTHER RESOLVED that any Special Tax approved by the owners of a subdivision, shall be based upon an Engineers Report, approved by the Director of Public Works or his designee, which shall clearly identify the maximum special tax that may be imposed, along with an appropriate annual increase for inflation as provided in Government Code Section 53739(b)(1). The Engineers Report shall be updated as needed by the Director of Public Works or his designee no less than once every ten years, to adjust for the actual condition and maintenance needs of the road and appurtenant facilities. The annual tax levy will be based on the most current engineer's report. (Resolution 86-07) [repealed and superseded by 107-09 in 2009 and 31-13 in 2013]

[This resolution did not show how the policies would be revised, so this is added here.]

Should County staff identify a future need to increase the assessment to cover increased CSA maintenance costs, a new balloting effort would be prepared and distributed for a vote on the proposed increase.Should an updated Engineer's Report reflect at hat a change in assessments is needed that would be greater than the CCI, the assessment would be presented to the property owners for a new assessment ballot at that time. (2009 notice labeled as update to CSA policy). [86-07 did not include this]

If the assessment is not approved, your CSA will be placed on inactive status. Services may be reduced or eliminated depending on the amount of funds currently in your CSA's account. It is

the intent of the County to begin the process of dissolving inactive CSAs. If the assessment for your CSA is not approved, your CSA may be present to the Local Agency Formation Commission ("LAFCO") for possible dissolution. Should LAFCO vote to dissolve your CSA, any remaining funds after dissolution of the CSA may go into the Tuolumne County General Fund and will not be used toward road maintenance nor returned to the property owners. Once the CSA is dissolved, the road(s) will remain dedicated for public use, but will be maintained by the individual property owners with no further involvement of the County. (2009 notice labeled as update to CSA policy) [86-07 did not include this. This is the first policy seen on ending CSAs]

COUNTY OF TUOLUMNE

POLICIES FOR EXPENDITURES OF COUNTY SERVICE AREAS FUNDS

Preliminary and Design Engineering Service

The County will perform these services or enter into an agreement with an engineering consultant to provide these services when necessary. The Engineer shall be selected and engaged in accordance with the County Consultant Selection Procedure.

These engineering services provided by the County or a consultant engineer may include developing plans, specifications, contract documents, reports and attendance of meetings.

Construction Management and Construction Engineering Services

The County shall perform such services or will enter into a contract with an engineering consultant to provide these services when necessary. The Engineer shall be selected and engaged in accordance with the County Consultant Selection Procedure.

12. Construction Management shall include maintaining all files, records, documents, change orders, source documents, correspondence, draft progress payments, etc., as the County Engineer shall require.
13. Construction Engineering shall include all inspections, testing and documentation to insure compliance with the contract plans and specifications.

Service Contracts

Annual service contracts for services on an hourly basis may be awarded by informal bidding process. Such contracts shall contain the following provisions:

- A. Payment and performance bonds shall not be required.
- B. Payment of prevailing wage rates shall be required by the contract.
14. Proof of general comprehensive liability insurance in the amount and form specified by the County shall be submitted for the term of the contract. The Certificate of Insurance must name the County of Tuolumne and its representative, officers) employees and agents as additional insured.
15. Proof of Worker's Compensation Insurance shall be provided for not less than the limits required by law.
16. Full payment will made monthly for hourly' contract work performed during the previous month,

Maintenance and Improvement Construction Contracts

Maintenance and improvement work for \$4,000 or less may be by an informal bidding process. construction or repairs over \$4,000 shall be by the formal County bidding and contracting process. Below are listed the steps involved in the formal bidding process.

- A. The plans and specifications shall be prepared by a registered civil engineer in the State of California.
- B. The Board of Supervisors shall approve plans and specifications.
- C. The Board of Supervisors shall advertise for bids by formal procedure.
- D. The Board of Supervisors may award the contract to the lowest responsible bidder. The Board of Supervisors may reject any/or all bids.

Expenditures for Emergency Work and Signs

Within the Engineer's report a contingency fund component for emergency work is established. The Board of Supervisors may approve, within a service area budget, a predetermined amount which the Director of Transportation and Engineering Services may expend on urgent service area work. No expenditure or combination of expenditures shall be made in excess of the predetermined amount approved by the Board of Supervisors without further Board action. The above benefit components are described in further detail as follows:

A Community Component

Community component is that portion of the total benefit received by each parcel that can be determined uniform for all parcels within the County Service Area. These common benefits within the service area are:

- 1. Preservation of community appearance and value
- 2. Access to common areas
- 3. Intracommunity access
- 4. Access for utilities
- 5. Recreational uses, pedestrian and non-motorized
- 6. Emergency circulation
- 7. Other

The community component allows the allocation of those charges, which should be distributed equally.

*Minutes April 7, 1992, Alan Roberts, Acting Director, Transportation and Engineering Services, addressed the Board ' to request consideration of modifying the County Service Area policies, increasing the charge for administration, including engineering, design, development, of plans, etc., from 5% to 15%, and to add a surcharge to the basic \$400 charge for routine administration involving maintenance of records, files, phones, etc. (Passed by unanimous vote)

NOTE: the Policy Manual that we have been provided does not contain Attachment A to the Benefits Assessment Methodology Policy for County Service Areas.

Below is what was sent to the Board of Supervisors on June 7, 2004, based on the Adjusted Trip Rates for residential development derived from the "Fee Schedule" set for in section 3.54.030 of the Tuolumne County Ordinance Code. This was approved June 15, 2004, by unanimous vote.

ATTACHMENT “A”

Trip Generation Values

Category	Use	Trips
Residential	Singly Family Detached (2+ gross acres per parcel)	10.0/Dwelling Unit
	Single Family Detached (less than 2 gross acres per parcel)	7.4/Dwelling Unit
	Multi-Family Attached Apartments, duplexes, or condominiums per unit regardless of square footage	5.36/Dwelling Unit
	Mobile Home Park Area or tract where two or more spaces are rented for mobile homes or trailers	4.22/Dwelling Unit
	Retirement Community Five or more residential units, enforceably restrict to those 55 and over and designed for the elderly	4.22/Dwelling Unit
Other	Commercial, Industrial, and other uses	As determined by the Director of Public Works

Adopted 6/15/2004

Benefit Assessment Methodology Policy

EXHIBIT "A"

MAINTENANCE OF NEW SUBDIVISION ROADS NOT ACCEPTED INTO THE COUNTY MAINTAINED ROAD SYSTEM

General Provisions

1. As provided in this Resolution, only collector roads and other high volume roads which provide an overriding benefit to the needs of the County as determined by the Board of Supervisors will be accepted into the County Maintained Road System.
2. Prior to approval of a final map for a subdivision which is not exempted from these provisions, a County Service Area (CSA) or a Zone of Benefit within the Countywide Permanent Road Division (PRO) shall be established and funded, or a Homeowners Association (HOA) shall be established to maintain all roads not accepted into the County Maintained Road System as provided herein.

Subdivision Roads

1. Public Roads

For subdivisions with all public roads, either a CSA or Zone of Benefit within the Countywide PRO shall be established and funded to provide for road maintenance.

2. Private Roads

For subdivisions with all private roads, an HOA shall be established to provide for road maintenance.

3. Combination of Public and Private Roads

For subdivisions with both public and private roads, an HOA shall be established to provide for maintenance of the private roads and either a CSA or Zone of Benefit within the Countywide PRO shall be established and funded to provide for maintenance of the public roads.

County Service Area (CSA) or PRD (Permanent Road Division)

3. Prior to approval of a final subdivision map containing public roads, a CSA or Zone of Benefit within the Countywide PRO shall be established and permanently funded.
4. A condition of approval shall be imposed on each tentative map requiring owner(s)-voter(s) of a proposed CSA or Zone of Benefit of the Countywide PRD to approve either a special tax or an assessment to provide perpetual maintenance of the roads and associated facilities with the CSA or Zone of Benefit. The tentative map condition shall also include a requirement that the owner(s)-voter(s) waive their right to petition for an initiative election to reduce or repeal any special tax or assessment approved as a condition of the tentative map.
5. Any special tax or assessment approved by the owners of a subdivision shall be based upon a 20-year maintenance plan and Engineer's Report submitted to the Engineering Division of the

Community Resources Agency for review and approval. The maintenance plan shall include an engineer's estimate for maintaining the public roads within the subdivision. The Engineer's Report shall be approved by the Deputy CRA Director of Roads or his/her designee and shall clearly identify the maximum special tax or assessment that may be imposed, along with an appropriate annual increase for inflation as provided in Government Code Section 53739(b)(1). The Engineer's Report shall be updated as needed by the Deputy CRA Director of Roads or his/her designee no less than once every ten years, to adjust for the actual - condition and maintenance needs of the road and appurtenant facilities. The annual special tax or assessment levy will be based on the most current Engineer's Report. As an alternative to the 20-year maintenance plan, a 30-year maintenance plan may be submitted for review and approval by the Engineering Division of the Community Resources Agency when deemed appropriate by the Deputy CRA Director of Roads. The 30-year maintenance plan may be deemed appropriate when the projected traffic patterns for the subdivision are compatible with pavement treatments to extend the life of the original construction sufficiently to last 30 years before reconstruction is necessary.

6. Collection of the special tax or assessment shall begin the fiscal year immediately following recordation of the final subdivision map, or completion of the road improvements as provided in a subdivision agreement, unless otherwise approved by the Board of Supervisors. The Board of Supervisors may approve an alternative commencement time for collection of the special tax or assessment as provided herein, in conjunction with the approval of the tentative subdivision map or prior to approval of the final subdivision map. The owners of the subdivision may request that collection of the special tax or assessment be deferred for up to ten (10) years or until 20% of the parcels have been sold and title has been transferred, whichever occurs first from the date of recordation of the final subdivision map to provide time for the sale of parcels within the subdivision. The Engineers Report shall address a request for deferment of collection of the special tax or assessment and provide for a lump sum payment in an amount to cover emergency road maintenance, such as storm damage, snow removal services (if appropriate), and associated administrative costs during the time between the recordation of the final subdivision map and the start of collection of the special tax or assessment. The owners of the subdivision shall deposit the lump sum payment into the CSA or Zone of Benefit of the Countywide PRO account prior to recordation of the final subdivision map.
7. Funds collected on behalf of a CSA shall be expended for the services related to road maintenance and as otherwise provided in the approval of the CSA by the Local Agency Formation Commission. Funds collected on behalf of a Zone of Benefit within the Countywide PRO may be expended only upon services and administrative costs related to road maintenance. Services may include, but are not limited to: all pavement maintenance or improvement activities including seal coats, crack sealing, overlays and reconstruction, maintenance or improvement of hardscape and drainage features within the designated right-of-way, snow removal and deicing, signs, vegetation control, and pavement markings.

Homeowners Association (HOA)

1. Prior to approval of a final subdivision map containing private roads, an HOA shall be established.
2. The following shall be submitted to the County prior to establishing an HOA.
 - A. A 20-year maintenance plan shall be submitted to the Engineering Division of the

Community Resources Agency for review and approval. The maintenance plan shall include an engineer's estimate for maintaining the roads within the subdivision, The estimated cost of road maintenance per parcel shall be disclosed to potential buyers within the subdivision.

As an alternative to the 20-year maintenance plan, a 30-year maintenance plan may be submitted for review and approval by the Engineering Division of the Community Resources Agency when deemed appropriate by the Deputy CRA Director of Roads. The 30-year maintenance plan may be deemed appropriate when the projected traffic patterns for the subdivision are compatible with pavement treatments to extend the life of the original construction sufficiently to last 30 years before reconstruction is necessary.

- B. Covenants, Conditions and Restrictions (CC&Rs) providing for the formation and funding of an HOA, the responsibilities of which shall include maintenance of all private roads, shall be submitted to the County for review and approval by the Engineering Division of the Community Resources Agency and County Counsel's Office.
- C. The CC&Rs shall state that the County has no responsibility to maintain the private roads within the subdivision,
- D. Once approved by the County, the CC&Rs shall be recorded.

Above from 31-13. Did not repeal the 2004 document.

2021 change

4) Approving changes to the administration of County Service Areas and Permanent Road Division to streamline mailing of annual reports. [BOS MINUTES 6/15/21 with no additional details.

To further streamline the administration of the CSAs and PRDs, postcards could be used to eliminate time and material expenses associated with printing, folding, addressing, and packing envelopes. Annual reports will be available for download on the County's website. Paper copies of the report will be available on request (BOS memo - CSA postcard).