

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF FEBRUARY 22, 2017*

### *REGULAR MEETING*

**TO:** Shiva Frentzen, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**AGENDA ITEM #9:** PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE COSUMNES RIVER COMMUNITY SERVICES DISTRICT MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE STUDY FOR THE (LAFCO PROJECT NO. 2015-05)

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### **RECOMMENDATION**

Staff recommends that the Commission:

1. Receive and discuss the information related to the municipal services review and sphere of influence update for the Cosumnes River Community Services District;
2. Open the public hearing on this matter;
3. Accept statutory exemption §15061(b)(3) from environmental review as the appropriate environmental review;
4. Adopt Resolution L-2017-04, adopting the municipal service review and sphere of influence update for the Cosumnes River Community Services District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

### **REASON FOR RECOMMENDED ACTION**

The Cosumnes River Community Services District Municipal Service Review (MSR) and Sphere of Influence (SOI) Update provides a current snapshot of service delivery for the District, and also identifies areas of potential growth for future extension of services as well as areas of potential reduction for lack of services, where appropriate. This MSR analyzes the District's ability to provide existing and future residents with road maintenance and park and recreation services within its service area.

### **BACKGROUND**

This study analyzes the agency's ability to provide existing and future residents with road maintenance and park and recreation services within its service area. The MSR was prepared to meet the requirements and standards of the Cortese-Knox-Hertzberg Local

Government Reorganization Act of 2000 (CKH). The SOI study uses the data in the MSR portion to generate a guidance document for any future boundary changes to Cosumnes River Community Services District (CRCSD). This MSR will assist the Commission and its staff when considering actions that will affect the boundaries of CRCSD.

### **Municipal Service Review Determinations**

The MSR provides analysis for the statutory criteria set forth within the CKH Act, as well as additional locally adopted requirements. These criteria are listed as follows:

- Growth and Population Projections
- Disadvantaged Unincorporated Communities
- Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies
- Financial Ability to Provide Services
- Status of, and Opportunities for, Shared Facilities
- Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies.
- The Potential Effect of Agency Services on Agricultural and Open Space Lands

Throughout the analysis portions of the report, LAFCO staff did not identify any substantial areas for improvement or current issues faced by the District that needed to be addressed or resolved as a part of this Municipal Service Review. The only note of any concern came from the audit, with it noting the District should have more frequent periodic financial reviews. The District's Board has indicated it agrees with the recommendation. On the service side, the MSR found that CRCSD paved roads, while narrow and unmarked, are in very good condition. A visual review of the gravel roads found them to be in adequate condition. The District's two-acre parcel was found to be clean and well-kept.

**Determination 1** – The Cosumnes River CSD indicates that demands for roadway services and recreation services are not increasing. Current and future land uses are anticipated to remain primarily residential and the District's area is generally built out. No significant growth or population increases are anticipated given the zoning for the parcels that are currently undeveloped in the CSD's service area and its sphere of influence.

**Determination 2** – According to information from the County's Community Development Department, there are no disadvantaged communities within or adjacent to the District's service area or in its sphere of influence. LAFCO was unable to identify a disadvantaged community utilizing the resources available from the United States Census, the Sacramento Area Council of Governments or from the California Department of Water.

**Determination 3** – Road services – Cosumnes River CSD's current infrastructure consists of approximately 13 miles of paved and gravel roadway. Cosumnes River CSD does not own major roadway maintenance equipment. It contracts for roadway maintenance services. These are currently provided adequately for the current demand, as determined by adherence to local preferences and expectations for roadway quality

repair frequency, and overall roadway operations. Cosumnes River CSD does not have plans for expansion of roadway infrastructure or facilities.

Cosumnes River CSD's sphere of influence is currently "positive," which means that its service area could expand to include the parcels between its current northern boundary and Sand Ridge Road. The owners of these parcels can access their property through County public roads or private driveways that are not connected to the District's road network. In addition, the CSD also does not have the capacity to expand its services further. Consequently, it brings into question whether there is a need for the CSD to have these parcels in its SOI.

Park services – Cosumnes River CSD's current recreation infrastructure consists of a single park along the Cosumnes River. The park is approximately two acres in size and includes a parking area, and picnic area with tables and benches. The park is maintained by the District as needed. It utilizes volunteers for some clean up and maintenance. Cosumnes River CSD does not have plans for expansion of recreation infrastructure or facilities.

**Determination 4 – Road services** - These are financed by assessments and property taxes. CRCSD receives an average property tax share of 5.328% and assessments are \$150 per parcel per year. District staff considers these revenue sources as barely adequate to fund services. The District does not have outstanding debts. The District has attempted to increase property assessments in the past, but these efforts were rejected by voters. Additional financing opportunities are needed.

Park services – The Cosumnes River CSD charges \$20 for the use of the park by non-residential users and \$1 for residents of the District. Financing for the improvement and maintenance of recreational facilities may come from grants or other sources. The CSD uses volunteers for park clean up and minor maintenance.

**Determination 5** – The Cosumnes River CSD is the only agency providing roadway maintenance and recreational services within its jurisdictional boundary. Funding levels notwithstanding, the overall management structure of the District is sufficient to perform the necessary services and maintain operations. The Cosumnes River CSD's service boundaries are appropriate for the current level of services provided.

The Cosumnes River CSD's Board is elected by voters within the District. Board meetings appear to be held and noticed consistent with the Brown Act. There appear to be ample opportunities for public involvement and input. The Cosumnes River CSD is able to inform the public via the District's website and the annual newsletter mailed to residents. The District's website, however, only contains the 2009 newsletter.

**Determination 6** – The services provided by the District have no effect on agricultural and open space lands. Park services have no growth inducing effects. While the creation of roads may have growth inducing effects, CRCSD is not in the business of creating new roads. Most of the land is on Cosumnes River CSD's periphery is built out or slated for development as low density rural residential.

### **Sphere of Influence Determinations**

The MSR also includes a review of the existing SOI for the District to determine if changes should be made. Written determinations are included within the MSR consistent with the requirements of CKH that address the following:

- Present and Planned Land Uses in the Area, including Agricultural and Open-Space Lands
- Present and Probable Need for Public Facilities and Services
- Present Capacity of Public Facilities and Adequacy of Public Services
- Existence of Any Social or Economic Communities of Interest
- The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence for districts exercising certain powers

**Determination 1** – Present land uses within the District are primarily rural residential. Planned land uses in the undeveloped parcels are anticipated to remain the same as current land uses.

**Determination 2** – Present needs for public facilities and services are currently being met, although at limited levels of service. Probable needs for public facilities and services are not currently anticipated to vary from present needs, as future demands are expected to remain roughly the same.

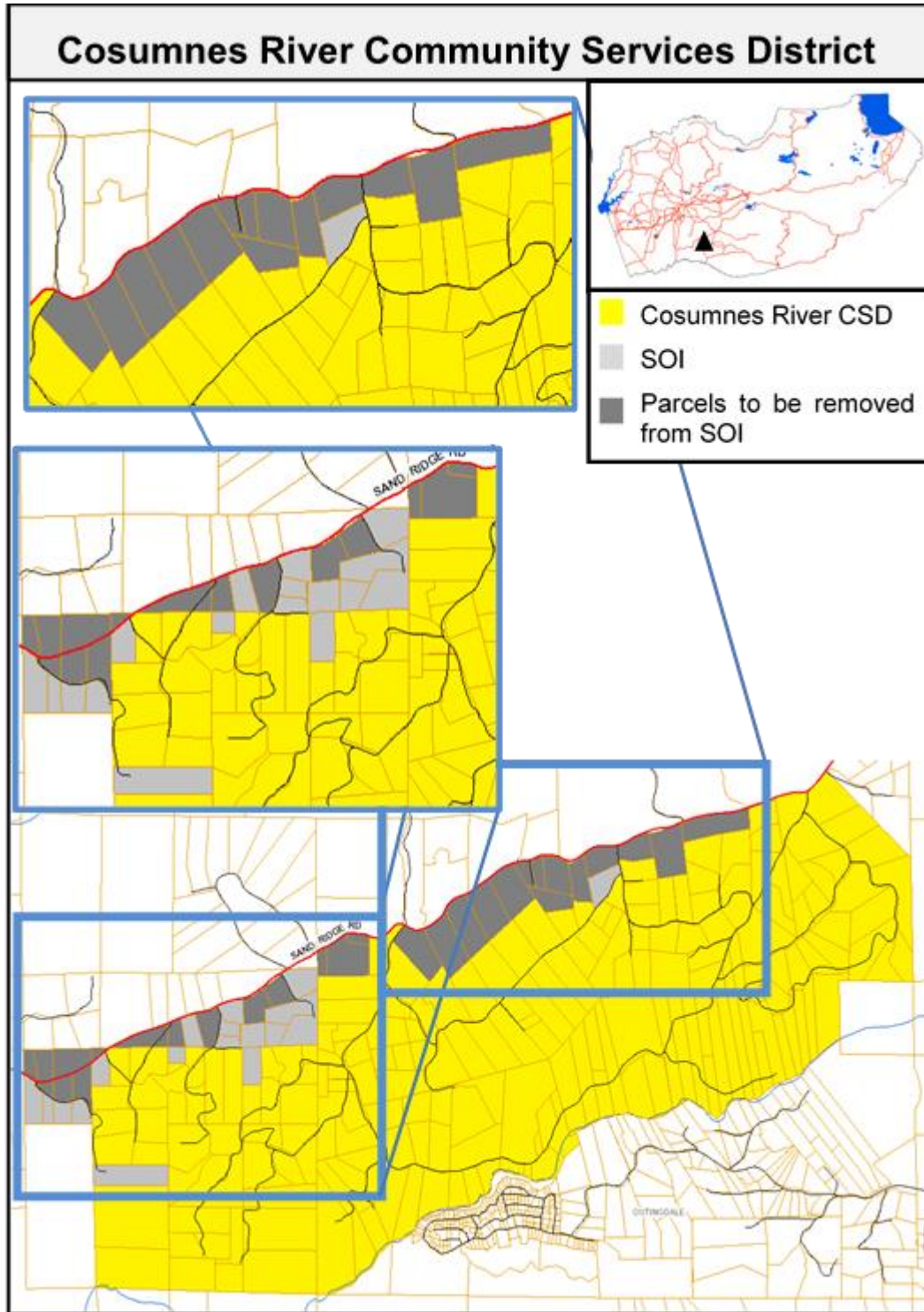
**Determination 3** – The present capacity of public facilities provided is barely adequate to serve the existing community; although, roadway improvements are limited based on available financing and priorities established by the District.

**Determination 4** – There are no social or economic communities of interest in the area. Nearby communities include the Somerset area.

**Determination 5** – While Cosumnes River CSD does not provide any municipal services as defined in Government Code 56425(e)5, LAFCO has not identified any disadvantaged communities within the District's boundaries or in its sphere of influence.

### **Sphere of Influence Recommendation**

Based upon the information contained in this report, it is recommended that the CSD's SOI be shrunk. The District's Sphere of Influence extends beyond the District's current service area. Many of the parcels in CRCSO's SOI lie between the service boundary and Sand Ridge Road. More than half of the residents in these SOI parcels access their property through private driveways connected to a County-maintained road rather than a District-maintained road. It is unknown how often these residents access the District's park, and of those who do, how many of them would join CRCSO just to take advantage of that amenity. As a result, there is little incentive for these properties to become part of Cosumnes River CSD. Shrinking the District's SOI as shown in Map 2 in Section IX may be appropriate, based on the low probability of many of these properties annexing into District.



**Changes to the Study Since January**

Three changes were made to the report as a result of Commissioner Anderly's question related to the park and its funding and new information that came to light from CRCSD's Board Chairman:

- In the MSR, CRCSD staff describes the revenues for maintaining the park as low, but there is a guard who is posted onsite. Commissioner Anderly asked that if the cost for this guard is expensive, would not having a guard and using these funds for maintenance be a better allocation of resources? In response, Dave Boucke, Board President, replied that the park used to be less safe and required more maintenance because non-residents would use the park incessantly, usually abusing alcohol and drugs, and leave a lot of trash behind. With the guard in place, the residents can enforce the rules and impose daily use fees. The park feels safer. He concluded that, "Everyone in the District agrees that this is money well spent. In addition, the residents of Outingdale support this service as it discourages outsiders from sneaking in to utilize their side of the river."
- President Boucke expressed his support for LAFCO staff's recommendation to shrink the District's sphere and limiting the SOI to parcels that are using, or have the potential to use, the District's roads for access.
- President Boucke also disclosed that there is a parcel in the remaining sphere that is voluntarily paying the District's assessment fee. This resident is using the District's road to access his parcel but he is either not inclined or does not have the money to formally annex into the District. LAFCO staff advised that CRCSD apply to LAFCO with an out-of-agency service agreement to formalize the arrangement, even if temporarily.

**Attachment:**

Attachment A: Cosumnes River Community Services District Municipal Service Review and Sphere of Influence Update (LAFCO Project 2015-05)

Attachment B: Resolution L-2017-04