

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF JANUARY 25, 2017*

### *REGULAR MEETING*

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

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

**PREPARED BY:** Erica Sanchez, Policy Analyst

**AGENDA ITEM #8:** PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL  
REVIEW, MUNICIPAL SERVICE REVIEW AND SPHERE OF  
INFLUENCE UPDATE FOR THE NASHVILLE TRAIL  
COMMUNITY SERVICES DISTRICT

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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 Nashville Trail 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-2017-01, adopting the municipal service review and sphere of influence update for the Nashville Trail Community Services District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

#### **REASON FOR RECOMMENDED ACTION**

The Nashville Trail 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, when appropriate. This MSR analyzes the District's ability to provide existing and future residents with road services within its service area.

## **BACKGROUND**

LAFCO's decisions are guided by State Law. Specifically, the fundamental role of LAFCO is to implement the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH), consistent with local conditions and circumstances. The MSR is required by State Law to serve as a guidance document for any future boundary changes to the Nashville Trail CSD; an MSR is also a requirement prior to the Commission updating an agency's SOI. This MSR will assist the Commission and its staff when considering actions that will affect the boundaries of the Nashville Trail Community Services District.

### **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 MSR found that Nashville Trail CSD is adequately providing road maintenance services within its boundaries. The roads are maintained at levels consistent with the residents' expectations, as identified by the Nashville Trail CSD Board of Directors.

**Determination 1** – Demands for service within Nashville Trail CSD are not expected to increase in the near future; the District doesn't expect significant growth or population increases and future land uses are anticipated to remain primarily residential and limited commercial.

**Determination 2** – Neither U.S. Census demographic data, nor State Department of Water Resources data, indicates the presence of a disadvantaged unincorporated community within or near the Nashville Trail CSD boundaries.

**Determination 3** – The roadways appear to be in good condition relative to adopted standards and resident preferences and expectations. Nashville Trail CSD does not have plans for expansion of infrastructure or facilities.

**Determination 4** – The District appears to be financially stable with the recent increase in property assessments. Nashville Trail CSD utilizes a sufficient range of cost avoidance opportunities, including bidding for services and utilizing volunteers from the community for minor roadway maintenance. No additional financing opportunities have been identified. No additional significant cost avoidance opportunities have been identified that would result in a significant reduction in costs associated with service provision.

**Determination 5** – Nashville Trail CSD does not share any facilities with another service provider; there does not appear to be a potential opportunity for shared facilities for the District.

**Determination 6** – The District appears to operate efficiently under its existing structure; the current governmental and management structures are appropriate to allow the District to provide necessary services and operate in an efficient and effective manner. No significant issues regarding local accountability were noted.

**Determination 7** – It is unlikely that the District's services would induce urban growth or the premature conversion of agricultural land to urban uses. The CSD has no plans to expand, so there should be no additional impacts to the economic viability of surrounding agricultural operations.

### **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

**Determination 1** – Present land uses in the area include residential, limited agricultural and commercial, vacant residential and open space. Planned land uses are anticipated to remain the same as current land uses.

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

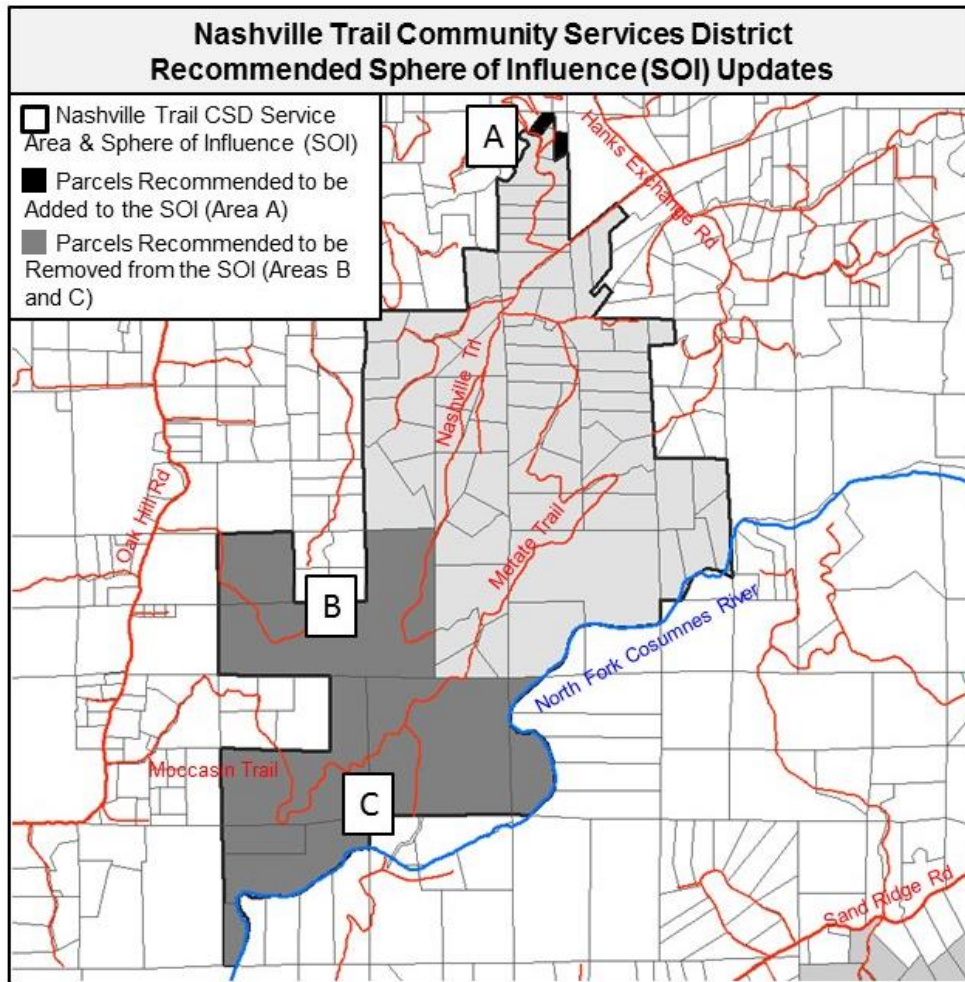
**Determination 3** – The present capacity of public facilities provided appears to be sufficient for the current level of service demanded by District residents.

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

**Determination 5** – While Nashville Trail 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**

Currently, Nashville Trail CSD’s sphere of influence (SOI) is coterminous with its service boundaries. However, based upon the information contained in the MSR, it is recommended that the Nashville Trail CSD SOI be amended to 1) include two parcels which are not within the District but have sole access through District maintained roads and one additional portion of a parcel that is partially outside the District, and 2) remove eight parcels which are inside the District but are not accessed primarily via District roadways.



**■ Parcels to be Added to the SOI:**  
 Area A: 046-490-15 046-490-33 046-490-34 (portion outside NTCSD)

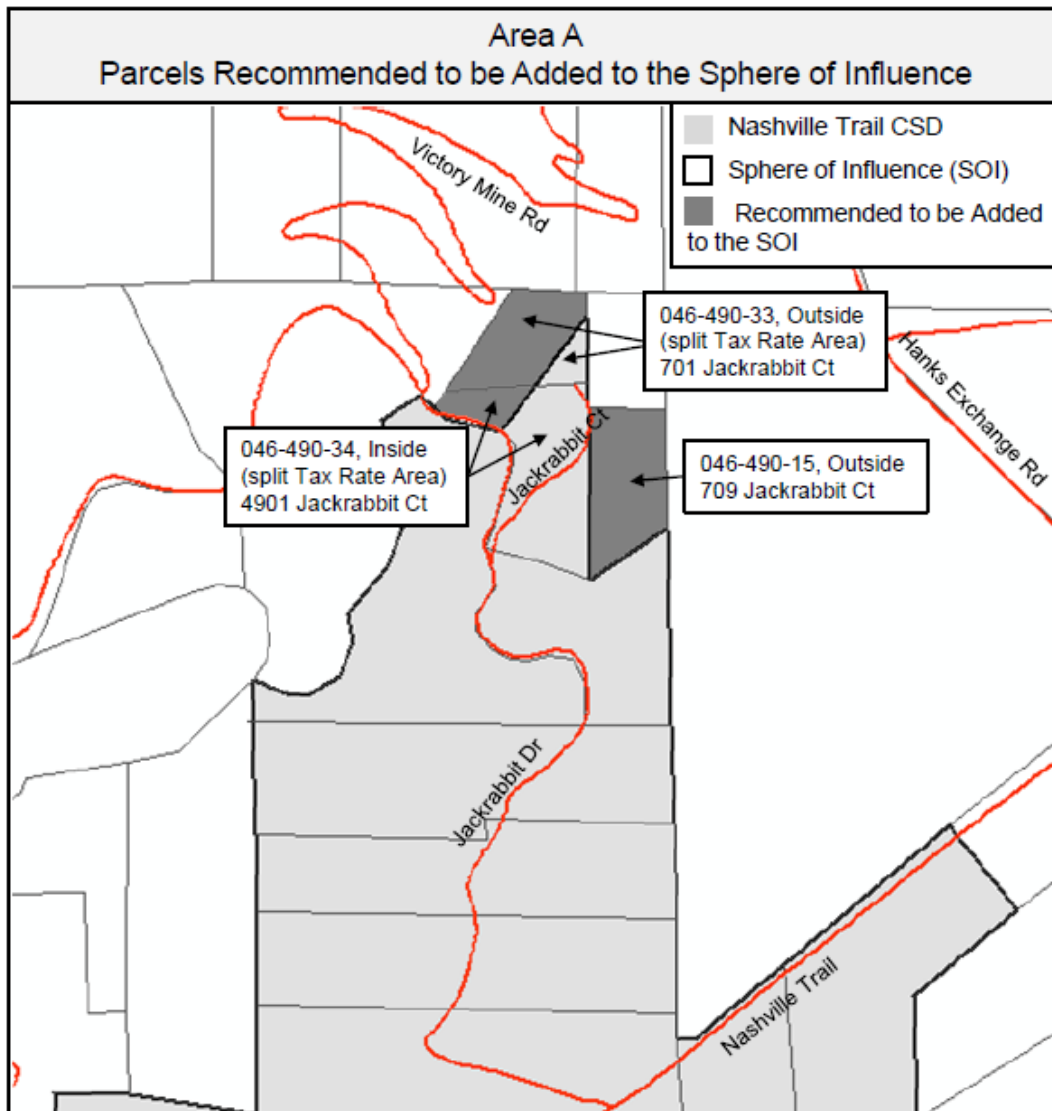
**■ Parcels to be Removed from the SOI:**  
 Area B: 046-820-13 046-820-14  
 Area C: 046-032-26 046-032-27 046-032-28 046-032-29 046-032-30 046-041-01

If approved, the recommended amendments to the SOI will not change the service area of the District; annexing or detaching parcels would require an application to LAFCO by either landowner petition or District resolution. Rather, the amendments are recommended in order to reflect the appropriateness of the District’s sphere of influence, acknowledging areas where it would be logical for the District to expand or contract its service area in the future, based on access and current usage of District roadways.

**Parcels to be Added to the SOI (Area A Map):**

APNs 046-490-15 and 046-490-33 are located just outside the boundaries of the northern end of the District but are accessed from Jackrabbit Court, a District maintained roadway. However, because these parcels are not inside the District, they do not pay the annual assessment which would cover their fair share of the road maintenance costs. Given that these parcels are directly accessed through District roads, it would be reasonable to expand the SOI to include these parcels for possible future annexation into the District.

It is also recommended that a portion of APN 046-490-34 which is not geographically in the District be added to the SOI. Some years after the District was formed, through a series of parcel mergers and splits, APN 046-490-34 was created and inadvertently split between two tax rate areas, leaving the smaller portion out of the District. For taxation purposes, the parcel as a whole is considered inside the District and liable for the annual assessment; the benefit of including the smaller portion in the SOI would be to clear the path for a future administrative clean-up of the area if annexation of the other parcels were ever initiated.



**Parcels to be Removed from the SOI (Areas B and C Map):**

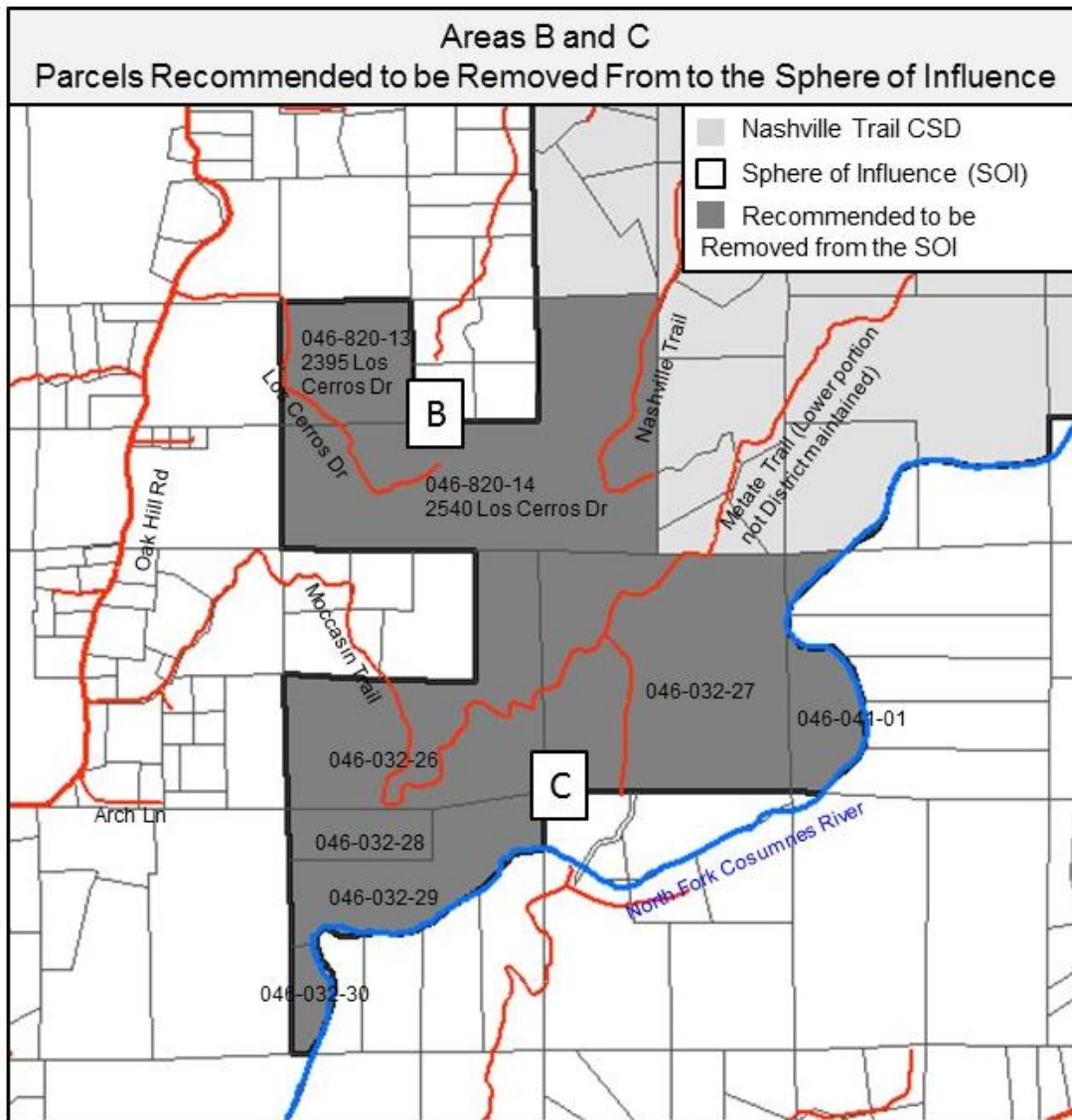
The parcels recommended to be removed from the District's sphere of influence are accessed from Oak Hill Road to the west of the District, by way of Los Cerros Drive and Moccasin Trail, which are not part of the District road system.

The two parcels highlighted in 'Area B' (APNs 046-820-13 and 046-820-14) are accessed exclusively through Los Cerros Drive. Although the lower end of Nashville Trail does go through a portion of APN 046-820-14, it does not provide direct access to the residence on the parcel.

Similarly, five of the six parcels highlighted in 'Area C' are accessed primarily from Oak Hill Road, via Moccasin Trail, which is also not part of the District roadway system. While there is limited access through the District from Metate Trail, the lower portion of Metate Trail is unmaintained by the District and turns to a very steep, dirt road. The parcels are owned by the American River Conservancy (ARC) and the United States Bureau of Land Management (BLM). According to ARC staff, these parcels are exclusively accessed by ARC and BLM staff from Moccasin Trail, not Metate Trail; the properties are not open to the public.

The southernmost parcel (APN 046-032-26) is privately owned and appears to have dirt road access from Arch Lane, which is also located off Oak Hill Road. There does not appear to be any secondary access available from Metate Trail or any other District-maintained roadway.

Given the established access through non-District roads, and the very limited access through District roads, it is unlikely that the property owners in Areas B and C benefit from being within the District. Therefore, it would be reasonable to remove these parcels from the District's SOI, setting the stage for possible detachment from the District in the future.



**Communication with Nashville Trail CSD**

While preparing the MSR, the General Manager provided valuable background information and clarifications on the administrative draft of the report. The draft MSR was sent to the General Manager who distributed it to members of the Board for review and discussion at their December board meeting. Staff also discussed the recommended SOI amendments with the General Manager and what it would mean for the District. No comments were received from the Nashville Trail CSD Board or the public during the open comment period on the draft document.

**Attachments:**

Attachment A: Nashville Trail CSD Municipal Service Review and Sphere of Influence Study (LAFCO Project #2015-07)

Attachment B: Resolution L-2017-01

Attachment B, Exhibit A: Recommended Nashville Trail CSD SOI Map