



June 25, 2021

Quincy Yaley  
Community Development Director  
Tuolumne County  
2 South Green Street  
Sonora, CA 95370

Re.: Response to Administrative draft *Special Service Report for the Consolidation of Existing Services* dated May 2021.

Dear Ms. Yaley,

Thank you for the opportunity to respond to the above referenced draft report on the formation of the Tuolumne Community Services District. This response is a consensus of the issues identified by both the Tuolumne City Sanitary District (TCSD) and the Board President of the Tuolumne Park & Recreation District (TPRD). This letter combines the issues raised by the agencies in one correspondence. There are certain areas identified in the report that need further clarification, discussion and/or revision.

These areas of concern are as follows:

- Section 2.1 (Page 2.1) Line 1 and second to last sentence; Section 2.3 (Page 2-2); Section 2.7 (Page 2-5); Section 3.1 (Page 3-1) and possibly other sections.

Issue: Local residents do not use the word "City" to describe the community. Do a global search and replace for reference to "Tuolumne City," except when referring to the "Tuolumne City Sanitary District." Reference should be replaced with the "Tuolumne Township" or the "Community of Tuolumne."

- Section 2.3 (Page 2-2). This section states in part: *"The intention for this report is to provide an analysis to allow for a determination by the Tuolumne LAFCo Commission for the Tuolumne City Sanitary District, Tuolumne Parks and Recreation District, and the Tuolumne Lighting District forming a new Community Services District (CSD). Although the other districts will be discussed in the report, they will not be considered for consolidation into the new CSD."*

Issue: The forming districts requested that the *Tuolumne Townsite Underground Utility District* also be included in the initial formation. There is no discussion of this entity in the report. The underground district should be thoroughly discussed in the report and included as a function of the new CSD.

- Section 2.5.3 (Page 2-5). This section states in part: *"An in-depth analysis in creating a CSD will primarily focus on the Tuolumne City Sanitary District, Tuolumne Parks and Recreation District, and the*

*Tuolumne Lighting District. However, the addition of the remaining five districts into the CSD may want to be evaluated in the future."*

● Section 2.6 (Page 2-5). This section states: *"Other districts within the vicinity of the proposed consolidation are the Tuolumne Fire District, Tuolumne Utilities District, Carters Cemetery District, County Service Area 21, and Tuolumne County Resources Conservation District. For reasons discussed in Appendix A, the aforementioned districts are not proposed for consolidation."*

● Section 6, Table 6-1 (Page 6-2).

Issue: While the forming agencies concur that the Tuolumne Utilities District and Tuolumne County Resource Conservation District will continue to provide services outside of the authority exercised by the new CSD, there is a concern about other potential services. The joint resolution approved by the applicant agencies and submitted to the Tuolumne Local Agency Formation Commission (LAFCo) identified 10 specific services as *"latent powers"* for the CSD, including, but not limited to, Fire Protection and Cemetery Services. It was anticipated that your consultant would provide a robust discussion of the proposed additional services to allow LAFCo to approve and authorize these latent powers as part of the current CSD application approval process. This would avoid the expense and time delays inherent in an extensive review and analysis that would be required in the event the new CSD and the responsible agency wished to initiate CSD provided services at a future date. The agencies involved in any future consolidation would merely need to reach agreement on the consolidation of services and advise LAFCo of their intent to consolidate. It is requested that your consultant address the issue of authorizing these latent powers and that the LAFCo approval process include authorizing these latent powers identified in the joint resolution along with the CSD formation. In addition, Table 6-1 should be modified to indicate that the ten (10) services identified in the joint resolution plus the current services provided by the agencies are identified as *"authorized"* services. These services would include the following: library services, graffiti abatement, community facilities, weed & rubbish abatement, snow removal, area planning commission, municipal advisory councils, cemeteries, fire protection, solid waste handling, in addition to sewer services, parks and recreation, street lighting and overhead and underground utility relocation.

● Section 2.7 (Page 2-5) and Table 2-2 (Page 2-6).

Issue: It should be noted that natural gas services are not available in the community of Tuolumne and this notation should be deleted from Table 2-2.

● Section 7 (Page 7-1) conclusion in last paragraph: *"With the data that is currently available, the majority of area within the districts' boundaries are above the 80 percent threshold and therefore not considered a DUC, ....."*

Issue: This section needs to be rewritten in order to clarify the status of the community as disadvantaged. The current area served by the TCSD is in fact a *Severely Disadvantaged Community* (SDAC) having less than 60% of the state's *Median Household Income*. The TCSD serves approximately 676 residential connections and an estimated population of 1583. In terms of overall population this core area identified in the census block represents the vast majority of households within the proposed CSD. It can therefore be concluded that in terms of actual households the entire service areas for both the existing districts are a *disadvantaged unincorporated community* (DUC). The report states the opposite in terms of the "majority of area." This conclusion should only be determined by the "number of households" not on "land area." Language should be inserted to indicate that the entire service area is a DUC. This analysis is required under section 56430 (a) 2 of the Government code as indicated below.



Under Senate Bill 244 Section 56430 of the Government Code was amended to read:

**56430.**

*(a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following:*

*(1) Growth and population projections for the affected area.*

*(2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.*

*(3) Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.*

*(4) Financial ability of agencies to provide services.*

*(5) Status of, and opportunities for, shared facilities.*

*(6) Accountability for community service needs, including governmental structure and operational efficiencies.*

*(7) Any other matter related to effective or efficient service delivery, as required by commission policy.*

*(b) In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. The commission may assess various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence, including, but not limited to, the consolidation of governmental agencies.*

*(c) The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or Section 56426.5 or to update a sphere of influence pursuant to Section 56425.*

● Section 8.2 (Page 8-2) end of first paragraph: *"The TPRD does not have a current CIP; ...."*

Comment: The TPRD does not have a CIP due to a lack of funding for this activity.

● Section 8.2 (Page 8-2) beginning of third paragraph: *"Although the TPRD has a rate fee schedule for events....there is no rate fee schedule for forming sports leagues and...."*

Comment: The TPRD charges the West Side Little League \$2500.00 annually for the baseball season for maintenance.

● Section 8.4 (Page 8-3) Option 1 and Option 2

Comment: Option 2 (Figure 8-2, Page 8-5) is supported as the best option due to the need to maintain property taxes at their current level for parks and recreation services.

● Appendix 8 (Pages A-1, A-3, & A-8). Districts Not Considered for Consolidation at this Time.

Comment: It was my understanding that the CSA 21, or possibly another CSA, also provides road maintenance to the West Side of Tuolumne. Please confirm or clarify.

Page A-3 last sentence of second paragraph should read *"Apple Colony Road."*

If you have any questions regarding this correspondence, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "David J. Andres". The signature is fluid and cursive, with the first name "David" and last name "Andres" clearly distinguishable.

David J. Andres  
General Manager  
Tuolumne City Sanitary District