

TRINITY LOCAL AGENCY FORMATION COMMISSION

December 21, 2021 at 4:00 p.m.

Trinity County Library Meeting Room

351 Main Street, Weaverville

AGENDA

This meeting will be conducted through a hybrid combination of in-person and/or virtual attendance in accordance with Government Code Section 54953(e) et seq. (AB 361).

Join Zoom Meeting:

<https://us02web.zoom.us/j/88156310576?pwd=eUZhTjBCWEtnUWwxamJZeE1neTRUdz09>

Meeting ID: 881 5631 0576

Passcode: 083229

Call in: 1 (669) 900-6833

1. CALL TO ORDER/ROLL CALL

A. Roll Call

2. PRESENTATIONS/ANNOUNCEMENTS

None

3. CONSENT CALENDAR

A. Approval of Minutes from the October 19, 2021 Commission Meeting

B. Approval of 2022 Commission Meeting Schedule

4. PUBLIC COMMENT OPPORTUNITY

This portion of the meeting provides an opportunity for members of the public to address the Commission on matters not on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No action may be taken on off-agenda items unless authorized by law. All statements that require a response will be referred to staff for reply in writing.

5. PUBLIC HEARINGS

None

6. NEW BUSINESS

A. Authorizing Teleconferencing of Meetings in accordance with AB 361 (potential action)

B. Expiring Commission Terms in 2022 (informational)

C. Chair and Vice-Chair Selection (potential action)

D. Workshop - Ruth Lake CSD Draft MSR/SOI Update (informational)

7. OLD BUSINESS

None

8. **EXECUTIVE OFFICER'S REPORT/CORRESPONDENCE**

9. **COMMISSIONER'S COMMENTS**

10. **ADJOURNMENT**

The next LAFCo meeting is scheduled for February 15, 2021, at 4:00 p.m. at the Trinity County Library Meeting Room in Weaverville with a remote teleconference option.

The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.

All persons are invited to provide public testimony and submit written comments to the Commission. All written materials received by staff before 12:00 p.m. on the day of the meeting will be distributed to the Commission. If you wish to submit written material at the meeting, please supply 10 copies.

Accessibility

The location of this meeting is wheelchair accessible. If other accommodations are required to assist a person with a disability to participate in the meeting, please contact the Executive Officer or Commission Clerk at least 24 hours before the meeting.

Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Trinity LAFCo must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660.

A LAFCo Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agent (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCo proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding.

Late-Distributed Materials. Any material submitted to the Commission after this agenda is posted will be made available for public inspection as soon as possible on the LAFCo website trinitylafco.org.

Contact LAFCo Staff. For additional information please contact LAFCo staff at colette@trinitylafco.org or kathy@trinitylafco.org.

TRINITY LOCAL AGENCY FORMATION COMMISSION

October 19, 2021 at 4:00 p.m.

Trinity County Library Meeting Room
351 Main Street, Weaverville

MINUTES

These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.

1. CALL TO ORDER/ROLL CALL

A. Chair Groves called the meeting to order at 4:00 p.m.

Members present: Commissioners Evan Barrow, Anna Burke, Dan Frasier, Keith Groves, Andrew Johnson, Joseph Kasper and Alternate Commissioner Pat Frost

Members absent: Commissioner Jill Cox, Alternate Commissioner Liam Gogan

2. PRESENTATIONS/ANNOUNCEMENTS

No presentations were presented.

3. CONSENT CALENDAR

A. Approval of Minutes from June 15, 2021 Commission Meeting

Motion to approve the consent calendar was presented by Commissioner Barrow, seconded by Commissioner Frasier, and passed by the following votes:

Ayes: Barrow, Burke, Frasier, Groves, Johnson, Kasper

Noes: None

Abstain: None

Absent: None

4. PUBLIC COMMENT OPPORTUNITY

There were no comments received from the public.

5. PUBLIC HEARINGS

None

6. NEW BUSINESS

A. Strategy Session to Discuss Ongoing Commission Activities and Priorities

Executive Officer Santsche reviewed the questions that were sent prior to the meeting and summarized responses. The Commission discussed various topics including LAFCo's role, critical issues and challenges facing special districts, and opportunities to increase LAFCo's interaction and support of special districts. The Commission discussed reestablishing annual meeting of the Independent Special District Selection Committee to make LAFCo appointments and provide feedback on LAFCo's proposed budget. There was discussion about opportunities to support special district formations, annexations or consolidations in order to address community fire service and water service needs. By order of the chair, the report was received and filed.

7. OLD BUSINESS

A. Year End Financial Report for Fiscal Year 2020/21

Executive Officer Santsche reviewed the Fiscal Year 2020/21 budget summary with a

comparison of budgeted items and actual revenue and expenditures. At year end, the Commission was under budget overall.

8. EXECUTIVE OFFICER'S REPORT/CORRESPONDENCE

A. Return to In-Person Meetings and Teleconference Access Options

Executive Officer Santsche reviewed the staff report and discussed teleconference access options for both remote public participation and remote Commission participation. The Commission discussed the benefit of providing flexible remote participation options for both Commissioners and members of the public. The Commission provided general direction to work with Board of Supervisors staff to provide a hybrid option for future meetings.

B. Status of MSR and SOI Work Plan

Executive Officer Santsche reviewed the staff report and discussed the status of MSR/SOI updates. By order of the chair, the report was received and filed.

C. CALAFCO Quarterly (Aug 2021)

By order of the chair, the report was received and filed.

9. COMMISSIONERS' COMMENTS

Commissioner Kasper noted that Lewiston CSD is losing their current operator. The Commission discussed opportunities for recruitment.

10. ADJOURNMENT

There being no further business, Chair Groves adjourned the meeting at 5:04 p.m.

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair

DATE: _____

DATE: _____



AGENDA ITEM 3.B.

MEETING: December 21, 2021
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Approval of 2022 Commission Meeting Schedule

BACKGROUND

It has been Trinity LAFCo's policy to have Regularly Scheduled Commission Meetings on the third Tuesday of every other month beginning at 4:00 p.m. Each year the Commission adopts the meeting schedule for the calendar year.

DISCUSSION

This agenda item is to provide the opportunity for the Commission to formalize the following dates as Regular Scheduled Commission Meetings for 2022. Should there be a need for additional meetings, it may be scheduled as a Special Commission Meeting at a future date:

- February 1, 2022 (BOS not meeting on February 15)
- April 19, 2022
- June 21, 2022
- August 16, 2022
- October 18, 2022
- December 20, 2022

RECOMMENDATION

It is recommended that the Commission accept and approve the provided dates for Regularly Scheduled Commission Meetings in 2022, or provide direction to staff with alternate dates.



AGENDA ITEM 6.A.

MEETING: December 21, 2021
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Authorizing Teleconferencing of Meetings in accordance with AB 361

BACKGROUND

The Legislature approved as an urgency matter AB 361, which was signed by the Governor on September 16, 2021, which amends the Brown Act to allow continued public meetings flexibility following the Governor's Executive Orders expiration. The AB 361 modified meeting rules allowing remote meeting access can only be used in the event there is a Governor issued state of emergency. The Governor's COVID-19 state of emergency satisfies this requirement. If the Commission desires to continue to offer remote meeting access for Commissioners, the Commission will need to formally vote and adopt a resolution at a future meeting finding that the provisions of AB 361 exist. In addition, AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if teleconference access at meetings will continue due the circumstances of the state of the emergency and facts related to the potential risks to the health and safety of meeting attendees.

DISCUSSION

AB 361 allows legislative bodies to continue to utilize remote/virtual platforms for meetings during a declared state of emergency by the Governor via Government Code § 54953(e) et seq. Based on the above criteria, the Commission will need to adopt Resolution No. 2021-08 to allow continued remote teleconference meetings. In addition, AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if remote teleconference meetings will continue due the circumstances of the state of the emergency and facts related to the potential risks to the health and safety of meeting attendees.

RECOMMENDATION

It is recommended that the Commission adopt Resolution No. 2021-08, authorizing remote teleconference meetings of the Commission pursuant to the Assembly Bill No. 361, and authorize staff to continue conducting LAFCo meetings using a combination in-person/virtual (hybrid) platform, and return with extension resolutions for the Commission's consideration for each meeting as warranted. Alternately, the Commission could choose not to adopt the resolution as proposed, thereby returning to in-person public meetings only (no hybrid platform).

Attachments:
Resolution No. 2021-08

Colette Santsche, Executive Officer/e-mail: colette@trinitylafco.org
Kathy Bull, Clerk Administrator/e-mail: kathy@trinitylafco.org



RESOLUTION NUMBER 2021-08

DECLARING ITS INTENT TO CONTINUE REMOTE TELECONFERENCE MEETINGS DUE TO THE GOVERNOR'S PROCLAMATION OF STATE EMERGENCY AND STATE REGULATIONS RELATED TO PHYSICAL DISTANCING DUE TO THE THREAT OF COVID-19

WHEREAS, the Trinity Local Agency Formation Commission, hereinafter referred to as the "Commission," is committed to preserving and promoting public access and participation in meetings of the Commission; and

WHEREAS, all meetings of Commission are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and observe the Commission conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, such conditions now exist in the State, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID19, which remains in effect; and

WHEREAS, the proliferation of the Delta and Omicron variants of the virus continue to pose imminent risk to health and safety and directly impacts the ability of the public and the Commission to meet safely in person, accordingly, the Commission hereby recognizes the proclamation of state of emergency by the Governor of the State of California and the regulations of Cal/OSHA recommending physical distancing; and

WHEREAS, to allow for physical distancing and remote meeting attendance, the Commission does hereby find that the Commission shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Commission shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The Executive Officer is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings of

the Commission in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for remote teleconference meetings.

2. The Executive Officer is hereby directed to continue to monitor the conditions and health and safety conditions related to COVID-19, the status of the Governor's state of emergency, the local orders related to physical distancing, and the state regulations related to social distancing, and present to the Commission at its next regularly scheduled meeting the related information and recommendations for remote meetings pursuant to the provisions of Government Code section 54953(e)(3) and to extend the time during which the Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

THE FOREGOING RESOLUTION was introduced at a public meeting of the Trinity LAFCo Commission on the 21st day of December, 2021, and adopted by the following roll call vote:

AYES:
NOES:
ABSTAINS:
ABSENT:

ATTEST:

APPROVED:

Kathy Bull
Administrator/Clerk

Keith Groves
Chair



AGENDA ITEM 6.B.

MEETING: December 21, 2021
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Expiring Commissioner Terms in 2022

BACKGROUND

The Commission consists of seven regular and three alternate members as follows:

- County - Three regular members and one alternate appointed by the Board of Supervisors;
- Special Districts - Two regular members and one alternate appointed by the Independent Special Districts; and
- Public Members - Two regular members and one alternate appointed by the Commission.

The term of office for each member pursuant to CKH Act § 56334 is four years and until the appointment of a successor. Pursuant to CKH Act § 56332, Special Districts Members are appointed by the Independent Special District Selection Committee.

DISCUSSION

Each year the Board of Supervisors appoints three regular members and one alternate to the LAFCo Commission. These appointments will be made at the January 4, 2022 Board meeting.

One special district regular member position that is currently held by Joseph Kasper will be expiring. One special district alternate member position that is currently held by Pat Frost will also be expiring. The most recent call for nomination and election process held in 2021 was conducted by mailed ballot due to Covid 19. However, there is interest in reconvening the Independent Special District Selection Committee to conduct the election in person or by zoom videoconference if necessary. Staff will initiate the process in early 2022 with a letter announcing the LAFCo special district vacancies and call for nominations to each independent special district. Once nominations are received, a meeting will be scheduled for purposes of appointing a new regular and alternate member to LAFCo.

The public member regular positions are currently held by Evan Barrow and Anna Burke with their terms expiring in 2023 and 2025, respectively. The public member alternate position is currently vacant. Trinity LAFCo will re-announce the vacancy and encourage the public to apply for this position.

Below is a current roster of the Commission with Term of Office:

Designation	Current Member	Term of Office
County – Regular Member	Jill Cox	Annual Appointment
County – Regular Member	Dan Frasier	Annual Appointment
County – Regular Member	Keith Groves	Annual Appointment
County – Alternate Member	Liam Gogan	Annual Appointment
Special District – Regular Member (Seat 1)	Andrew Johnson	4/30/2024
Special District – Regular Member (Seat 2)	Joseph Kasper	4/30/2022
Special District – Alternate	Pat Frost	4/30/2022
Public Member	Evan Barrow	4/30/2023
Public Member	Anna C. Burke	4/30/2025
Public Member – Alternate	VACANT	4/30/2023

RECOMMENDATION

This agenda item is for information purposes only. The Commission is invited to discuss the item and provide direction to staff as needed.



AGENDA ITEM 6.C.

MEETING: December 21, 2021
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Selection of Chair and Vice-Chair

BACKGROUND:

It is the policy of the Commission to annually designate a Chair and Vice Chair among its regular members. The Chair shall preside at all meetings of the Commission and shall conduct the business of the Commission in the manner prescribed by the Commission's policies. In the absence of the Chair, the Vice-Chair shall act as Chair and exercise all the powers and duties of the Chair.

DISCUSSION:

Currently, Commissioner Groves is serving as Chair and Commissioner Kasper is serving as Vice-Chair. Per the Commission's policy, both a chair and vice chair will need to be designated to serve the 2022 calendar year.

RECOMMENDATION:

It is recommended that the Commission select a Chair and a Vice-Chair to serve the 2022 calendar year. Per Commission policy, the Chair and Vice-Chair shall not be members of the same appointing authority (county, special district, or public).



AGENDA ITEM 6.D.

MEETING: December 21, 2021
TO: Trinity LAFCo Commissioners
FROM: Colette Metz Santsche, Executive Officer & Kathy Bull, Administrator/Clerk
SUBJECT: Ruth Lake CSD Draft MSR & SOI Update - Workshop

BACKGROUND

In accordance with the CKH Act, LAFCos are required to prepare municipal service reviews (MSRs) prior to or in conjunction with its mandate to review and update each local agency's sphere of influence (SOI) every five years or as needed. The legislative intent of the MSR is to inform the Commission as to the availability, capacity, and efficiency of local governmental services prior to making sphere of influence determinations. Municipal service reviews may also lead LAFCos to take other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies in addition to any related sphere changes.

DISCUSSION

This MSR evaluates park and recreation services provided by the Ruth Lake Community Services District (CSD). This report incorporates technical information collected and analyzed by LAFCo staff, including information compiled as part of the 2006 MSR. Staff worked closely with Ruth Lake CSD staff to obtain services information for the District.

RECOMMENDATION

Staff respectfully seeks Commission input with regards to service review content as provided in the MSR. This item has been agendized as a workshop item and will be noticed for public hearing at the February Commission meeting.

Attachments:
Ruth Lake CSD Draft MSR & SOI Update



Ruth Lake
Community Services District
Municipal Service Review &
Sphere of Influence Update

Draft

December 2021

Trinity County
Local Agency Formation Commission

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1. INTRODUCTION

This Municipal Service Review (MSR) and Sphere of Influence (SOI) Update was prepared as part of a mandated review of the municipal services of all government entities in the county by the Trinity Local Agency Formation Commission (LAFCo). This report focuses on the Ruth Lake Community Services District (CSD). The purpose of this study is to assess existing and future public service conditions and to evaluate organizational options for accommodating growth and ensuring critical services are provided efficiently. This MSR presents discussion, analysis, and recommendations regarding services provided by Ruth Lake CSD.

1.1 Trinity LAFCo

Local Agency Formation Commissions (LAFCos) are quasi-legislative, independent local agencies that were established by State legislation in 1963 to oversee the logical and orderly formation and development of local government agencies including cities and special districts. There is one LAFCo for each county in California.

LAFCo is responsible for implementing the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 et. seq.) in order to promote orderly growth, prevent urban sprawl, preserve agricultural and open space lands, and oversee efficient provision of municipal services.

LAFCo has the authority to establish and reorganize cities and special districts, change their boundaries and authorized services, allow the extension of public services, perform municipal service reviews, and establish spheres of influence. Some of LAFCo's duties include regulating boundary changes through annexations or detachments and forming, consolidating, or dissolving local agencies.

Trinity LAFCo has a public Commission with seven regular Commissioners and three alternate Commissioners. The Commission is composed of three members of the Trinity County Board of Supervisors, two Special District Representatives, and two Public Members-At-Large. The Commission also includes one alternate member for each represented category.

1.2 Community Service District and Principal Act Overview

Community Service Districts are independent special districts governed under CSD law (Government Code § 61000 – 61250). A CSD can be authorized to provide a wide variety of services to unincorporated areas including domestic water, wastewater, garbage collection, security, fire protection, public recreation, street lighting, and many others. CSDs are governed by a board of directors, all of whom are elected at large.

Ruth Lake CSD provides recreation services, including campground maintenance and boat launching. As part of these recreation facilities and services, the District oversees small water systems, coordinates solid waste disposal, and maintains onsite wastewater treatment systems.

As such, the District’s current activated powers are parks and recreation, water, wastewater, and solid waste disposal. All other remaining services, facilities, functions or powers enumerated in the District’s principal act but not identified in the formation resolution or later activated are considered “latent,” meaning that they are authorized by the principal act under which the District was formed but are not being exercised. Activation of these latent powers and services requires LAFCo authorization in accordance with Government Code §56824.10 et seq.

1.3 Municipal Service Review Determinations

Government Code §56430 requires LAFCo to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determinations with respect to each of the following topics:

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; and
7. Any other matter affecting or related to effective or efficient service delivery, as required by Commission policy.

State Guidelines and Commission policies encourage stakeholder cooperation in the municipal service review process. It also provides a basis to evaluate, and make changes to Spheres of Influence, if appropriate.

1.4 Sphere of Influence Determinations

A Sphere of Influence (SOI) is a LAFCo-approved plan that designates an agency’s probable physical boundary and service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage efficient provision of organized community services, discourage urban sprawl and premature conversion of agricultural and open space lands, and prevent overlapping jurisdictions and duplication of services.

LAFCo is required to establish SOIs for all local agencies and enact policies to promote the logical and orderly development of areas within the SOIs. Furthermore, LAFCo must update those SOIs every five years or as needed. For a SOI update, LAFCo is required to conduct an MSR and adopt related determinations. It must also make the following SOI determinations:

1. The present and planned land uses in the area, including agricultural and open-space lands;
2. The present and probable need for public facilities and services in the area;
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide;
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency; and
5. The present and probable need for public facilities and services related to sewers, municipal or industrial water, or structural fire protection of any disadvantaged unincorporated communities within the existing sphere of influence (effective July 1, 2012).

1.5 Review Methods

The following information was considered in the development of this service review:

- Agency-specific data: responses to LAFCo Requests for Information
- Demographic data: U.S. Census Bureau; Department of Finance; CA Water Resources Board
- Finances: budgets, audits, rates and fees; and
- Other Reports: State Water Resources Control Board, Division of Drinking Water.

Information gathered was analyzed and applied to make the required determinations. All information gathered for this report is filed by LAFCo for future reference.

1.6 California Environmental Quality Act

The California Environmental Quality Act (CEQA) is contained in Public Resources Code § 21000 et seq. Public agencies are required to evaluate the potential environmental effects of their actions. MSRs are statutorily exempt from CEQA pursuant to §15262 (feasibility or planning studies) and categorically exempt pursuant to CEQA Guidelines §15306 (information collection). CEQA requirements are applicable to SOI Updates. The CEQA lead agency for SOI Updates is most often LAFCo, unless an agency has initiated an SOI expansion or update.

2. AGENCY OVERVIEW

Table 1: Ruth Lake CSD Agency Profile	
Formation	
Agency Name	Ruth Lake Community Services District
Formation Date	June 25, 1966
Principal Act	Government Code §61000 et. seq
Contact	
Main Contact	Caitlin Canale, District Manager
E-mail	ruthlakecsd@yahoo.com
District Office Address	12200 Mad River Road, Mad River, CA 95552
Mailing Address	PO Box 6, Mad River, CA 95552
Alternate Contact	Cindy Lofthouse, Office Manager
Phone	(707) 574-6332
Website	www.ruthlakecsd.org
Governance	
Governing Body	5 Member Board of Directors
Board Meetings	2 nd Tuesday of every month at 4PM in the Community Hall
Staffing	District Manager; Office Manager; Seasonal Support Staff
Services	
Services Provided	Parks and recreation; water; wastewater; solid waste disposal
Areas Served	Unincorporated communities of Ruth Lake and adjacent rural residential areas along Highway 36 in southern Trinity County.

2.1 Formation

The Ruth Lake CSD was created under Government Code 61000 et seq. in 1966 (Board of Supervisors Resolution 34-66). According to the formation documents, the district was formed for the purpose of providing water, wastewater, solid waste disposal, recreation, and mosquito abatement services to area residents¹. This included administering certain lands for recreational subleases and managing boat launching, camping, and other recreational facilities on behalf of

¹ Trinity County, Board of Supervisors, Resolution No. 34-66 Relating to the Formation of Ruth Lake Community Services District. June 20, 1966.

Humboldt Bay Municipal Water District which is the primary landowner of the lake and surrounding areas.

To date, mosquito abatement services have not been exercised by the District and are therefore considered a latent power. In 2015 there was an effort to activate ambulance and emergency medical services for the District to support services provided by the Southern Trinity Area Rescue (STAR). However, the application was not completed or approved by LAFCo so this also remains a latent power for the District.

2.2 Boundary and Sphere

The District is located along Highway 36 and Mad River Road in Trinity County, within the Mad River watershed (Figure 1). The Ruth Lake CSD covers approximately 336,000 acres (525 square miles) in both Trinity and Humboldt counties. The original boundary was set to match the Mad River Joint School District and Hetten Valley School District, excluding any lands lying outside Trinity County².

In 1985, a reduced Sphere of Influence (SOI) was adopted for the District that is substantially smaller than the jurisdictional boundary³. It is likely the reduced SOI was set to include only those areas directly managed by the District. The current SOI is approximately 25,600 acres (40 square miles) and includes the area around Ruth Lake and extends northwest into Humboldt County.

2.3 August Complex Fire

In 2020 the August Complex Fire was started by a series of lightning strikes in wilderness areas around the Mendocino National Forest⁴. Due to drier than normal precipitation patterns and higher than normal temperatures coupled with the remoteness of the locations, the fires eventually grew together and burned a substantial amount of forested lands. By the time the fire was contained in November, it had burned over 1 million acres across five counties.

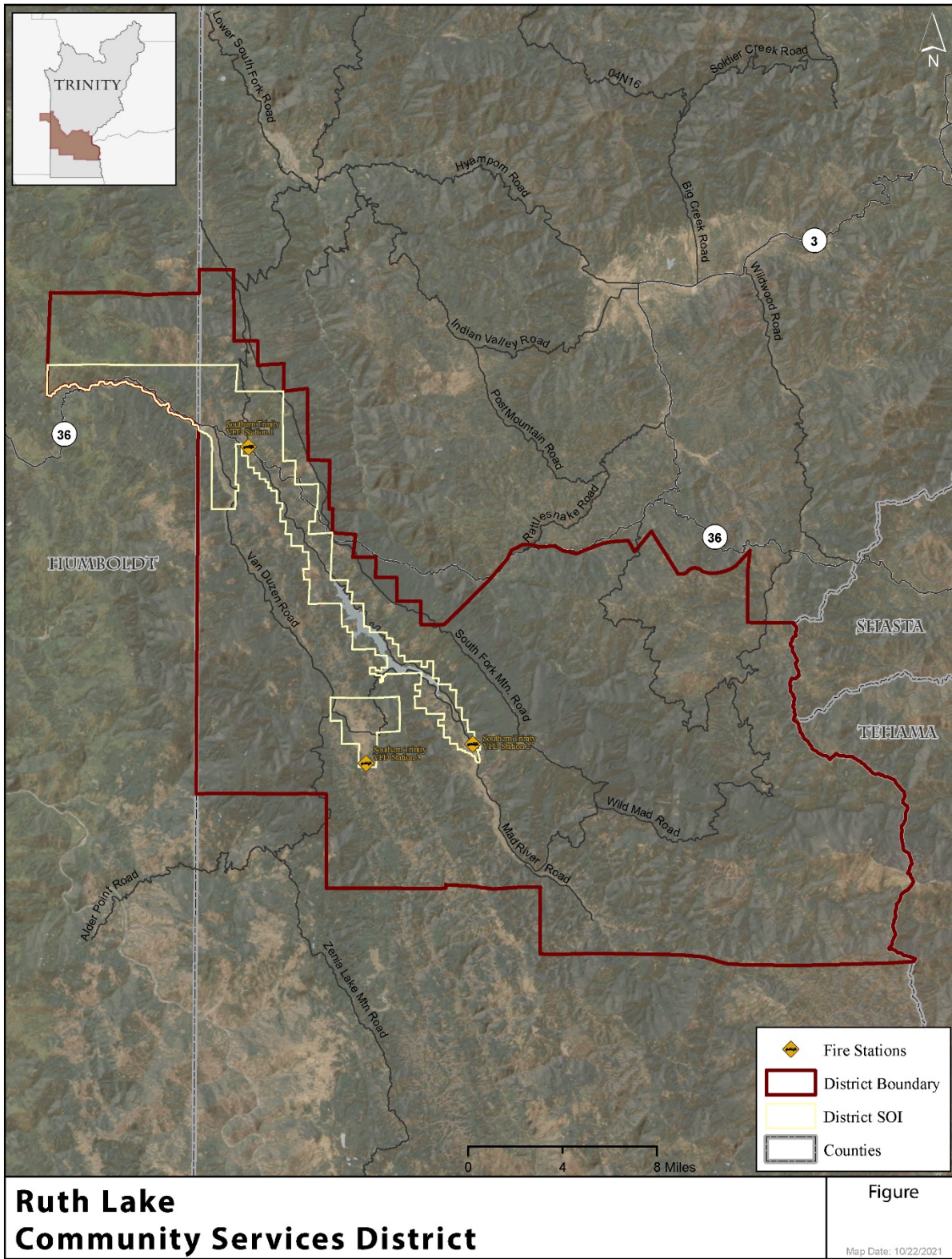
The northern border of the fire reached Ruth Lake and burned large areas of forested lands on the northern and southern edge of the lake. In addition to loss of forested lands, many structures around the lake were also lost and there was damage to the District's campground and dock facilities. The District, Humboldt Bay Municipal Water District, the County, and the United States Forest Service have since been working on disaster recovery in the area.

² Trinity County Board of Supervisors, Resolution 34-66: Item 4. June 20, 1966.

³ Trinity LAFCo, Resolution 85-09. May 7, 1985.

⁴ InciWeb, August Complex Fire. Perimeter Map 8-22-2020.

Figure 1: Ruth Lake CSD Boundary and SOI



3. GOVERNMENT STRUCTURE

3.1 Governing Body

Ruth Lake CSD is governed by a five-member Board of Directors, elected at large by District residents to serve staggered four-year terms (Table 2). The Board meets on the 2nd Tuesday of every month at 4PM in the Community Hall. Meeting dates and agendas are posted at least 72 hours prior to meetings at the District Office and are available on the District’s website. Board members receive a \$50 stipend for attending board meetings.

Table 1: Ruth Lake CSD Board of Directors

Board Member	Title	Term Expiration
Ed Johnson	Director	December 2022
Brian Nicholson	Vice Chair	December 2024
Debra Sellman	Director	December 2024
Jordan Emery	Board Chair	December 2024
Susan Gordon	Director	December 2022

3.2 Management & Staffing

The District maintains a small staff that manages operations for the District including the marina and campgrounds. There is a General Manager and Office Manager that oversee the day to day operations of the District and manages sublease holder agreements around the lake. Additional staff includes a Marina Manager, Campground Store Manager, several seasonal camp hosts, a part-time year round maintenance person, and other part-time positions to assist recreational activities.

3.3 Transparency and Accountability

The District maintains a website at www.ruthlakecsd.org, which is a helpful communication tool to enhance government transparency and accountability. The website provides service-related information, archived meeting agendas and minutes, and audited financial statements but does not currently include adopted annual budgets or board policy information.

SB 929 (McGuire) was signed into law on September 14, 2018 requiring all independent special districts to have and maintain a website by January 1, 2020, meeting all the special district transparency requirements of State law including the availability of agendas, policies, and financial information. It is recommended the District reassess their website to make sure they are in compliance with SB 929.

The Political Reform Act requires all state and local government agencies to adopt and promulgate a Conflict of Interest Code pursuant to Government Code §81000 et seq. The Political Reform Act also requires persons who hold office to disclose their investments, interests in real property, and incomes by filing a Statement of Economic Interests (Fair Political Practices Commission Form 700) each year pursuant to Government Code §87203.

According to AB 1234, if a local agency provides compensation or reimbursement of expenses to local government officials, then all local officials are required to receive two hours of training on public service ethics laws and principles at least once every two years and establish a written policy on reimbursements pursuant to Government Code §53235. In addition, AB 1661 went into effect in 2016 and addresses local government sexual harassment prevention training and education.

4. SERVICES & INFRASTRUCTURE

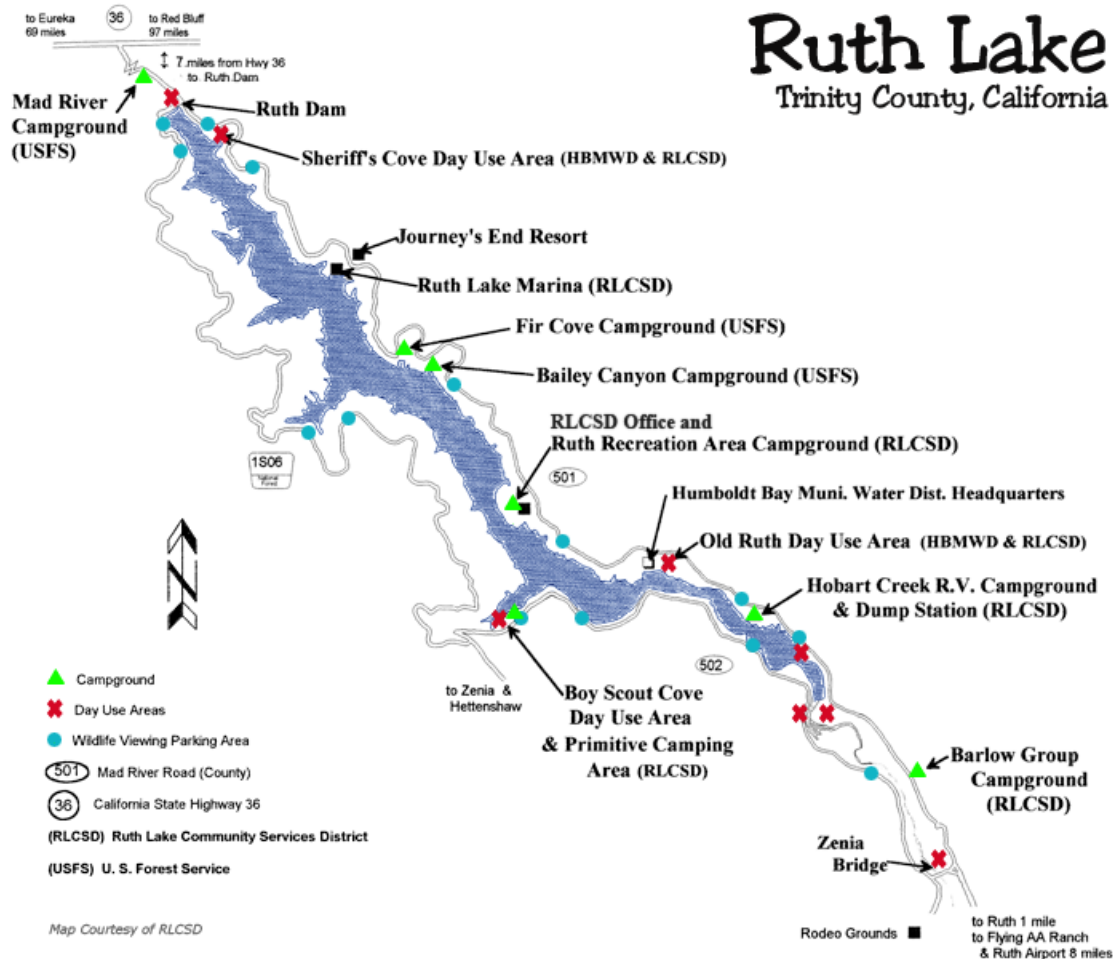
4.1 Services Provided

Ruth Lake CSD primarily provides recreation services to the Ruth Lake area. This includes management of campgrounds, subleases for recreational areas, and managing the Ruth Lake Marina.

Camping and Day Use

The District maintains and operates eight (8) day use areas and four (4) campgrounds around the lake as shown in Figure 2 below. Facilities range from primitive sites without water or restrooms to RV sites with full hookups for extended stays, flush toilets, and showers. Campgrounds are typically open from late spring to late fall to accommodate hunting activities in the surrounding mountains. Campground reservations can be made for the operational season by calling the District office and typically become available beginning in January of the same year.

Figure 2: Ruth Lake Camping and Day Use Facilities



Almost all camping and day use facilities provide direct access to the lake and can be reached by vehicle. Other amenities, such as a small convenience store and kayak and boat rentals are also available seasonally based on staffing levels.

Sub-Leases

The District leases the land surrounding Ruth Lake from the Humboldt Bay Municipal Water District. The original 39 year master lease agreement was executed in June 1964 and allowed for six ten-year extensions for a total of 99 years. The master lease is due to be extended in 2023 for another ten years. The lease allows the district to maintain and operate boat launching facilities (the marina) and other recreational facilities including the camping and day-use areas. The master lease also allows the District to sublease parcels of land for recreational purposes to private individuals. Use of sublease parcels for residential purposes is prohibited by the master lease agreement and District policy.

There are a total of 172 subleases which are managed according to District policy. Most lots are accessible by vehicle, but some are only accessible by boat. Subleases must adhere to rules regulating the use of private docks, wastewater treatment systems, utilities, insurance requirements, and other regulations as set forth by the District. Any proposed development or change to sublease properties must first be approved by the District to ensure conformance with set policies. Subleases may also be transferred from one party to another with District approval⁵.

Ruth Lake Marina

The Ruth Lake Marina is located on the northern shore of the lake along Lower Mad River Road. It is typically open from April through October and includes wet storage slips, boat ramp, public dock, bait and tackle store, fueling station, restrooms, picnic tables, and beach access⁶. There are a total of 55 slips that can be rented out seasonally for private use.

To help prevent the spread of aquatic invasive species such as zebra and quagga muscels, every watercraft that enters Ruth Lake must be inspected before launching. Once inspected, the vessel receives a sticker indicating it has been inspected for the current year. When trailered boats are removed from the lake, they are inspected and banded. Should the boat be launched again, the band indicates the last body of water it was in and that it was inspected for invasive species upon removal⁷.

Water

The District maintains several wells that supply water to the marina and several of the campgrounds. Water that is untreated is posted as non-potable. The marina and Ruth Recreation Area campground provide potable water to users and there is no additional fee for water use. The District also assists subleases with obtaining riparian water rights for their summer homes. Several

⁵ District policies related to subleases can be found on the District's website at <https://www.ruthlakecsd.org/leaseholder-downloads-documents/>.

⁶ Ruth Lake CSD, General Marina Information.

⁷ Ruth Lake CSD, Stickers, Bands, Key Cards – Guidelines for Launching Watercrafts at Ruth Lake. Updated January 28, 2020.

of the sublease lots are able to obtain water directly from Ruth Lake⁸. Other lots obtain water by way of springs, wells, or bottled water as needed.

Wastewater

Wastewater is typically disposed of in onsite wastewater treatment systems. The District is responsible for maintenance and regular pumping of campground and marina facilities. However, sublease owners are responsible for operation and maintenance of their individual system. These are typically permitted through the County to ensure compliance with current regulations.

Garbage Disposal

Since Ruth Lake is a recreation area, visitors often bring in a large of goods in some sort of disposable packaging. This can include food, beverages, camping gear, fishing gear, disposal plates and utensils, and any number of other items. This creates a large amount of garbage that must be secured to help protect wildlife, the surrounding environment, and visitors.

The District obtains several large dumpsters from Trinity County Solid Waste for use at the campgrounds and the marina. There is one dumpster that is specifically for lease holders and requires a key obtained from the District. However, based on the amount of use, there is not enough space to accommodate the waste that is generated around the lake. The District frequently has to transport garbage to the transfer station in Ruth on Sundays during the peak summer season⁹.

Trinity County Solid Waste has limited capacity to provide additional solid waste services to the area. As such, the District may want to implement a public information campaign on ways to reduce waste while recreating. This could include bringing plates and utensils that can be washed and reused, prepping food and beverages at home in reusable containers, using rental facilities for boats and rafts rather than purchasing low quality items that may break easily, and other waste reducing tips.

4.2 Other Service Providers

Trinity County provides general governmental services including social services, emergency services, planning, county roads, parks, and other services to areas within the County. Law Enforcement is provided by the Trinity County Sheriff's Office. The California Department of Transportation (Caltrans) is responsible for the condition of Highway 36 that provides access to Ruth Lake CSD via Lower Mad River Road.

- *Fire Protection, EMS/Rescue, and Ambulance Services*

Fire protection and emergency response services for the Ruth Lake area are provided by the Southern Trinity Volunteer Fire Department (STVFD) and Southern Trinity Area Rescue (STAR)

⁸ State Water Resources Control Board, Electronic Water rights Information Management System, Initial Statement of Water Diversion and Use for Lease #96A and Lease #5. Accessed November 23, 2021 from https://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims/.

⁹ Ruth Lake CSD, Personal Communication – District Manager. November 10, 2021.

which serve the eastern Humboldt/ southern Trinity areas. STVFD is staffed entirely by volunteers and maintains a station in Mad River approximately seven miles from the Ruth Lake dam, and a second station in Ruth approximately four miles the southeaster extent of Ruth Lake. STAR also operates out of Mad River and Ruth with a total of two ambulances that are staffed by EMT-1 and Paramedic level emergency personnel.

Both agencies have limited funding opportunities due to typical land use in the area which is largely federally owned USFS lands utilized for recreation. As such, funding generally comes from community donations. Ruth Lake CSD typically provides an annual donation to both STVFD and STAR as long as budget allows. In the past two fiscal years, this has been very limited due to impacts from Covid-19 and the August Complex Fire.

In an effort to provide continued support to these important fire and emergency service providers, the District may want to consider a more formal agreement, which may include the activation of latent services for fire, rescue and EMS/ambulance services. The STVFD may also benefit from forming a fire protection district that is supported by revenue from a combination of taxes, fees, grants, and fundraising. Being within a fire district has certain landowner benefits including obtaining/maintaining fire insurance and the ability to subdivide parcels. In addition, fire districts are eligible to apply for certain grant funding only available to local governmental agencies. It is recommended that a stakeholder group be established with members from the affected agencies, the County, and the Humboldt Bay Municipal Water District to explore options for providing long term and financially sustainable emergency services to the area.

5. FINANCING

5.1 Revenues and Expenses

Ruth Lake CSD's primary revenue sources are user fees from the campground and marina facilities which accounts for approximately 75 percent of the District's total income. Additional revenue comes from lease fees, solid waste disposal, grants, and other sources as indicated in the District's annual budget. District expenses include payroll, donations to STVFD and STAR, utilities, and numerous others. Payroll is the largest category and accounts for approximately 58 percent of total expenses. Anticipated revenues for FY 2020-21 decreased by almost \$60,000 due to campground closures caused by Covid-19. Table 2 below provides an overview of adopted budgets for the last three fiscal years.

Based on the provided budgets, the District is able to plan for a surplus of income every year. This surplus, if achieved, can help build up reserves that can be used to fund major capital improvement projects. However, actual revenues and expenses can vary greatly based on the number of visitors to the area each year.

Figure 3: Ruth Lake CSD FY2021-22 Revenues by Category

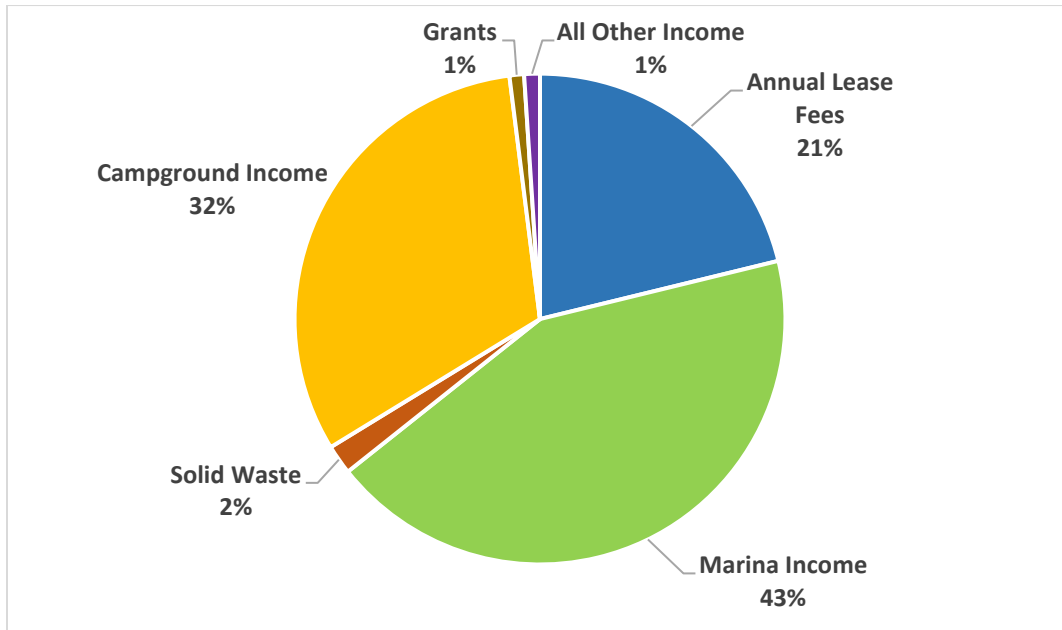


Table 2: Ruth Lake CSD Budget Summary

	FY 2019-20	FY 2020-21	FY 2021-22
Revenues			
Annual Lease Fees	\$162,050	\$176,850	\$176,850
Marina Income	\$350,000	\$310,000	\$360,000
Solid Waste	\$16,200	\$16,200	\$16,200
Campground Income	\$270,000	\$230,000	\$265,000
Grants	\$0	\$8,000	\$8,000
All Other Income	\$10,515	\$8,140	\$8,640
Total Revenues	\$808,765	\$749,190	\$834,690
Expenses			
Cost of Goods Sold	\$113,800	\$95,000	\$125,000
Bankcard Merchant Fees	\$14,000	\$7,000	\$15,000
STVFD	\$7,500	\$5,000	\$15,000
STAR	\$7,500	\$5,000	\$15,000
Operating Supplies	\$10,000	\$30,000	\$30,000
Payroll Expenses	\$450,000	\$375,000	\$375,000
Professional Fees	\$15,000	\$40,000	\$40,000
Utilities	\$60,000	\$20,000	\$20,000
Solid Waste	\$0	\$40,000	\$40,000
All Other Expenditures	\$102,800	\$97,150	\$92,200
Total Expenses	\$780,600	\$714,150	\$767,200
<i>Net Income/ (Loss)</i>	<i>\$28,165</i>	<i>\$35,040</i>	<i>\$67,490</i>

5.2 Audit Information

The District conducts audits on an annual basis through a certified public accountant. Table 3 below provides a summary of the last three years' worth of audits. For the last three years, operating revenue has exceeded operating expenses. However, the surplus has continually been less than the annual depreciation of major capital assets, predominantly for the marina and district campgrounds, which has led to an overall decrease in the District's net position. As can be seen in Table 4, while liabilities remain low, the net position continues to decrease over time.

Table 3: Ruth Lake CSD Audit Summary¹⁰

	FY2017-18	FY2018-19	FY2019-20
Operating Revenue			
Campground	\$284,465	\$272,884	\$227,312
Marina	\$363,260	\$349,411	\$286,250
Lease	\$156,225	\$166,833	\$178,442
Grants	\$915	\$43,425	\$7,827
Solid Waste	\$17,100	\$16,100	\$16,100
Taxes	\$6,185	\$6,257	\$5,893
Water fees (lease)	\$3,170	\$2,520	\$2,640
Assignment fees	\$1,100	\$800	\$0
Miscellaneous	\$3,496	\$10,164	\$2,277
Cost of Goods Sold	(\$110,035)	(\$111,190)	(\$97,272)
<i>Total Operating Revenue</i>	<i>\$725,881</i>	<i>\$757,204</i>	<i>\$629,869</i>
Operating Expenses			
Bank Card Fees	\$16,008	\$14,514	\$14,412
Fire Protection	\$15,000	\$15,000	\$10,000
Donations	\$15,000	\$15,000	\$10,000
Payroll	\$350,396	\$400,540	\$301,945
Professional Fees	\$33,896	\$46,138	\$38,607
Utilities	\$57,453	\$28,753	\$21,774
Other	\$130,429	\$184,489	\$185,907
<i>Total Operating Expenses</i>	<i>\$618,182</i>	<i>\$704,434</i>	<i>\$582,645</i>
Depreciation	(\$118,745)	(\$129,911)	(\$138,067)
Net Non-Operating Income	\$128	\$131	\$279
<i>Change in Net Position</i>	<i>(\$10,918)</i>	<i>(\$77,010)</i>	<i>(\$90,564)</i>

¹⁰ Audits for the three fiscal years shown were conducted by Aycock and Edgmon Certified Public Accountants from Ferndale, CA.

Table 4: Ruth Lake CSD Net Position Summary

	FY2017-18	FY2018-19	FY2019-20
Assets	\$2,003,702	\$1,930,043	\$1,834,834
Liabilities	\$2,367	\$5,718	\$1,072
Net Position	\$2,001,335	\$1,924,325	\$1,833,762

6. GROWTH AND POPULATION

6.1 Land Use

The Trinity County General Plan (2003) and Zoning Code guides land use decisions within Trinity County. The area served by Ruth Lake CSD is largely Resource, Rural Residential Low Density, and Agricultural. (Figure 4). Ruth Lake Marina and several campgrounds are located along the northeast side of Ruth Lake reservoir, impounded by R.W. Matthews Dam owned by HBMWD. A portion of the District to the west extends into Humboldt County on the northern side of Highway 36. Land use in this area is established by the Humboldt County General Plan and is primarily Residential Agriculture, Agricultural Grazing, and Public Lands with some Timberland and an Airport Overlay around the Dinsmore airstrip.

HBMWD owns much of the property surrounding the lake as well as the R.W. Matthews Dam that creates the Ruth Lake reservoir on the Mad River and the Gosselin Hydro-Electric Power House associated with the dam¹¹. The forested areas surrounding the lake are predominantly owned by the United States Forest Service with some private land holdings.

6.2 Existing Population and Projected Growth

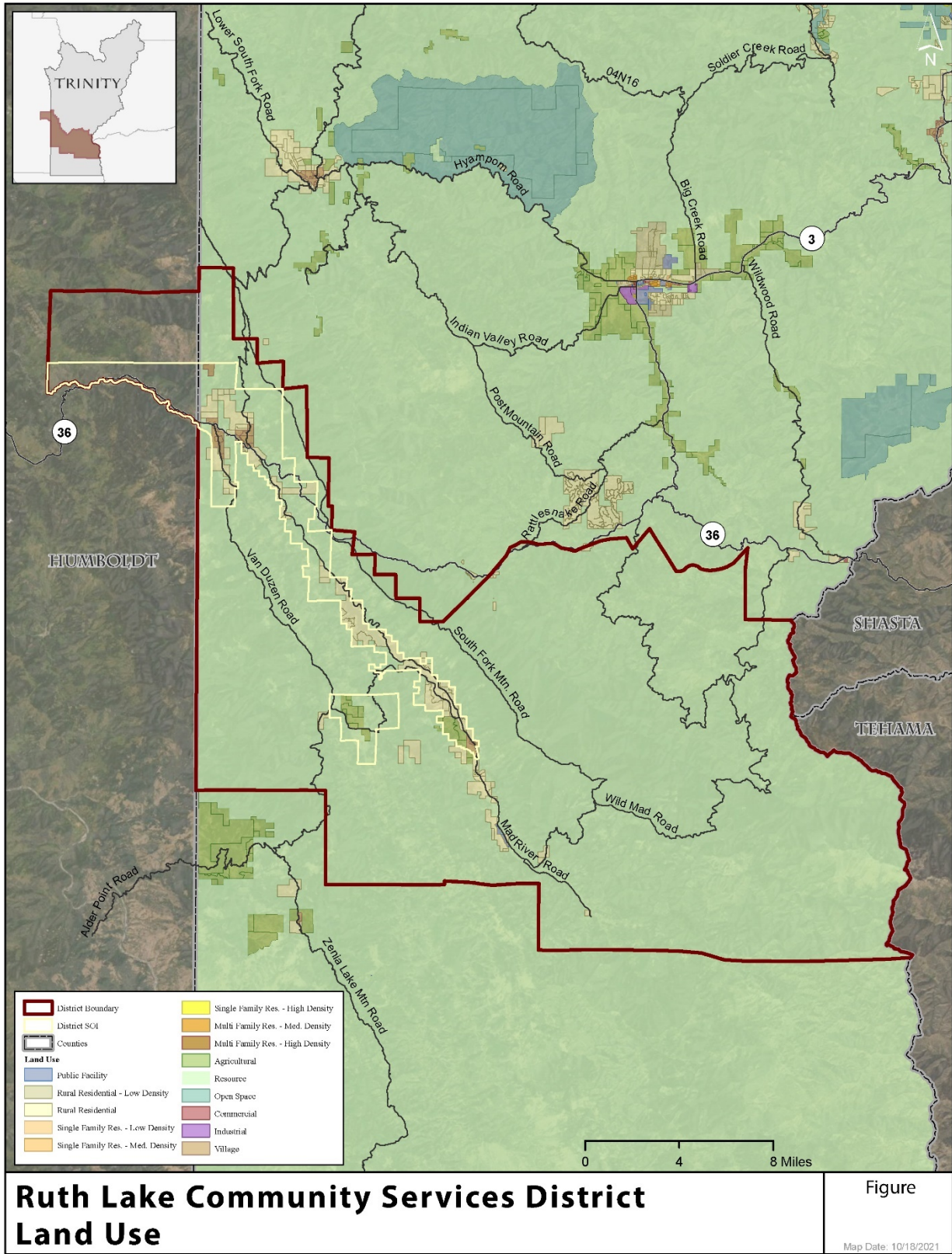
According to the US Census Bureau Decennial Census data, the total population in Trinity County was 13,786 in 2010 and 16,112 in 2020. This suggests an annual growth rate of approximately 1.57%. However, the Trinity County Housing Element reports limited to no growth over the last 10 years and anticipates a small decline in population over the next decade¹². At this time it is unknown how the Covid-19 pandemic and recent wildfire activity will affect overall population in the County. For the purposes of this MSR, a zero growth rate will be assumed for the District area as it is primarily a recreational area with limited year round residents.

Within the District boundary is the Ruth Census Designated Place (CDP) which has a 2020 population estimate of 254 and Mad River CDP which has a 2020 estimate of 361. The District boundary is much larger than these two CDPs and likely has a population greater than the total of both (615). However, these two areas likely contain the bulk of the population in the area as much of the District is comprised of sparsely inhabited forested lands. It is not anticipated that the population of the District will grow substantially of the next five to seven years.

¹¹ Trinity County Hazard Mitigation Plan 2015

¹² Trinity County, 2019-2024 Housing Element Update, Chapter Two: Housing Needs. April 1, 2020.

Figure 4: Ruth Lake CSD Land Use Map



6.3 Disadvantaged Unincorporated Communities

LAFCo is required to evaluate water service, sewer service, and structural fire protection within disadvantaged unincorporated communities as part of service reviews, including the location and characteristics of any such communities. A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters where the annual median household income (MHI) is less than 80 percent of the statewide annual MHI (pursuant to Government Code Section 56033.5 and Water Code Section 79505.5). Within a DUC, three basic services are evaluated: water, sewage, and fire protection. Currently, Ruth Lake CSD does not provide residential services as their primary purpose is the provision of recreational amenities on and around Ruth Lake.

Even though the CSD is not responsible for residential services, the presence of DUCs in the area should still be discussed. According to the 2015-2019 American Community Survey 5-year estimates, the MHI is \$30,208 for the Ruth CDP, and \$25,400 for Mad River CDP which is 40% and 34%, respectively, of the state average of \$75,235. This qualifies the communities as disadvantaged. It is likely that the surrounding areas can also be considered disadvantaged.

7. MUNICIPAL SERVICE REVIEW DETERMINATIONS

This section addresses the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56430). As part of the municipal service review process, LAFCo makes the following written determinations.

1) Growth and population projections

Ruth Lake CSD was created to provide recreation services, including boat launching and campground maintenance to the community of Ruth and surrounding areas along the Mad River and Ruth Lake. As such, there is a limited year-round population in the area. Based on 2020 census data the area has an estimated population of approximately 700 and it is unlikely the area will see much growth in the next five to ten years.

2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the Sphere of Influence

The communities of Ruth and Mad River have MHIs that are 40 and 34 percent of the State MHI, respectively. This qualifies them as DUCs and indicates that much of the surrounding area can also be considered disadvantaged.

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

Some of the District's infrastructure was damaged during the 2020 August Complex Fire. This includes water distribution system for campgrounds around the lake. The District is continuing to work towards full repair of all systems and facilities. Based on pre-fire activities, there is adequate capacity to meet most service needs apart from solid waste disposal.

4) Financial ability of agencies to provide services

Based on financial audits for fiscal years 2017-18 to 2019-20, the District is able to maintain operating revenues that exceed operating expenditures. However, this surplus is not enough to cover depreciation of assets leading to a decrease in the District's overall net position.

5) Status of, and opportunities for, shared facilities

There may be an opportunity for the District to aid in the provision of fire and emergency response services. The District is encouraged to continue to work with other service providers including STVFD and STAR on a plan for long term provision and financial mechanisms to support fire and emergency response services in the area.

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

The District is overseen by a five-member Board of Directors that is elected to staggered four-year terms. Agendas are posted at the District office and on their website at least 72 hours in advance

of meetings. Additional information about the District, including policies regulating recreational leases, is also available on the District's website.

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

Currently the District's sphere of influence is substantially smaller than the jurisdictional boundary. It is likely the reduced SOI was set to include only those areas directly managed by the District. The current SOI is approximately 25,600 acres (40 square miles) and includes the area around Ruth Lake and extends northwest into Humboldt County.

8. SPHERE OF INFLUENCE DETERMINATIONS

1) Present and planned land uses in the area, including agricultural and open-space lands.

Land use within the District is predominantly Resource, Residential Low Density, and Agricultural with other residential and public facility uses. The predominant uses in the area are timberland management and recreation.

2) Present and probable need for public facilities and services in the area.

Ruth Lake continues to be a popular recreation area and sees a great influx of activity during the summer and fall months. Based on the landholdings of HBMWD, the need to manage lease holdings around the lake, and the annual influx of visitors, it is anticipated that services will be needed in the area for the foreseeable future.

3) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The District currently has enough capacity to accommodate the recreational needs of visitors to the area. However, there appears to be limited capacity to accommodate additional solid waste. The District may want to work with Trinity County Solid Waste to implement a public information campaign on reducing waste while recreating.

4) Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The small communities of Ruth and Mad River both reside within the boundary of the District. The nearest larger community with services such as grocery shopping, medical care, and other amenities is the City of Fortuna to the west which is approximately 90 minutes from the Ruth Lake Marina.

5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.

The District does not currently provide residential water, sewer, or fire protection services. However, the area can be considered disadvantaged and is in need of reliable funding mechanisms to support emergency response services. It is recommended that the District work with other local, state, and federal agencies and service providers on a plan for the sustainable provision of emergency response services and funding in the area.