

## Chayka, James

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**From:** Joyce Clements <joycemclements@gmail.com>  
**Sent:** Tuesday, February 5, 2019 5:47 PM  
**To:** Chayka, James  
**Subject:** Memorandum: LAFCO and CSA No. 18  
**Attachments:** Rez creating CSA 18.pdf; history GVCSD to GV CSA18.pdf; Docs GVCSD Parks to CSA 18.pdf; BOS Dist 1 Sup to MCBOS re Pueblo Park.pdf

### MEMORANDUM

To: James Chayka, CSA # 18 Superintendent  
Marin County Parks and Open Space

[Jchayka@marincounty.org](mailto:jchayka@marincounty.org)

From: Joyce Clements, Vicep-President CSA No. 18

Date: February 5, 2019

Dear Jim,

In response to the call for information by LAFCO to consider redefining the boundaries of CSA No. 18, I wish to submit the following correspondence. Please note that it is divided into two primary sections:

**Document highlights:** Attached to this email are four documents. In Section 1, I bring forward highlights from each of the four documents that I feel are pertinent to the second section of this memorandum. (Note please that the letter from John Kress, Supervisor District 1, 1998, may not have entered the MCPOS records previously.)

**Views and comments:** This section offers my observations which I feel are relevant to decision-making regarding three specific topics: the territorial redefinition of CSA No. 18 being sought by LAFCO, the inclusion of Castro Park within the boundaries of the Santa Venetia park "system," and the financial responsibility for redefining of boundaries.

### SECTION 1: DOCUMENTS

#### ***I. August 1973 Resolution Establishing County Service Area No 18 of Marin County, California and Designating Services to Be Performed Therein (from MCBOS)***

- A. *The document states that the City of San Rafael has consented to inclusion of incorporated territory within CSA #18.*
- B. *The document states on page 2 that CSA No. 18 boundaries were approved by LAFCO RES No 73-10.*
- C. *The document describes the intention of the resolution to provide for "local park and recreational facilities and services."*
- D. *It is historically understood that this CSA No. 18 was created to constitute an area in which a Bond Measure for the County's attainment of the property for an Open Space could be put on a ballot for a vote. The success of this vote allowed for the purchase of San Pedro Mountain Open Space Preserve.*

#### ***II. February 1986 A set of docs referring to a Statement of Boundary Changes (LAFCO and MCBOS):***

*These boundaries are defined by coordinates, lines, arc, tangents, curves and some verbiage*

- A. *The boundaries are said to represent the former Gallinas Village Community Service District (GVCSD) .*
- B. *These boundaries are ordered by MCBOS to be transferred from the contemporaneously dissolved GVCSD to a "zone of benefit" represented by those being taxed for services in the area inside and within the previously created County Service Area No. 18.*
- C. *This boundary is said to represent 973 certified voters.*

**III. Gallinas Village SD >Gallinas village CS Area #18 (an email transmission from Frances Nunes, community resident, activist and citizen historian) Information review the period from the 1950's through May 2018.**

*In this document, Nunes shows a historical record of the creation of CSA No. 18 and the changes made to the territorial inclusions of the area. I have highlighted portions of this which I believe to be germane to my comments below.*

**IV. August 1998 Letter to Marin County BOS from District 1 Supervisor John Kress**

**Subject: County Authorization Pursue Reversion Clause of Quitclaim for Castro Park**

- A. *"A plan for improvement of the property for passive recreational use has been developed, and funds for this improvement and its maintenance are available through CSA #18 and in-lieu park funds."*
- B. *"If the County does not pursue this action, the property will continue to be unmaintained and a community asset will continue to be wasted."*
- C. *Within the text of the document, review by the County Counsel is acknowledged by Mr. Kress.*

**Section 2: VIEWS AND COMMENTS**

**I. What specific operative area is CSA No. 18?** There are two definitions and I feel that this is the time when their congruency should be assessed. One definition is by coordinates, mentioned in point 1 above. The record of which home owners/properties pay the special tax for Santa Venetia parks is the second.

**II. Castro Park** apparently will not fall within the geographical and tax boundaries of a new definition of CSA #18, nor has it ever. MCBOS had the capacity to know this when they agreed to a reversion clause of the quitclaim deed for the park which brought it back into the fold of County owned and maintained property. MCBOS apparently made their decision on the basis of the recommendation of District 1 Supervisor John Kress, with his assurance that improvement and maintenance would be available through CSA #18 and in-lieu park funds. Supervisor Kress' letter to the Board had been reviewed by the County Counsel.

The precedent for this park to be part of the park "system" of the current CSA No. 18 has been well established over a 20+ year period. The park's location is within the Santa Venetia community has been and continues to be a beneficial resource to residents of all of Santa Venetia. Including Castro Park within the ZOB by precedent is possible by marking a trajectory on public roads and paths leading to and from it to the ZOB.

**III.** The boundaries of the original CSA No. 18 were established in 1973, apparently to facilitate a 20-year bond measure to create an open space parkland for the County. Within the original boundaries, part of the City of San Rafael and some county areas were included. In 1986, thirteen years later, the GVCSD/Santa Venetia community recreation piece was incorporated "INSIDE/WITHIN" CSA No. 18.

This was probably the most exigent administrative procedure to insure continuity for the operation, improvement and maintenance of parks in Santa Venetia when the GVCSD per se was dissolved. The transfer of administration was made by the MCBOS, and approved by LAFCO.

Some years later when the Bond was paid-off, the original territorial designation of the Special Assessment District was not reviewed and changed to reflect its current reality. At that time, the only operative community part remaining of the CSA was the Santa Venetia piece, added in 1986. Other territorial areas, including the City of San Rafael and some other County sections, were no longer functionally part of CSA No. 18. It seems to me that a correction in the official boundaries should have been made at that time. For many years, the lapse in redefining the territory of CSA No. 18 has caused considerable confusion with regard to mandates. An administrative clean-up would be helpful.

However, I submit that the **administrative and financial responsibility** NOW for making a redefinition and clarification of the boundaries of CSA No. 18 rests with the MCBOS, MCPOS, and LAFCO. These groups did not tidy-up the boundaries when the original purpose of their action creating the CSA had changed. This situation was not a product of action by Santa Venetia taxpayers or the citizen representatives who have served on the Santa Venetia/CSA #18 board.

There seems to me to be no logic whatsoever in assuming that our small community's park taxes should be utilized to fund the redefinition initiative.

Thank you, Jim, for your always thoughtful and responsive leadership representing MCPOS. I appreciate your both making record of this memorandum and also including it in the file to be given to LAFCO.

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Joyce Clements

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