

RECORDING REQUESTED BY

WHEN RECORDED MAIL TO;  
Golden West Community Services District  
P.O. Box 448  
El Dorado, CA 95623

El Dorado, County Recorder  
William Schultz Co Recorder Office  
**DOC- 2013-0057289-00**  
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**GOLDEN WEST COMMUNITY SERVICES DISTRICT**  
**RESOLUTION NUMBER 13# 2**

A RESOLUTION ADOPTING A ROAD POLICY FOR THE BOARD OF DIRECTORS OF THE GOLDEN WEST COMMUNITY SERVICES DISTRICT WHICH INCORPORATES DEFINITIONS OF THE BOARD'S ROAD MANAGEMENT RESPONSIBILITIES AS WELL AS ELEMENTS OF THAT PROGRAM INCLUDING ACTIONS, DEFINITIONS, AND CRITERIA FOR OPERATION OF THE PROGRAM.

Whereas all elected bodies require defined policies to direct their officers to develop procedures and provide services within the powers invested to them by the people they represent; and

Whereas the Golden West community Services District is responsible for providing road improvements and road maintenance under LAFCO Resolution L-83-43 and as authorized under California's Government Code Section 61.60C, subdivisions (j) and (k); and

Whereas there is a need to update current road management program policies currently existing for the Golden West Community Services District and its members to follow; and

Whereas the members of the Golden west community Services district have determined that the attached Exhibit set forth accurately defines policies the policies needed to fulfill the responsibility of the Board and the will of the people;

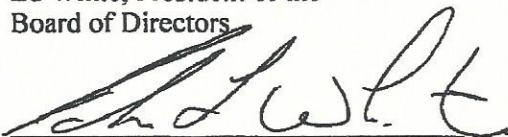
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE GOLDEN WEST COMMUNITY SERVICES DISTRICT DOES RESOLVE THAT THE EXHIBIT ENTITLED "GOLDEN WEST COMMUNITY SERVICES DISTRICT ROAD POLICY", Revision 4, dated, 11/8/2013 SHALL BE ADOPTED AS THE OFFICIAL ROAD MANAGEMENT POLICY FOR THE GOLDEN WEST COMMUNITY SERVICES DISTRICT AND SHALL BE EFFECTIVE IMMEDIATELY UPON PASSAGE BY THE BOARD OF THE DISTRICT.

The foregoing resolution was passed and adopted by the Board of Directors of the Golden West Community Services District at the meeting held on November 9, 2013 by the following vote:

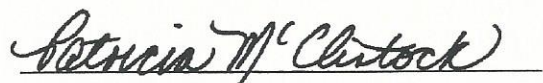
AYES: 5  
NOES: 0

ATTEST:

Ed White, President of the  
Board of Directors



Patricia McClintock, Secretary of the  
Board of Directors





**GOLDEN WEST COMMUNITY SERVICES DISTRICT, 11/8/2013**  
**ROAD POLICY**

This document supersedes in its entirety the Golden West Community Services District Road Policies dated May 17, 1997, August 17, 1995 and July 21, 1994.

**AUTHORITY AND SCOPE:**

The authority and scope of operation of the Golden West Community Services District is established by the recorded documents that dedicated in perpetuity to the County of El Dorado this subdivision as defined by the Maps of Golden West Paradise Unit No. 2 and Unit No.5

**GWCS District Road Maintenance Responsibilities:**

This document explicitly enumerates the GWCS District road maintenance responsibilities. The District was formed exclusively for the purpose of road maintenance. Each parcel within the District is assessed an annual special tax for that purpose. Within the District boundaries are both public and private roadways. The public roadways are those created by their acceptance by the County at the time of subdivision approval although the County did not accept maintenance responsibility for such. The private roadways are roads created by parcel map with easements to serve the parcels created by such map. A landowner cannot be assessed a maintenance tax without receiving a benefit from such tax. Such benefit can be and is described as the use and improvement to the public roadways as described on the final subdivision maps for the District.

**Private Easement:**

State law prohibits a public agency from expending public funds on private property, which includes road easements on private property.

Reclassification of a private road to a public road requires:

1. The property owner's negotiation with the GWCS District for acceptance of road maintenance responsibility.
2. The property owner dedicating the property in perpetuity to the county's ownership, with the county's acceptance of the property.

Private funds are required to maintain the private easement roads within the GWCS District boundary as stated in Appendix 1 "Maintenance of Easement Roads".

**ROAD POLICY ADMINISTRATION:**

**OPERATION,** Means: The governing body for the Golden West Community Services District (GWCS District) is a five person Board of Directors, elected by the members of the Golden West Community Services District, or if needed, appointed by the County Board of Supervisors.



**DIRECTORS DUTIES**, Means: Provide effective and responsible management of District road maintenance, repair, and improvements within the District. Perform as the Road Program Management Team for the District. Develop policies and procedures to provide definitive methods of operation. The Board of Directors has no authority to establish easements except for that property within the Common Area.

**ROAD PROGRAM MANAGEMENT**, Means: Road Program Management, as applied to the GWCSO, shall consist of the following actions:

1. Develop policies and procedures for conducting the management operation.
2. Budget District resources.
3. At the option of the District Board, formulate multiyear planning for District road programs.
4. Create and implement road standards and specifications.
5. Evaluate petition(s) for easement roads to become District roads.
6. Accumulate statistical cost and performance data for future project planning.
7. Perform all of the above maintaining fiscal responsibility and accountability.

**MAINTENANCE SCHEDULE**, Means: A yearly Schedule of projects that, at the option of the board, may be developed and implemented each fiscal year. Elements of that schedule may be implemented during the fiscal year within the limits of available funds.

**CONTRACT FISCAL CONSTRAINTS**, Means: The District shall have adequate funding on hand to cover the cost of the project at contract award. No loans are allowed.

**INSPECTION REQUIREMENTS**, Means: All work performed under contract shall be inspected to verify compliance with the contract requirements. The inspector shall be the General Manager, his responsible delegate, or a professional inspector hired by the GWCSO. An inspection signoff sheet is to be coordinated with progress payments.

**VOLUNTEER REQUIREMENTS**, Means: The General Manager and/or Road Manager shall be responsible to keep records of the type of work performed, hours worked, and the names of volunteers. Records shall be submitted to the responsible Board member after completion of each work session. All members of the GWCSO Board of Directors are also volunteers, and may also serve on the road crews at which time they shall become Work Party volunteers.

**DELINEATION AND DEMARCATION OF PUBLIC AND PRIVATE ROADS**, Means:

Roads that are public in total are: Dolomite Drive, Galena Drive to and including the cul-de-sac, Manganite Street, and Crystal Boulevard with the exception of approximately 825 feet of Crystal Boulevard measured from the west edge of Highway 49 which is owned and maintained by the County of El Dorado as designated at the time of adoption of this District.

Roads that have public segments connecting to Highway 49, Dolomite Drive and Crystal Boulevard which have road extensions with easements on private property are: Ore Court, Pyrite Street, Sam Hill Mine Court (Antimonite Way on Map), Galena Drive, Ferrite Street, Sodalite Street, Obrizo Street, Oak Ridge Circle N, Oak Ridge Circle S, Calcite Drive, Talcite Street, Mica Street, Amalgam Street, and Barite Street.

The exact length of road segments that are in the public domain of the point of demarcation to private easement roads is as stipulated on the recorded Maps of West Paradise Subdivision Unit No. 2 and Unit No.5. The dimensions below are provided for convenience use, and may result in minor discrepancies from the subdivision maps, but shall hold for the purposes of this document

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#### Unit No. 2

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Public Road Name	Distance from Specified Roadway
Ore Court	90 feet from edge of Highway 49
Pyrite Street	590 feet
Sam Hill Mine Court (*Antimonite Way)	330 feet

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#### Unit No. 5

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Public Road Name	Distance from Specified Roadway
Ferrite Street	335 feet
Sodalite Street, N	625 feet
Sodalite Street, S	1,025 feet
Oak Ridge Circle, N	50 feet
Oak Ridge Circle, S	52 feet
Obrizo Street	520 feet
Calcite Drive	1,320 feet
Cinnabar Street (*Mica Road)	555 feet
Unnamed road (*between lots 149 and 150)	257 feet
Talcite Street	795 feet
Mica Street	338 feet
Amalgam Street	900 feet
Barite Street	425 feet

(\* indicates road names on Unit 2 & 5 Subdivision Recorded Maps)

For easement road maintenance and responsibilities, see California Civil code 845, page 6.



**DEFINITIONS:**

**BID**, Means: To offer a certain sum as the price one will charge to perform the task(s) identified in a proposed contract. Only bids from licensed contractors are acceptable.

**BID TOUR**, Means: A single guided tour of the job site conducted by the GWCSO representative to familiarize the bidders with the physical characteristics of the job and to answer any questions that they may have. Questions and response thereto shall be written and submitted to all bidders. Responses shall be provided to the bidders within seven working days.

**BOUNDARY**, Means: That area identified in the "Meets and Bounds" description entitled "Description of District Boundaries" contained in the District Formation Documents.

**CHANGE ORDER**, Means: A definitive document to describe a change in scope of an existing contract. It shall include an estimate of the cost increase or decrease, the schedule impact, and when approved by the Board shall be the authority to proceed.

**CONTRACT**, Means: An agreement between two or more persons or entities which create or modify a legal relationship, generally based on offer and acceptance. Advanced payments are prohibited. Progress payments are acceptable.

**CONTRACT WORK STATEMENT**, Means: An explicit detailed description of the work to be accomplished.

**DISTRICT ROADS**, Means: Those roads identified and listed above under "DELINEATION AND DEMARCATION OF PUBLIC AND PRIVATE ROADS".

**DRIVEWAY**: A road on private property servicing only that parcel.

**EASEMENT ROADS**: All roads other than District roads within the boundaries Golden West Paradise Unit No. 2 and Unit No.5 that connect to District roads or to each other. Easement roads are private property, dedicated for use as defined by the easement.

**GENERAL MANAGER**, Means: A person who is appointed by the Board to work at its direction to manage the District's activities in compliance with the District's Rules and Procedures as required by Government Code 61000.

**JOB FILE**, Means: A documented history of each Work Order. It shall include the approved Work Order, schedules, invoices, proof of liability insurance, correspondence, contracts, change orders, bill of lading, etc.

**LETTER OF ACCEPTANCE**, Means: A formal "letter recording acceptance" issued by the Board, on District's letterhead to those whose petition demonstrates compliance with the District's "Minimum Standards".

**MAINTENANCE**, Means: Preventive measures to enhance longevity of the infrastructure.

**PETITION**, Means: A written application to the GWCSO Board for requesting acceptance of a road as part of the GWCSO road system.

**PRIVATE PROPERTY**, Means: Property owned by a person, group or corporation, or other entity, not a governmental body.

**REPAIR**, Means: Restoration of a failure of infrastructure to GWCSO specifications. Examples are replacing damaged culverts, and patching or repaving damaged portions of pavement.

**SCHEDULE**, Means: Specific start and finish dates with milestones identified with time spans required to accomplish the particular job.

**SPHERE OF INFLUENCE**, Means: That area identified in the "Meets and Bounds" description entitled "Description of Boundary of Sphere of Influence" contained in the District Formation Documents.

**VOLUNTEER**, Means: A District resident, eighteen (18) years or older, may offer their services to the District; and when working as a volunteer, shall provide their services or labor at no cost, implied or otherwise, to the District. All volunteers shall be covered by workman's compensation insurance provided by the District while they are performing volunteer duties. All volunteer work shall be accomplished in compliance with Federal, State and local safety requirements.

**WORK PARTY**, Means: A group of volunteers who comprise a work force to perform tasks relating to District defined needs.

**WORK ORDER**, Means: A definitive written statement explicitly identifying the scope of any and all work effort(s) to be performed. It shall identify the job and shall include an estimate of costs and schedules. This document requires approval of the Board prior to the start of work. "Each Work Order" shall carry a "Job Number" which indicates the year, followed by a sequential number.

**ROAD ACCEPTANCE**, Means: Prior to consideration for acceptance by the District, the road(s) and associated utility and drainage easements must have been dedicated to and accepted by the County in perpetuity. For acceptance as a District road they shall comply with the District's "Minimum Standards", and applicable permits, inspections, and completion notice per county standards. Property owners must petition the Board for acceptance to gain approval through a public hearing. If approved, the Board will respond by Resolution and a Letter of Acceptance to the property owners.



**UPGRADE, Means:** Actions to increase the performance characteristics of a road. As needed, an Upgrade Program shall be developed defining the activities. Any decision to upgrade a road will appear in the annual road schedule. Decisions concerning what roads to upgrade are to be based on:

1. **Safety Issues:** (e.g., traffic hazards, fire access)
2. **Budget:** (e.g., are adequate funds available for the work)
3. **Need:** (e.g., based on the condition of all District roads, is it warranted authorizing expenditures for upgrades, or should the road in question simply be repaired?)
4. **Increased use:** (e.g., is the amount of traffic loading growing on a specific road under consideration).
5. **Maintenance Cost Factors:** (e.g., the Board must compare and consider the costs associated with the level of upgrade as well as the cost benefit of extended longevity)

### **CONTRACT FORMAT REQUIREMENTS**

1. The GWCSO contracts shall be formatted as follows:
2. **General scope of work:**  
A very general overview of the contract work.
3. **Contract Work Statement:**  
An explicit detailed definition of the work to be performed under the contract.
4. **General Terms and Conditions:**  
Stipulation of performance requirements
5. **Special Terms and Conditions:**  
Terms and Conditions unique to the specific contract, including progress payments.
6. **General Technical Specifications:**  
Standard Technical Specifications for all GWCSO contracts
7. **Special Technical Specifications:**  
Technical Requirements unique to the specific job.
8. **Signature page:**  
A page of the contract that bears the signature of all parties involved in the contract. Each signature must be dated.

## **Appendix 1**

### **Maintenance of Easement Roads**

Easement Roads are to be maintained by the "owners in right of the associated easement". Easement Roads are not maintained by the Golden West Community Services District.

Responsibility for maintenance of Easement Roads is established by Section 845 of the California Civil Code. This code states, among other things, that (a) owners in right of any easement shall maintain it in repair, (b) if the easement is owned by more than one person, costs of maintenance shall be apportioned by prior agreement among the owners or, in the case no agreement exists, in proportion to the use made of the easement by each owner, (c) in case of disagreement, the statute provides for arbitration and court adjudication of proportionate liability of each owner for maintenance costs. Interested parties can read the full text of the statute at:

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=00001-01000&file=840-848>.