

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS

DATE: September 11, 2012

FROM: ^{KKD}
KEN GREHM / PETER KRAATZ

SUBJECT: NOTICE OF INTENT TO INITIATE PROCEEDINGS TO FORM KINGS BEACH
BENEFIT ASSESSMENT DISTRICT NO. 1

ACTION REQUESTED / RECOMMENDATION

1. Adopt a Resolution of Intent to initiate proceedings to consider formation of Kings Beach Benefit Assessment District No. 1 which would include the levy of annual assessments to fund the maintenance of future streetscaping improvements within the proposed district boundaries by:
 - a. Setting a public hearing date of October 23, 2012 to occur at the regular Board of Supervisors meeting being held in the Tahoe area
 - b. Ordering preparation of Engineer's Report
 - c. At the proposed October 23 public hearing, the Board of Supervisors to consider:
 - Formation of Kings Beach Assessment District No. 1
 - If District is formed, approve the Engineer's Report
 - Authorize issuance of ballots to district property owners
 - Future meeting date to tabulate ballots and possibly consider levying assessments.

BACKGROUND / SUMMARY

The Kings Beach Commercial Core Improvement Project (Project) is located within the County's unincorporated area of Kings Beach. The Project represents a public investment in excess of \$45 million to revitalize Kings Beach through constructing storm water drainage and treatment infrastructure, reconfiguring and rebuilding State Route 28, and adding 10-foot nominal wide sidewalks, Class 2 bike lanes, and public bus shelters. The project is centered on transforming the highway from four lanes to three lanes with roundabouts and limited on-highway seasonal parking. In addition, portions of the fish and mammal named County roads that intersect the highway will also be improved with storm water infrastructure, sidewalks, formalized parking areas and traffic calming measures.

Since 2002, Public Works has been developing this project as a high priority effort in North Lake Tahoe to improve storm water runoff conditions in a densely built area, address safety and the need for enhanced multimodal mobility, and help revitalize Kings Beach.

During ten years of planning efforts, the County has completed environmental review, completed preliminary design and a phase of traffic calming construction. We are currently securing right-of-way necessary to construct the proposed improvements, including parcels for replacement parking. The construction of the project could commence as early as 2013 assuming full funding for the project is secured. An important element highlighted during public outreach was how will the new improvements be maintained into the future. In Tahoe City adjacent property owners are responsible for maintaining sidewalk areas adjacent to their property, including snow removal. An assessment district is a means for the property owners to collectively fund efforts to maintain the sidewalk areas adjacent to their properties.

The formation of the Kings Beach Benefit Assessment District No. 1 ("District") intends to provide and ensure consistent maintenance and operations of the streetscaping improvements within the sidewalk areas. These improvements are located within the road right-of-ways and dedicated public easements which are within the boundaries of the District. The maintenance of the District improvements shall include snow management (including removal, hauling, and storage), the repair/replacement of all sidewalk improvements, power-washing of the sidewalks, emptying of trash receptacles, landscape

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maintenance and litter pick up. Services provided include all materials, equipment, labor and administrative costs associated with the annual administration and operation of the District.

Should formation of the District eventually be approved, levying of assessments would not begin until project improvements are functional and ready for maintenance. Assessment would not be imposed until the year that funding is needed so that property owners are not paying before realizing the benefits of the improvements included in the District.

In the fall of 2011, a consultant, NBS Government Finance Group, was retained to explore the feasibility and appropriateness of an assessment district or other financing district to fund maintenance of proposed Kings Beach sidewalk improvements which are currently proposed within the State right-of-way. The State is not interested in maintaining sidewalks and has indicated that they would abandon the sidewalk areas like they did in Tahoe City. After a series of community meetings and outreach, NBS analyzed district formation and proposed district boundaries, how properties would be assessed based on their location and other site factors within the district, and determining an annual district budget. This information would provide the basis for an Engineer's Report that would outline the proposed assessment district, including district boundaries, budgeted costs, analysis of special benefit, assessment methodology and proposed individual assessments. This Engineers Report would be considered at the October 23, 2012 public hearing.

ENVIRONMENTAL

This action is not a project, as defined by Public Resources Code Section 21065, and is therefore exempt from environmental review under CEQA. For the Kings Beach Commercial core Improvement Project, the County did prepare an Environmental Impact Report (EIR) pursuant to the requirements for CEQA and the Placer County Environmental Review Ordinance; an Environmental Impact Statement (EIS) to meet the requirements of the Tahoe Regional Planning Agency (TRPA); and an Environmental assessment (EA) to meet the requirements of the Federal Highway Administration. The EIR was adopted by the Board of Supervisors on September 23, 2008.

FISCAL IMPACT

The effort to consider the formation of the assessment district is part of the \$48M Kings Beach Commercial Core Improvement Project. Ongoing services for the proposed district will be disclosed in the Engineers Report and are estimated to total approximately \$200,000 per year. Assessments would not commence until after project improvements are completed.

Attachments:

- Resolution
- Location Map

**Before the Board of Supervisors
County of Placer, State of California**

In the matter of: **A RESOLUTION OF INTENT
TO INITIATE PROCEEDINGS TO CONSIDER
FORMATION OF KINGS BEACH BENEFIT
ASSESSMENT DISTRICT NO. 1**

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:
Clerk of said Board

Chair, Board of Supervisors

WHEREAS, the County is planning and designing improvements for State Route 28 and adjacent areas known as the Kings Beach Commercial Core Improvement Project and which will include sidewalk and streetscaping improvements; and

WHEREAS, Caltrans has made known that they will not maintain these new improvements, including performing snow removal in the new sidewalk areas; and

WHEREAS, the County wants to ensure that the proposed capital improvements are maintained appropriately; and

WHEREAS, an assessment district is considered a reasonable and suitable method for maintaining infrastructure that provides a special benefit to property owners; and

Resolution No. _____

Notice of Intent to Form Kings Beach Benefit Assessment District

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WHEREAS, the Board of Supervisors of Placer County (hereafter referred to as the "Board of Supervisors") proposes to initiate proceedings to consider the formation of and levy of annual assessments within a special assessment district, known and designated as the Kings Beach Benefit Assessment District No. 1 (the "District") pursuant to provisions of the Benefit Assessment Act of 1982, Article XIII D of the Constitution of the State of California, and the Proposition 218 Omnibus Implementation Act (hereafter collectively referred to as the "Assessment Law"), that provides for the levy and collection of assessments by Placer County to pay for the maintenance and services of all improvements and facilities related hereto; and,

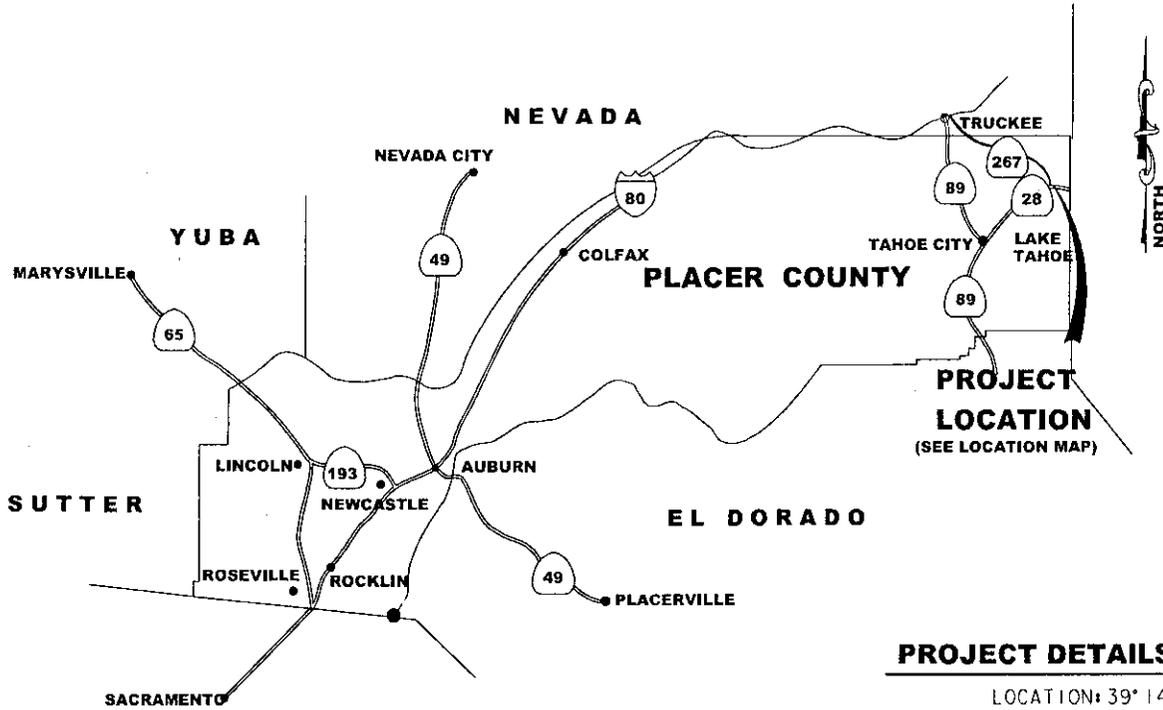
WHEREAS, the Board of Supervisors desires to consider forming a District; and, has determined that all parcels within the proposed District receive special benefit from the maintenance, servicing, and operation of the improvements and facilities; and

WHEREAS, the Board of Supervisors has retained NBS Government Finance Group for the purpose of assisting with the formation of the District and to prepare a report for the District with the Clerk of the Board in accordance with the law.

THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Placer, State of California:

- 1. The Board of Supervisors hereby declares that the Board of Supervisors will consider forming an Assessment District at its regularly scheduled October 23, 2012 Board of Supervisors meeting proposes to form a District pursuant to the Assessment Law, to pay for the costs to provide for the maintenance of improvements and services within the District. All maintenance and service items will be detailed in the Assessment Engineer's Report.**
- 2. The Board of Supervisors hereby directs staff to prepare and file with the Clerk of the Board the Assessment Engineer's Report concerning the proposed District formation prior to the October 23, 2012 public hearing.**

ASSESSMENT DISTRICT KINGS BEACH COMMERCIAL CORE IMPROVEMENT PROJECT



PROJECT DETAILS:

LOCATION: 39° 14' 15.67" N
 120° 01' 25.69" W
 LENGTH: 1 MILE
 LAND USE: RECREATIONAL,
 RESIDENTIAL
 & COMMERCIAL

