

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS

DATE: May 26, 2009

FROM: KEN GREHM / BOB COSTA

SUBJECT: **STERLING POINTE SUBDIVISION COMMUNITY SERVICE AREA - MODIFY SCOPE AND INCREASE ANNUAL ASSESSMENT FOR ZONE OF BENEFIT NO. 132 IN COUNTY SERVICE AREA 28**

ACTION REQUESTED / RECOMMENDATION

Conduct a Public Hearing, tabulate ballots, and adopt a Resolution increasing the annual assessment in Zone of Benefit No. 132 to provide road rehabilitation and storm drain maintenance services for Lake Forest Drive and Sterling Pointe Court within the Sterling Pointe Subdivision.

BACKGROUND

Zones of benefit are created within County Service Area (CSA) No. 28 to fill the services funding gap between general County services and special services. This zone of benefit was established June 17, 1997 to provide long term road rehabilitation and storm drain maintenance services for Lake Forest Drive within the Sterling Pointe Subdivision in the Loomis area. All other subdivision streets are privately maintained by the subdivision Homeowners' Association (HOA).

Sterling Pointe Court within this subdivision accesses a public equestrian facility with trails leading to Folsom Lake. This road is currently maintained by the HOA, but because of the increased use of this road, residents of the subdivision have petitioned the County to modify the existing Zone of Benefit 132 for Lake Forest Drive to add Sterling Pointe Court. The Sterling Pointe Subdivision HOA has provided Public Works with an Irrevocable Offer of Dedication for Sterling Pointe Court, to be accepted following your Board's approval of this request.

Approval of this action will increase the currently authorized annual assessment of \$120.15 per parcel to an initial total annual assessment of \$178.86 per parcel starting with the 2009/2010 tax year, subject to annual inflationary adjustment thereafter. Additionally, a request for formation of a Permanent Road Division (PRD) for the remaining Sterling Pointe Subdivision streets has also been received by Public Works; this will be presented to your Board as a separate action item.

The property owners of record of the existing parcels of the Sterling Pointe Subdivision have been presented ballots to approve an initial annual charge of no more than \$178.86 per parcel for each existing parcel and subsequent parcels, subject to annual inflationary adjustment. Your Board is being asked to conduct a Public Hearing to receive testimony and tabulate ballots. If the proposed assessment is approved by a majority of eligible voters, your Board must also adopt a Resolution to approve the expanded services and impose the increased charge.

ENVIRONMENTAL CLEARANCE

This is an administrative action required pursuant to the conditions of approval for this subdivision. As such, it is not a separate project and is not subject to further environmental review.

FISCAL IMPACT

The initial \$178.86 charge will be levied on each existing parcel and subsequent parcels. The ballot also allows for an annual cost of living increase for this CSA charge. These charges are supported by a detailed engineer's report prepared by a registered professional engineer.

Attachments: Resolution
Property Owner's Letter of Request – Exhibit "A"
Location Map – Exhibit "B"

A copy of the amended Engineer's Report is on file with the Clerk of the Board's Office for viewing.

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

In the matter of: A RESOLUTION
INCREASING THE ANNUAL ASSESSMENT
IN COUNTY SERVICE AREA 28,
ZONE OF BENEFIT NO. 132 TO EXTEND
EXISTING SERVICES TO STERLING POINT COURT
FOR THE STERLING POINTE SUBDIVISION.

Resol. No: _____

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

Chairman, Board of Supervisors

WHEREAS, properties within the Sterling Pointe Subdivision are subject to existing County Service Area assessments to provide certain services on Lake Forest Drive for the benefit of the properties within the subdivision; and

WHEREAS, owners of record of said subdivision seek to increase the annual assessment to extend existing road rehabilitation and storm drain maintenance services to Sterling Point Court; and

WHEREAS, the owners of record of Assessor Parcel Numbers 036-310-001 thru 024; 036-320-001; 036-320-003 thru 011; 036-320-013 thru 018; 036-320-022,024; 036-330-001 thru 018 of said subdivision have consented, through a majority of ballots cast, to the annual increase of fees on all parcels in said subdivision to provide necessary services; and

STERLING POINTE SUBDIVISION - COUNTY SERVICE AREA 28 ZONE 132

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Resol No. _____

WHEREAS, the Board finds that said ballots constitute majority approval of the annual assessment increase by the property owners within said areas of Zone of Benefit after proper notice has been given of the right to cast ballots.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Placer, State of California, as follows:

The Board of Supervisors does hereby approve the proposed service expansion to include both Lake Forest Drive and Sterling Pointe Court and to increase the annual assessment from \$120.15 per parcel per year to \$178.86 per parcel per year for Zone of Benefit No. 132 within County Service Area No. 28 with a boundary to remain coterminous with the boundaries of the Sterling Pointe Subdivision, which zone shall provide services within said subdivision; and

The Board of Supervisors does hereby approve with the consent of the property owners and in conformance with Section 4 of the Article XIID of the California Constitution and pursuant to Government Code Section 25210 et seq., an increased annual assessment against each existing parcel and subsequent parcels within APN 036-310-001 thru 024; 036-320-001; 036-320-003 thru 011; 036-320-013 thru 018; 036-320-022,024; 036-330-001 thru 018 of the Sterling Pointe Subdivision, in the amount of \$178.86 per parcel as stated in the engineer's report. Said charge shall commence with the 2009-2010 tax year.

The charge established hereunder shall be subject to modification each year in an amount not to exceed the change in the State of California San Francisco/Oakland/San Jose Metropolitan Area Consumer Price Index for All Urban Consumers, commencing with the 2010/2011 tax year, which shall not exceed five per cent (5%) in any one year.

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LEGEND

- ⊕ SECTION CORNER MONUMENT AS NOTED
- ⊖ 1/4 SECTION CORNER MONUMENT AS NOTED
- ⊙ FOUND MONUMENT AS NOTED
- ⊚ SET 1/4" IRON PIPE AND 1/4" U.S.M.S.
- ⊛ SET IRON STAKE MONUMENT AS NOTED
- ⊜ SET 1" BRASS ORK IN MONUMENT WELL STAMPED L.S. 1275
- ⊝ QUADRANT POINT - NOTHING FOUND OR SET
- ⊞ IR. BUREAU OF RECLAMATION 2 1/2" IRON PIPE & BRASS CAP

REFERENCES

- (1) BOOK 14 OF MAPS, PAGE 24 P.C.R.
- (2) BOOK 1 OF SURVEYS, PAGE 132 P.C.R.
- (3) BOOK 1 OF SURVEYS, PAGE 16 P.C.R.
- (4) BOOK 2 OF PARCEL MAPS, PAGE 25 P.C.R.
- (5) PAGES 1274 AND 1275 OF 10-25-50

FINAL MAP OF TRACT NO. 744
STERLING POINTE ESTATES

A PLANNED UNIT DEVELOPMENT
BEING A PORTION OF THE S. 1/2 OF
SECTION 17, T. 11 N., R. 8 E., M.D.M.,
COUNTY OF PLACER, STATE OF CALIFORNIA
OCTOBER, 1954 SCALE = 1" = 300'
LAND DEVELOPMENT SERVICES INC.
ROCKLIN, CALIFORNIA

BASIS OF BEARINGS

THE MERIDIAN OF THIS SURVEY IS IDENTICAL WITH THAT OF THE RECORD OF SURVEY FILED FOR RECORD IN BOOK 1 OF SURVEYS AT PAGE 10 P.C.R. AND IS BASED UPON THE MONUMENTS SHOWN AS FOUND IN THE WEST LINE OF THE S.W. 1/4 OF SECTION 17 AND IS TAKEN AS 17 136 27.1

NOTES

1. SOURCE OF PROPERTY DESCRIPTION: 37th D.R. 132
2. THE GROSS ACREAGE OF LAND INCLUDED WITHIN THE BOUNDARIES SHOWN HEREON IS 150.237 AC.
3. RESPONSIBILITIES OF C.S.A.
 - A. STREET LIGHTING ON PUBLIC STREETS.
 - B. PUBLIC ROAD MAINTENANCE.
 - C. PUBLIC STORM DRAINAGE MAINTENANCE.
 - D. WEEKLY REFUSE COLLECTION FROM ALL PUBLIC FACILITIES.
 - E. PUBLIC TRAIL MAINTENANCE.
 - F. WATER QUALITY PROTECTION FACILITIES MAINTENANCE FOR FACILITIES LOCATED WITHIN PUBLIC EASEMENTS.
 - G. PUBLIC PARK SITE MAINTENANCE (LOT 7).
 - H. PUBLIC STAGING AREA MAINTENANCE (LOT 9) INCLUDING ROADWAY, PARKING, AND RESTROOMS.
 - I. MAINTENANCE OF ALL BOUNDARY FENCING WITHIN LOT G AND LOT H, ARE BEING PROVIDED BY COUNTY SERVICE AREA ZONE 132 IN AREA 222.
4. COVENANTS, CONDITIONS & RESTRICTIONS FOR STERLING POINTE ESTATES ARE BEING RECORDED CONCURRENTLY HERewith IN DOCUMENT NO. 97-31168 PLACER COUNTY OFFICIAL RECORDS.
5. THAT PORTION OF LOT 14A WITHIN THE BOUNDARY OF THIS SUBDIVISION HAS BEEN ABANDONED BY PLACER COUNTY PER INSTRUMENT NO. 97-31168 PLACER COUNTY OFFICIAL RECORDS.
6. LOT 14 IS BEING CONVEYED TO THE HOMEOWNER'S ASSOCIATION CONCURRENTLY WITH THE RECORDING OF THIS MAP IN INSTRUMENT # 97-31168 PLACER COUNTY OFFICIAL RECORDS.
7. LOT G IS BEING CONVEYED TO THE COUNTY OF PLACER CONCURRENTLY WITH THE RECORDING OF THIS MAP IN INSTRUMENT # 97-31168 PLACER COUNTY OFFICIAL RECORDS. MAINTENANCE BY CSA.
8. LOT F IS BEING CONVEYED TO THE COUNTY OF PLACER CONCURRENTLY WITH THE RECORDING OF THIS MAP IN INSTRUMENT # 97-31168 PLACER COUNTY OFFICIAL RECORDS. MAINTENANCE BY CSA.
9. A PRIVATE ROAD AND PUBLIC UTILITY EASEMENT FOR INGRESS AND EGRESS AND UTILITY PURPOSES OVER, ON, ACROSS AND UNDER LOT 14 (STERLING POINTE COURT), AND LOTS 53, 54, AND 44 AS DESIGNATED HEREON AS 'AREA K', SAID EASEMENT IS APPURTENANT TO THE JAMES PROPERTY (2847 D.R. 718), ALONG WITH A SLOPE EASEMENT APPURTENANT TO 'AREA K', INSTRUMENT NO. 97-31168, PLACER COUNTY RECORDS.

ABBREVIATIONS

- P.U.E. PUBLIC UTILITY EASEMENT
- S.E. SLOPE EASEMENT (PRIVATE)
- D.E. DRAINAGE EASEMENT (PRIVATE)
- M.O.E. REMAINING DRAINAGE EASEMENT
- S.E. OTHER EASEMENT
- S.O.N.A. SCENIC SETBACK AND NATURAL AREA EASEMENTS
- O.S. OPEN SPACE AND BIRCHMAN EASEMENT
- R.P.C. RECREATION PURPOSE EASEMENT
- P.S.E. PUBLIC SLOPE EASEMENT
- P.D.E. PUBLIC DRAINAGE EASEMENT
- P.E.E. PUBLIC EQUESTRIAN EASEMENT

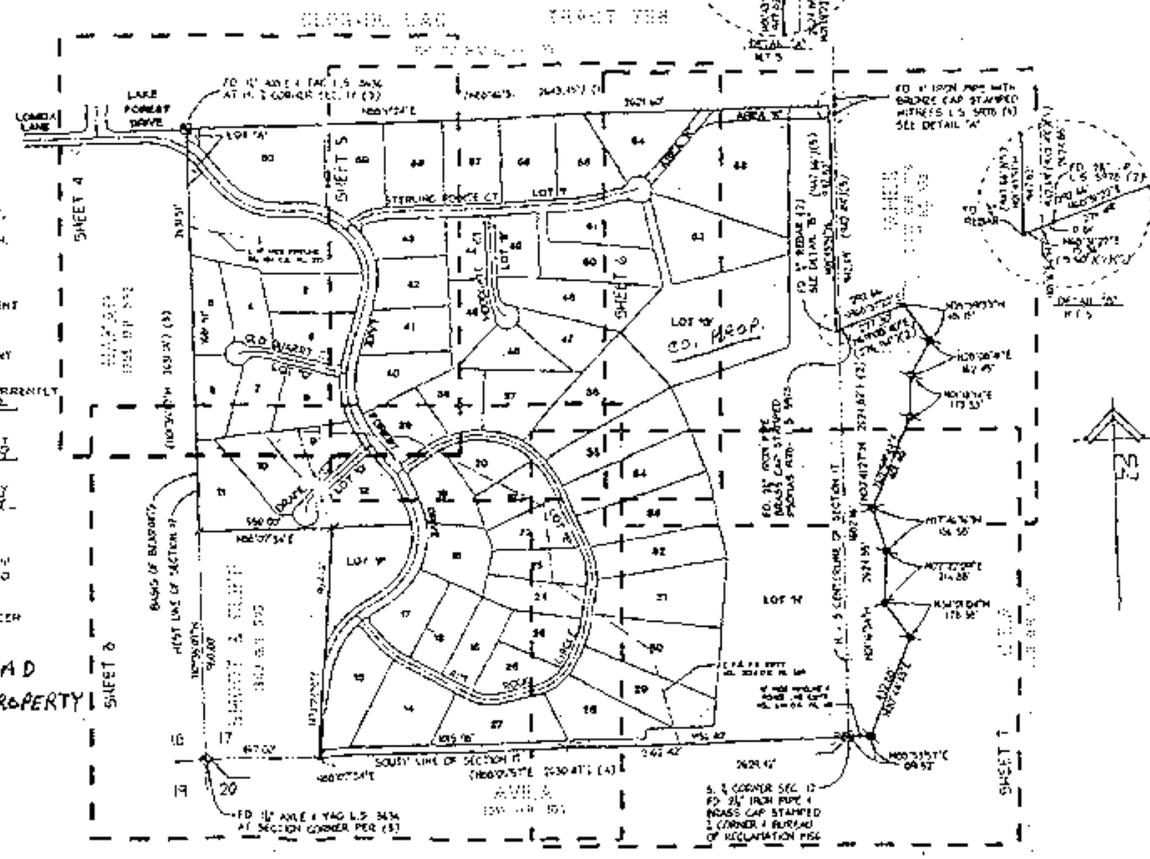
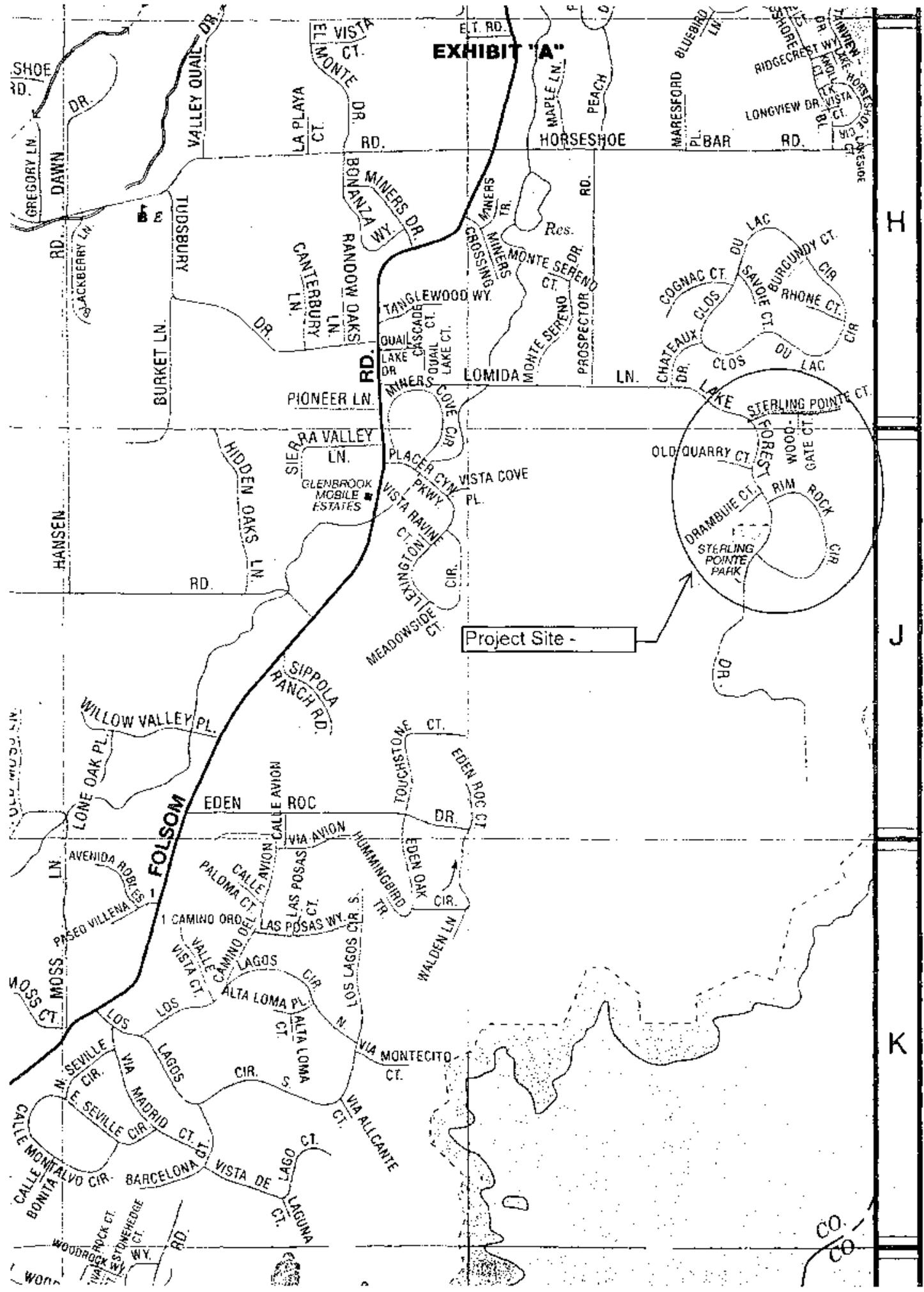


EXHIBIT "A"

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Project Site -

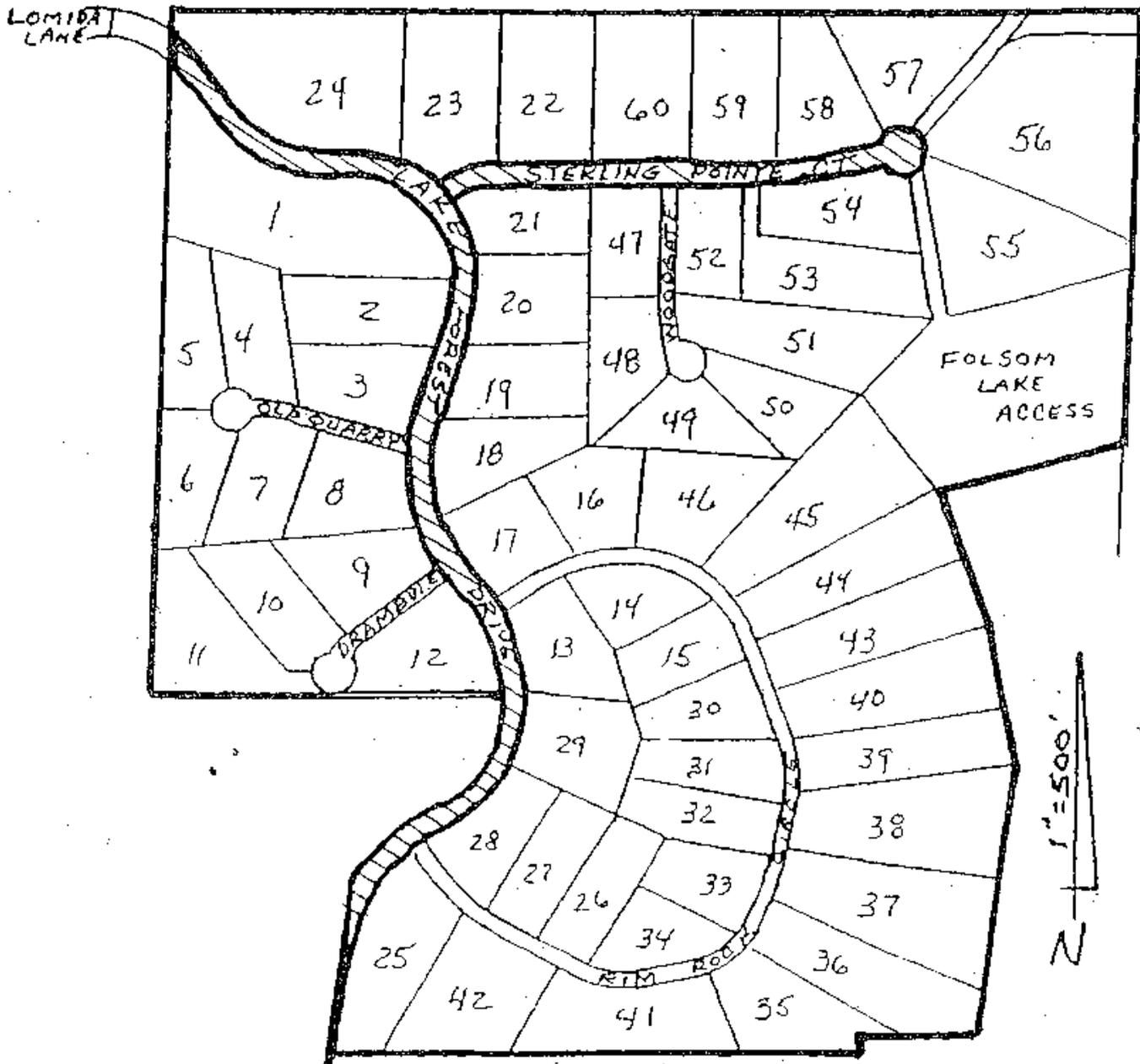
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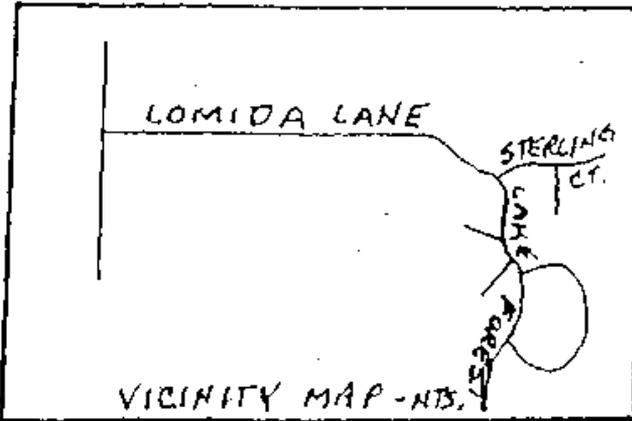
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EXHIBIT "B"



STERLING POINTE ESTATES
 ASSESSMENT DIAGRAM
 ZONE OF BENEFIT 132
 COUNTY SERVICE AREA 28
 PLACER COUNTY, CALIFORNIA

06094 CSA MAINTAINED ROAD



VICINITY MAP - NB.

NOTICE OF PUBLIC HEARING

BY WHOM: PLACER COUNTY BOARD OF SUPERVISORS

WHERE: County Administrative Center
Board of Supervisors' Chambers
175 Fulweiler Avenue
Auburn, California

WHEN: May 12, 2009 at 10:00 A.M.

PURPOSE: NOTICE IS GIVEN that the Placer County Board of Supervisors will hold a public hearing to consider a Resolution to approve the amendment of the Sterling Pointe Estates CSA28, Zone of Benefit 132 in the Loomis area. This action is in response to a petition brought by the property owners within the Sterling Point Estates requesting that road rehabilitation and storm drainage maintenance services currently provided to Lake Forest Drive be expanded to include the same services for Sterling Point Court. For further information call Marla Holveck at (530) 745-7563 during normal business hours

Interested persons are invited to attend the hearing or submit their written comments to the Clerk of the Board of Supervisors, 175 Fulweiler Avenue, Auburn, CA 95603 prior to the hearing date.

Ann Holman
Clerk of the Board of Supervisors

PUBLISH: