

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS**

Date: **JUNE 9, 2009**

From: **JD JAMES DURFEE / ALBERT RICHIE**

Subject: **PUBLIC HEARING FOR THE GRANITE BAY PARKS, TRAILS AND OPEN SPACE ASSESSMENT DISTRICT**

ACTION REQUESTED / RECOMMENDATION: Conduct a Public Hearing to consider the adoption of a Resolution approving the Engineer's Report, confirming diagram and assessment and ordering levy of assessment for Fiscal Year 2009-2010 for the Granite Bay Parks, Trails and Open Space Assessment District.

BACKGROUND: The Granite Bay Parks, Trails and Open Space Assessment District "District", is a voter approved assessment district formed under the Lighting and Landscape Act of 1972. This District provides funding for maintenance, administration and improvements of County owned and/or managed recreational facilities and properties in the Granite Bay area.

On March 10, 2009, your Board adopted Resolution 2009-49 directing the preparation of the Engineer's Report for the District and initiating the assessment process for the 2009-2010 Fiscal Year. On May 12, 2009, your Board adopted a Resolution of Intent To Levy Assessments for the 2009-2010 Fiscal Year (Resolution No. 2009-105). The third step in levying assessments for upcoming fiscal year is to conduct a Public Hearing to consider the adoption of a Resolution of approving the Engineer's Report, confirming the diagram and assessment, and ordering the levy of assessments. This report is available for review at the Clerk of the Board's office.

ENVIRONMENTAL CLEARANCE: This is an administrative action required pursuant to State law. As such, it is not a separate project and is not subject to further environmental review.

FISCAL IMPACT: The assessment for the current fiscal year is \$65.86 per benefit unit. The proposed assessment for 2009-2010 will increase by \$1.80 per benefit unit resulting in a total assessment amount of \$67.66 per benefit unit within the District boundaries. It is anticipated the assessment revenue will total \$535,258 for the 2009-2010 Fiscal Year. This assessment revenue will fund maintenance, administration and improvements within the District.

AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARD'S OFFICE: **ENGINEER'S REPORT**

JD:AR:DB

ATTACHMENT: **RESOLUTION**

CC: **COUNTY EXECUTIVE OFFICE**

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

In the matter of: A RESOLUTION APPROVING
ENGINEER'S REPORT, CONFIRMING DIAGRAM
AND ASSESSMENT AND ORDERING LEVY OF
ASSESSMENT FOR FISCAL YEAR 2009-2010
FOR THE GRANITE BAY PARKS, TRAILS AND
OPEN SPACE ASSESSMENT DISTRICT

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 _____, 2009 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

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

1. By its Resolution No. 2001-333, this Board ordered the formation of and levied the first assessment within the Granite Bay Parks, Trails and Open Space Assessment District (the "Assessment District") for fiscal year 2002-2003, pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof) (the "District").
2. By its Resolution No. 2009-49, this Board designated SCI Consulting Group as Engineer of Work and ordered the preparation of an Engineer's Report for the Granite Bay Parks, Trails and Open Space Assessment District for fiscal year 2009-2010.
3. Pursuant to said Resolution, the Engineer's Report was prepared by SCI Consulting Group, Engineer of Work, in accordance with 22565, et seq., of the Streets and Highways Code (the "Report") and Article XIID of the California Constitution; The Report has been made, filed with the Clerk of the Board and duly considered by the Board and is hereby deemed sufficient and approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

4. On June 9, 2009 at 9:30 a.m. in the Chambers of the Placer County Board of Supervisors, 175 Fulweiler Avenue, Auburn, California, a hearing was held by this Board on the question of the levy of the proposed assessment, notice of which hearing was given as required by law.
5. At the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.
6. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
7. The assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2009-2010 is hereby levied and the diagram and assessments included in the Engineer's Report are hereby confirmed. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Report.

