

# MEMORANDUM

DEPARTMENT OF PUBLIC WORKS  
County of Placer

TO: BOARD OF SUPERVISORS  
FROM: KEN GREHM/BOB COSTA  
SUBJECT: **DISSOLUTION OF ZONE OF BENEFIT NO. 172 IN COUNTY SERVICE AREA 28 (MANDARIN HILL ESTATES)**

DATE: March 2, 2010

---

## ACTION REQUESTED / RECOMMENDATION

The Board is requested to take the following actions with regard to dissolution of County Service Area 28 (CSA28) Zone of Benefit 172 (Zone 172);

- a. Conduct a public hearing;
- b. Consider the Petition by landowners for Dissolution;
- c. Adopt a Resolution of Intention setting a public hearing to consider the elimination of said extended services within the Mandarin Hill Estates subdivision and to cease all related charges.

## BACKGROUND

Zones of Benefit are created within County Service Area (CSA) No. 28 to fill the services funding gap between general County services and extended services. Zone of Benefit No. 172 includes nine (9) residential lots on approximately 45 acres, within the Mandarin Hill Estates subdivision in the Penryn area. It was established on April 9, 2002 to provide long term road rehabilitation, storm drain maintenance, and maintenance of a fire suppression system.

A Petition for Dissolution, signed by all of the current property owners, has been received by the County, requesting the abolishment of the Zone of Benefit and relinquishment of all responsibilities for extended services and maintenance, as specified in the Engineers Report, to the Mandarin Hill Homeowner's Association (HOA). The County has been provided with documentation that identifies and supports alternative means for the private maintenance of the subdivision road, storm drainage facilities, and an agreement for the maintenance of the fire suppression system has been established between the HOA and the Penryn Fire Protection District. Abandonment of the public road easement and removal from the County Maintained Mileage will be an action requested of your Board should you approve elimination of these extended services.

In accordance with the California Government Code 25217.2 describing the process to be followed in order to dissolve a Zone of Benefit, your Board's consideration of this request necessitates the adoption of a Resolution of Intention to fix a time and place for a hearing to consider the question of eliminating these extended services.

## ENVIRONMENTAL CLEARANCE

This proposed action is not a project as defined in Section 15378 of the California Environmental Quality Act (CEQA) and is exempt from CEQA requirements.

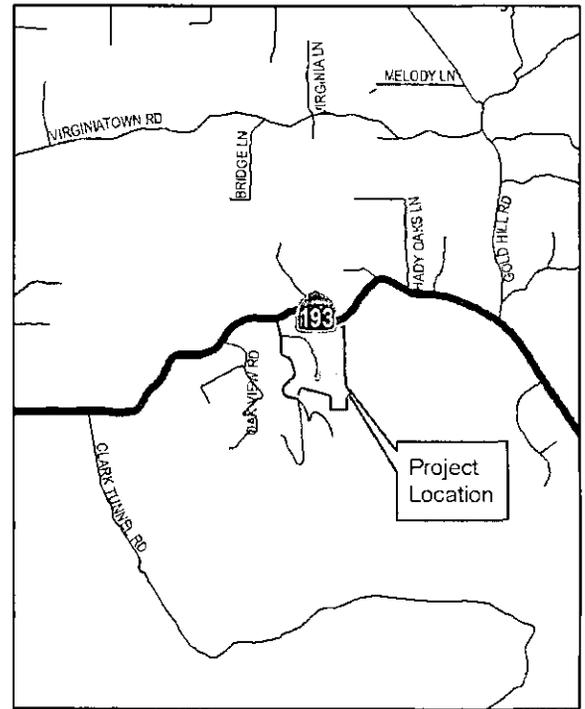
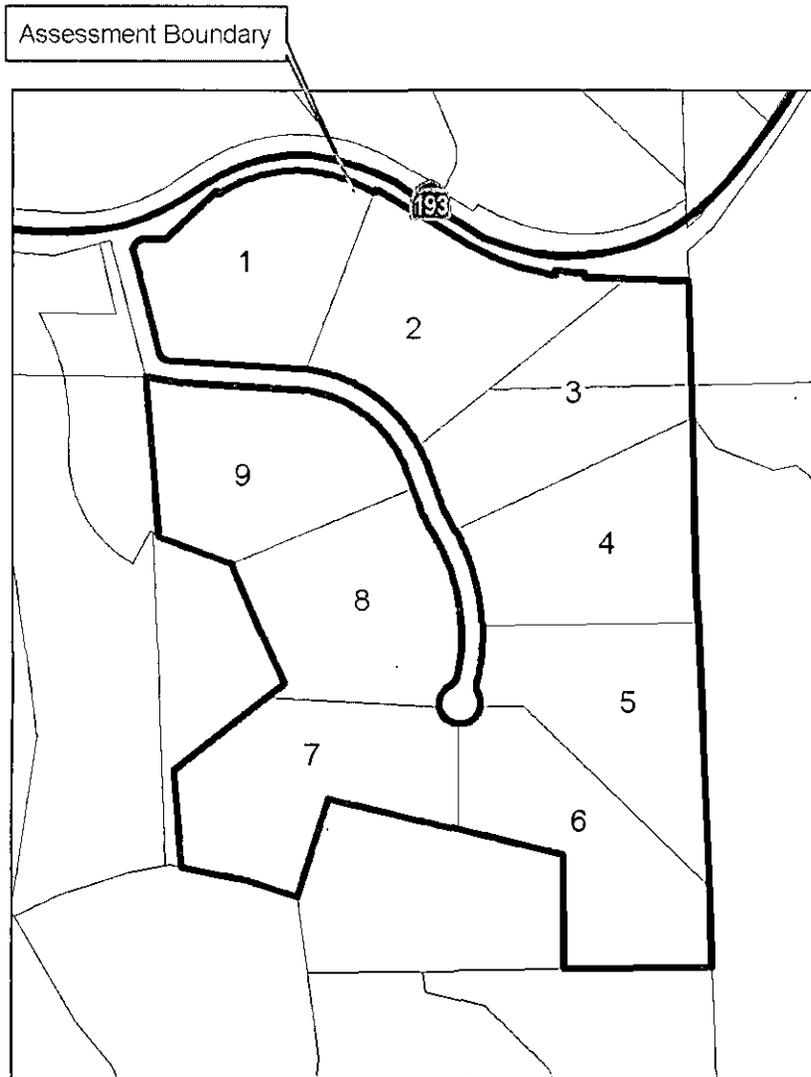
## FISCAL IMPACT

The requested action will have no fiscal impact. County extended services provided under the CSA are fully funded through the charges levied to the land owners; therefore, there would be no impact to County Road or General Funds, if such services were eliminated. Disposition of the current fund balance of approximately, \$43,470 will be addressed upon your Board's consideration of the elimination of these extended services and related charges.

Attachments: Resolution  
Petition for Dissolution  
Map

265

**MANDARIN HILL ESTATES SUBDIVISION**  
**ASSESSMENT DIAGRAM**  
ZONE OF BENEFIT 172  
COUNTYSERVICE AREA No. 28



**Vicinity Map**  
Not to Scale



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

In the matter of: A RESOLUTION OF  
INTENTION TO DISSOLVE COUNTY  
SERVICE AREA 28 ZONE OF BENEFIT  
NO. 172 WITHIN MANDARIN HILL  
ESTATES SUBDIVISION, AND  
SCHEDULING A PUBLIC HEARING TO  
CONSIDER ELIMINATION OF  
EXTENDED SERVICES AND  
ASSOCIATED CHARGES.

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, a condition of approval for Mandarin Hill Estates was the creation of a funding mechanism to provide long-term road rehabilitation, storm drain maintenance, and fire suppression system maintenance services for the benefit of the properties within the subdivision; and

WHEREAS, the current owners of record of said subdivision parcels have petitioned County for dissolution of County Service Area 28, Zone of Benefit 172; and

**WHEREAS, the Mandarin Hill Estates Homeowner's Association is willing to assume responsibility for all services currently provided by County and funded through Zone of Benefit 172; and**

**WHEREAS, the County Board of Supervisors is willing to consider the dissolution of Zone of Benefit 172, providing there is adequate land owner support, that acceptable substitute means are provided for continuation of maintenance services, and that there is an abandonment of public highway easement on subdivision streets.**

**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 set a public hearing to consider the matter of eliminating extended services and the dissolution of Zone of Benefit No. 172 within County Service Area No. 28, on April 20, 2010, at 9:00am, in the Board of Supervisors Chambers located at 175 Fulweiler Avenue, Auburn, California.**

PETITION TO DISSOLVE  
COUNTY SERVICE AREA 28, ZONE OF BENEFIT 172

Whereas Zone of Benefit No. 172 ("ZOB No. 172"--Mandarin Hills Estates) consists of nine residential lots as is shown on Exhibit A, attached hereto, and was created on April 9, 2002, for the purpose of providing funding for the costs of the following extended County services: maintaining a fire suppression system, road rehabilitation and storm drain maintenance, and

Whereas, the owners of all of the parcels property within ZOB No. 172 no longer wish the County provide the aforementioned services or to be assessed by the County for the costs of providing said services ZOB No. 172 and are willing to assume responsibility for providing the aforementioned services through their existing homeowners association,

Now, therefore, the undersigned, consisting of 100% of the owners of property within ZOB No. 172 hereby petition the Placer County Board of Supervisors as follows:

- a) That the Board adopts a resolution to dissolve ZOB No. 172 effective as of the earliest possible date, subject to the conditions set forth in Section (b), below.
- b) That the dissolution of ZOB No. 172 shall not be effective until proof of compliance with the following conditions has been submitted to the County: (a) The CCRs for the Mandarin Hill Homeowner's Association have been amended to provide that the Homeowner's Association assumes full responsibility for maintaining a fire suppression system, road rehabilitation and storm drain maintenance, (b) The property owners have agreed to assess themselves for the costs thereof, and (c) An agreement for the maintenance of the fire suppression system has been entered into between the Mandarin Hill Homeowner's Association and the Penryn Fire Protection District.
- c) That all services being provided by the County to the property within ZOB No. 172 be discontinued as of the effective date of the resolution of dissolution.
- d) That imposition of all benefit assessments imposed upon each parcel of property within ZOB No. 172 to fund the costs of the County maintaining a fire suppression system, road rehabilitation and storm drain maintenance be discontinued as of first new secured property assessment roll after the effective date of the resolution of dissolution.
- e) That upon dissolution and after payment of all costs of administration and services for ZOB No. 172, any unexpended funds collected by the County to provide the aforementioned services be disbursed to the Mandarin Hills Homeowner's Association to be held and utilized solely for the purpose of providing those services.
- f) That the Board of Supervisors considers the adoption of a resolution to dissolve at a hearing in accordance with Government Code section 25210.39b.

Signed: Steven P. Ossher  
STEVEN P. OSSHER, Trustee, under the OSSHER  
FAMILY LIVING TRUST, dated July 18, 2008 (Lot 3)

Dated: 11/09/09

Signed: Jana M. Arbanas  
JANA M. ARBANAS, Trustee, under the OSSHER  
FAMILY LIVING TRUST, dated July 18, 2008 (Lot 3)

Dated: 11/9/09

Signed: Steve Mehalakis  
Steve Mehalakis (Lots 1,6,7,8 & 9)

Dated: 11/13/09

Signed: Maria Mehalakis  
Maria Mehalakis (Lots 1,6,7,8 & 9)

Dated: 11/13/09

Signed: Kyriakos Kambanis  
Kyriakos Kambanis (Lots 2, 4 & 5)

Dated: 11/13/09

