

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS

DATE: November 8, 2011

FROM: KEN GREHM/^{XD}BOB COSTA

SUBJECT: DISPOSITION OF FUNDS- ZONE OF BENEFIT NO. 71 IN COUNTY SERVICE AREA 28 (PLACER CANYON SUBDIVISION)

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution authorizing the Director of Public Works to execute an Agreement with the Placer Canyon Homeowners Association for the disposition of unexpended funds within County Service Area 28, Zone of Benefit 71.

BACKGROUND

County Service Area (CSA) 28, Zone of Benefit (ZOB) 71, was established in 1987 to provide funding for long-term maintenance and rehabilitation of public roads, streetlighting, drainage systems, and common area landscaping within the Placer Canyon Subdivision. This subdivision consists of 64 lots and is located on Auburn-Folsom Road in the Loomis area.

In 1991, the Placer Canyon Homeowners Association (HOA) requested abandonment of the subdivision's public roads so that a gated entry could be established. Your Board approved the abandonment of public road easements on September 10, 1991, by Resolution 91-298, but also reserved an Irrevocable Offer of Dedication (IOD) on Placer Canyon Parkway and over subdivision "Lot A" for its possible future extension to provide access to other properties and facilitate future traffic circulation. The HOA subsequently assumed responsibility for maintenance services previously funded through the CSA Zone of Benefit, and collection of annual assessments was suspended. However, the CSA remains active, with annual assessments calculated but not collected, for the eventuality that Placer Canyon Parkway is extended and accepted for public use and maintenance. Acceptance of the IOD would also necessitate removal of the gated access.

CSA ZOB funds collected by the County prior to the Placer Canyon HOA's assumption of maintenance remain in the account have continued to earn interest. Only the 43 lots within Placer Canyon Unit 1 were assessed and paid CSA assessments. Unit 2, consisting of 21 lots, was sold and renamed Miners Cove Subdivision. Both subdivisions are included in CSA ZOB 71. Since the County is not currently providing extended public services funded through this CSA ZOB, the Placer Canyon (Unit 1) HOA has requested that these funds be released to them. The current fund balance is approximately \$50,000. Per requirements of the Government Code, funds collected through the CSA ZOB must be used for the specific purposes for which they were assessed and collected. To ensure that outcome, it is requested that your Board authorize the Director of Public Works to work with County Counsel to prepare and execute an agreement with the Placer Canyon HOA, addressing the management and use of the balance of the account funds, including interest accrued.

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 not currently being provided within this CSA ZOB. Funds previously collected for such services continue to earn interest, but the account also incurs annual administrative charges. CSA ZOB assessments would resume if/when Placer Canyon Parkway is accepted for public use and maintenance. If approved by your Board, an agreement will be prepared between the County and Placer Canyon HOA as to the disbursement and utilization of any unexpended funds, less all costs of fund administration.

Attachments: Resolution
Map

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

In the matter of:

Resol. No: _____

**AUTHORIZING THE PUBLIC WORKS
DIRECTOR TO PREPARE AND EXECUTE
AN AGREEMENT WITH THE PLACER
CANYON SUBDIVISION HOMEOWNERS
ASSOCIATION FOR DISPOSITION OF
UNSPENT COUNTY SERVICE AREA 28
ZONE OF BENEFIT NO. 71 FUNDS.**

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, County Service Area 28, Zone of Benefit 71 (ZOB 71) was established by Resolution 87-144 to provide a funding mechanism for extended public services including long-term road rehabilitation, street lighting, storm drain maintenance, and landscape maintenance within the Placer Canyon Subdivision, as shown on the attached "Exhibit A"; and

WHEREAS, the Placer County Board of Supervisors, in 1991, approved the abandonment of public road easements within this subdivision by Resolution 91-298, but reserved an

PLACER CANYON – COUNTY SERVICE AREA 28 ZONE 71

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Resol No. _____

Irrevocable Offer of Dedication for Placer Canyon Parkway and subdivision "Lot A" for future access and traffic circulation; and

WHEREAS, upon said road easement abandonment, the Placer Canyon Homeowners Association assumed responsibility for the extended public services then being funded through ZOB 71; and

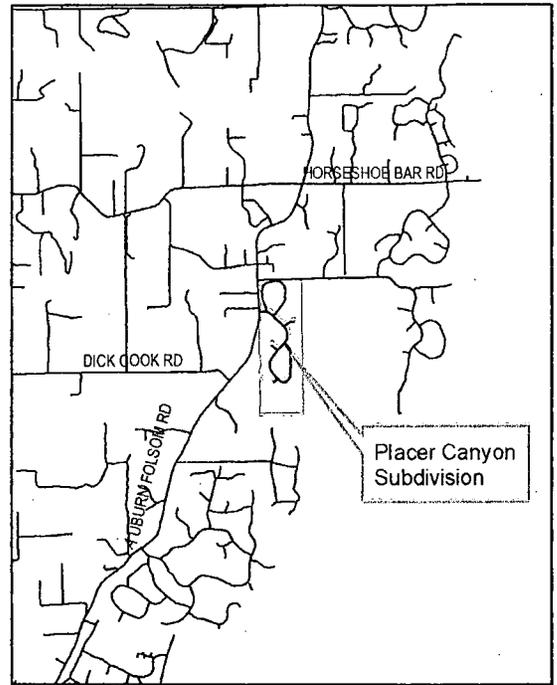
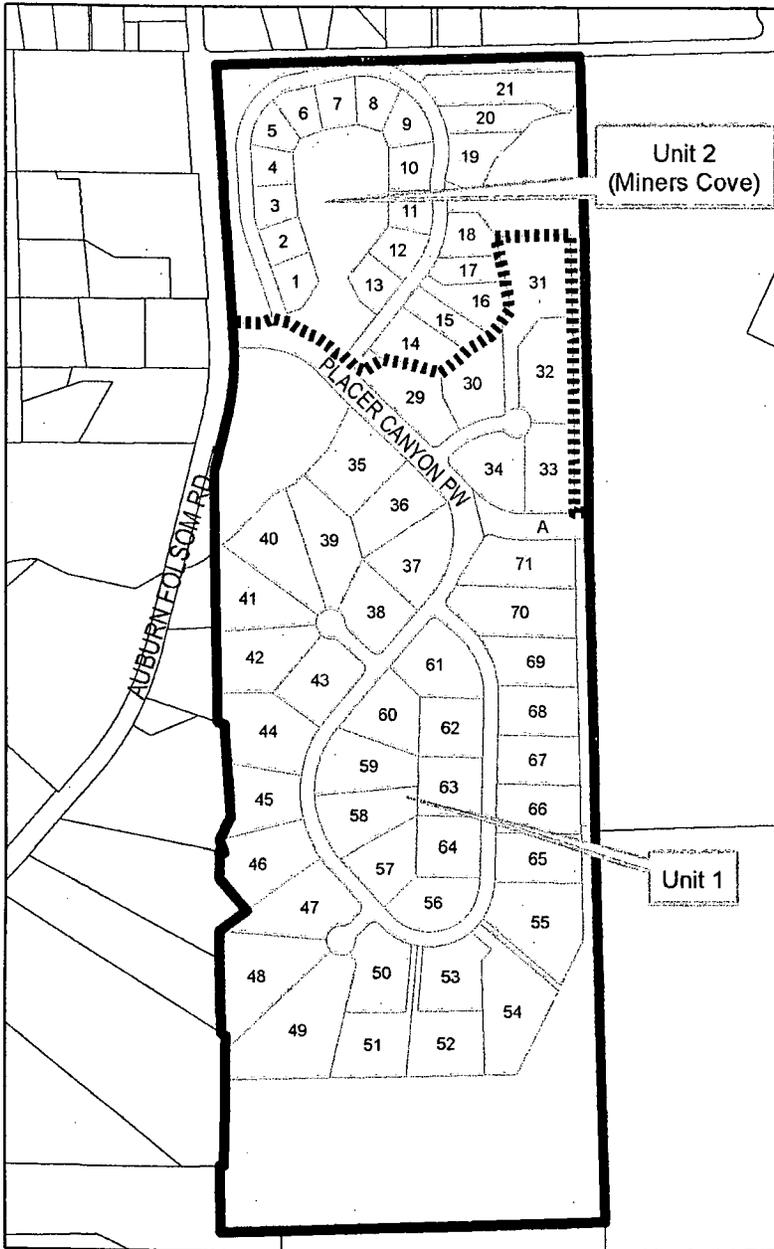
WHEREAS, annual charges authorized for Zone 71 were levied and funds collected to provide for said extended public services, between Tax Years 1987-1988 and 1992-1993; and

WHEREAS, ZOB 71 remains active, but collection of assessments suspended, until such time that authorized extended public services are resumed by County; and

WHEREAS, the Placer Canyon Homeowners Association has requested the return of unspent funds held for ZOB 71 extended services;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Placer, State of California that the Board directs and authorizes the Director of Public Works to prepare and execute an agreement with the Placer Canyon Homeowner's Association for the disposition of unspent Zone of Benefit 71 funds, consistent with requirements of Government Code Section 25217.

Placer Canyon Subdivision CSA 28, Zone of Benefit 71



Vicinity Map
Not to Scale



