

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

To: **BOARD OF SUPERVISORS**

Date: **OCTOBER 23, 2012**

From:  **JAMES DURFEE/MARK RIDEOUT**

Subject: **ANNEXATION OF AMERICAN VINEYARD VILLAGE INTO ZONE OF BENEFIT NO. 169**

ACTION REQUESTED/RECOMMENDATION:

1. Conduct a public hearing, consider all protests, tabulate ballots, and adopt a Resolution annexing American Vineyard Village into Zone of Benefit 169 (Dry Creek Park Area) and impose a charge for park maintenance, trail maintenance, landscape median maintenance, administration and park and trail development services for all parcels that are or will be a part of the American Vineyard Village Project. There is no net county cost associated with this action.

BACKGROUND: Zones of benefit are created within the County-wide County Service Area No. 28 to fill the services funding gap between general County services and special services. Zone of Benefit 169 (Dry Creek Park Area) was created to fund park maintenance, trail maintenance, median landscape maintenance, administration and park and trail development services for the area of the Community Facilities District No. 2001-1. Conditions of Approval for the American Vineyard Village Subdivision Project require that it annex into Zone 169, and pay its share of the costs to maintain public recreation facilities through a per parcel and/or dwelling unit charge.

The American Vineyard Village Subdivision is located at 1671 Vineyard Road west of Foothills Boulevard (APN 473-030-016-000), and is tentatively approved for 139 residential units on 19.2 acres (Entitlements: PSUB 20050013/PSM 20100148). Phase 1 (Tract No. 994) creates 15 residential lots, common area lots and a remainder parcel. Phase 2 (Tract No. 998) creates 63 Lots, common areas and a remainder parcel. A Phase 3 of the Project will record at a later date, subdividing the Phase 2 remainder parcel. The Project is described in the attached Exhibit A and depicted in the attached Exhibit B. A depiction of the entire Zone of Benefit 169, including subject Project, is depicted in the attached Exhibit C.

Pursuant to Proposition 218, the property owners of record for American Vineyard Village have signed a ballot approving the annual charge to maintain public recreation facilities. Based on a detailed engineer's report, prepared by a registered professional engineer, this charge is \$575.28 per parcel and/or dwelling unit for existing parcels as well as each new parcel and/or dwelling unit created within the Project area as final maps are recorded. In lieu of receipt of mailed notice of this hearing, the owners have executed waivers. Your Board is required to conduct a Public Hearing to consider all protests and tabulate the ballots, and to adopt a Resolution to impose the parcel/dwelling unit charge.

ENVIRONMENTAL CLEARANCE: This is an administrative action required pursuant to the conditions of approval for this Subdivision. As such, it is not a project pursuant to CEQA and is not subject to further environmental review.

FISCAL IMPACT: The \$575.28 charge will be levied on each existing American Vineyard Village parcel/dwelling unit and each new parcel created by each new final map. The addition of parcels from American Vineyard Village will also reduce the assessment for all existing parcels within Zone 169 from the present charge of \$582.48 per year, to the new charge of \$575.28 per year. There is no net county cost associated with this action.

The ballot signed by the owners of record also allows an annual cost of living increase to this charge. This increase is calculated using the State of California San Francisco/Oakland/San Jose Metropolitan Area Consumer Price Index for All Urban Consumers, and shall not to exceed five percent in any one year.

JD/MR

CC: COUNTY EXECUTIVE OFFICE

ATTACHMENT: RESOLUTION
EXHIBITS A, B, & C

T:F/BOS2012/AMERICAN VINEYARDS VILLAGE CSA.DOC

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

In the matter of: A RESOLUTION
ANNEXING THE AMERICAN VINEYARD VILLAGE
SUBDIVISION INTO CSA 28 ZONE OF BENEFIT
169 AND ESTABLISHING A CHARGE ON
PARCELS WITHIN SAID ZONE

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

Chair, Board of Supervisors

WHEREAS, a condition of approval of the American Vineyard Village Subdivision (PSUB 20050013/PSM 20100148) requires the annexation into existing County Service Area 28, Zone of Benefit 169 to provide certain services for the benefit of properties within the Subdivision; and,

WHEREAS, a condition of approval for the American Vineyard Village Subdivision was the imposition of fees to provide certain park maintenance, trail maintenance, open space maintenance, median landscape maintenance, administration and park and trail development services for the benefit of the properties within the Subdivision; and,

WHEREAS, the owners of record of said Subdivision have consented to the imposition of fees for said Subdivision to satisfy the conditions to obtain a final map for the project; and,

WHEREAS, the owners of record of the properties have approved ballots to set a charge on parcels and dwelling units within said Subdivision; and,

WHEREAS, the Board finds that said ballots constitute unanimous approval of the charge by the property owners within said Area of Zone of Benefit after proper notice has been given of the right to protest.

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 annex into Zone of Benefit No. 169 (Dry Creek Park Area) within County Service Area No. 28 that property as described in Exhibit A for the American Vineyard Village Subdivision, which Zone shall provide certain park maintenance, trail maintenance, median landscape maintenance, administration and park and trail development services for the benefit of the properties within the Subdivision.

The Board of Supervisors does hereby establish 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., a charge against APN 473-030-016-000 and against each parcel within Zone of Benefit No. 169 that may now exist or which may be created by any final map of the American Vineyard Village Subdivision (PSUB 20050013/PSM 20100148), in the amount no greater than \$575.28 (calculated for the 2012/13 fiscal year) per parcel/dwelling unit plus the application of any modification in the Consumer Price Index described herein. Said charge shall commence with the 2013-2014 fiscal 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 2013-2014 fiscal year, which shall not exceed 5% in any one year.

Attachment: Exhibit A

EXHIBIT 'A'

ANNEXATION TO PLACER COUNTY SERVICE AREA NO. 28 ZONE #169 DRY CREEK PARK AMERICAN VINEYARD VILLAGE

ALL THAT REAL PROPERTY situated in the County of Placer, State of California and being located in Section 10, Township 10 North, Range 6 East, M.D.M. and also being all of Lot 26 and a portion of Lot 27 as shown on the "Map of the Hicken Tract", filed for record in the office of the Recorder of Placer County on November 1, 1900 in Book A of Maps, at Page 31 and also being a portion of that certain tract of land described in a Grant Deed to John M. Mourier Construction, Inc., a California Corporation, filed for record in the office of the Recorder of said County on July 23, 2010 in Document No, 2010-0055810-00. More particularly described as follows:

COMMENCING at the Northwest corner of said Section 10; thence along the North line of said Section 10, North 89° 22' 51" East, 1337.88 feet to the Northwest corner of said "Lot 26"; thence leaving said North line along the West line of said Lot 26, South 00° 24' 29" East, 15.00 and true POINT OF BEGINNING of this description; thence from said POINT OF BEGINNING along the South line of that property granted to the City of Roseville per Instrument No. 2012-0082617 the following seven (7) courses and distances;

- 1) North 89° 22' 51" East, 14.86 feet;
- 2) South 87° 55' 06" East, 213.78 feet,;
- 3) Along the arc of a tangent curve to the right having a radius of 37 feet, a central angle of 68° 19' 16", subtended by a chord bearing and distance of South 53° 45' 28" East, 41.55 feet;
- 4) North 89° 22' 51" East, 80.37 feet, to a point of curvature;
- 5) Along the arc of a non-tangent curve to the right having a radius of 37 feet, a central angle of 69° 25' 48", subtended by a chord bearing and distance of North 54° 39' 57" East, 42.14 feet;
- 6) North 89° 22' 51" East, 86.60 feet;
- 7) North 78° 59' 31" East, 61.00 feet

to a point in the West line of that certain parcel of land described in a Grant Deed to Erico J. Orsi, Jr., filed for record in the office of the Recorder of said County on January 31, 1986 in Book 2924 of Official Records, at Page 0621; thence along said West line and the prolongation thereof, South 00° 43' 32" East, 179.40 feet; thence along the South line of that same said parcel of land, and the prolongation thereof, North 89° 27' 47" East, 137.30 feet to a point on the East line of said "Lot 27"; thence along the East line of said "Lot 27", South 00° 19' 22" East, 1126.70 feet to the Southeast corner of said "Lot 27"; thence along the South line of said "Lot 27" and said "Lot 26" respectively, South 89° 24' 21" West, 659.88 feet to the Southwest corner of said "Lot 26"; thence along the West line of said "Lot 26", North 00° 24' 29" West, 1306.00 feet to the POINT OF BEGINNING.

Said property contains 19.10 acres, more or less.

EXHIBIT 'C'

THE CREATION OF PLACER COUNTY SERVICE AREA NO. 28, ZONE OF BENEFIT NO. 169

ADDENDUM NO. 2 - ANNEX AMERICAN VINEYARD VILLAGE TO PLACER COUNTY SERVICE AREA NO. 28, ZONE OF BENEFIT 169

