

MEMORANDUM

**DEPARTMENT OF PUBLIC WORKS
County of Placer**

TO: BOARD OF SUPERVISORS **DATE:** August 4, 2009
FROM: KEN GREHM/BOB COSTA *KG*
SUBJECT: **STERLING POINTE ESTATES PERMANENT ROAD DIVISION (PRD #8)
ESTABLISHMENT OF ANNUAL CHARGES**

ACTION REQUESTED / RECOMMENDATION

Conduct a Public Hearing, consider all protests, and receive election results regarding an annual assessment to provide services within Placer County Permanent Road Division No.8, and consider Adopting a Resolution establishing annual charges for the authorized services of \$211 per parcel for the first year.

BACKGROUND / SUMMARY

On May 26, 2009 your Board approved Resolution # 2009-133 (see attached), forming Permanent Road Division (PRD), #8 – Sterling Pointe Estates for maintenance of specified roads. These roads are currently maintained by the subdivision Homeowner's Association. The PRD was formed at the request of the property owners to provide a stable funding source for road maintenance. The budget for the proposed PRD was decided through a cooperative effort of DPW and the property owners.

Pursuant to Proposition 218, a mail ballot was sent to each property owner within Permanent Road Division No. 8. The property owners were asked to approve by way of this ballot a charge of \$211 per parcel for the first year with an increase for inflation in accordance with the change in the State of California Consumer Price Index for All Urban Consumers of no more than 5% each year for all succeeding years. The Board cannot impose the fee if there is a majority protest. A majority protest exists if the ballots submitted in opposition to the fee exceed the ballots submitted in favor of the fee.

Your Board is being asked to conduct a Public Hearing to receive testimony and to consider the election results to be presented by the Clerk of the Board. If the assessment is approved by a majority of eligible voters, your Board may adopt a Resolution to approve the services and impose the PRD charges.

ENVIRONMENTAL

The requested action is categorically exempt from CEQA under Section 15301, existing facilities.

FISCAL IMPACT

This approval would not result in any fiscal impact to County funds. All costs, including administration and insurance costs would be included in the assessment to be placed on each parcel.

Attachments:

- Resolution
- Exhibit A – Resolution Approving Formation
- Exhibit B – Area of Benefit

A copy of the 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
APPROVING AND AUTHORIZING THE
CHAIRMAN TO ESTABLISH A CHARGE ON
ALL PARCELS WITHIN THE STERLING
POINTE ESTATES PERMANENT ROAD
DIVISION(PRD) NO.8

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 _____,
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, the Board of Supervisors authorized the formation of Permanent Road Division No. 8 on May 26, 2009 to provide the following services: drainage maintenance within public easements, asphalt patching and slurry seals for roads within the PRD; Rim Rock Circle, Old Quarry Court, Drambuie Court, and Woodgate Court; and

WHEREAS, the owners of record have received ballots to set a charge on parcels within said division and notice of a Public Hearing regarding the imposition of a fee; and

Resolution No. _____
STERLING POINTE ESTATES (PRD #8)
August 4, 2009
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WHEREAS, a Special Tax Election has been duly noticed and held in accordance with the California Streets and Highways Code Section 1173; and

WHEREAS, a majority of the eligible voters within PRD No. 8 have voted in the affirmative,

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

Hereby establishes, in conformance with Section 4 of the Article XIID of the California Constitution, a charge against each parcel within Permanent Road Division No. 8 in the amount \$211. Said charge shall commence with the 2009-2010 tax year. The assessment shall be \$211, as outlined in the applicable Engineer's Report, per year per parcel and adjusted annually thereafter, in accordance with the change in the State of California Consumer Price Index for All Urban Consumers for the previous calendar year of no more than 5%.

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

This approval does not commit any public funds to the maintenance of these roads and these roads are not accepted into the Maintained Mileage System.

EXHIBIT "A"

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

In the matter of: **A RESOLUTION APPROVING
AND AUTHORIZING THE CHAIRMAN TO
APPROVE FORMATION OF THE STERLING
POINTE ESTATES PERMANENT ROAD
DIVISION NUMBER 8**

Resol. No: 2009-133.....

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 May 26, 2009,

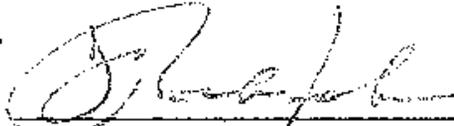
by the following vote on roll call:

Ayes: WEYGANDT, HOLMES, UHLER, MONTGOMERY, ROCKHOLM

Noes: NONE

Absent: NONE

Signed and approved by me after its passage.



Chairman, Board of Supervisors

**Attest:
Clerk of said Board**



WHEREAS, the residents of the proposed PRD have requested that the County provide certain maintenance work on the roads within the PRD; Rim Rock Circle, Old Quarry Court, Drambuie Court, and Woodgate Court; and

WHEREAS, it is recognized that the Board of Supervisors may form Permanent Road Divisions (PRD's) pursuant to Streets and Highways Code, Section 1160, et. seq. Which may be used to provide funding for local road maintenance to the benefit of property owners residing within a road division; and

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE TO THE COUNTY
ATTEST

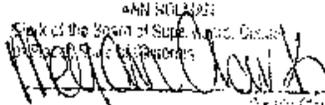
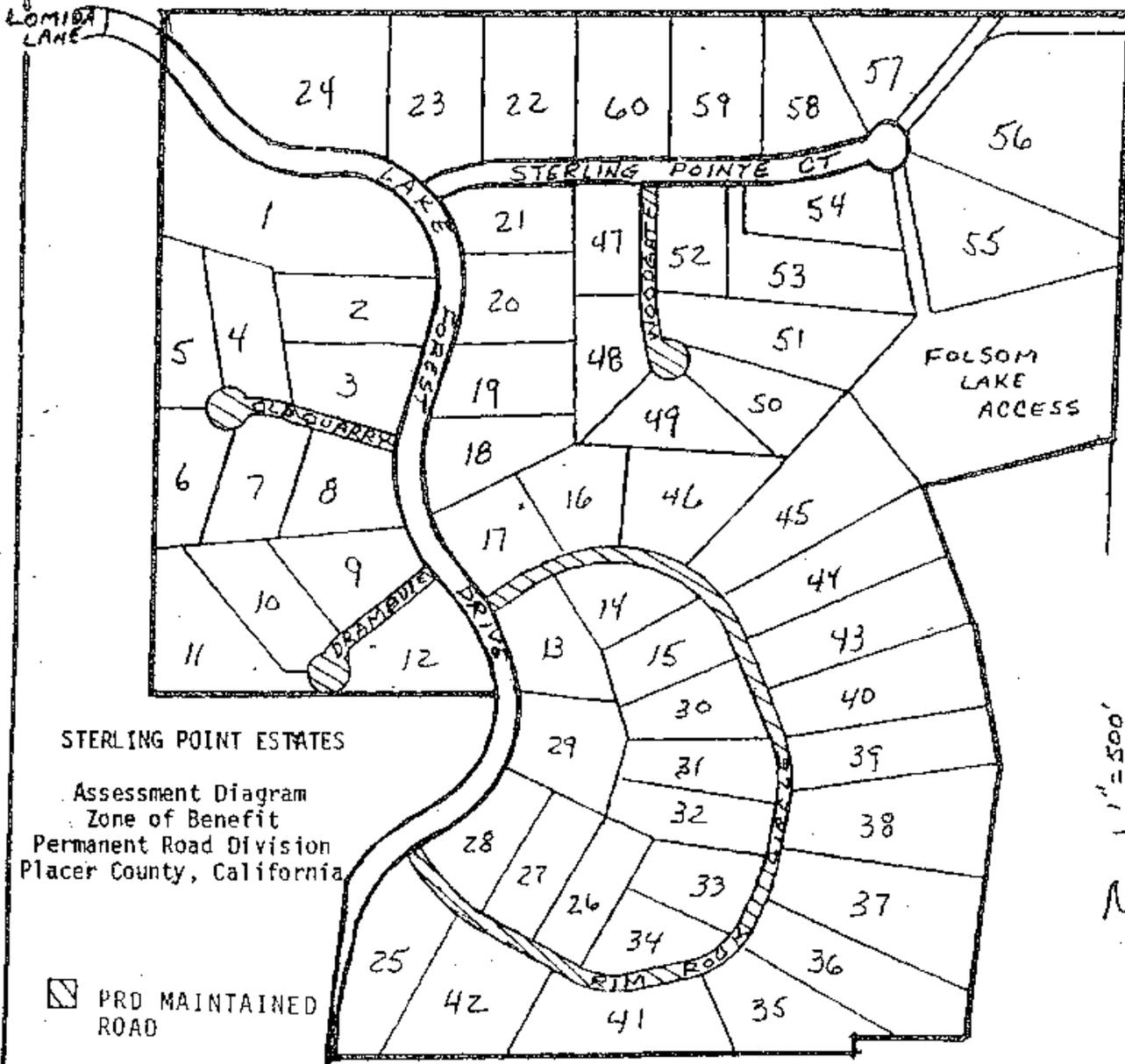
ANN HOLMANN
Clerk of the Board of Supervisors, County
of Placer, California


EXHIBIT "B"

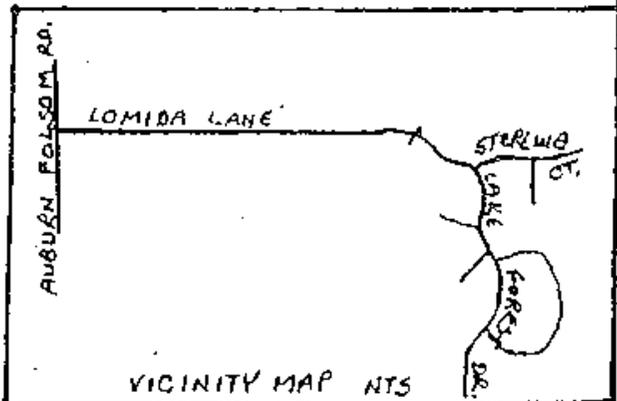


STERLING POINT ESTATES

Assessment Diagram
 Zone of Benefit
 Permanent Road Division
 Placer County, California

▨ PRD MAINTAINED ROAD

1" = 500'
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VICINITY MAP NTS

