

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS
County of Placer

TO: BOARD OF SUPERVISORS
FROM: KEN GREHM/BOB COSTA *KG BC*
SUBJECT: RETURN OF UNUSED FUNDS - ZONE OF BENEFIT NO. 153 IN COUNTY SERVICE AREA 28 (ATWOOD RANCH 2) DATE: December 10, 2013

ACTION REQUESTED / RECOMMENDATION

1. Adopt a Resolution authorizing the return of unused funds collected for maintenance of the Atwood Ranch Unit 2 subdivision stormwater detention basin, removed in 2007, within County Service Area 28, Zone of Benefit 153. There is no net County cost associated with this action.

BACKGROUND

County Service Area (CSA) 28, Zone of Benefit (ZOB) 153, was established in 2000 to provide funding for long-term maintenance and rehabilitation of roads, streetlighting, drainage systems, and a stormwater detention basin within the Atwood Ranch Unit 2 Subdivision. This subdivision consists of 32 lots and is located on Lariat Ranch Road in the north Auburn area.

The Atwood Ranch Unit 2 stormwater detention basin was removed in 2007, with construction of Atwood Ranch Unit 3. Through an oversight, the annual assessments levied through Zone of Benefit 153 were not adjusted to account for the no longer needed detention basin maintenance. Annual assessments were adjusted in FY 12/13 to discontinue collection of detention basin maintenance funds.

The Atwood Ranch Unit 2 Homeowners Association (HOA) has requested that the excess funds be returned to the current owners within the subdivision. Since some current lot owners may not have paid the annual ZOB assessments for all of the affected tax years, it is proposed that they be refunded only the amounts actually paid for the stormwater basin maintenance during their ownership. A public notice will be prepared to advise prior subdivision owners of a one-year opportunity to submit a claim for eligible refunds. Refunds are applicable only for the period between 2007 and 2012, beginning with removal of the stormwater basin and ending with the ZOB assessment reduction in FY 12/13. Any stormwater detention basin funds not returnable under this approach would be retained in the ZOB account for use on other authorized 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. Funds to be returned are limited to those assessed and collected, but not spent, for maintenance of the stormwater detention basin removed in 2007; no other authorized extended services will be impacted. The amount eligible for refund is approximately \$14,900. Individual refunds will vary from \$0 to \$466 per parcel, depending on the length of ownership.

Attachments: Resolution
Map

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

In the matter of:

Resol. No: _____

**AUTHORIZING THE REFUND OF UNSPENT
COUNTY SERVICE AREA 28 ZONE OF
BENEFIT NO. 153 FUNDS RELATING TO
THE ATWOOD RANCH 2 SUBDIVISION
STORMWATER DETENTION BASIN.**

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 153 (ZOB 153) was established by Resolution 2000-115 to provide a funding mechanism for extended public services including long-term road rehabilitation, street lighting, storm drain maintenance, and maintenance of a stormwater detention basin within the Atwood Ranch 2 Subdivision, as shown on the attached "Exhibit A"; and

WHEREAS, the stormwater detention basin for Atwood Ranch 2 was removed with construction of the Atwood Ranch 3 subdivision in 2007, and therefore no longer requires maintenance services; and

WHEREAS, the County's ZOB 153 account includes funds previously collected for detention basin maintenance which are no longer needed; and

WHEREAS, the Atwood Ranch 2 Homeowners Association has requested, on behalf of current subdivision owners, a refund of unspent ZOB 153 funds for detention basin maintenance;

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 initiate and implement a refund of unspent stormwater detention basin

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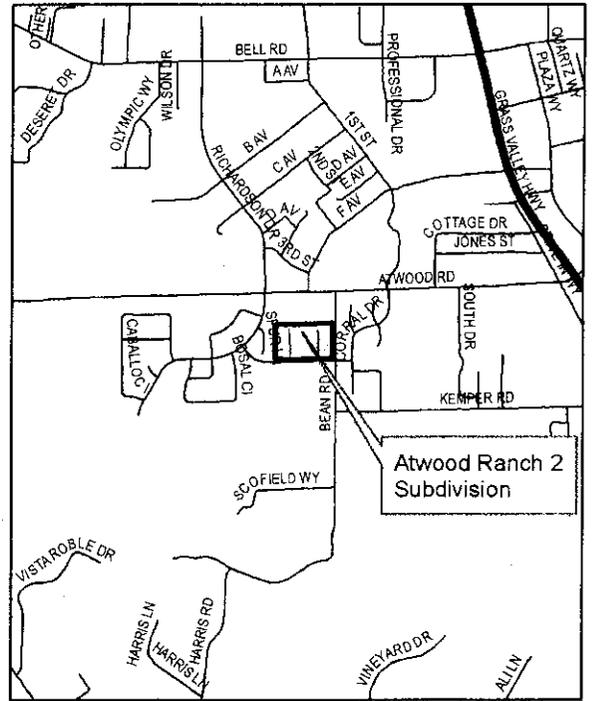
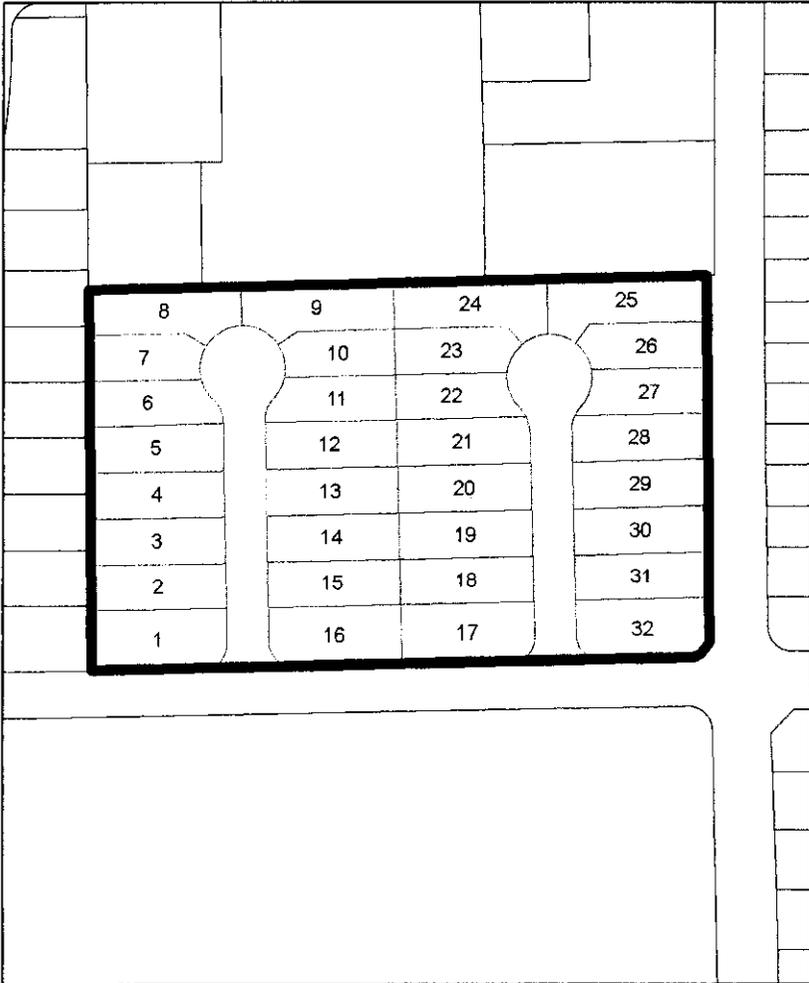
maintenance funds held in the County's CSA 28, ZOB 153 account, to owners of record during the period of July 1, 2007 and June 30, 2012, based on assessments paid;

BE IT FURTHER RESOLVED, that refunds will be provided to current owners of record, with public notice provided of a one-year opportunity for prior owners to file a claim for refund of eligible amounts;

BE IT FURTHER RESOLVED, that any unclaimed refund amounts relating to the detention basin maintenance portion of the ZOB 153 account shall remain in that account, to be applied to other authorized extended public services.

Exhibit A

Atwood Ranch Unit 2 Subdivision CSA 28, Zone of Benefit 153



Vicinity Map
Not to Scale



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