

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

To: Honorable Board of Supervisors

Date: September 9, 2014

From: *JR MD* Mary Dietrich, Facility Services Director
By: John Ramirez, Parks Administrator

Subject: Annexation of Morgan Ranch Phase 1 Subdivision into Zone of Benefit No. 169 in County Service Area 28 and Imposition of Assessment for Services

ACTION REQUESTED:

1. Conduct a Public Hearing, consider all protests, tabulate ballots, and adopt a Resolution annexing the Morgan Ranch Phase 1 Subdivision Project into Zone of Benefit 169 Dry Creek Parks, within County Service Area No. 28, and impose an annual assessment of \$553.71 per parcel to be first collected in FY 2015-16 with a cost of living modification, for various park and landscape services for all parcels that are, or will be a part of the Morgan Ranch Phase 1 Subdivision Project, subject to the recordation of a final map for the Morgan Ranch Phase 1 Subdivision at no net county cost associated with this action.

BACKGROUND: Pursuant to Government Code §25210.1, County Service Area No. 28 (CSA 28), encompassing all of unincorporated Placer County, is utilized to fill the services funding gap between general County services and special services. Zones of Benefit within CSA 28 are formed to fund special services specific to the parcels within each Zone. Zone of Benefit 169 Dry Creek Parks (Zone 169) was created by your Board in January 2002 to fund park maintenance, trail maintenance, open space maintenance, median landscape maintenance, administration, and park and trail development services in the West Placer Dry Creek area. The original boundary of Zone 169 coincided with the boundary of the West Placer-Dry Creek Community Facilities District No. 2001-1 which included the subdivisions of Morgan Creek, Sun Valley Oaks, Doyle Ranch, and Riolo Greens. Since the formation of Zone 169, the subdivisions of Willow Park, American Vineyard Village, and Hidden Crossing have annexed into Zone 169. Conditions of Approval for the Morgan Ranch Subdivision Project, formerly known as the Willow Creek Subdivision, (Subdivision) require fair share payment of the costs to maintain facilities within Zone 169, and this requirement will be fulfilled through annexation into Zone 169.

This Subdivision is located south of PFE Road between Cook Riolo Road and Walerga Road. Phase 1 of the Subdivision consists of APN 023-260-002-000, and is tentatively approved for 42 residential units within a total undeveloped land area of 36.0 acres pursuant to Entitlement PSUB 20070118. The Subdivision is described in the attached Exhibit A and depicted in the attached Exhibit B. A depiction of the entire Zone of Benefit 169, including the subject Subdivision, is depicted in the attached Exhibit C.

The property owners of record of the Subdivision (Owners) have executed a Waiver of Notice in lieu of receipt of mailed notice of this public hearing. In accordance with Proposition 218, the Owners have signed a ballot approving the annual assessment, and the ballot has been submitted to the Clerk of the Board prior to this public hearing. The ballot directs the fee levied for Zone 169 be subject to an annual cost of living modification 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 FY 2015-16 tax year and shall not exceed 5 percent in any one year. A detailed engineer's report (Exhibit D) has been prepared by a registered professional engineer to calculate the assessment per parcel and/or dwelling unit for both the existing parcels within Zone 169 as well as the

newly annexed parcels and/or dwelling units created within the Subdivision as a result of the Final Map.

Given the timing of this annexation, the assessment will first be collected in FY 2015-16. The 2015-16 assessment will consist of a base rate of \$553.71 as calculated by the engineer's report but will also include the annual cost of living modification that will be determined in Spring 2015. 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 assessment. Since this action precedes the approval of the Final Map for the Subdivision, it is requested the annexation and imposition of new assessments be made contingent on the recordation of the Final Map. The Final Map is expected to come before your Board for approval in the near future.

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 FY 2014-15 assessment for existing parcels within Zone 169 is \$570.46. The new assessment for Zone 169, with the addition of new parcels from the Subdivision, will take effect in FY 2015-16 and will include the calculated rate of \$553.71 with the application of the FY 2015-16 cost of living modification. The annual parcel assessments fund all CSA service cost and therefore there is no net County cost associated with this action.

ATTACHMENTS: RESOLUTION
EXHIBIT A – SUBDIVISION LEGAL DESCRIPTION
EXHIBIT B – SUBDIVISION DEPICTION
EXHIBIT C – ZONE OF BENEFIT 169 DEPICTION
EXHIBIT D – ENGINEER'S REPORT

CC: COUNTY EXECUTIVE OFFICE
COMMUNITY DEVELOPMENT RESOURCE AGENCY

MD/MR/AF/KT

T:F/BOS2014/MORGAN RANCH CSA.DOCX

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

In the matter of: A RESOLUTION ANNEXING
THE MORGAN RANCH PHASE 1 SUBDIVISION
INTO CSA 28 ZONE OF BENEFIT 169 DRY
CREEK PARKS AND ESTABLISHING A CHARGE
ON PARCELS WITHIN SAID ZONE

Resolution: _____

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 for the Morgan Ranch Subdivision, formerly the Whisper Creek Subdivision, PSUB 20070118 (Subdivision) was the imposition of fees to provide 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, a condition of approval of said Subdivision requires the annexation into existing County Service Area 28, Zone of Benefit 169 Dry Creek Parks to provide for such services for the benefit of properties within the Subdivision; and,

WHEREAS, the property owners of record of the Subdivision (Owners) desire to record a final map for Phase 1 of the Morgan Ranch Subdivision Project comprising 42 residential parcels; and,

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

WHEREAS, the Owners have approved ballots to set a charge on parcels and dwelling units within said Subdivision; and,

WHEREAS, the Board finds said ballots constitute unanimous approval of the charge by the property owners within said Subdivision 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 take the following actions, which will only go into effect following recordation of the final map for Phase 1 of said Subdivision.

The Board of Supervisors does hereby annex into Zone of Benefit No. 169 Dry Creek Parks within County Service Area No. 28 that property as described in Exhibit A for the Morgan Ranch Phase 1 Subdivision, which Zone shall 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.

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 023-260-002-000 and against each residential parcel within Zone of Benefit No. 169 that may now exist or which may be created by any final map of the Morgan Ranch Subdivision (PSUB 20070118), and;

The charge established herein 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, which shall not exceed 5 percent in any one year. The new assessment is calculated in the amount of \$553.71 per parcel/dwelling unit within Zone of Benefit 169. The new assessment will first be collected in FY 2015-16 and include \$553.71 with applied cost of living modification for FY 2015-16.

ATTACHMENT: EXHIBIT A – SUBDIVISION LEGAL DESCRIPTION

EXHIBIT A
SUBDIVISION LEGAL DESCRIPTION

EXHIBIT "A"

Annexation into CSA No. 28, Zone 169
Annexation No _____

MORGAN RANCH - PHASE 1
LANDS OF HBT of Morgan Ranch LLC
PLACER COUNTY, CA
A PORTION OF APN 023-260-002

REAL PROPERTY SITUATE IN THE COUNTY OF PLACER, STATE OF CALIFORNIA. BEING A PORTION OF THAT CERTAIN PARCEL RECORDED AUGUST 26, 2002 AS DOCUMENT NUMBER 2002-0099572, PLACER COUNTY RECORDS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SECTION 17, TOWNSHIP 10 NORTH, RANGE 6 EAST, MOUNT DIABLO MERIDIAN; THENCE ALONG THE BOUNDARY OF SAID DOCUMENT SOUTH 01°32'25" EAST 1021.23 FEET, THENCE LEAVING SAID BOUNDARY ALONG THE FOLLOWING 21 COURSES:

1. THENCE SOUTH 79°37'20" WEST 22.95 FEET;
2. THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 31.00 FEET, A CENTRAL ANGLE OF 22°28'18", AND AN ARC LENGTH OF 12.16 FEET;
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6. THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 9.00 FEET, A CENTRAL ANGLE OF 20°20'11", AND AN ARC LENGTH OF 3.19 FEET;
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EXHIBIT A
SUBDIVISION LEGAL DESCRIPTION

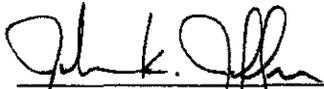
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CONTAINING 27.45 ACRES, MORE OR LESS.

SEE EXHIBIT "B", PLAT TO ACCOMPANY DESCRIPTION, ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY:


 JOHN K. JEFFRIES, L.S. 7820
 (LIC. EXPIRES 12/31/15)
 STATE OF CALIFORNIA



8/7/14
 DATE

LANDS OF HBT OF MORGAN RANCH LLC
 PLACER COUNTY, CA
 A PORTION OF APN 023-260-002

PFE ROAD

N87°49'54"E 1320.51'

S.8
S.17

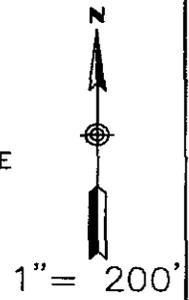
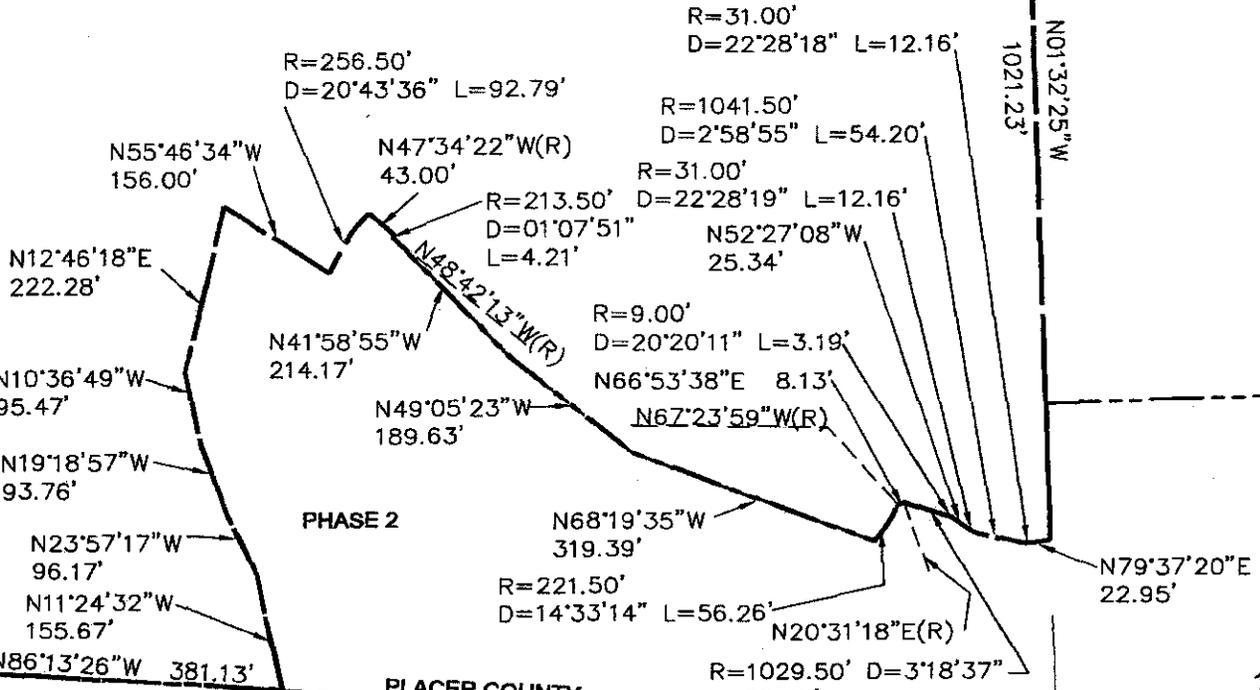
POINT OF BEGINNING

MORGAN RANCH - PHASE 1

27.45 +/- ACRES

DOC. 2002-0099572

N01°38'58"W
1144.39'



RICK
 ENGINEERING COMPANY
 2528 EAST BIDWELL STREET
 FOLSOM, CA 95630
 916.638.8200
 (FAX) 916.934.5144
 rickengineering.com
 Sacramento San Diego - San Luis Obispo - Searsville - Riverdale - Orange - Placerville - Tucson

16932
 08/04/14

EXHIBIT B
 SUBDIVISION DEPICTION

19

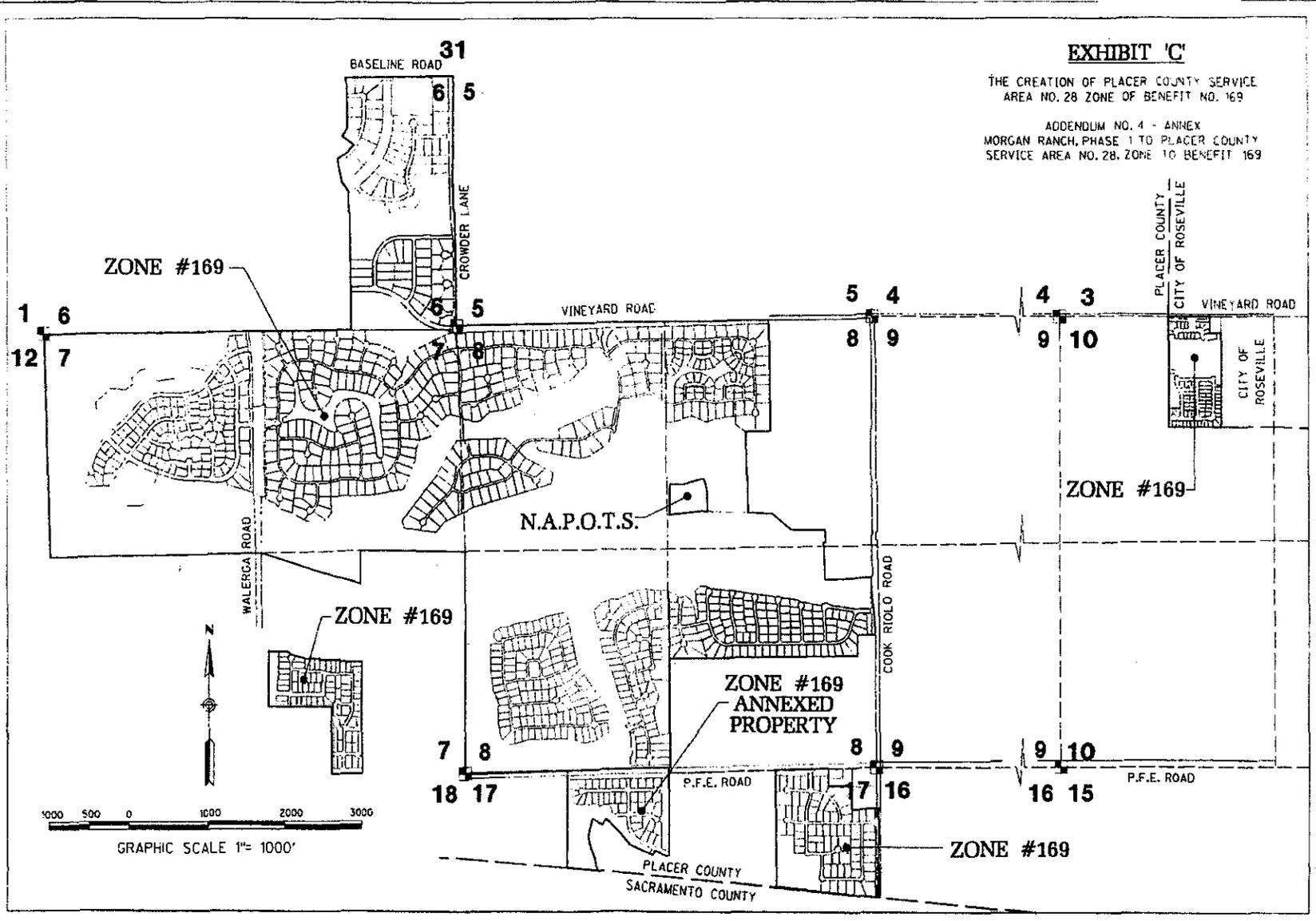


EXHIBIT C
 ZONE OF BENEFIT 169 DEPICTION

**ADDENDUM #4 to:
ENGINEER'S REPORT
A SPECIAL ZONE OF BENEFIT
FOR**

DRY CREEK PARK ZONE #169

COUNTY SERVICE AREA #28

PLACER COUNTY, CALIFORNIA

**Date of Addendum #4: August 5, 2014
Date of Original Report: September 2001**

Prepared By:

RICK ENGINEERING COMPANY

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I. INTRODUCTION AND PURPOSE OF THE ASSESSMENT

Morgan Ranch – Phase 1 (previously known as Whisper Creek) is an approved tentative subdivision map. The project is located on the south side of PFE Road, between Walerga Road and Cook-Riolo Road, in West Placer County. The 42 lot Planned Development is on approximately 27.33 acres and is part of the Dry Creek/West Placer Community Plan.

On August 7, 2007, the Placer County Board of Supervisors conditionally approved the tentative subdivision map. The condition of approval No. 56 requires that a County Service Area (CSA) Zone of Benefit be created and be established concurrently with, or prior to, the recordation of the final map. As per condition No. 56, the CSA shall be established to fund the following services:

- A. Park maintenance
- B. Trail maintenance
- C. Landscape Median
- D. Open Space
- E. Administrative Costs

The CSA will levy a charge to each residential lot within the zone of benefit to fund the services.

Should the Board of Supervisors abolish the CSA, the project homeowners association would be responsible for these services.

II. LEGAL REQUIREMENTS

A County Service Area is required to be established as by the Approval of the West Placer CFD No. 2001-1 as recorded February 6, 2001.

All the residential lots in the Morgan Creek – Phase 1 subdivision are to be assessed an equal amount of the total assessment.

Engineer's Statement

An Assessment Diagram is attached as Exhibit C showing the boundaries of the "Zone of Benefit No. 169 of County Service Area No. 28." Each assessed lot is described in the attached Roll by reference to its assessment number as shown on the Assessment Diagram.

A more particular legal description of the property (Morgan Ranch – Phase 1) being annexed into the zone of benefit is included on attached Exhibit A and depicted on attached Exhibit B.

Dated: 7/8/2014

By: 
Kelly L. Birkes, R.C.E. 44644



III. BOUNDARIES OF THE ZONE OF BENEFIT 169 OF COUNTY SERVICE AREA #28

The zone of benefit assessment diagram references the following:

- 1) See EXHIBIT "A" for a description of the exterior boundary of the property (Morgan Ranch – Phase 1) being annexed into the Zone of Benefit.
- 2) See EXHIBIT "B" for the depiction of the property (Morgan Ranch – Phase 1) being annexed into the Zone of Benefit.
- 3) See EXHIBIT C for a depiction of the boundary of the Zone of Benefit, including the property (Morgan Ranch – Phase 1) being annexed into the Zone of Benefit.

EXHIBIT "A"

Annexation into CSA No. 28, Zone 169
Annexation No _____

**MORGAN RANCH - PHASE 1
LANDS OF HBT of Morgan Ranch LLC
PLACER COUNTY, CA
A PORTION OF APN 023-260-002**

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EXHIBIT D
ENGINEER'S REPORT

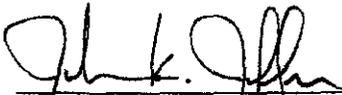
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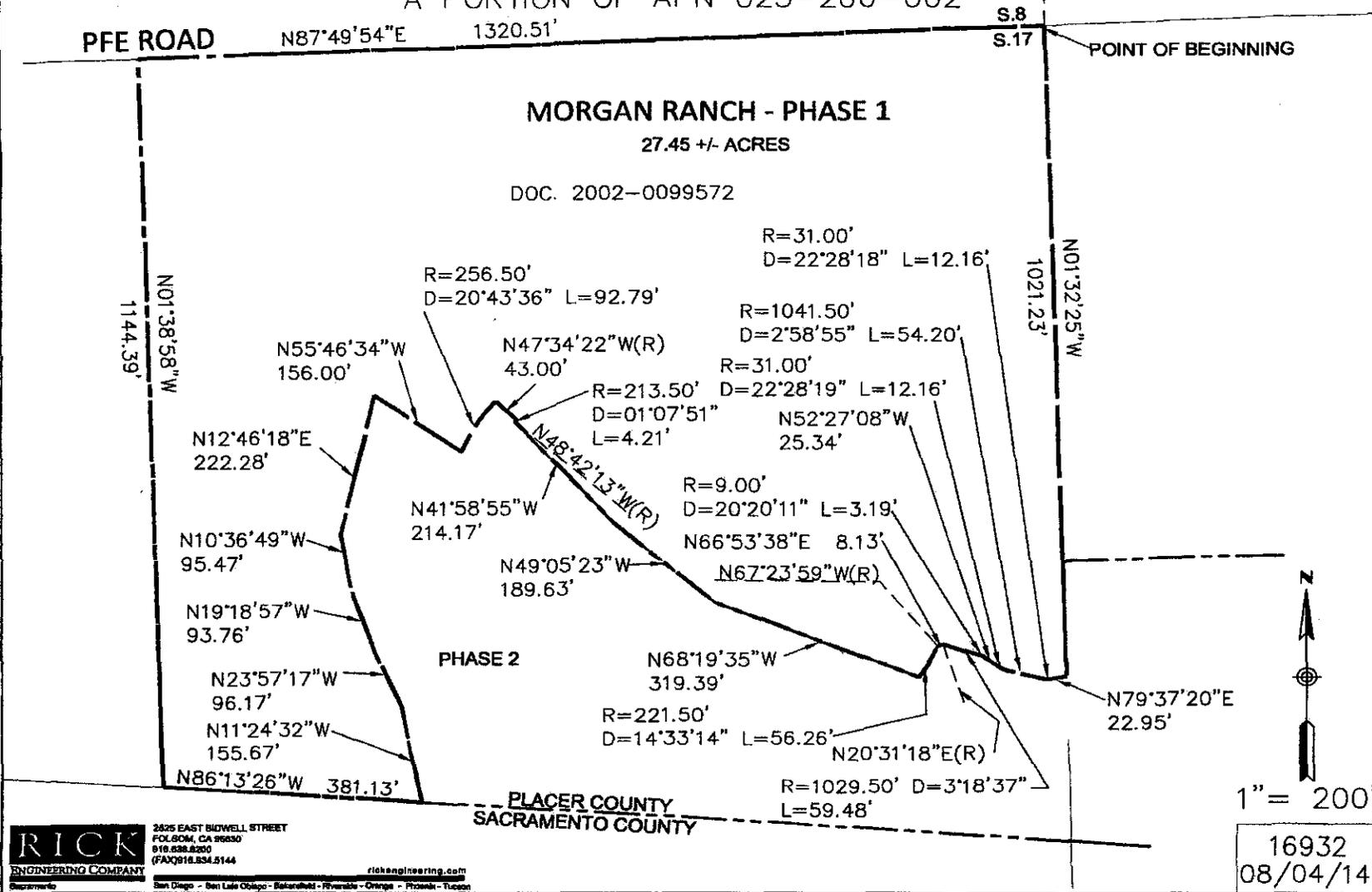


JOHN K. JEFFRIES, L.S. 7820
(LIC. EXPIRES 12/31/15)
STATE OF CALIFORNIA



8/7/14
DATE

EXHIBIT B - ANNEXATION INTO CSA NO. 28 - ZONE 169 - ANNEXATION NO. ____
 LANDS OF HBT OF MORGAN RANCH LLC
 PLACER COUNTY, CA
 A PORTION OF APN 023-260-002



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EXHIBIT D
 ENGINEER'S REPORT

EXHIBIT 'C'

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

ADDENDUM NO. 4 - ANNEX
MORGAN RANCH, PHASE 1 TO PLACER COUNTY
SERVICE AREA NO. 28, ZONE TO BENEFIT 169

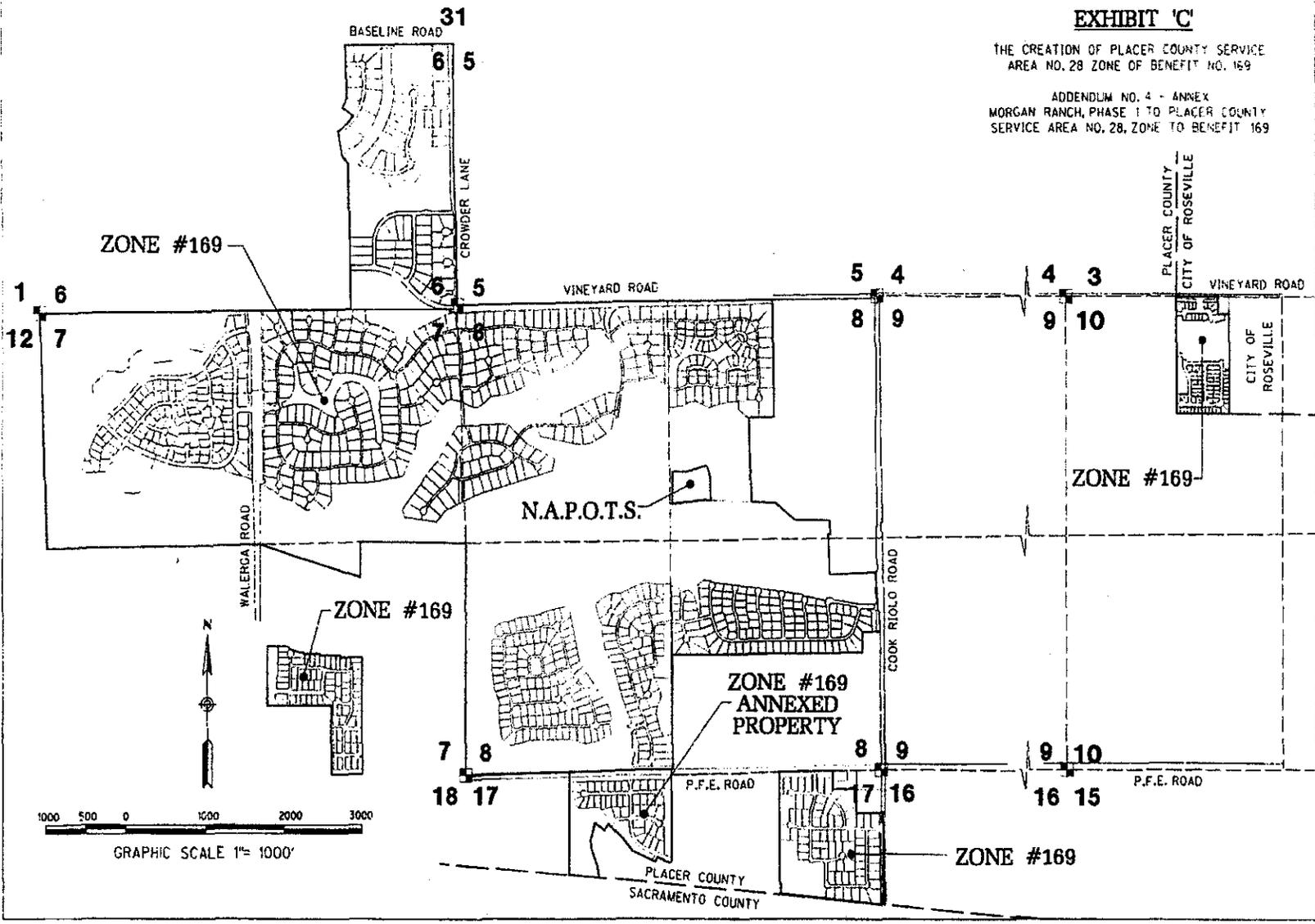


EXHIBIT D
ENGINEER'S REPORT

DRY CREEK COUNTY SERVICE AREA
ZONE 169 SERVICES

Dry Creek Park CSA 28 - ZOB 69
MORGAN RANCH PHASE 1 ANNEXATION BUDGET

Category	Item	Inventory	Unit of Measurement	Unit Cost FY 2014-15	Extended Cost FY 2014-15
A. Park Maintenance	Dry Creek	26.00	Acres	11,167.53	\$ 290,355.70
	Morgan Creek Park/Playground	1.00	Lump Sum	4,976.12	\$ 4,976.12
	Doyle Ranch Park	4.60	Acres	13,015.05	\$ 59,869.22
B. Trail Maintenance	Paved trail major maint. (surfacing & stripping)	226,524	SF	0.18	\$ 41,671.36
	Paved trail routine maintenance	27,275	LF	0.51	\$ 13,937.53
	Decomposed Granite Trail	14,824	SF	0.17	\$ 2,575.52
	Detached Sidewalk/Path (concrete)	92,882	SF	0.07	\$ 6,644.78
	Dirt trail	65,226	SF	0.10	\$ 6,666.10
C. Landscape Median	Median	129,611.00	SF	0.39	\$ 50,335.73
D. Open Space	Creekview Ranch Middle School	10	Acres		
	Doyle Ranch	68	Acres		
	Morgan Creek	71	Acres		
	Ricolo Greens	29	Acres		
	Sun Valley Oaks	18	Acres		
	Vargas	12	Acres		
	Open Space Totals	208	Acres	219.73	\$ 45,703.84
E. Street Light	Intersection of PFE Rd. & Canopy Tree St.	1	LS	298.60	\$ 298.60
	Sub Total				\$ 523,034.48
F. Administrative Costs	Admin. Labor		LS	12,441.64	\$ 12,441.64
	Insurance		LS	3,732.50	\$ 3,732.50
	Tax Roll Collection Charges		LS	6,948.66	\$ 6,948.66
	Flood Reserve 5%		LS	25,339.91	\$ 25,339.91
	Contingency 10%		LS	50,681.05	\$ 50,681.05
	Capitol Replacement			62,208.12	\$ 62,208.12
	Total				\$ 684,386.36
	Total/1236 parcels = new per parcel assessment				\$ 553.71

V. ASSESSMENT RATE AND METHOD OF ASSESSMENT

ASSESSMENT RATE

The rate of assessment for each lot is calculated and is as follows:

CSA 28 Zone of Benefit No. 169

The assessment rate for 2014/2015 tax year is proposed to be as follows:

Total Assessment	\$684,386.36
Number of lots	1,236
Annual Cost per Lot	\$553.71

METHOD OF ASSESSMENT

Assessments will be collected in the same way real property taxes are collected by the Placer County Tax Collector on behalf of the zone of benefit and will be deposited by the County in a separate fund in the name of "Zone of Benefit 169 of County Service Area 28". Assessments will be collected in two installments and will be available within sixty (60) days after the installments are due.

Consumer Price Index Adjustment:

The amount of assessment specified for Fiscal Year 2014/15 may be adjusted annually for the ensuing fiscal year to reflect the change in the State of California San Francisco/Oakland/San Jose Metropolitan Area Consumer Price Index for all Urban Consumers commencing with the 2015/2016 tax year. The amount of increase shall not exceed 5 percent in any one year. The Department of Facilities Services shall be responsible for making the necessary computation each year prior to May 1st and advising the Placer County Auditor/Controller what the amount of charge for Park and Trail Maintenance, Landscape Median and Open Space Maintenance is to be for the next year as a result of the forgoing computations.

VI. ASSESSMENT ROLL

The proposed assessment roll for the Zone of Benefit is as follows:

ASSESSMENT NO.	PROPERTY OWNER
1195-1236	HBT OF Morgan Ranch LLC 11060 White Rock Road, Suite 150 Rancho Cordova, CA 95670 Assessors Parcel Numbers for The property being annexed into Zone 169, CSA 25 (A.P.N. 023-260-002 & and parcels created by the Morgan Ranch – Phase 1 Final Map)
1-1194	Existing parcels within CSA 28 Zone 169

