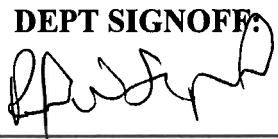
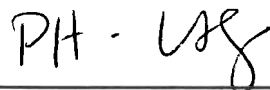


**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of October 3, 2006**

AGENDA TITLE: Hawk View Zone of Benefit #98613 within County Service Area #9 – Formation to Provide Road and Drainage Facility Improvement and Maintenance Services

DEPARTMENT: Transportation	DEPT SIGNOFF: 	CAO USE ONLY: PH - 
CONTACT: Richard W. Shepard, P.E.		
DATE: September 15, 2006 PHONE: X 5981		

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:
 The El Dorado County Department of Transportation recommends the Board of Supervisors:
 1. conduct a public hearing to accept testimony of all interested persons for or against the formation of the Hawk View Zone of Benefit #98613;
 2. make findings consistent with the County's *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area, Part III, C* included in the attached Resolution and detailed in this Board Letter; and
 3. if there is no majority protest, adopt and authorize the Chair to sign the attached Resolution forming the Hawk View Zone of Benefit #98613.

CAO RECOMMENDATIONS: *Recommend approval* 
 9/25/06

Financial impact? () Yes (X) No	Funding Source: () Gen Fund () Other
BUDGET SUMMARY:	Other: _____
Total Est. Cost _____	CAO Office Use Only:
Funding	4/5's Vote Required () Yes (X) No
Budgeted _____	Change in Policy () Yes (X) No
New Funding _____	New Personnel () Yes (X) No
Savings _____	CONCURRENCES:
Other _____	Risk Management _____
Total Funding _____	County Counsel _____
Change in Net County Cost _____	Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or _____ Ayes: _____ Noes: _____ Abstentions: _____ Absent: _____ Rev. 04/05	I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors Date: _____ Attest: Cindy Keck, Board of Supervisors Clerk By: _____
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2



MAINTENANCE DIVISION
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4909
Fax: (530) 642-9238

RICHARD W. SHEPARD, P.E.
Director of Transportation

Internet Web Site:
<http://co.el-dorado.ca.us/dot>

MAIN OFFICE:
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387



September 15, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

Title: Hawk View Zone of Benefit #98613 within County Service Area #9 - Formation to Provide Road and Drainage Facility Improvement and Maintenance Services

Meeting Date: October 3, 2006

District/Supervisor: District I, Supervisor Dupray

Dear Members of the Board:

Recommendations:

The Department of Transportation recommends that the Board of Supervisors:

1. conduct a public hearing to accept testimony of all interested persons for or against the formation of the Hawk View Zone of Benefit #98613;
2. make findings consistent with the County's *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area, Part III, C* included in the attached Resolution and detailed in this Board Letter; and
3. if there is no majority protest, adopt and authorize the Chair to sign the attached Resolution forming the Hawk View Zone of Benefit #98613.

Reasons for Recommendations:

An application has been submitted and reviewed by staff to form the Hawk View Zone of Benefit #98613. The proposed zone consists of approximately 40.1 acres located south of Green Valley Road and west of Bass Lake Road, north of US Highway 50 in the El Dorado Hills area, consisting of one parcel owned by a single landowner. There are no registered voters residing within the boundaries of the proposed zone.

As required by the County's *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area* ("Guidelines"), as amended and adopted by your Board on June 2, 1987, this public hearing has been scheduled and noticed pursuant to Government Code §6061 to accept public comment regarding the formation of the zone of benefit.

The Guidelines require that the following findings be made at the hearing:

- that the road and drainage facility improvement and maintenance services, as described in the application, are extended County services as defined in the County Service Area Law (Government Code §25210.1 et seq.);
- that the services to be provided within the zone are road and drainage facility improvement and maintenance services;
- that the extent of any protest against establishing the zone or the furnishing of a specified type or types of extended services within the zone has been noted;
- that the boundaries of the proposed zone have been determined and shall be as described in Exhibits A and B hereto;
- that the estimated annual cost of the services within the zone for the first year will be \$381.00 per parcel;
- that the establishment of the zone shall be accomplished without a confirmation election;
- that the proposed boundaries of the zone include no land devoted primarily to agricultural or livestock uses and being used for the commercial production of agricultural or livestock products;
- that an Advisory Committee will not be appointed for the zone; and
- that a special tax to be levied within the proposed zone and an election to authorize the levy of the special tax will be considered under a companion agenda item and separate associated Resolution.

A copy of the application is on file with the Board Clerk. The zone *Guidelines* require dedication of the road and drainage easements with the formation application. However, because dedication of the easements is also required as a condition of approval of the final subdivision map (Items 16 and 34 of the Conditions of Approval for TM 00-1371), the requirement is deemed satisfied for the purposes of zone formation. This is consistent with prior practice.

Fiscal Impact:

The minimal costs associated with the formation of the zone will be paid by the applicant, and funding for extended services will be through a special tax if approved by a mailed ballot landowner election.

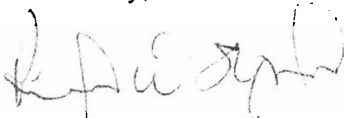
Net County Cost:

There is no Net County Cost.

Action to be Taken Following Approval:

1. The Board of Supervisors will approve and the Chair will sign the Resolution forming the Hawk View Zone of Benefit #98613.
2. The Clerk of the Board will have the Resolution recorded upon signature by the Chair, and will provide two certified copies of the Resolution to the El Dorado County Department of Transportation and one copy of the Resolution to the Planning Department.
3. The Department of Transportation will file the Resolution approving the formation, the legal description and map with the State Board of Equalization.
4. A Resolution calling for a mailed ballot landowner election to establish a special tax will be considered by your Board under a companion agenda item.

Sincerely,



Richard W. Shepard, P.E.
Director of Transportation

C: Connie Peach, Cooper, Thorne and Associates
Jim Ware, Department of Transportation
Roger Trout, Planning

RWS: esz
Attachment

URGENT REVIEW

CONTRACT ROUTING SHEET

PROCESSING DEPARTMENT: DOT

Department: Transportation
Dept. Contact: Tim Prudhel
Phone: 5974
Department Head
Signature: *Tim Prudhel*

Name: Hawk View ZOB #98613 - Formation

Tim Prudhel
Contract Services Officer

CONTRACTING DEPARTMENT: Transportation

Compliance with Human Resources requirements? Yes: N/A No: _____
Compliance verified by: _____

COUNTY COUNSEL: (must approve all contracts and MOUs)

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

ASSIGNMENT
DATE: 9/12/10
ATTORNEY: D. Kelly
DEPT./INDEX NO.: 3166
BY: _____

PLEASE RETURN DIRECTLY TO DOT

Index Code: <u>Special Districts N/C</u>	User Code: _____
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RISK MANAGEMENT: *NOT REQUIRED*

Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

OTHER APPROVAL (Specify department(s) participating or directly affected by this contract).

Department(s): _____
Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____

RECEIVED
DOT



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

FORMATION OF THE HAWK VIEW ZONE OF BENEFIT #98613 WITHIN COUNTY SERVICE AREA #9 TO PROVIDE ROAD AND DRAINAGE FACILITY IMPROVEMENT AND MAINTENANCE SERVICES

WHEREAS, the Board of Supervisors of the County of El Dorado has formed County Service Area #9 pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the California Government Code; and

WHEREAS, this Board may establish zones of benefit within any county service area to provide extended services including but not limited to road and drainage facility improvement and maintenance services; and

WHEREAS, this Board adopted the *County of El Dorado Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area* as amended June 2, 1987; and

WHEREAS, a complete application was submitted requesting the formation of a zone of benefit to provide road and drainage facility improvement and maintenance services within the boundaries of County Service Area #9 consistent with the guidelines; and

WHEREAS, a Petition to Form a Zone of Benefit was signed by the requisite number of property owners within the proposed zone of benefit; and

WHEREAS, County staff has validated the information contained in the application; and

WHEREAS, a public hearing was held on October 3, 2006 at 9:00 a.m. and was noticed pursuant to §6061 of the Government Code; and

WHEREAS, on October 3, 2006 the Board determined that no majority protest was registered against the formation of the zone as described in Exhibit A and shown on Exhibit B;

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors determines as follows:

1. The formation of Hawk View Zone of Benefit #98613 within County Service Area #9 is hereby made; and

RESOLUTION NO. _____
FORMATION OF THE HAWK VIEW ZONE OF BENEFIT
Page Two

2. That the road and drainage facility improvement and maintenance services, as described in the application, are extended County services as defined in the County Service Area Law (Government Code §25210.1 et seq.); and
3. That the services to be provided within the zone are road and drainage facility improvement and maintenance services; and
4. That the extent of any protest against establishing the zone or the furnishing of a specified type or types of extended services within the zone has been noted; and
5. That the boundaries of the proposed zone have been determined and shall be as described in Exhibits A and B hereto; and
6. That the estimated annual cost of the services within the zone for the first year will be \$ 381.00 per parcel;and
7. That the establishment of the zone shall be accomplished without a confirmation election; and
8. That the proposed boundaries of the zone include no land devoted primarily to agricultural or livestock uses and being used for the commercial production of agricultural or livestock products; and
9. That an Advisory Committee will not be appointed for the zone; and
10. That a special tax to be levied within the proposed zone and an election to authorize the levy of the special tax will be considered under a separate Resolution.

RESOLUTION NO. _____
FORMATION OF THE HAWK VIEW ZONE OF BENEFIT
Page Three

BE IT FURTHER RESOLVED that Hawk View Zone of Benefit #98613 of County Service Area #9 shall be governed by and comply with the County's *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area*; and

BE IT FURTHER RESOLVED that this Resolution be recorded and filed with the State Board of Equalization.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the _____ day of _____, 2006, by the following vote of said Board;

Attest:
Cindy Keck
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____

EXHIBIT 'A'**Hawkview
Zone of Benefit**

All that real property situate in the County of El Dorado, State of California, being a portion of the Southwest one-quarter of Section 31, T.10 N., R.9 E., M.D.M. and being a portion of Parcel 'A' as shown on that certain Parcel Map filed in the office of the County Recorder in Book 18 of Parcel Maps, page 80, and being more particularly described as follows:

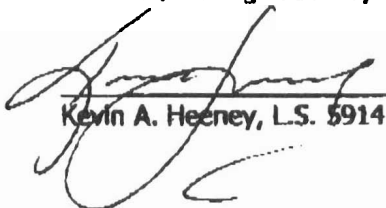
Beginning at a 1/12" capped iron pipe stamped LS 3864 marking the Southwest corner of said Parcel 'A' & from which NGS Station, HPGN D CA 03 DL bears South 51°33'46" West, 7,873.09 feet; thence along the following 12 courses:

- 1) Along the West line of said Parcel 'A', North 00°24'14" West, 1316.31 feet cited as North 00°25'11" West, 1316.07 feet; to the Northwest corner of said parcel 'A'; thence
- 2) Along the North line of said Parcel 'A', North 89°10'23" East, 1325.25 feet cited as North 89°09'43" East, 1325.44 feet to the Northeast corner of said Parcel 'A'; thence
- 3) South 00°24'36" East, 30.97 feet cited as South 00°23'54" East, 30.73 feet to a point on the West line of Bass Lake Road; thence
- 4) Along the Westerly line and along the arc of a curve to the left, having a radius of 1600.00 feet and being subtended by a chord bearing South 13°59'29" West, 196.49 feet cited as North 14°00'11" East, 196.49 feet; thence
- 5) South 10°28'16" West, 40.69 feet cited as North 10°28'56" East; thence
- 6) Along the arc of a curve to the left, having a radius of 1690.00 feet and being subtended by a chord bearing South 00°03'39" West, 610.76 feet cited as North 00°04'21" East, 610.76 feet; thence
- 7) South 10°20'58" East, 215.95 feet cited as South 10°20'16" East; thence
- 8) Along the arc of a curve to the right, having a radius of 1350.00 feet and being subtended by a chord bearing South 06°25'03" East, 185.14 feet cited as South 06°24'21" East; thence
- 9) Along the arc of a curve to the right, having a radius of 20.00 feet and being subtended by a chord bearing South 43°24'39" West, 28.72 feet cited as South 43°25'03" West; thence
- 10) South 89°18'27" West, 129.38 feet cited as South 89°18'33" West, 129.39 feet; thence
- 11) South 00°41'33" East, 30.00 feet cited as South 00°41'27" East, to a point on the South line of said Parcel 'A'; thence
- 12) Along the South line of said Parcel 'A', South 89°18'27" West, 1170.95 feet, to the Point of Beginning containing an area of 38.47 acres more or less.

End of Description

This description has been prepared by me or under my direction, in connection with the formation of a Zone of Benefit in El Dorado County.

CTA Engineering & Surveying


Kevin A. Heeney, L.S. 5914



