



County of El Dorado

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Legislation Details (With Text)

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On agenda: 7/15/2014 **Final action:** 7/15/2014

Title: Hearing to change the boundaries of the Many Oaks Lane Zone of Benefit No. 98132 within County Service Area No. 9 by detachment of Assessor's Parcel Numbers 070-261-74, 070-280-54, 070-280-61, 070-250-46, 070-250-48 and 070-250-49; and if no majority protest is heard, approve and authorize the Chair to sign Resolution 100-2014 Changing the Boundaries of the Many Oaks Lane Zone of Benefit No. 98132.

FUNDING: General Fund (No Federal Funding).

Sponsors:

Indexes:

Code sections:

Attachments: 1. 3A - Contract Routing Sheet 7-15-14, 2. 3B - Resolution 7-15-14, 3. 3C - Exhibits A through F to Resolution 7-15-14, 4. 2A - Contract Route Sheet 06-10-14, 5. 2B - Resolution of Intent 06-10-14, 6. 2C - Exhibits A - G to Resolution 6-10-14, 7. See corrected Resolution - Executed Resolution 061-2014 6-10-14, 8. Executed Corrected Resolution 061-2014 attached 6-20-14, 9. A - Mineshaft Court Letters 2012, 10. B - Many Oaks Lane Zone Boundary Map, 11. C - Resolution 135-86, 12. D - Non Assessed Parcel Info, 13. E - DOT Mineshaft Court Ltr 1996, 14. F - Measure B Ballot, 15. G - Agenda Item 11-0296, 16. H - Resolution 102-2011, 17. I - Agenda Item 11-0914, 18. J - Resolution 179-2011

Date	Ver.	Action By	Action	Result
7/15/2014	3	Board of Supervisors	Approved	Pass
6/10/2014	2	Board of Supervisors	Approved	Pass
3/27/2012	1	Board of Supervisors	Approved	Pass

Hearing to change the boundaries of the Many Oaks Lane Zone of Benefit No. 98132 within County Service Area No. 9 by detachment of Assessor's Parcel Numbers 070-261-74, 070-280-54, 070-280-61, 070-250-46, 070-250-48 and 070-250-49; and if no majority protest is heard, approve and authorize the Chair to sign Resolution **100-2014** Changing the Boundaries of the Many Oaks Lane Zone of Benefit No. 98132.

FUNDING: General Fund (No Federal Funding).

BUDGET SUMMARY:	
Total Estimated Cost.....	\$1,050.00
Budget - Current FY.....	\$1,050.00
Budget - Future FY.....	
New Funding.....	

Savings.....	
Other.....	
Total Funding Available.....	\$ 1,050.00
Change To Net County Cost.....	\$ 0.00

Fiscal Impact/Change to Net County Cost

Because the territory proposed for detachment is currently assessed at zero, there is no fiscal impact due to the detachment of the parcels. Minimal costs associated with the detachment and the cost of filing the jurisdictional boundary change with the State Board of Equalization will be paid from the General Fund contribution approved May 22, 2012 (Agenda Item 25).

Background

The Board formed the Many Oaks Lane Zone of Benefit No. 98132 on May 27, 1986 by Resolution 135-86 to provide road improvement and maintenance services, and drainage facility maintenance services within the zone boundaries. Funding for the zone has been through an annual benefit assessment of \$125.00 on each parcel of land for which access is by the roads maintained with zone funds. Development occurred subsequent to the formation of the zone that resulted in several parcels of land establishing access by roads outside of the zone. The assessments for these parcels have been set at zero.

On March 27, 2012 (Agenda Item 7), the Board directed the Department of Transportation to identify the parcels that are included in the zone boundaries, but which do not benefit from the road system and drainage facilities within the zone and to provide a resolution to permanently remove the parcels from the list of parcels eligible for benefit assessment and/or proposed special tax for the purposes of funding road improvement and maintenance services, and drainage facility maintenance services for the zone.

On May 22, 2012 the Department of Transportation identified the parcels of land which are included within the existing zone boundaries but which do not benefit from the road system or the drainage facilities as APNs 070-261-74, 070-280-54, 070-280-61, 070-250-46, 070-250-48 and 070-250-49; and provided a process by which the parcels could be detached from the zone. For efficiency in filing the detachment, if approved, as a Jurisdictional Boundary Change with the State Board of Equalization, the parcels are grouped into Exclusion Areas, described and depicted in Exhibits to the Resolution as follow: Exclusion Area 1 includes APN 070-261-74, described in Exhibit A and depicted in Exhibit B; Exclusion Area 2 includes APNs 070-280-54 and 070-280-61, described in Exhibit C and depicted in Exhibit D; Exclusion Area 3 includes APNs 070-250-46, 070-250-48 and 070-250-49, described in Exhibit E and depicted in Exhibit F to the Resolution.

Reason for Recommendation

California State law allows the Board of Supervisors to change the boundaries of an existing zone of benefit by following the procedures set forth in Sections 25217 and 25217.1 of the Government Code.

On June 10, 2014 the Board adopted Resolution 061-2014 initiating proceedings to change the boundaries of the Many Oaks Lane Zone of Benefit which set the public hearing for July 15, 2014 at 9:00 a.m. The Community Development Agency, Administration and Finance Division has published a

notice of the hearing pursuant to Section 6061 of the Government Code, mailed notice of the hearing to all owners of property within the existing zone, mailed notice of the hearing to each city and special district that contains, or whose sphere of influence contains the Many Oaks Lane Zone of Benefit, and posted the notice in at least three public places within the existing zone boundaries.

Government Code Section 25217.1 (b) provides that in the case of inhabited territory, if at the conclusion of the public hearing, the Board determines that more than fifty percent (50%) of the total number of voters residing within the zone have filed written objections to the boundary changes, then the board shall determine that a majority protest exists and terminate the proceedings. The County's Registrar of Voters has confirmed there are currently 191 voters in the existing zone.

If no majority protest is heard, the Resolution changing the zone boundaries will be adopted.

Clerk of the Board Follow Up Actions

- 1) The Public Hearing shall be opened to consider all protests against changes to the boundaries of the Many Oaks Lane Zone of Benefit by detachment of APNs 070-261-74, 070-280-54, 070-280-61, 070-250-46, 070-250-48 and 070-250-49;
- 2) At the conclusion of the period of public comment, the Clerk of the Board shall determine the number of written objections filed against the boundary changes and provide the result to the Board.
- 3) If no majority protest is heard, the Board shall adopt the Resolution changing the boundaries of the Many Oaks Lane Zone of Benefit No. 98132 within County Service Area No. 9.
- 4) The Clerk of the Board shall provide two (2) certified copies of the Resolution, if adopted, to the Community Development Agency, Administration and Finance Division for further processing.

Contact

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Administration and Finance Division
Community Development Agency

Concurrences

County Counsel