

TEHAMA COUNTY BOARD OF SUPERVISORS AGENDA REQUEST FORM

AGENDA DATE August 3, 2010

10:45AM

PACKET

8/3/10 REGULAR #29(A)(1-3)

Consent [] Regular [X] Anticipated Time Required: 10 minutes

Public Hearing [X] _____ Public Hearing Notice Attached [X]

Cite & Attach Copy of Code: _____

Prepared By (Name): Mark Moses Date: 7/19/10

Contact Person (if different): _____ Phone: 385-1462

DEPARTMENT/DIVISION: Road Dept.

PERSON(S) APPEARING & TITLE: Gary Antone, Director

REQUESTED ACTION (S) Or indicate informational presentation only:

1. Receive fiscal year 2010-2011 parcel charge report for Tehama County Permanent Road Division (PRD) 0602 (Bywood Drive)
2. Conduct a public hearing in accordance with Ordinance 1883 to consider objections or protests, if any, to the report of parcel charges therein.
3. Request adoption of a resolution confirming the 2010-2011 parcel charge report and imposing parcel charges for the Tehama County Permanent Road Division 0602 (Bywood Drive).

FINANCIAL IMPACT: Yes [X] No [] If yes, describe impact, indicate funding source and the amount budgeted.

Assessments for fiscal year 10/11 are \$10,000.48. Administrative and management charges for fiscal year 10/11 are anticipated to be \$1,500 for PRD assessment management, the maintenance of records, and inspections.

BACKGROUND, ALTERNATIVES AND IMPLICATIONS: Describe the effect of not taking the requested action, and provide any pertinent information.

The Board could choose not to approve the request, in which case, the Bywood Drive PRD will not have the authority to place assessments on the tax roll or to pay administrative and management charges incurred for assessment management, the maintenance of records and inspections.

RECOMMENDATIONS:

Approve the requested action.

REVIEWED AS REQUIRED BY POLICY

	<u>Review Date</u>
Auditor	_____
Board Committee	_____
Chief Administrator	_____
County Counsel	_____
Dept Head	_____
Personnel	_____
Purchasing	_____
Risk Management	_____

CLERK'S INSTRUCTIONS

- * Number of documents to be returned to dept:
Originals 1 Copies _____
- * Minute Certifications Needed #: _____
- * Ordinance Required [] Attached []
- * Resolution Required [X] Attached [X]
- * Budget Transfer Required/Submitted []
- * Processing Deadline: 8/9/10
- * Further Information Attached []
- PDR on file w/Auditor []
- Insurance Certificate Attached []

RESOLUTION NO. _____

RESOLUTION OF INTENT TO LEVY AND COLLECT FISCAL YEAR 2011 (July 1, 2010 to June 30, 2011) PARCEL CHARGES FOR ROAD MAINTENANCE WITHIN TEHAMA COUNTY PERMANENT ROAD DIVISION NO. 0602 (BYWOOD DRIVE)

WHEREAS under the provisions of the Permanent Road Division Law (Streets and Highways Code sections 1160 et seq.), the Board of Supervisors is authorized to establish one or more Permanent Road Divisions as a mechanism for providing road improvement and maintenance services within any portion of the unincorporated area; and

WHEREAS Tehama County Permanent Road Division 0602 (Bywood Drive) was established by Resolution No. 35-2007 for the purpose of providing (and funding) ongoing road maintenance services for certain public roads located in the unincorporated area of Tehama County; and

WHEREAS pursuant to Streets and Highways Code section 1179.5, the Board of Supervisors may fix and collect parcel charges (in accordance with Government Code section 25210.77a) within a Permanent Road Division to pay for the costs of the aforementioned road improvement and maintenance services; and

WHEREAS the Board of Supervisors of the County of Tehama Ordinance No. 1883 provided a procedure for fixing and collecting parcel charges for road maintenance services within Tehama County Permanent Road Division 0602 (Bywood Drive) on the tax roll; and

WHEREAS a proposed budget prepared in accordance with Resolution No. 35-2007 has been submitted to the Tehama County Board of Supervisors as an Exhibit incorporated into the attached Parcel Charge Report from the Director of Public Works; and

WHEREAS the proposed budget was calculated in accordance with the Engineer's Report prepared in conjunction with the formation of the Permanent Road Division; and

WHEREAS the proposed budget does not increase the parcel charges beyond the level previously approved by the property owners in accordance with Article XIII D of the California Constitution (Prop. 218); and

WHEREAS the parcel charges are consequently in compliance with Prop.218, and no further mailed ballot proceedings are presently required; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Tehama that:

- (1) Accept the attached Parcel Charge Report from the Director of Public Works.
- (2) Confirm the attached Parcel Charge Report from the Director of Public Works.
- (3) Confirm the parcel charges as set forth.

The foregoing resolution was offered on a motion by Supervisor _____,
seconded by Supervisor _____, and carried by the following vote of the
Board:

AYES:

NOES:

ABSENT OR NOT VOTING:

CHAIRMAN, Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, BEVERLY ROSS, County Clerk and ex-officio Clerk of the Board of Supervisors of the
County of Tehama, State of California, hereby certify the above and foregoing to be a full,
true and correct copy of a resolution adopted by said Board of Supervisors on the _____
day of _____, 2010.

DATED: This _____ day of _____, 2010.

BEVERLY ROSS, County Clerk and ex-officio Clerk
of the Board of Supervisors of the County of
Tehama, State of California.

By _____
Deputy

COUNTY PERMANENT ROAD DIVISION No. 0602
(BYWOOD DRIVE)

FISCAL YEAR 2010-2011
PARCEL CHARGE REPORT

To: Honorable Board of Supervisors

From: Gary Antone, Director of Public Works

Subject: Fiscal Year 2010-2011 Parcel Charge Report for Tehama County Permanent Road Division 0602 (Bywood Drive).

Tehama County Permanent Road Division 0602 (Bywood Drive) was established by Resolution No. 35-2007 for the purpose of providing (and funding) ongoing road maintenance services for certain public roads located in the unincorporated area of Tehama County. Parcels specially benefiting from those roads are subject to an annual parcel charge (i.e., special assessment) calculated in accordance with the Engineer's Report prepared in connection with the formation of the Permanent Road Division.

Ordinance No. 1883 requires that each year, the Director of Public Works prepare a report containing a description of each parcel of real property receiving the special benefit and the amount of the charge for each parcel for that year. The parcel charges are calculated by preparing a budget for the fiscal year specifying the total amounts required to provide the specified level of road maintenance services to be funded by parcel charges, consistent with Resolution No. 35-2007 and the Engineer's Report. Those total amounts are then divided by the number of subject parcels to yield the charges per parcel. (The Engineer's Report provides that each of the parcels in questions receives an equal level of benefit from the road maintenance services, and that therefore all parcels should be subject to an equal assessment. Consequently the total amounts are divided evenly between all of the subject parcels.)

The Board of Supervisors must receive the report, and hold a public hearing to hear and consider objections or protests, if any, to the report or the parcel charges therein. The Board of Supervisors may adopt, review, change, reduce or modify any charge and shall make its determination upon each charge as described in the report and, thereafter, by Resolution, shall confirm the report. (Any change that increases the levy to property owners beyond that set forth in Resolution No. 35-2007 must be submitted to property owners for approval in accordance with Article XIII D of the California Constitution (Prop. 218).) Parcel charges set forth in the report, as confirmed, appear on the property tax bill and are collected at the same time and in the same manner as ordinary County property taxes.

A description of the parcels of real property identified in the Engineer's Report as receiving special benefits from the road maintenance services provided by Tehama

County Permanent Road Division 0602 (Bywood Drive) and the amount of the charge for each parcel for the 2010-2011 fiscal year is attached hereto as Exhibit "A." A proposed budget, prepared in accordance with Resolution No. 35-2007 and the Engineer's Report is attached hereto Exhibit "B." The proposed budget does not increase the parcel charges beyond the level previously approved by the property owners in accordance with Article XIII D of the California Constitution (Prop. 218). The charges are consequently in compliance with Prop. 218, and no further mailed ballot proceedings are presently required. The Director of Public Works respectfully requests that the Board of Supervisors accept this report and confirm the report and the parcel charges as set forth therein.

EXHIBIT "A"

Special Assessment Tax Roll – Fiscal Year 2010/2011
 Tehama County Public Works
 Permanent Road Division No. 0602 (Bywood Drive)

<u>Tax Rate Area</u>	<u>Parcel Number</u>	<u>Amount of Charge (for 10-11 Roll only)</u>
063-000	006-130-021	\$178.58
063-000	006-130-051	\$178.58
063-000	006-130-081	\$178.58
063-000	006-130-091	\$178.58
063-000	006-130-151	\$178.58
063-000	006-130-161	\$178.58
063-000	006-130-181	\$178.58
063-000	006-130-191	\$178.58
063-000	006-130-201	\$178.58
063-000	006-130-261	\$178.58
063-000	006-130-291	\$178.58
063-000	006-130-301	\$178.58
063-000	006-130-311	\$178.58
063-000	006-130-331	\$178.58
063-000	006-130-341	\$178.58
063-000	006-130-351	\$178.58
063-000	006-130-361	\$178.58
063-000	006-130-371	\$178.58
063-000	006-130-381	\$178.58
063-000	006-130-391	\$178.58
063-000	006-130-401	\$178.58
063-000	006-130-411	\$178.58
063-000	006-130-421	\$178.58
063-000	006-130-431	\$178.58
063-000	006-130-441	\$178.58
063-000	006-130-451	\$178.58
063-000	006-130-461	\$178.58
063-000	006-130-471	\$178.58
063-000	006-130-481	\$178.58
063-000	006-130-491	\$178.58
063-000	006-130-501	\$178.58
063-000	006-130-511	\$178.58
063-000	006-130-521	\$178.58
063-000	006-130-531	\$178.58
063-000	006-130-541	\$178.58
063-000	006-130-551	\$178.58
063-000	006-130-561	\$178.58
063-000	006-130-571	\$178.58

EXHIBIT "A"

Special Assessment Tax Roll – Fiscal Year 2010/2011
Tehama County Public Works
Permanent Road Division No. 0602 (Bywood Drive)

<u>Tax Rate Area</u>	<u>Parcel Number</u>	<u>Amount of Charge (for 10-11 Roll only)</u>
063-000	006-130-581	\$178.58
063-000	006-130-591	\$178.58
063-000	006-130-601	\$178.58
063-000	006-130-611	\$178.58
063-000	006-130-621	\$178.58
063-000	006-130-631	\$178.58
063-000	006-130-641	\$178.58
063-000	006-390-291	\$178.58
063-000	006-390-301	\$178.58
063-000	006-390-371	\$178.58
063-000	006-390-561	\$178.58
063-000	006-390-571	\$178.58
063-000	006-390-671	\$178.58
063-000	006-390-681	\$178.58
063-000	006-390-721	\$178.58
063-000	006-390-731	\$178.58
063-000	006-390-741	\$178.58
063-000	006-390-751	\$178.58
063-000	Grand Total:	\$10,000.48

EXHIBIT "B"

Fiscal Year 2010-2011
Proposed Budget
for
Tehama County Permanent Road Division 0602
(Bywood Drive)

	Requested Fiscal Year 2010/2011 Budget	Reserve Balance as of June 30, 2010	Fiscal Year 2010/2011 Expenditures	Reserve Balance as of June 30, 2011
Slurry Seal (7 Year Cycle)	\$2,106.00	\$6,318.00	\$0.00	\$8,424.00
0.10 Tenth Overlay (20 year Cycle)	\$5,323.00	\$15,969.00	\$0.00	\$21,292.00
Stramped Concrete (25 year Cycle)	\$0.00	\$0.00	\$0.00	\$0.00
Storm Drain (50 year Cycle)	\$572.00	\$1,716.00	\$0.00	\$2,288.00
Administration (10%)	\$800.20	-\$1,090.65	\$750.00	-\$1,040.45
Management (10%)	\$800.20	-\$1,090.65	\$750.00	-\$1,040.45
Contingency (5%)	\$399.08	\$1,199.88	\$0.00	\$1,598.96
TOTAL COST:	\$10,000.48	\$23,021.58	\$1,500.00	\$31,522.06

Fiscal Year 2009/2010 Assessment Per Parcel: \$178.58
(Total Cost ÷ 56 parcels)

Balance June 30, 2010	\$23,021.58
Add Interest & Penalty Reserve	\$236.19
Add Penalties Received FY 09/10	\$53.56
Add Interest Received FY 09/10	<u>\$292.20</u>
	\$23,603.53
Less Unpaid Assessments FY 07/08	\$1,250.06
Less Unpaid Assessments FY 08/09	\$1,786.00
Less Unpaid Assessments FY 09/10	<u>\$446.50</u>
	\$20,120.97
Cash per Auditor Report, June 30, 2010	<u>\$20,120.97</u>
	\$0.00

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA
PROVIDING A PROCEDURE FOR FIXING AND COLLECTING PARCEL CHARGES
FOR ROAD MAINTENANCE SERVICES WITHIN TEHAMA COUNTY
PERMANENT ROAD DIVISION 0602 (BYWOOD DRIVE) ON THE TAX ROLL**

ATTACH AVAIL ON COUNTER

THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA ORDAINS AS FOLLOWS:

SECTION 1. The purpose of this ordinance is as follows: Tehama County Permanent Road Division 0602 (Bywood Drive) is authorized to provide road maintenance services. Article XII D of the California Constitution, Streets and Highways Code section 1179.5, and Government Code sections 53753 and 25210.77a authorize the Board of Supervisors to fix and collect parcel charges for services provided by a Permanent Road Division to pay, in whole or in part, for the cost thereof. Such parcel charges have been duly imposed with Tehama County Permanent Road Division 0602 (Bywood Drive) by the Board of Supervisors by Resolution on January 30, 2007 in accordance with the aforementioned provisions of law. The aforementioned provisions of law further authorize the Board to collect such parcel charges on the tax roll by adopting an Ordinance providing a procedure therefore.

SECTION 2. The parcel charges heretofore imposed by the Board of Supervisors by Resolution for road maintenance services within Tehama County Permanent Road Division 0602 (Bywood Drive) may be modified or amended by Resolution of the Board of Supervisors, subject to provisions of Article XIII D of the California Constitution. Such charges shall be reviewed annually and shall be fixed by substantially the following procedure:

- (a) A budget shall be imposed for the fiscal year, consistent with the Resolution imposing parcel charges, specifying the total amounts required to provide the specified level of road maintenance services to be funded by parcel charges.
- (b) The total amounts required to provide the specified level of road maintenance services shall be divided by the number of parcels depicted in the Resolution imposing parcel charges.
- (c) The amount obtained from this calculation shall be the parcel charge fixed for each parcel depicted in the Resolution imposing parcel charges.
- (d) The parcel charge per parcel shall be fixed accordingly by Resolution adopted by the Board of Supervisors.