

**AUBURN AREA RECREATION AND PARK DISTRICT
MEETING OF THE ACQUISITION AND DEVELOPMENT COMMITTEE AGENDA**

WEDNESDAY, MAY 23, 2018, 1:00 PM

**CANYON VIEW COMMUNITY CENTER, 471 MAIDU DRIVE
AUBURN, CA 95603**

Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection in the District's Office at 471 Maidu Drive, Auburn, CA 95603 during normal business hours. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (530) 537-2187. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

1.0 CALL TO ORDER

Gray ____ Lynch ____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

3.0 PUBLIC COMMENT – This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

4.0 BUSINESS

4.1 Approval of Minutes from the April 18, 2018 Acquisition & Development Meeting

Recommendation: Review and approve minutes.

4.2 Resolution Number 2018-11: Atwood III Fiscal Year 2018-2019 Intention to Levy Assessments; Engineer's Report; Notice of Hearing

Shall the Auburn Area Recreation and Park District Board adopt Resolution 2018-11 that would declare the Board's intention to levy the continued assessments for fiscal year 2018-19, preliminary approval of the Engineer's Report for the Atwood Ranch III Landscaping and Lighting Assessment District, and providing for the notice of a public hearing on June 28, 2018 regarding levying the continued annual assessments for fiscal year 2018-19?

Discussion item:

1. 2017 – 2018 Project Activity Report.

5.0 ITEMS TO BE CONSIDERED AT FUTURE ACQUISITION & DEVELOPMENT MEETINGS

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

ADJOURNMENT

AUBURN AREA RECREATION AND PARK DISTRICT
This agenda is hereby certified to have been posted as follows:

5-18-18
Date

10:10 Am
Time

P. Larson
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes of the Acquisition & Development Committee Meeting
Wednesday, April 18, 2018, 1:00 PM
Canyon View Community Center, Board Room
471 Maidu Drive, Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Acquisition & Development Committee was called to order at 1:00 p.m.

ROLL CALL

Directors Gray and Lynch were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

The agenda was approved by the Committee.

3.0 PUBLIC COMMENT- This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee. After you are recognized by the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

Gary Mapa, an Auburn, California resident gave public comment in support of the sale of the Mt. Vernon Park property.

4.0 BUSINESS

4.1 Approval of Minutes from the March 21, 2018 Acquisition & Development Meeting

The minutes from the March 21, 2018 Acquisition & Development Meeting were reviewed and approved by Directors Gray and Lynch.

Discussion Items:

1. Mt. Vernon Park Public Sale – update – an update on the Mt. Vernon Park Public Sale was attached to the Acquisition & Development Committee agenda. The Committee Members reviewed it.
2. 2017 – 2018 Project Activity Report – an update was given to the Acquisition & Development Committee by Landscape Architect Mike Scheele.

5.0 ITEMS TO BE CONSIDERED AT FUTURE ACQUISITION & DEVELOPMENT MEETINGS

6.0 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 1:31 p.m.

Board Secretary

Date

**Item 4.2 Cover sheet – Resolution #2018-11: Atwood III FY 18/19
Intention to Levy Assessments; Engineer’s Report; Notice of
Hearing**

Auburn Area Recreation and Park District Acquisition and Development Meeting May 2018

THE ISSUE

Shall the Auburn Area Recreation and Park District Board adopt Resolution 2018-11 that would declare the Board’s intention to levy the continued assessments for fiscal year 2018-19, preliminary approval of the Engineer’s Report for the Atwood Ranch III Landscaping and Lighting Assessment District, and providing for the notice of a public hearing on June 28, 2018 regarding levying the continued annual assessments for fiscal year 2018-19?

BACKGROUND

In 2004, after gaining property owner ballot support, the benefit assessments were first established to provide funding the installation, maintenance and servicing of landscaping, park and recreation facilities in the Auburn Area Recreation and Park District (Atwood Ranch III).

- **Balloting Conducted:** November-December 2004
- **Ballot Results:** 100.0 % of the weighted returned ballots were in support of the proposed assessment
- **Board Approval of 1st Year Assessment Levies:** Dec. 16, 2004
- **Fiscal Year 2005-06 Approved Rate:** \$148.62 per single family equivalent benefit unit (SFE)
- **Annual CPI:** In each subsequent year, the maximum assessment rate increases by the annual change in the Consumer Price Index, not to exceed 5% per year.
- **Fiscal Year 2017-18 Approved Rate:** \$155.10 per single family equivalent benefit unit (SFE)
- **Fiscal Year 2018-19 Proposed Rate:** \$168.28 per single family equivalent benefit unit (SFE)

The Engineer’s Report establishes the important foundation and justification for the continued collection of the assessments for fiscal year 2018-19. The Engineer’s Report has been reviewed in context with recent court decisions and legal requirements for benefit assessments. SCI has reviewed the Assessment District’s compliance with the recent court decisions such as Silicon Valley Taxpayers Association v. Santa Clara County Open Space Authority, Dahms v. Downtown Pomona Property, Bonander v. Town of Tiburon, and Golden Hill Neighborhood Association v. City of San Diego. Some enhancements and revisions to the Engineer’s Report have been made to ensure the District’s assessments are fully compliant with these decisions and the requirements of Proposition 218. These revisions do not modify the underlying assessment methodology or basis for the assessments.

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona (Dahms v. Downtown Pomona Property). On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments, including landscaping maintenance, were directly provided to property in the assessment district. Dahms establishes legal validation for zero or minimal general benefits from assessments that fund services directly provided within the assessment district and implies greater flexibility for assessments than Silicon Valley Taxpayers Association v. Santa Clara County Open Space Authority (2008). As an integral part of the scope of work, SCI will work with District to review the implications of Dahms and other recent or pending court decisions.

PROPOSED FY 2018-19 BUDGET, SERVICES & IMPROVEMENTS

2 Year Profit/loss history

Summary of revenue and total cost	FY 2018-19	FY 2017-18
Revenue	\$24,064	\$22,179
Costs:		
Services	\$17,900	\$19,829
Repayment to General Fund	\$4,000	\$0
Incidentals	\$3,431	\$4,229

- Parks maintained:
 - a. Maintenance of a neighborhood park and tot lot and adjacent former “natural turf” area within the development area known as Atwood Ranch III
- Other Services:
 - a. Maintenance of trails in the wetlands preserve area
 - b. Monitoring of 10.69 acres of wetlands preserve area with associated riparian scrub land, seeps, floodplains and drainage areas to a stormwater detention area
 - c. Reporting once yearly to the Army Corps of Engineers, including biology reports and project management reports. (Additional special visits were required during previous fiscal years.)

PROPOSED RATE AND CPI HISTORY

The assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the “CPI”), with a maximum

annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 5% or 2) the change in the CPI plus any Unused CPI as described above.

Based on the preceding annual adjustments, the maximum possible assessment rate for Fiscal Year 2017-18 was \$200.64 per single family equivalent benefit unit. The annual change in the CPI from December 2016 to December 2017 was 2.94%. Therefore, the maximum authorized assessment rate for Fiscal Year 2018-19 has been increased from \$200.64 to \$206.54 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$168.28 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate. The total amount of revenues that would be generated by the assessments in fiscal year 2018-19 at the proposed rate of \$168.28 is approximately \$24,064.

Explanation for increased assessment in 2013/2014 and 2014/2015

As evidenced in the profit/loss history for the Auburn Area RPD, costs to provide maintenance within the Assessment District increased significantly in Fiscal Year 2013-14. This escalation in costs was directly related to the increase in labor costs necessary to maintain the park and preserve, and necessitated increases to the assessment rates for Fiscal Years 2013-14 and 2014-15. Specifically, the Auburn Area RPD experienced higher labor costs due to:

- Increased time eliminating weeds in an effort to keep a fire break along the houses that border the preserve.
- Increased costs in removing invasive Himalayan blackberry bushes in the preserve.
- Increased costs eliminating weeds in the preserve. These weeds have increased in size and quantity due to better fuel load reduction management.
- Increased time removing weeds from the landscape areas.
- Increased maintenance time in new landscaped area, mowing turf areas.
- Weed control in new bark areas.
- Removal of invasive tree species.

Explanation for decreased assessment in 2016/17

In Fiscal Year 2015-16 the maintenance costs for the Assessment District were reduced significantly due to the following factors:

- Reduction in maintenance in the nature preserve: per the Management Plan for the nature preserve, the Auburn Area RPD is permitted to mow the property once every five years. The RPD had previously been mowing and string trimming the preserve on an annual basis. Beginning in Fiscal Year 2015-16, the RPD modified that activity to comply with the Plan and began only mowing/trimming a 25' wide strip against all houses. This 25' strip was negotiated with the Placer County Resources Conservation District, the agency that holds the conservation easement on the property. This reduction in mowing/trimming led to reduced maintenance costs.

- Reduction in water use based on California's drought: the RPD irrigates the lawn and adjacent landscaping with potable water. The state mandated reduction has resulted in less water usage.

In addition, because maintenance needs and requirements may fluctuate over time, in accordance with Proposition 218 the assessments may increase in any given fiscal year up to the maximum allowable rate, even following a year in which a lower rate was assessed.

Explanation for fund transfers in 2018/19

In Fiscal Year 2017-18, the Auburn Area RPD undertook a large, unanticipated landscaping project that depleted the District's General Fund. In Fiscal Year 2018-19, the RPD will transfer approximately \$14,600 from the Equipment Replacement Fund into the General Fund to reduce the resulting negative balance. Also in Fiscal Year 2018-19, the RPD will include \$4,000 in the Assessment District budget that will also be transferred into the General Fund to further reduce the negative balance. In future years, the assessments will continue to rebuild the Equipment Replacement Reserve to levels that will be sufficient for its intended purpose by the time the facilities are expected to be in need of replacement. The necessity to repay the funds borrowed from the General Fund is a major factor requiring the assessment rate increase in Fiscal Year 2018-19.

In 2015 the Auburn Area RPD entered into another agreement with the Homeowners' Association to make a one-time contribution of \$2,500 towards further maintenance of the wetlands preserve area, particularly to eliminate issues of stagnant water.

Notification for the hearing on June 28th is done through a public notice in the Auburn Journal.

The following table summarizes the maximum authorized assessment rates and CPI history:

Fiscal Year	Max CPI Allowed	Max Rate allowed
FY 05-06		\$148.62
FY 06-07	1.95%	\$151.51
FY 07-08	3.44%	\$156.73
FY 08-09	3.84%	\$162.74
FY 09-10	0.01%	\$162.76
FY 10-11	2.61%	\$167.01
FY 11-12	1.52%	\$169.55
FY 12-13	2.92%	\$174.50
FY 13-14	2.22%	\$178.37
FY 14-15	2.57%	\$182.96
FY 15-16	2.67%	\$187.84
FY 16-17	3.17%	\$193.80
FY 17-18	3.53%	\$200.64
FY 18-19	2.94%	\$206.54

The following list details the revenues and rates since the first year the assessments were levied.

Fiscal Year	Rate / SFE	Annual Revenues
FY 05-06	\$148.62	\$21,252
FY 06-07	\$148.62	\$21,252
FY 07-08	\$148.62	\$21,252
FY 08-09	\$148.62	\$21,252
FY 09-10	\$148.62	\$21,252
FY 10-11	\$148.62	\$21,252
FY 11-12	\$148.62	\$21,252
FY 12-13	\$148.62	\$21,252
FY 13-14	\$162.72	\$23,269
FY 14-15	\$182.12	\$26,043
FY 15-16	\$182.12	\$26,043
FY 16-17	\$155.10	\$22,179
FY 17-18	\$155.10	\$22,179
FY 18-19	\$168.28	\$24,064

RECOMMENDATION

It is the recommendation of ARD staff that the Board approve the Resolution #2018-11, a Resolution of Intention to Continue Assessments for Fiscal Year 2018-19, Preliminarily Approving Engineer's Report with the staff recommended budget, and Providing for Notice of Hearing on June 28, 2018 for the Atwood Ranch III Landscaping and Lighting Assessment District.

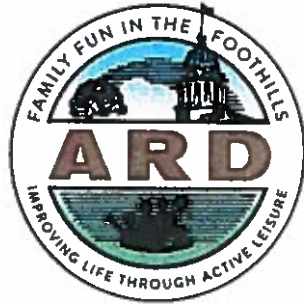
FISCAL IMPACT

The fiscal impacts of the projected budget are spelled out in budget on pages seven through nine of the Engineer's Report.

ATTACHMENTS

Atwood III Landscape and Lighting Engineer's Report for FY 18/19

Resolution 2018-11; Resolution of intention to levy assessments for FY 18/19, preliminarily approving engineers report and providing for notice of hearing for the Atwood Ranch III Landscape and Lighting Assessment District.



AUBURN AREA RECREATION & PARK DISTRICT

ATWOOD RANCH III LANDSCAPING AND
LIGHTING ASSESSMENT DISTRICT

ENGINEER'S REPORT

MAY, 2018

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
SCIConsultingGroup
4745 MANGELS BLVD.
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430-4300
FAX 707.430-4319
WWW.SCI-CG.COM

AUBURN AREA RECREATION AND PARK DISTRICT

BOARD OF DIRECTORS

James A. Gray, Chairman
H. Gordon Ainsleigh, Director
Jim Ferris, Director
Scott R. Holbrook, Director
Mike Lynch, Director

DISTRICT ADMINISTRATOR

Kahl Muscott

ADMINISTRATIVE SERVICES MANAGER

Joe Fecko

CLERK/SECRETARY OF THE BOARD AND TO THE DISTRICT ADMINISTRATOR

Pat Larson

DISTRICT LEGAL COUNSEL

Constantine C. Baranoff

ENGINEER OF WORK

SCI Consulting Group
Lead Assessment Engineer, John Bliss, M. Eng., P.E.

TABLE OF CONTENTS

INTRODUCTION 1

 ASSESSMENT BACKGROUND..... 1

 ASSESSMENT PROCESS..... 1

 ENGINEER’S REPORT AND CONTINUATION OF ASSESSMENTS 2

 LEGAL ANALYSIS 2

 COMPLIANCE WITH CURRENT LAW 4

PLANS & SPECIFICATIONS 5

FISCAL YEAR 2018-19 ESTIMATE OF COST AND BUDGET 6

 ATWOOD RANCH III LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT 6

METHOD OF APPORTIONMENT 10

 METHOD OF APPORTIONMENT 10

 DISCUSSION OF BENEFIT 10

 BENEFIT FACTORS..... 11

 GENERAL VERSUS SPECIAL BENEFIT 13

 METHOD OF ASSESSMENT 14

 ASSESSMENT APPORTIONMENT 14

 APPEALS AND INTERPRETATION 15

ASSESSMENT 16

 SUMMARY COST ESTIMATES 17

ASSESSMENT DIAGRAM..... 20

APPENDIX A – ASSESSMENT ROLL, FY 2018-19 22

LIST OF FIGURES

FIGURE 1 – ESTIMATE OF COST 7

FIGURE 2 - ATWOOD RANCH III LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT SUMMARY
COST ESTIMATES, FISCAL YEAR 2018-19 17

INTRODUCTION

ASSESSMENT BACKGROUND

The Auburn Area Recreation and Park District, Atwood Ranch III Landscaping and Lighting Assessment District (the "Assessment District"), was formed by a mailed ballot proceeding in 2004 to provide funding for the maintenance and improvement of the neighborhood park facilities and wetlands preserve areas adjacent to the properties in the Atwood Ranch III subdivision that forms the Assessment District (the "Improvements"). The Atwood Ranch III subdivision is located south of Atwood Road, generally to the northwest of the intersection of Bean Road and Kemper Road. The subdivision is comprised of 143 single family residences. This Assessment District formation resulted from agreements or conditions of development approval between the Auburn Area Recreation and Park District ("RPD") and the property owner, Morrison Homes, Inc., whereby the RPD and property owner agreed on neighborhood park maintenance to improve the appeal of the community, and maintenance of wetlands preserve areas pursuant to Army Corps of Engineers mandates.

ASSESSMENT PROCESS

In 2004, the Auburn Area Recreation and Park District Board of Directors (the "Board") conducted an assessment ballot proceeding pursuant to the requirements of Article XIID of the California Constitution ("The Taxpayer's Right to Vote on Taxes Act") and the Landscaping and Lighting Act of 1972. During this ballot proceeding, property owners in the Assessment District were mailed a notice and ballot for the proposed Assessment District. A 45-day period was provided for balloting and a public hearing was conducted on December 16, 2004. After the close of the public input portion of the public hearing, all ballots returned within the 45-day balloting period were tabulated.

The tabulation results determined that the assessment ballots submitted in opposition to the proposed assessments did not exceed the assessment ballots submitted in favor of the assessments (with each ballot weighted by the proportional financial obligation of the property for which the ballot was submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2005-06 and to continue to levy them in future years. The initial, maximum assessment rate balloted and established in Fiscal Year 2005-06 was \$148.62 per single family equivalent benefit unit. The levies were submitted to the Placer County Auditor for inclusion on the property tax rolls for fiscal year 2005-06. The assessments may be continued in future years and may be increased in future years by an annual adjustment tied to the Consumer Price Index for the San Francisco Bay Area as of December of each succeeding year, with the maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and may be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied, adjusted annually by the minimum of 1) 5% or 2) the change in the CPI plus any Unused CPI as described above. Based on the preceding annual

adjustments, the maximum possible assessment rate for Fiscal Year 2017-18 was \$200.64 per single family equivalent benefit unit. The annual change in the CPI from December 2016 to December 2017 was 2.94%. Therefore, the maximum authorized assessment rate for Fiscal Year 2018-19 has been increased from \$200.64 to \$206.54 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$168.28 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate.

ENGINEER'S REPORT AND CONTINUATION OF ASSESSMENTS

In each subsequent year for which the assessments will be continued, the Board must direct the preparation of an Engineer's Report, budgets and proposed assessments for the upcoming fiscal year. After the Engineer's Report is completed, the Board may preliminarily approve the Engineer's Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Board by Resolution No. 2018-01 adopted on February 22nd, 2018.

This Engineer's Report ("Report") was prepared to establish the budget for the continued improvements and services that would be funded by the proposed 2018-19 assessments, determine the benefits received from the assessments and the method of assessment apportionment to lots and parcels within this area. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article"). This Report is the detailed Engineer's Report required by the Article and the report required by Section 22565 of the Act.

Following submittal of this Report to the Board for preliminary approval, the Board may, by Resolution, call for the Public Hearing on the continued assessments for park maintenance and improvements. This hearing is scheduled for June 28th, 2018 at 6:00 p.m. After the close of the hearing, the Board may take action to approve the continuation of the assessments for fiscal year 2018-19. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller in June 2018 for inclusion on the property tax roll for Fiscal Year 2018-19.

The maintenance of 10.69 acres of wetlands preserve areas was provided by the developer for the first five years after the Assessment District was formed in Fiscal Year 2005-06. Following that time period, the wetlands preserve areas maintenance services were to be provided by the Auburn Area Recreation and Park District. Maintenance of the wetlands preserve areas is now provided by the Auburn Area RPD.

LEGAL ANALYSIS

PROPOSITION 218

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. Proposition 218 provides for benefit

assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements are satisfied by the process used to establish this assessment.

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA vs. SCCOSA"). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the assessment district

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based on in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeals issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the SVTA decision because the improvements to be funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District; and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. In addition, the improvements are directly available to and will directly benefit property in the Assessment District; and the improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Services will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the assessments. Moreover, while *Dahms* could be used as the basis for a finding of 0% general benefits, this Engineer's Report establishes a more conservative measure of general benefits.

The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the improvements and proportional special benefit to each property.

PLANS & SPECIFICATIONS

Following is a description of the Services that are provided for the benefit of property in the Assessment District. This Assessment District was created as a condition of development for the corresponding developments. Accordingly, prior to these developments, the level of Service in these areas was effectively zero. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre-development) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service	=	Baseline Level of Service (zero, pre-development)	+	Enhanced Level of Service
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The work and improvements ("Improvements") proposed to be undertaken by the Auburn Area Recreation & Park District and the Atwood Ranch III Landscaping and Lighting Assessment District, (the "Assessment District") and the costs thereof paid from the levy of the annual assessments provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. Consistent with the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

Installation, maintenance and servicing of public improvements, including but not limited to, labor, materials, supplies, utilities and equipment, as applicable, for property within the Assessment District that is owned or maintained by the Auburn Area Recreation & Park District. Any plans and specifications for these improvements will be filed with the District Administrator of the Auburn Area Recreation & Park District and are incorporated herein by reference.

As applied herein, "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

FISCAL YEAR 2018-19 ESTIMATE OF COST AND BUDGET

ATWOOD RANCH III LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT**DESCRIPTION OF IMPROVEMENTS**

Within the Assessment District, the existing and proposed improvements are generally described as maintenance of a neighborhood park and tot lot within the development area known as Atwood Ranch III, as well as trails in the wetlands preserve area; irrigation and turf of a small grass area adjacent to the tot lot; monitoring of 10.69 acres of wetlands preserve area (located within the area currently known as Lots B and C) with associated riparian scrub land, seeps, floodplains and drainage areas to a stormwater detention area; and reporting once yearly to the Army Corps of Engineers, including biology reports and project management reports.

FIGURE 1 – ESTIMATE OF COST

Auburn Area Recreation and Park District Atwood Ranch III Landscaping & Lighting Assessment District Estimate of Cost 2018-19	
Beginning Fund Balance, June 30, 2018	(\$18,519.00)
Equipment Replacement Reserve Balance, June 30, 2018 ¹	\$15,603.66
Installation, Maintenance & Servicing Costs	
Maintenance Labor (Incl. Roll-Ups)	\$9,400.00
Water Costs	\$4,000.00
Park Improvements (turf, irrigation)	\$1,000.00
Preserve Monitoring	\$3,500.00
Repayment to General Fund for Landscape Installation ²	\$4,000.00
Subtotal - Installation, Maintenance and Servicing	\$21,900.00
Administrative Costs	
County Collection Charges	\$240.64
Insurance	\$450.00
Administration Costs	\$2,740.00
Subtotal - Administration	<u>\$3,430.64</u>
Totals for Installation, Maintenance, Servicing and Administration	<u>\$25,330.64</u>
Total Benefit of Improvements	\$25,330.64
Equivalent Dwelling Units (EDU)	143
Benefit Received per Equivalent Dwelling Unit	\$177.14
Less:	
Contribution from Other Sources for General Benefit	<u>(\$1,266.53)</u>
Net Cost of Installation, Maintenance, Servicing and Administration	<u>\$24,064.11</u>
Budget Allocation to Property	
Total Assessment Budget	\$24,064.11
Total Equivalent Dwelling Units	143
Assessment per Equivalent Dwelling Unit	<u>\$168.28</u>

^{1, 2} The item "Equipment Replacement Reserve Balance" refers to funds maintained for future replacement of playground equipment and picnic tables. In Fiscal Year 2017-18, the Auburn Area RPD undertook a large, unanticipated landscaping project that depleted the District's General Fund. In Fiscal Year 2018-19, the RPD will transfer approximately \$14,600 from the Equipment Replacement Fund into the General Fund to reduce the resulting negative balance. Also in Fiscal Year 2018-19, the RPD will include \$4,000 in the Assessment District budget that will also be transferred into the General Fund to further reduce the negative balance. In future years, the assessments will continue to rebuild the Equipment Replacement Reserve to levels that will be sufficient for its intended purpose by the time the facilities are expected to be in need of replacement. The necessity to repay the funds borrowed from the General Fund is a major factor requiring the assessment rate increase in Fiscal Year 2018-19.

NOTES:

The maintenance of 10.69 acres of wetlands preserve areas was provided by the developer for the first five years after the Assessment District was formed, beginning in Fiscal Year 2005-06. The wetlands preserve area maintenance is now provided by the Auburn Area RPD.

Beginning in 2012, the Auburn Area RPD, by agreement with the Homeowners' Association, commenced maintenance of additional improvements installed and paid for by the HOA in the former "natural turf" area adjacent to the tot lot, including installation and maintenance of irrigation and turf.

As evidenced in the profit/loss history for the Auburn Area RPD, costs to provide maintenance within the Assessment District increased significantly in Fiscal Year 2013-14. This escalation in costs was directly related to the increase in labor costs necessary to maintain the park and preserve, and necessitated increases to the assessment rates for Fiscal Years 2013-14 and 2014-15. Specifically, the Auburn Area RPD experienced higher labor costs due to:

- Increased time eliminating weeds in an effort to keep a fire break along the houses that border the preserve.
- Increased costs in removing invasive Himalayan blackberry bushes in the preserve.
- Increased costs eliminating weeds in the preserve. These weeds have increased in size and quantity due to better fuel load reduction management.
- Increased time removing weeds from the landscape areas.
- Increased maintenance time in new landscaped area, mowing turf areas.
- Weed control in new bark areas.
- Removal of invasive tree species.

In Fiscal Year 2015-16 the maintenance costs for the Assessment District were reduced significantly due to the following factors:

- Reduction in maintenance in the nature preserve: per the Management Plan for the nature preserve, the Auburn Area RPD is permitted to mow the property once every five years. The RPD had previously been mowing and string trimming the preserve on an annual basis. Beginning in Fiscal Year 2015-16, the RPD modified that activity to comply with the Plan and began only mowing/trimming a 25' wide strip against all houses. This 25' strip was negotiated with the Placer County Resources Conservation District, the agency that holds the conservation easement on the property. This reduction in mowing/trimming led to reduced maintenance costs.
- Reduction in water use based on California's drought: the RPD irrigates the lawn and adjacent landscaping with potable water. The state mandated reduction has resulted in less water usage.

Because maintenance needs and requirements may fluctuate over time, in accordance with Proposition 218 the assessments may increase in any given fiscal year up to the maximum allowable rate, even following a year in which a lower rate was assessed.

In 2015 the Auburn Area RPD entered into another agreement with the Homeowners' Association to make a one-time contribution of \$2,500 towards further maintenance of the wetlands preserve area, particularly to eliminate issues of stagnant water.

METHOD OF APPORTIONMENT

METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of neighborhood park improvements and wetlands preserve areas; and the methodology used to apportion the total assessment to properties within the Atwood Ranch III Landscaping and Lighting Assessment District.

The Atwood Ranch III Landscaping and Lighting Assessment District consists of all Assessor Parcels within the boundaries as defined by the Assessment Diagram included within this Report and the Assessor Parcel Numbers listed within the included Assessment Roll. The method used for apportioning the assessments is based upon the proportional special benefits to be derived by the properties in the Atwood Ranch III Landscaping and Lighting Assessment District, over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Assessment District's neighborhood parks or wetlands preserve areas, or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of lighting improvements to be provided with the assessment proceeds. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by

property from maintenance and improvements such as those proposed by the Auburn Area Recreation & Park District and the Atwood Ranch III Landscaping and Lighting Assessment District. These types of special benefit are summarized as follows:

- A. **PROXIMITY TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT.**
- B. **ACCESS TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT.**
- C. **IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT.**
- D. **EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS.**
- E. **CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED.**

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

BENEFIT FACTORS

The special benefits from the Improvements are further detailed below:

PROXIMITY TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the park areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

ACCESS TO IMPROVED PARK AREAS WITHIN THE ASSESSMENT DISTRICT

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved park areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

IMPROVED VIEWS WITHIN THE ASSESSMENT DISTRICT

The RPD, by maintaining these park areas, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

EXTENSION OF A PROPERTY'S OUTDOOR AREAS AND GREEN SPACES FOR PROPERTIES WITHIN CLOSE PROXIMITY TO THE IMPROVEMENTS

In large part because it is cost prohibitive to provide large open land areas on property in the Assessment District, the residential and other benefiting properties in the Assessment District do not have large outdoor areas and green spaces. The park areas within the Assessment District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties with good and close proximity to the Improvements.

CREATION OF INDIVIDUAL LOTS FOR RESIDENTIAL USE THAT, IN ABSENCE OF THE ASSESSMENTS, WOULD NOT HAVE BEEN CREATED

Typically, the original owner/developer of the property within the Assessment District agreed to the assessments. As parcels were sold, new owners were informed of the assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the assessment. Moreover, in absence of the assessments, the lots within the Assessment District would not have been created. These lots, and the improvements they support, are a special benefit to the property owners.

GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Atwood Ranch III Landscaping and Lighting Assessment District would be used to fund improvements and increased levels of maintenance to the amenities adjoining the properties in the Assessment District. In absence of the Atwood Ranch III Landscaping and Lighting Assessment District, such improvements would not be provided and the properties would not be subdivided and improved to the same extent. The Assessment District is specifically proposed to provide additional and improved public resources in the Assessment District. The park improvements provided by the Atwood Ranch III Landscaping and Lighting Assessment District increase recreational opportunities to the homes within the Atwood Ranch III development, providing benefit to the development itself and are deemed to be of special benefit. In absence of the assessments, these public resources would not be created and revenues would not be available for their continued maintenance and improvement. Therefore, the assessments solely provide special benefit to property in the Assessment District over and above the general benefits conferred by the general facilities of the Assessment District.

Although these Improvements may be available to the general public at large, the park area within the Assessment District is specifically designed, located and created to provide additional and improved public resources for property inside the Assessment District, and not the public at large. Other properties that are either outside the Assessment District or within the Assessment District and not assessed, do not enjoy the unique proximity, access, views and other special benefit factors described previously. These Improvements are of special benefit to properties located within the Assessment District because they provide a direct advantage to properties in the Assessment District that would not be provided in absence of the Assessments.

There is no widely-accepted or statutory formula for calculating general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. The SVTA vs. SCCOSA decision provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

In the 2009 Dahms case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona are similar to the improvements and services funded by the Assessments described in this Engineer's Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Assessments.

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments - the funding must come from other sources.

One measure of general benefits from park and recreation Improvements is the percentage of time such park and recreation Improvements are used by individuals who are not residents, employees, customers or property owners in the Assessment District. Field surveys conducted by SCI in many other similar communities in California have found that for similar local parks such as those within the Assessment District, typically 5% of the park users do not live or work within the Assessment District. This is a measure of the general benefits to the public at large.

5%	(General Benefit)
+ 95%	(Special Benefit)
= 100%	(Total Benefit)

The maintenance and servicing of these improvements is also partially funded, directly and indirectly from other sources including the Auburn Area Recreation and Park District, and Placer County as well as other public agencies. This funding comes in the form of grants, special programs, and general funds, as well as direct maintenance and servicing of facilities (e.g., curbs, gutters, streets, drainage systems, etc.). This funding from other sources more than compensates for general benefits, if any, received by the properties within the assessment district. The sum total of this contribution exceeds the 5% minimum needed to offset any general benefit, as noted above.

METHOD OF ASSESSMENT

The second step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Equivalent Dwelling Units (EDU). This EDU methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated an EDU value, which is each property's relative benefit in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Equivalent Dwelling Unit or one EDU.

ASSESSMENT APPORTIONMENT

The proposed assessments for the Atwood Ranch III Landscaping and Lighting Assessment District would provide direct and special benefit to properties in this Assessment District. Atwood Ranch III is a residential single family development project consisting of 143 single family homes. As such, each residential property receives similar benefit from the proposed improvements. Therefore, the Engineer has determined that the appropriate method of

apportionment of the benefits derived by all parcels is on a dwelling unit basis. All improved properties or properties proposed for development are assigned an EDU factor equal to the number of dwelling units developed or planned for the property. The assessments are listed on the Assessment Roll in Appendix A.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the District Administrator or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the District Administrator or her or his designee, may refer their appeal to the Board of Directors of the Auburn Area Recreation & Park District and the decision of the Board of Directors of the Auburn Area Recreation & Park District shall be final.

ASSESSMENT

WHEREAS, the Board of Directors of the Auburn Area Recreation & Park District, County of Placer, California, by its Resolution No. 2018-01 adopted on February 22nd, 2018, ordered the initiation of proceedings for the continuation of the assessments for the Atwood Ranch III Landscaping and Lighting Assessment District for Fiscal Year 2018-19, pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution (collectively "the Act");

WHEREAS, said Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of said proposed improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the Board of said Auburn Area Recreation & Park District, hereby make the following assessment to cover the portion of the estimated cost of said improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for said improvements and the expense incidental thereto, to be paid by the Atwood Ranch III Landscaping and Lighting Assessment District for the fiscal year 2018-19, is generally as follows in Figure 2 on the next page.

SUMMARY COST ESTIMATES

FIGURE 2 - ATWOOD RANCH III LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT SUMMARY COST ESTIMATES, FISCAL YEAR 2018-19

	<i>FY 2018-19</i> <i>BUDGET</i>
Park Maintenance & Improvements	\$14,400
Preserve Maintenance and Monitoring	\$3,500
Repayment to General Fund	\$4,000
Incidental Expenses	\$3,431
TOTAL BUDGET	\$25,331
Less:	
Contribution from Other Sources for General Benefit	(\$1,267)
NET AMOUNT TO ASSESSMENTS	\$24,064

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of the Atwood Ranch III Landscaping and Lighting Assessment District. The distinctive number of each parcel or lot of land in the said Atwood Ranch III Landscaping and Lighting Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

And I do hereby assess and apportion said net amount of the cost and expenses of said improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Atwood Ranch III Landscaping and Lighting Assessment District, in accordance with the special benefits to be received by each parcel or lot from the improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within the Atwood Ranch III Landscaping and Lighting Assessment District, in proportion to the special benefits to be received by the parcels or lots of land, from said improvements.

The assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum

authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 5% or 2) the change in the CPI plus any Unused CPI as described above.

Property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the CPI adjustment schedule, so the assessment may continue to be levied annually and may be adjusted by up to the maximum annual CPI adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

Based on the preceding annual adjustments, the maximum possible assessment rate for Fiscal Year 2017-18 was \$200.64 per single family equivalent benefit unit. The annual change in the CPI from December 2016 to December 2017 was 2.94%. Therefore, the maximum authorized assessment rate for Fiscal Year 2018-19 has been increased from \$200.64 to \$206.54 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$168.28 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Placer for the fiscal year 2018-19. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2018-19 for each parcel or lot of land within the said Atwood Ranch III Landscaping and Lighting Assessment District.

Dated: May 16, 2018

Engineer of Work

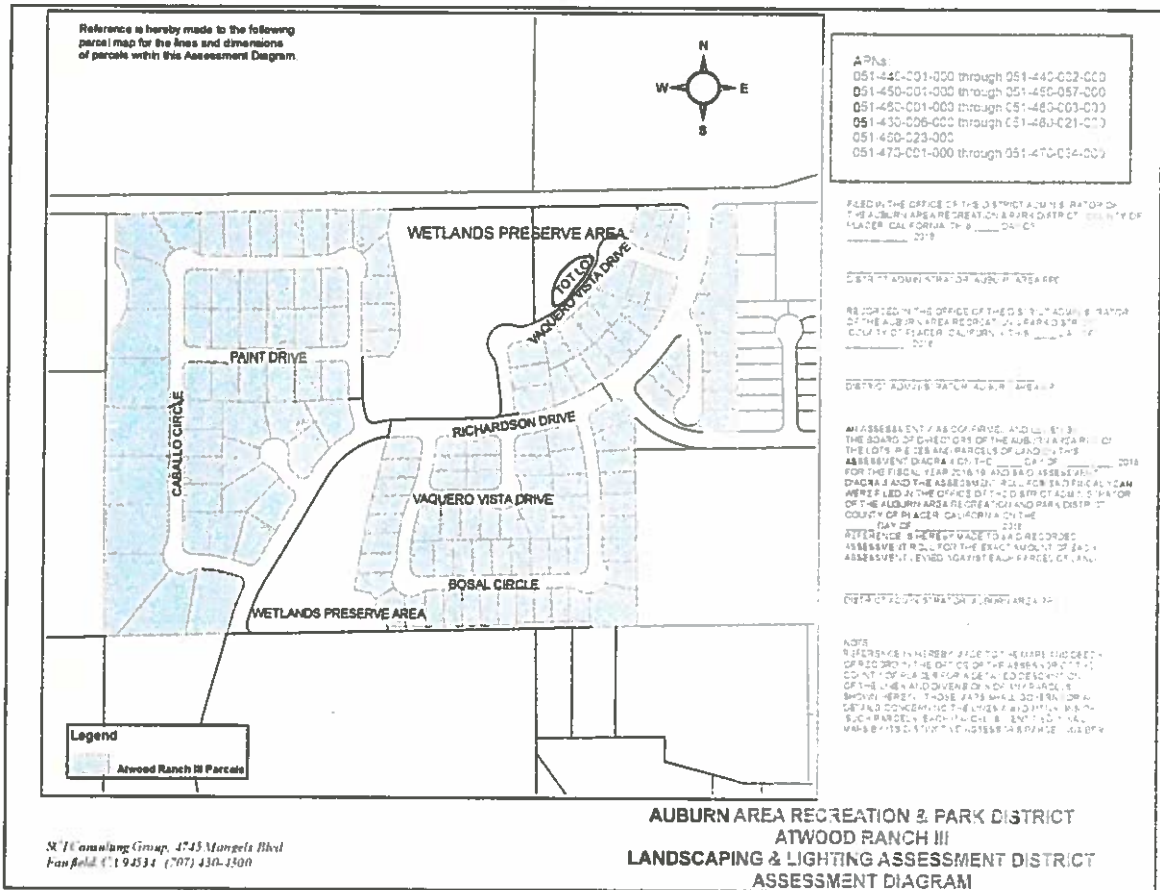
By John W. Bliss

John W. Bliss, License No. C52091



ASSESSMENT DIAGRAM

The boundaries of the Atwood Ranch III Landscaping and Lighting Assessment District are displayed on the following Assessment Diagram.



APPENDIX A – ASSESSMENT ROLL, FY 2018-19

The Assessment Roll (a listing of all parcels assessed within the Atwood Ranch III Landscaping and Lighting Assessment District, and the amount of the assessments) will be filed with the Clerk of the Board and is, by reference, made part of this report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this report. These records shall govern for all details concerning the description of the lots or parcels.

**AUBURN AREA RECREATION AND PARK DISTRICT
 Atwood Ranch III Landscaping and Lighting Assessment District
 Assessment Roll 2018-19
 Sorted by Assessor's Parcel Number Order**

Assessment Number & Assessor					Assessment Number & Assessor				
Parcel Number	Owner Name(s)	Site Address	SFE	Assmnt	Parcel Number	Owner Name(s)	Site Address	SFE	Assmnt
051440001	KUNKEL KIMBERLY A	11355 SPUR	1.00	168.28	051450025	AYERS LARRY &	11210 BOSAL	1.00	168.28
051440002	BAILEY DEBORAH E	11345 SPUR	1.00	168.28	051450027	CONDY BEVERLY R	11206 BOSAL	1.00	168.28
051440003	GREENE MICHAEL D &	11335 SPUR	1.00	168.28	051450028	SEISA CUSTODIO &	11200 BOSAL	1.00	168.28
051440004	CRAG INC	11325 SPUR	1.00	168.28	051450029	TAYLOR DEBBIE E	11201 BOSAL	1.00	168.28
051440005	SHEPARD JEREMY ET	11315 SPUR	1.00	168.28	051450030	PLATZ LISELOTTE TR	11205 BOSAL	1.00	168.28
051440006	LEEP KENNETH &	11305 SPUR	1.00	168.28	051450031	STOLZE JANELLE ET	11205 BOSAL	1.00	168.28
051440007	MCGOURTY DANIEL	2678	1.00	168.28	051450032	SCOTT KEVIN A &	2570 VAQUERO	1.00	168.28
051440008	CROSBY DAVID E &	2684	1.00	168.28	051450033	MAJSEN GERAM &	2566 VAQUERO	1.00	168.28
051440009	RAMIREZ JOSE CRUZ	2590	1.00	168.28	051450034	SMITH DEBRA A TR	2560 VAQUERO	1.00	168.28
051440010	ONEIL JAMES E TR	2696	1.00	168.28	051450035	BARNHOUSE JUSTIN	2565 VAQUERO	1.00	168.28
051440011	JONES BRENDA L	2500 VAQUERO	1.00	168.28	051450036	MOHS GREG & MOHS	2565 VAQUERO	1.00	168.28
051440012	WATSON JUANITA E &	2506 VAQUERO	1.00	168.28	051450037	MCDONALD MICHAEL	2575 VAQUERO	1.00	168.28
051440013	BOVE JOSHUA S &	2510 VAQUERO	1.00	168.28	051450038	NELSON DAVID R &	2579 VAQUERO	1.00	168.28
051440014	SCHULZ ZACHARY	2509 VAQUERO	1.00	168.28	051450039	DINUCCI MARIO J &	2583 VAQUERO	1.00	168.28
051440015	KJER VIRGINIA M TR	2505 VAQUERO	1.00	168.28	051450040	RING KEVIN P & RING	2587 VAQUERO	1.00	168.28
051440016	JENSEN CHARLES E &	2501 VAQUERO	1.00	168.28	051450041	WORTON JEFF &	2591 VAQUERO	1.00	168.28
051440017	RODGERS SHANE C	11320 SPUR	1.00	168.28	051450042	JOHNSON JOANI N TR	2595 VAQUERO	1.00	168.28
051440018	REDLICH MARK &	11340 SPUR	1.00	168.28	051450043	PRICE JERRITT D &	2599 VAQUERO	1.00	168.28
051440019	JONES BRENTON &	11350 SPUR	1.00	168.28	051450044	BUCKMEYER ROBERT	11245 BOSAL	1.00	168.28
051440020	HENRIQUES CARLENE	2673	1.00	168.28	051450045	FEIN MARY HELEN TR	11251 BOSAL	1.00	168.28
051440021	KELLY FRANK LIND &	2667	1.00	168.28	051450046	GETZ CHRISTINE D &	11255 BOSAL	1.00	168.28
051440022	SPAIN-TRUBIA JUDY	2661	1.00	168.28	051450047	CULWELL CLARENCE	11261 BOSAL	1.00	168.28
051440023	REXUS JAMES N JR &	2655	1.00	168.28	051450048	BRINK SCOTT	11269 BOSAL	1.00	168.28
051440024	ANDERSON DONALD	2649	1.00	168.28	051450049	GARCIA WILLIAM R TR	11271 BOSAL	1.00	168.28
051440025	BALOTE MAUREEN	2643	1.00	168.28	051450050	SINGH BHUPINDER	11279 BOSAL	1.00	168.28
051440026	SCHINDLER CRAIG R	2539 VAQUERO	1.00	168.28	051450051	KOENG CARL	11285 BOSAL	1.00	168.28
051440027	ALBERTAZZI	2535 VAQUERO	1.00	168.28	051450052	GONZALEZ ANNER	11289 BOSAL	1.00	168.28
051440028	GREENHALGH	2531 VAQUERO	1.00	168.28	051450053	DAVISON SHAWN W	11305 BOSAL	1.00	168.28
051440029	HUCKING CHARLES E	2525 VAQUERO	1.00	168.28	051450054	SHERMAN STEPHEN	11313 BOSAL	1.00	168.28
051440030	HIRSCH WILLIAM E &	2527 VAQUERO	1.00	168.28	051450055	FEIN MARY HELEN TR	11319 BOSAL	1.00	168.28
051440031	SKRABER GEOFFREY	2519 VAQUERO	1.00	168.28	051450056	WATSON MASON &	11323 BOSAL	1.00	168.28
051440032	TORPY JAN & TORPY	2515 VAQUERO	1.00	168.28	051450057	DURR BRYAN J &	11333 BOSAL	1.00	168.28
051450001	HARRIS MICHAEL &	11336 BOSAL	1.00	168.28	051460001	STILLMAN JANET M &	11025 CABALLO	1.00	168.28
051450002	MORGAN JEFFREY H	11330 BOSAL	1.00	168.28	051460002	JOHNSRUD MATTHEW	11023 CABALLO	1.00	168.28
051450003	MAY HAYDEN E	11326 BOSAL	1.00	168.28	051460003	AYERS LARRY DALE	11017 CABALLO	1.00	168.28
051450004	DILGER MATTHEW &	11322 BOSAL	1.00	168.28	051460006	TAYLOR SUSAN A	11003 CABALLO	1.00	168.28
051450005	KEMPAIN CLAYTON	11316 BOSAL	1.00	168.28	051460007	WERNTZ RICHARD S	11000 CABALLO	1.00	168.28
051450006	BRANSON JANA M &	11310 BOSAL	1.00	168.28	051460008	CEHAN E GREGORY &	11004 CABALLO	1.00	168.28
051450007	HATASHITA JASON D	11306 BOSAL	1.00	168.28	051460009	BOBZIEN TIMOTHY JR	11002 CABALLO	1.00	168.28
051450008	NEWMAN-BARRERA	11300 BOSAL	1.00	168.28	051460010	PARSON RUSSELL	11020 CABALLO	1.00	168.28
051450009	COLLOM CRAIG D &	11296 BOSAL	1.00	168.28	051460011	TABER DOUGLAS E &	11024 CABALLO	1.00	168.28
051450010	AVELLAR LAJRA &	11290 BOSAL	1.00	168.28	051460012	LANNING DAVID &	11028 CABALLO	1.00	168.28
051450011	KEARNS KENNETH &	11286 BOSAL	1.00	168.28	051460013	MOORE GAVIN &	11032 CABALLO	1.00	168.28
051450012	RAMIREZ CHRISTINE	11280 BOSAL	1.00	168.28	051460014	EVANS DONALD &	11100 CABALLO	1.00	168.28
051450013	HINSHAW DAVID M TR	11276 BOSAL	1.00	168.28	051460015	CLIFTON SCOTT &	2812 ORBECK	1.00	168.28
051450014	PLATT DAVID V &	11270 BOSAL	1.00	168.28	051460016	MELICK ANN	2820 ORBECK	1.00	168.28
051450015	NISSAN FRANK J JR	11266 BOSAL	1.00	168.28	051460017	FEATHERSTON	2830 ORBECK	1.00	168.28
051450016	MITCHELL KATHLEEN	11260 BOSAL	1.00	168.28	051460018	SHELL BONNIE K ET	2825 ORBECK	1.00	168.28
051450017	DONOVAN CAROLE	11256 BOSAL	1.00	168.28	051460019	BORGES KRUSTEN A	2815 ORBECK	1.00	168.28
051450018	PERILLOUX BRUCE E	11250 BOSAL	1.00	168.28	051460020	KEARNS KEN &	2805 ORBECK	1.00	168.28
051450019	BARRY SCOTT	11246 BOSAL	1.00	168.28	051460021	CHAPPELL ROWENA	11013 CABALLO	1.00	168.28
051450020	STORMENT RALPH L	11240 BOSAL	1.00	168.28	051460023	CHAPPELL CYNTHIA	11005 CABALLO	1.00	168.28
051450021	MUNKHEAT TOLMON	11236 BOSAL	1.00	168.28	051470001	YETKA NELLIE	11095 CABALLO	1.00	168.28
051450022	JOHL RAVINDER &	11230 BOSAL	1.00	168.28	051470002	SALVATION ARMY A	11091 CABALLO	1.00	168.28
051450023	MALIG JOCELYN N	11225 BOSAL	1.00	168.28	051470003	PICAMAN JERRY A &	11057 CABALLO	1.00	168.28
051450024	SAPETA GARY C TR	11220 BOSAL	1.00	168.28	051470004	ROCHA EUGENE T &	11083 CABALLO	1.00	168.28
051450025	MARSHALL LORETTA	11216 BOSAL	1.00	168.28	051470005	KNIGHT WILLIAM D &	11075 CABALLO	1.00	168.28

RESOLUTION NO. 2018-11

**A RESOLUTION OF INTENTION TO CONTINUE ASSESSMENTS
FOR FISCAL YEAR 2018-19, PRELIMINARILY APPROVING
ENGINEER'S REPORT, AND PROVIDING FOR NOTICE OF HEARING
FOR THE AUBURN AREA RECREATION AND PARK DISTRICT, ATWOOD RANCH III
LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT**

WHEREAS, on January 27th, 2005, by its Resolution No. 2005-01, after receiving a weighted majority of 100% of ballots in support of the proposed assessment, this Board ordered the formation of and levied the first assessment within the Atwood Ranch III Landscaping and Lighting Assessment District of the Auburn Area Recreation and Park District (the "District") pursuant to the provisions of Article XIID of the California Constitution, and the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, the first Engineer's Report for Fiscal Year 2005-06 described how the assessment district would be established, determined the uses of the assessment funds, established the methodology by which the assessments would be applied to properties in the District, established that the assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the San Francisco Bay Area, and stated that the assessment would continue year-to-year until terminated by the District Board of Directors; and

WHEREAS, although the methodology by which the assessments are applied to properties in the District does not change from year to year, a new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations; and

WHEREAS, by Resolution No. 2018-01, the Board ordered the preparation of an Engineer's Report for the Atwood Ranch III Landscaping and Lighting Assessment District (the "District") for fiscal year 2018-19; and

WHEREAS, pursuant to said Resolution, the Engineer's Report was prepared by SCI Consulting Group, Engineer of Work, in accordance with 22565, *et. seq.*, of the Streets and Highways Code (the "Report") and Article XIID of the California Constitution; The Report has been made, filed with the Clerk of the Board and duly considered by the Board and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Auburn Area Recreation and Park District, (the "Board"), State of California, that it is the intention of this Board to continue and to collect assessments within the District for fiscal year 2018-19. It is proposed that Atwood Ranch III Landscaping and Lighting Assessment District undertake the following

improvements: installation, maintenance and servicing of public facilities. Installation will include but not be limited to, playground equipment, irrigation and sprinkler systems, landscaping, turf, park grounds, park facilities, landscape corridors, trails, ponds, wetlands preserve areas, fencing, piers, signage, benches, tables, and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, as applicable, for property owned or maintained by the Auburn Area Recreation and Park District. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti, and monitoring of wetlands preserve areas. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

BE IT FURTHER RESOLVED that the assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"), with a maximum annual adjustment not to exceed 5%. Any change in the CPI in excess of 5% shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate in years in which the CPI is less than 5%. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year the assessment was levied adjusted annually by the minimum of 1) 5%, or 2) the change in the CPI plus any Unused CPI as described above.

BE IT FURTHER RESOLVED that property owners in the Assessment District, in an assessment ballot proceeding, approved the initial fiscal year benefit assessment for special benefits to their property including the CPI adjustment schedule. Therefore, the assessment may be continued annually and may be adjusted by up to the maximum annual CPI adjustment without any additional assessment ballot proceeding. In the event that in future years the assessments are levied at a rate less than the maximum authorized assessment rate, the assessment rate in a subsequent year may be increased up to the maximum authorized assessment rate without any additional assessment ballot proceeding.

BE IT FURTHER RESOLVED that based on the preceding annual adjustments, the maximum possible assessment rate for Fiscal Year 2017-18 was \$200.64 per single family equivalent benefit unit. The annual change in the CPI from December 2016 to December 2017 was 2.94%. Therefore, the maximum authorized assessment rate for Fiscal Year 2018-19 has been increased from \$200.64 to \$206.54 per single family equivalent benefit unit. However, the estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$168.28 per single family equivalent benefit unit, which is less than the maximum authorized assessment rate.

BE IT FURTHER RESOLVED, by the Governing Board of the Auburn Area Recreation and Park District that a Public Hearing shall be held on June 28th, 2018 at 6:00 p.m. at Board Room of the District Office, 471 Maidu Drive, Auburn, CA to consider the ordering of the improvements and the continuation of the proposed assessments. Prior to the conclusion of the hearing, any interested person may file a written protest with the Board, or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by

such owner. Such protest or withdrawal of protest should be mailed to Auburn Recreation and Park District, 471 Maidu Drive, Auburn, CA 95603-5723. Notice of the hearing is to be given by publishing a notice once, at least ten (10) days prior to the date of the hearing above specified, in a newspaper circulated in the Auburn Area Recreation and Park District.

DULY AND REGULARLY ADOPTED by the Governing Board of the Auburn Area Recreation and Park District this 31st day of May, 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kahl Muscott
District Administrator

James A. Gray
Chair, Board of Directors

2017/2018 PROJECT ACTIVITY REPORT		UPDATED 05/18/18	
PROJECT	EST. GOST	NOTES	EST. COMPLETED
RECREATION PARK			
Sierra Pool Re-Plastering	100,000.00	Both City and County Permits/Approvals have been obtained but not enough time to bid and perform the work prior to pool opening Feb. 1st. Will bid July 2018 and construct Sept-Dec 2018 instead.	DECEMBER 2018
Bleacher Shade Structure	150,000.00	Project is nearly complete and is expected to finish Friday May 18th. New "no-climb" style pvc coated fence fabric installation to surround the bleacher/shade structure area will be following the shade structure completion in the week or two after.	MAY 2018
RAILHEAD PARK			
Field "A" Turf Renovation Project	60,000.00	Project completed.	OCTOBER 2017
BELL ROAD SITE			
Planning/CEQA/Construction Documents	517,000.00	Project site has been removed from ARD consideration.	DECEMBER 2017
PLACER HILLS POOL			
ADA Path of Travel	10,000.00	Minor sidewalk repair to be done in-house in the off season	MAY/JUNE 2018
REGIONAL PARK			
Regional Park South Play Structure	140,000.00	Staff has met with the ARD web page designer to create a website link on the ARD home page that the public can use to vote on which of the five play structures they like the most. The site & voting is expected to be up in the next two weeks and will be open for voting for one month. Staff is also preparing construction documents for a concrete ramp to be installed from parking lot to play structure for ADA compliance and planning on having the new play structure built first.	JUNE/JULY 2018

AC Pathway Repairs Project	50,000.00	Project bids were opened March 8th and recommendation of award to low bidder Central Valley Engineering & Asphalt is being sent to this committee and to the board. During bidding it was determined that significant savings could be realized and project "unknowns" reduced if the work was done in the summer when the ground was firm and dry. As such, the project will be awarded now but work will be scheduled for after July 16th park music festival. United Auburn Indian Community is requesting notification on this project and they have been made aware of the new construction schedule.	CONSTRUCT LATE JULY 2018
Dry Creek Picnic ADA improvements	15,000.00	Design being revised, bid package being formed in house, AB52 consultation completed. UAIC determined no further inquiry needed on this project.	DESIGN MARCH/APRIL BID & INSTALL JUNE/JULY 2018
OVERLOOK PARK			
Planning and CEQA	90,000.00	Project to be pushed back due to review delays at USBR	TBD
CVCC			
Bike Park - Design, CEQA, NEPA etc.	100,000.00	USBR still needs to sign the FONSI. Staff has been working on and presenting design modifications to address neighbor concerns at A&D meetings. After a signed FONSI is received, the CD's need to be refined, review by USBOR needs to take place, all required permits need to be obtained with bidding and construction to follow. Recent modifications include a "Bikes Only" access/egress pathway being added to the design to help reduce potential bike traffic on the canal trail and per neighborhood request.	TBD
Bike Park - Construction	175,000.00		TBD
MEADOW VISTA PARK			
ADA Parking & Path of Travel	60,000.00	Project completed.	OCTOBER 2017
ADA Restroom Interior Renovation	60,000.00	Project has been completed and restrooms have been opened back up to the public.	MARCH/APRIL 2018
OPERATION AND DEV. PLAN			
CEQA/NEPA costs	25,000.00	USBR review delayed due to budget issues.	TBD

MULTI-PARK ITEMS				
Streambed Alteration Agreement (no labor)		44,000.00	USFWS has finally gotten back to the District giving authorization to proceed and outlining the various forms and reports that will need to be filled out as the work is done and what fees will be required.	TBD
Carry over projects from 2016 2017 list in YELLOW				
Fiscal Year Projects Total:		1,596,000.00		