



Staff Report

May 14, 2019

TO: Honorable Mayor and Members of the Town Council
FROM: Brit Snipes, Town Engineer
DATE: May 14, 2019
RE: Public Hearing and Resolution of the Town Council Determining to Levy Maintenance Assessments in Town of Loomis Taylor Road Mixed Use Maintenance District No. 16

Recommendation

Staff recommends Council conduct a public hearing on the Engineer's Report and the question of levying assessments within the Town of Loomis Taylor Road Mixed Use Maintenance District No. 16 (the "District") for certain properties in the District pursuant to the Benefit Assessment Act of 1982. Following the close of the public hearing and tabulation of ballot results, staff recommends the adoption of a Resolution determining to Levy Assessments in the District.

Issue Statement and Discussion

On March 12, 2019, the Town Council approved Resolution No. 19-20, a Resolution of the Town Council of the Town of Loomis Declaring its Intention to Levy Maintenance Assessments, pursuant to the Benefit Assessment Act of 1982. The Resolution, among other things, approved the Engineer's Report, established a public hearing on May 14, 2019, and directed the Town Clerk to give notice of the public hearing.

The action tonight relates to the assessment of property in the District, as described in the Engineer's Report on file with the Town Clerk.

The proposed assessment is a maximum of \$1,102.48 annually for each parcel with respect to which a building permit has been filed. All assessments may be increased each year after fiscal year 2019-20. The assessment will be collected on each parcel's consolidated property tax bill. The assessment is apportioned on all assessable lots or parcels in proportion to the estimated benefits to be received by each lot or parcel. Two items, Fire Hydrant maintenance and Street Sweeping, were removed from the original Engineer's Estimate because they are redundant with services being provided by other means.

CEQA Requirements

There are no CEQA issues.

Financial and/or Policy Implications

Annual assessments from the new development will provide funding for street maintenance expenses associated with the development.

Attachments

- A. Resolution
- B. Engineer's Report

TOWN OF LOOMIS

RESOLUTION NO. 19 –

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
DETERMINING TO LEVY MAINTENANCE ASESMENTS IN TOWN OF LOOMIS TAYLOR ROAD
MIXED USE MAINTENANCE DISTRICT NO. 16**

WHEREAS, on March 12, 2019, the Town Council (the “Town Council”) of the Town of Loomis (the “Town”), adopted Resolution No. 19-20 (the “Resolution of Intention”) determining to undertake proceedings pursuant to the Benefit Assessment Act of 1982, being California Government Code sections 54703 *et seq.* (the “Act”), to levy assessments to finance certain street maintenance costs (paving, drainage, lighting) and to equitably distribute the costs among benefited landowners whose property is located within the boundaries of the Town of Loomis Taylor Road Mixed Use Maintenance District No. 16 (the “District”), and

WHEREAS, in accordance with the Act, Town staff and the Town Engineer, have prepared and filed with the Town Clerk a report for fiscal year 2019-2020 (the “Engineer’s Report”) in accordance with the Act; and

WHEREAS, the Town Council fixed May 14, 2019, at 7:30 p.m., or as soon thereafter as the matter may be heard, at Town Hall, 3665 Taylor Road, Loomis, California, as the time and place for a public hearing on the Engineer’s Report and the question of the levy of the proposed assessments; and

WHEREAS, the Town Council finds that a notice of the time and place for the public hearing has been published for two successive weeks in *The Loomis News*, mailed to the record owner of each identified parcel within the boundaries of the District, and posted in three public places in the Town in the time, form, and manner required by law; and

WHEREAS, the public hearing was duly convened by the Town Council at the time and place indicated in the notice of public hearing and all protests received by the Town Clerk were presented to the Town Council; and

WHEREAS, the Town Council thereupon proceeded with the public hearing and duly heard all interested persons desiring to be heard and duly considered all of the protests at the hearing; and

WHEREAS, at the time of the close of the public hearing, the ballots (all ballots weighted according to the proportional financial obligation of each affected property) submitted in opposition to the proposed assessment did not exceed the ballots submitted in favor of the assessment.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Loomis as follows:

1. **Recitals.** The above recitals are true and correct.
2. **Final Approval of Engineer’s Report.** The Town Council hereby approves the Engineer’s Report as filed.
3. **Benefit Finding.** The Town Council hereby finds and determines that the assessment included in the Engineer’s Report assesses all assessable lots or parcels described therein in proportion to the benefits to be received by each affected parcel, respectively, from the maintenance of the facilities.
4. **Determination of Assessment.** The Town Council hereby determines and levies the assessment as described in the Engineer’s Report.

5. **Directive to Record and File Documents.** The Town Council hereby directs the Town Clerk to record the assessment diagram and the assessment roll in her office and to file the assessment diagram and record the notice of assessment in the office of the Placer County Recorder.

6. **Effective Date.** This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED by the Town Council of the Town of Loomis this 14th day of May, 2019.

AYES:
NOES:
ABSTAINED:
ABSENT:

Mayor

ATTEST:

Town Clerk

ENGINEER'S REPORT
FOR
TAYLOR ROAD MIXED USE
MAINTENANCE DISTRICT
TOWN OF LOOMIS
PLACER COUNTY, CALIFORNIA

May, 2019

CONTENTS

PAGE

I. INTRODUCTION AND PURPOSE OF THE ASSESSMENT 3

II. LEGAL REQUIREMENTS..... 4

III. ENGINEER’S STATEMENT 4

IV. BOUNDARY OF TAYLOR ROAD MIXED USE MAINTENANCE DISTRICT..... 4

 EXHIBIT “A” – ASSESSMENT DIAGRAM..... 5

 EXHIBIT “B” 7

 LEGAL DESCRIPTION 7

V. BASIS OF ANNUAL ASSESSMENT 8

VI. CALCULATIONS OF SPECIAL BENEFIT 9

VII. METHOD OF ASSESSMENT 9

VIII. ASSESSMENT ROLL..... 10

IX. BUDGET WORKSHEET 11

I. INTRODUCTION AND PURPOSE OF THE ASSESSMENT

Taylor Road Mixed Use is a planned subdivision. The project is located on the east side of Taylor Road, approximately 1,000 feet north of Sierra College Boulevard in the Town of Loomis. Taylor Road Mixed Use contains 2 commercial lots, 1 open space, 9 single family dwellings with carriage units, 7 single family dwellings, and 10 halfplexes.

The petitioners have requested, and the Town of Loomis has agreed, to consider the formation of a Maintenance District to levy a charge to each lot and provide the services listed below. Should the Maintenance District be abolished, the project homeowners' association, or a substitute acceptable to the Town of Loomis, would be responsible for the services.

Services to be provided in this Maintenance District are:

- A. Street Surface Maintenance for 49,050 SF of roads.
 - 1. Slurry seal paving every five (5) years after 2019.
 - 2. Repair of potholes annually.
 - 3. 2" overlay paving every twenty-five (25) years after 2019.
 - 4. Pavement marking repair and replacement every five (5) years after 2019.
 - 5. Inspect and repair the concrete sidewalks annually.
 - 6. Inspect and repair the concrete curbs and gutters annually.
 - 7. Inspect and repair street signage annually.

- B. Storm Drain Maintenance for approximately 2,548 LF of Storm Drainage Pipe.
 - 1. Inspect and repair drain pipes within public easement.
 - 2. Inspect and clean drain inlets within public easement.
 - 3. Inspect and maintenance drain swales and detention facilities within public easement.

- C. Utility Maintenance
 - 1. Street light maintenance once per month

- D. Landscape Maintenance
 - 1. Maintain and repair landscape within street frontage
 - 2. Maintain and repair landscape within open space lot
 - 3. Fire Abatement for commercial lots until they will be developed

These services represent a special benefit to the Taylor Road Mixed Use property in that the services to be funded by the assessments will only benefit the Taylor Road Mixed Use property and individual lots in the Taylor Road Mixed Use Maintenance District.

The project homeowners; association, or a substitute acceptable to the Town of Loomis, will provide the maintenance for all facilities not listed above.

II. LEGAL REQUIREMENTS

In November 1996, the voters of the State of California passed Proposition 218, which made significant changes in Assessment Law. Among those changes was a requirement that a detailed Engineer's Report be prepared and signed by a Registered Professional Engineer in the State of California. This report is being prepared in response to that requirement and attached here to as Appendix "A".

Another requirement of the new law is that the report must establish a substantive "special benefit" to property for the valid levy of an assessment. In the case of this assessment, the "special benefit" to property being assessed is the availability of paved road surfaces and storm drainage to all assessed lots. All the commercial and residential lots in the Taylor Road Mixed Use Maintenance District are to be assessed an equal amount of the total assessment.

III. ENGINEER'S STATEMENT

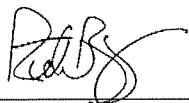
I do hereby state the amount found in the "Budget Worksheet", attached hereto and made a part thereof, is an accurate assessment to be apportioned upon the assessable lots within the Taylor Road Mixed Use Maintenance District, severally and respectively, in accordance with the special benefits to be received by such lots and more particularly set forth in the Assessments Roll hereto attached as Category VIII reference made a part hereof.

An Assessment Diagram is attached as Exhibit "A" showing the boundaries and roads of Taylor Road Mixed Use Maintenance District.

Each assessed lot is described in the attached Roll by reference to its assessment number as shown on the Assessment Diagram. A more particular description of the Maintenance District roads is included as Exhibit "B".

Dated: 05/08/2019



By: 
Richard Rozumowicz
Engineer
RCE 28217

IV. BOUNDARY OF TAYLOR ROAD MIXED USE MAINTENANCE DISTRICT

- A. See Exhibit "A" for an Assessment Diagram depicting the lot lines with the boundary of the Maintenance District.
- B. See Exhibit "B" for a legal description of the roads that will be maintained by the Maintenance District.

EXHIBIT "A" – ASSESSMENT DIAGRAM

TAYLOR ROAD MIXED USE MAINTENANCE DISTRICT

- I. SUBDIVISION IMPROVEMENTS SUBJECT TO MAINTENANCE:
 - A. Street Improvements
 1. 49,050 SF of asphalt pavement
 2. Twenty-eight (28) LF of pavement marking
 3. 17,720 SF of concrete sidewalk
 4. 3,550 LF of concrete curb and gutter and 226 SF of concrete v-gutter
 5. Eight (8) street and two (2) traffic signs
 - B. Storm Drain Improvements
 1. 2,449 LF of storm drain pipe, including manholes and flared end sections
 2. Eleven (11) drain inlets
 3. Two (2) underground detention facilities and 670 LF of drain swales
 - C. Utility Maintenance
 1. Thirteen (13) street lights and street light bases
 - D. Landscape Maintenance
 1. 8,120 SF of landscape along the streets
 2. 7,065 SF of open space lot landscape
 3. Fire abatement operations for commercial lots until development
- II. MAINTENANCE LEVEL OF SERVICE: 50-YEAR LIFE CYCLE
 - A. Street Improvements
 1. Asphalt Pavement
 - i. Slurry seal coat one every five (5) years
 - ii. Patch base and pavement over $\frac{1}{4}$ of total square footage over the live cycle
 - iii. Pavement 2-inch overlay every 25 years
 2. Pavement marking
 - i. Replace every five (5) years
 3. Concrete sidewalk
 - i. Replace over $\frac{1}{4}$ of total square footage over the life cycle
 4. Concrete curb and gutter
 - i. Replace over $\frac{1}{4}$ of total length over the life cycle
 5. Street and traffic signs
 - i. Replace every five (5) years
 - B. Storm Drain Improvements
 1. Storm drain pipe, manholes and flared end sections
 - i. Clean ones per year
 2. Drain inlets
 - i. Clean 1 hr per week during winter months
 3. Underground detention facilities and drain swales
 - i. Clean ones per year
 - ii. Reseeding and mulching as needed

C. Utility Maintenance

1. Street lights and street light bases
 - i. On-going maintenance performed by PG&E for monthly service charge

D. Landscape Maintenance

1. Landscape within public easements
 - i. Prune and clean twice per year
2. Open space lot maintenance
 - i. Prune and clean twice per year
3. Undeveloped commercial lots maintenance
 - i. Fire abatement operations

EXHIBIT "B"
ASSESSMENT
LEGAL DESCRIPTION

THE ROADS KNOW AS TAYLOR VILLAGE DRIVE, STONE FIELD WAY, AND WATER WELL PLACE, AS SHOWN ON SUBDIVISION _____, ENTITLED "TAYLOR ROAD MIXED USE", AS FILED IN THE OFFICE OF THE RECORDER OF PLACER COUNTY ON _____ IN BOOK OF MAPS, PAGE NO. _____, IN THE COUNTY OF PLACER, STATE OF CALIFORNIA.

V. BASIS OF ANNUAL ASSESSMENT

The annual assessments for each maintenance program, as defined in this report, have been based upon current rates and maintenance cost. The annualized cost for pavement surface treatments, concrete work, storm drain systems and signs were obtained from Placer County CDRA-ESD Improvement Plan, Plan Check and Inspection Fee Spreadsheet, effective July 1, 2018. The cost for services like the street sweeping, cleaning and landscape maintenance were obtained from Operating Cost Manual for Homeowners Association by California Department of Real Estate, revised January 2016. Further discussion on each maintenance activity is as follows:

A. STREET MAINTENANCE

The street maintenance program is based upon the following costs: to slurry seal the pavement every five (5) years, AC patch of one quarter of the roads area including the emergency vehicle access (EVA) driveway over the 50-year life cycle, roads 2-inch AC overlay every 25 years after the initial pavement placement, streets swiping for 15 minutes every week or for 1 hour per month, replacement of pavement marking every five (5) years, replacement of the sidewalk up to one quarter of total square footage, replacement of the curb and gutter up to one quarter of total length and replacement of street and traffic signs every five (5) years. The following costs were used:

- The slurry seal cost of \$0.67 per square foot (sf),
- AC patch and EVA repair cost of \$5.50 per sf,
- 2-inch overlay cost of \$1.34 per sf,
- Pavement marking repair cost of \$1.34 per linear foot (lf),
- Curb and gutter replacement cost of \$19.80 per lf,
- Sidewalk replacement cost of \$4.00 per sf,

B. STORM DRAIN MAINTENANCE

Annual maintenance required to the storm drain systems include the following costs: cost to clean drain pipes and chambers ones per year, cost to clean drain inlets every week during the winter months, and cost to clean, mulch and reseed if needed the open space areas used for underground detention and two drainage swales. The following costs were used:

- Storm drain pipes and chambers cleaning cost of \$2.00 per lf,
- Drain inlets cleaning cost of \$20.00 per inlet per week during the winter months,
- Drain swales and underground detention systems cleansing, reseeding and mulching of \$0.25 per sf.

C. UTILITY MAINTENANCE

Utility maintenance consist of street lights, street light bases and fire hydrant maintenance which will be performed by the utility providers. The following costs associated with the above services were used:

- Street lights and street light bases maintenance cost of \$10.00 per light per month

D. LANDSCAPE MAINTENANCE

Landscape maintenance consists landscape maintenance cost along the streets and costs associated with the maintenance of open space lot and commercial lots until commercial lots will be developed. The following costs were used for the landscape maintenance:

- Commercial lots landscape maintenance and fire abatement operations costs of \$0.03 per sf,
- Repair and replace street landscape cost of \$0.10 per sf,
- Repair and replace open lot landscape cost of \$0.20 per sf.

The annualized cost expenditures for insurance, collections, administration, management and contingencies are included in the actual assessments for each assessable lot. The actual cost breakdown worksheet and cost spread are included in the Budget Worksheet section of this report. The assessments, as calculated, are necessary to ensure the funds are available when needed. By using actual, current maintenance cost and electric rates, the assessments are justified, yet the assessments should not be more than what is necessary for the estimated maintenance costs.

VI. CALCULATIONS OF SPECIAL BENEFIT

Pursuant to Section 4 of Article XIII D of the California Constitution, the lots of the subdivision receiving a special benefit from the maintenance must be identified and the proportional special benefit must be determined in relationship to the total maintenance expenses estimated to be necessary to maintain the street, drainage, utility and landscape improvements. It is my opinion that the benefits are wholly special benefits and each of the lots within this Maintenance District receive an equal proportion of the special benefit from the identified maintenance in that the roads of Maintenance District serve only the lots in this Maintenance District and are not a part of a larger County traffic system. In addition, the drainage being maintained serves only lots within this Maintenance District. Because it cannot be said that any one lot is benefiting greater than any other lot, the amount of assessment, which is to be imposed on each lot, is equal and does not exceed the reasonable cost of the proportional special benefit conferred on that lot.

Accordingly, I find that each lot in this subdivision receives a special benefit from the proposed maintenance programs. I find that each lot will receive the following annual special benefit as shown on the "Budget Worksheet" attached hereto and made a part thereof.

Assessment Rate

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

Taylor Road Mixed Use - 28 lots

The assessment rate for 2018-2019 tax year is based upon the "Budget Worksheet" attached hereto and made a part thereof and is proposed to be as follow:

Total Assessment	\$30,869.55
Number of Lots	28
Annual cost per lot	\$1,102.48

VII. METHOD OF ASSESSMENT

Assessments will be collected in the same way real property taxes are collected by the Placer County Tax Collector on behalf of the Maintenance District and will be delivered by the County to the Town of

Loomis in the name of Taylor Road Mixed Use Maintenance District. Assessments will be collected in two installments and will be available within sixty (60) days after the installments are due.

Inflation Adjustment:

The amount of assessment specified for this year may be adjusted annually for the ensuing fiscal year. The amount of increase will be 3.0 per cent per year. The Department of Public Works shall be responsible for making the necessary computations each year prior to May 1st and advising the Placer County Auditor/Controller what the amounts of charge for all Maintenance District Services are to be for the next year as a result of the foregoing computations.

VIII. ASSESSMENT ROLL

The proposed assessment roll for the Permanent Road Division is as follows:
Lots 1 through 26, 28 and 29.

IX. BUDGET WORKSHEET

Item	Unit	Unit Price	Quantity	Cost	Frequency During 50-Year Life Cycle	50-Year Life Cost	Annual Cost	Notes
A STREET IMPROVEMENTS								
1	sf	\$0.67	49,050	\$32,863.50	10	\$328,635.00	\$6,572.70	Slurry Seal every 5 years
2	sf	\$5.50	12,263	\$67,443.75	1	\$67,443.75	\$1,348.88	Patch 1/4 of area over 50 years
3	sf	\$1.34	49,050	\$65,727.00	2	\$131,454.00	\$2,629.08	Overlay every 25 years
4	lf	\$1.34	28	\$37.52	10	\$375.20	\$7.50	Replace every 5 years
5	sf	\$4.00	4,430	\$17,720.00	1	\$17,720.00	\$354.40	Replace 1/4 of area over 50 years
6	lf	\$19.80	883	\$17,473.50	1	\$17,473.50	\$349.47	Replace 1/4 of length over 50 years
7	ea	\$333.00	10	\$3,330.00	10	\$33,300.00	\$666.00	Replace every 5 years
B STORM DRAIN IMPROVEMENTS								
1	lf/yr	\$2.00	2,449	\$4,898.00	50	\$244,900.00	\$4,898.00	Clean system once per year
2	ea	\$20.00	11	\$220.00	600	\$132,000.00	\$2,640.00	1 hr/wk during winter months
3	sf	\$0.25	14,978	\$3,744.50	50	\$187,225.00	\$3,744.50	Clean once per year, mulch and reseed as required
C UTILITY MAINTENANCE								
1	ea/yr	\$120.00	13	\$1,560.00	50	\$78,000.00	\$1,560.00	\$10.00 per month per light
D LANDSCAPE MAINTENANCE								
1	sf	\$0.10	8,120	\$812.00	50	\$40,600.00	\$812.00	Prune and clean twice per year
2	sf	\$0.10	7,065	\$706.50	50	\$35,325.00	\$706.50	Prune and clean twice per year
3	sf	\$0.02	88,710	\$1,774.20	50	\$88,710.00	\$1,774.20	Twice per year
E TOWN OF LOOMIS ADMINISTRATION								
1	yr	10.00%			50		\$2,806.32	
						Total Amount	\$30,869.55	
						Total Lots	28	
						Annual Cost Per Lot	\$1,102.48	

Notes:

- Unit prices and yearly assessment shall be adjusted annually based upon the consumer cost index
- Unit prices derived from Placer County CDRA-ESD Fee Spreadsheet, Effective July 1, 2018, (copy attached)
- Unit prices derived from Operating Cost Manual for Homeowners Associations, California Department of Real Estate, Revised January, 2016