



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: August 25, 2020

TO: Board of Supervisors

FROM: Jessica Hankins, Public Works Project Manager

SUBJECT: **Resolution of Intent to Amend the Assessments for the Existing Ski Town II Permanent Road Division and Conduct an Assessment Ballot Proceeding – District 5**

RECOMMENDATION: Approve the attached Resolution.

FUNDING: Funds will be collected annually from special assessments charged to applicable parcels within the Permanent Road Division. There is no impact on the General Fund and no budget amendment is needed.

BACKGROUND: The Ski Town II subdivision, located off Donner Pass Road in the Soda Springs area, was first developed in 1988. To provide road maintenance and snow removal services on the subdivision’s new roads, Poma Lane (518 feet long) and Lotta Crabtree Terrace (1,380 feet long), the developer requested the formation of a Permanent Road Division (PRD). The Board of Supervisors adopted Resolution 88-249 forming the Ski Town II PRD on May 17, 1988. The new PRD included new lots within the subdivision as well as non-subdivision lands using these roads and benefiting from the PRD. The PRD did not include an inflationary adjustment mechanism.

Since Fiscal Year 1996/97, the County has collected \$2,648 annually for road maintenance and \$3,410 for snow removal, with various parcel charges for improved and unimproved lots outside and inside the subdivision, as follows:

Existing Parcel Charges for Ski Town II PRD <i>First adopted by Resolution 96-286</i>		
	Unimproved Parcel	Improved Parcel
<i>Within Ski Town II Subdivision</i>		
Snow Removal	\$44	\$175
Road Maintenance	\$53	\$84
<i>Outside Ski Town II Subdivision</i>		
Snow Removal	\$11	\$44
Road Maintenance	\$13	\$21

Proposition 218 was enacted on July 1, 1997, which limited local government’s ability to charge and assess fees. The fees have not been raised commensurate with actual costs since that time.

As a result, although \$3,410 is collected each year for snow removal, actual costs of snow removal are now an average of \$18,077.50 (\$361.55 per day with 50 days on average historically needed for snow removal per year). After several contacts with property owners in 2019, including letters, a survey, and a neighborhood meeting, there appeared to be a consensus for a single charge for all properties, with snow removal provided on average for 50 days per year.

As a result, the Board held an election on May 12, 2020 which asked property owners two questions: 1) should the assessment for snow removal be increased to \$437 per parcel, along with an annual inflationary adjustment? and 2) should an annual inflationary adjustment be added to the road maintenance fund? Both questions failed, with an 11-10 (No-Yes) vote on Question 1 and a 10-10 (No-Yes) vote on Question 2. A simple majority is required in both cases for the measures to pass.

It appears that the measures failed because of the discrepancy between the needs of improved versus unimproved lots. Ski Town II has 35 unimproved lots and 13 improved. Property owners attending the neighborhood meeting at which a consensus was reached to increase charges appear to have been mostly inhabitants of improved parcels, whereas the much larger majority of unimproved parcels had little reason to increase funds for snow removal as they do not need to access habitable structures on their properties.

Since the failed measures, property owners of the improved lots have coordinated directly among themselves to submit another proposal for snow removal assessments. The parcel charges being proposed now are a direct result of property owner coordination among themselves, with improved lots to pay three times the amount that unimproved lots pay, as follows.

Proposed Parcel Charges for Ski Town II PRD – FY 2020/21			Unimproved	Improved
Snow Removal			\$275.00	\$820.00
Road Maintenance				
<i>Within</i>	<i>Ski</i>	<i>Town II</i>	\$54.32	\$86.10
<i>subdivision</i>				
<i>Outside</i>	<i>Ski</i>	<i>Town II</i>	\$13.32	\$21.52
<i>subdivision</i>				

A petition is attached in Appendix E to Exhibit A with 14 signatures agreeing to the proposed charges constituting a majority in agreement that would have been needed in the last election.

Of the 54 single-family parcels located in the PRD, 41 will be charged with the current proposal due to the remainder not having access on PRD roads or being unbuildable. A list of charged and uncharged parcels is included in the attached Engineer’s Report (Exhibit A). Both the snow removal and road maintenance fund in the Ski Town II PRD would also include Consumer Price Index (CPI) adjustments to account for annual inflation. Road maintenance assessments will be adjusted per the CPI starting in Fiscal Year 2020/21, at the same time as the new assessments for snow removal. Snow removal assessments will be adjusted per the CPI starting in FY 2021/22. The amount of CPI adjustment will not exceed five percent (5%) in any one year.

If this Resolution of Intent is approved, a public hearing notice and ballots will be mailed to property owners within the annexation area no later than August 28, 2020, and a public hearing to hold a Proposition 218 election will be held at 11:00 a.m. on October 13, 2020.

Item Initiated by: Jessica Hankins, Public Works Project Manager
Approved by: Trisha Tillotson, Director of Public Works

TT:JH:kk
 Submittal Date: August 4, 2020