



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

MEETING DATE: October 13, 2020

TO: Board of Supervisors

FROM: Jessica Hankins, Public Works Project Manager

SUBJECT: **Resolution to Amend the Parcel Charges for the Existing Ski Town II Permanent Road Division – District 5**

RECOMMENDATIONS:

1. Hear the Department of Public Works staff presentation on the Ski Town II Permanent Road Division (PRD) election.
2. Conduct a public hearing to hold a Proposition 218 election to amend the parcel charges for the Ski Town II PRD.
3. Determine if a majority protest of property owners exists to amend the parcel charges. If written protests are received from 50% or more of the affected property owners and those protests are not withdrawn by the end of the hearing, the proposed PRD shall be abandoned for at least one year (Streets & Highways Code 1162.5 (d)).
4. If a majority protest does not exist, direct staff to count the mail-out election ballots received by the Clerk of the Board regarding the PRD assessment amendments.
5. If a majority of the received votes support the amended PRD parcel charges, then adopt the attached Resolution authorizing the amended parcel charges for the Ski Town II PRD and collection of the parcel charges beginning in Fiscal Year 2020/21 and each year thereafter. If a majority of the received votes does not support the amended PRD parcel charges, no further action is needed.

FUNDING: Funds will be collected 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.

Actual costs of snow removal in the Ski Town II PRD are now much higher than what is collected. 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). Additionally, some parcels currently being assessed are not served by either Poma Lane or Lotta Crabtree Terrace, so they do not benefit from the PRD.

Earlier this year, a proposed assessment change was brought to the property owners within the PRD, proposing a single charge of \$437 annually for all improved and unimproved lots. This proposal failed to pass. Subsequently, residents of the PRD proposed a different rate structure and were able to gather more than 50% signatures from those who previously voted. This is the proposal before the Board today, which includes the removal of road maintenance and snow removal parcel charges for those lots without access on the PRD roads, increasing snow removal charges to \$275.00 per year per unimproved parcel and \$820.00 per year per improved parcel, and adding an inflationary adjuster (Consumer Price Index or CPI) to both road maintenance and snow removal assessments, not to exceed five percent (5%) in any one year. The resulting proposed parcel charges beginning in FY 2020/21 are shown below.

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

On August 25, 2020, the Board of Supervisors approved Resolution 20-376 to amend the parcel charge assessments for the Ski Town II PRD and conduct an assessment ballot proceeding. Public hearing notices were mailed to the affected owners on or before August 28, 2020, per requirements of the Government Code. Notices were also posted per requirements of the Streets and Highways Code.

If there is not a majority protest by the property owners within the proposed PRD, the Board of Supervisors may approve the amended parcel charges starting in Fiscal Year 2020/21, and each year thereafter, to be amended on the assessment roll. For properties with amendments to the snow removal and road/or maintenance assessments, the pre-amended property tax assessments have been included in the Fiscal Year (FY) 20/21 property tax bills already sent by the Nevada County Tax Collector’s office, and the difference between the old and new charges will be pro-rated for the year and will be hand billed by the Nevada County Community Development Agency (CDA). For properties having assessments removed, those owners will need to pay the FY 20/21 property taxes in full, and then CDA fiscal will reimburse them for snow removal charges based on approval of the resolution associated with this item. For each Fiscal Year thereafter, the amended parcel charges will be billed and collected in the same manner as County property taxes.

This meeting requires a public hearing. If a written majority protest of affected owners exists, the Board need not take further action. If there is no majority protest, the Board should direct the Clerk of the Board to open and count the ballots. If more than half of the assessment ballots submitted are in favor of the parcel charge, then the Board may amend the parcel charges for the Ski Town II PRD and adopt the attached Resolution.

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

TT:JH:kk
 Submittal Date: September 14, 2020
 Revision Date: September 23, 2020