

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *mlm*

BOARD AGENDA # 9:05 A.M.

Urgent Routine

AGENDA DATE July 12, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

STAFF RECOMMENDATIONS:

1. Find that the requirements for notice of the Public Hearing were given pursuant to California Government Code sections 6061, 25211.3, subd., (b), and 53753, subd., (b).
2. Approve the Revised Engineer's Report for the proposed County Service Area (CSA) No. 29 (Zone description changes on page 8 and minor grammatical changes).

(Continued on Page 2)

FISCAL IMPACT:

Upon voter approval, the ongoing operation and maintenance costs of the service area will be borne by CSA No. 29 Bangs Summit through annual assessments estimated to generate a total of approximately \$17,295. The funds will be used for ongoing operating and maintenance of the CSA's storm water drainage system. This will include basin maintenance, catch basin maintenance and street sweeping to prevent debris from entering the system. The creation of the CSA will serve the public where businesses, employees, and customers are free from concerns over storm water runoff, flooding and property damage, and roadway hazards and restrictions.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-427

On motion of Supervisor Chiesa, Seconded by Supervisor DeMartini

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

ATTEST:

CSA-20-4
File No. CSA-29-2

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

STAFF RECOMMENDATIONS (Continued):

3. Conduct the Public Hearing to receive comments regarding:
 - A. The proposed formation of County Service Area (CSA) No. 29 Bangs Summit.
 - B. The levy of the annual assessment to pay for the county services provided.
 - C. The dissolution of County Service Area (CSA) No. 20 Summit.
4. Find that the California Government Code Article XIII, "Proposition 218" requirements for Public Hearing and Assessment Ballot Procedure have been completed upon closure of this public hearing regarding subject matter.
5. Authorize the Clerk of the Board to oversee the opening of the sealed ballots and to tabulate and submit the results to the Board of Supervisors at the next scheduled Board meeting on July 19, 2011.

FISCAL IMPACT (Continued):

One time costs associated with the creation of the CSA are estimated at \$10,000 and will be covered by the Public Works Department. Those costs include staff project time for the ballot procedure, Engineer's Report, and public meetings. One-time start up costs for Local Agency Formation Commission (LAFCO) fees of \$4,000 and State Board of Equalization fees of \$2,000 were approved for coverage through funding from the Community Development Fund (Initiate Proceeding on May 17, 2011 - Staff Recommendation #3 approved the use of up to \$6,000) and is consistent with the goal of providing funding for one-time projects or programs benefiting the unincorporated area that demonstrates strong local support and commitment and a general public benefit.

On formation of CSA No. 29 Bangs Summit it is recommended that CSA No. 20 Summit be dissolved. Its territory and property owners will become part of the new CSA if the property owners approve this proposal. Funds from CSA No. 20 Summit assessments for Fiscal Year 2010-2011 are expected to be \$6,383. The funds are being used to cover the operating and maintenance costs of Summit's storm water drainage system. Once this CSA is dissolved, any remaining fund balance will be transferred to the new CSA, but will only be utilized to lower assessments for the former Summit properties.

DISCUSSION:

The formation of CSA No. 29 Bangs Summit (CSA No. 29) is being proposed to provide funding for the ongoing operation and maintenance of the area's storm drainage system.

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

The intended goals in establishing this CSA are: 1) Include the Bangs Industrial Area to fund preventative maintenance for their fair share of the benefit of the storm water drainage system. 2) Dissolve CSA No. 20 Summit and include its territory in the formation of the new CSA. 3) Obtain economies of scale through the creation of a larger service area by combining the Bangs Industrial area with the Summit area. 4) Provide a continued source of funding for the services to operate and maintain the storm drain system.

The recommended boundary of the service area is shown on Attachment "A". As it is proposed, the area would consist of 38 parcels on 35.98 acres in the Summit Business Park and 54 parcels on 88.72 acres within the Bangs Industrial Park. The total combined for the service area is 92 parcels on 124.7 acres.

The Bangs Industrial Park area around Glass Court and Glass Lane has experienced some backup, flooding, and poor drainage conditions during periods of heavy storm water runoff. The Bangs Industrial Park area has a storm drainage system that operates poorly due to the original design, requiring extraordinary annual effort to maintain. Public Works has developed a capital improvement project to remedy this ongoing drainage problem. The improvements include excavating the basin for greater holding capacity and improving its trench drains for better ground percolation. Total costs of improvements are estimated at \$46,390 and will be covered by the Public Works Department. This investment would alleviate the need for recurring annual costs borne by the Public Works Department to pump the basin and mitigate the potential for flooding. Once improvements are completed there will be a need for ongoing maintenance of the entire drainage system (basin, catch basins, curbs and gutters, and street sweeping). The cost of this ongoing maintenance should be the responsibility of the benefiting parcels within the new CSA. Without the capital improvements and ongoing maintenance, flooding will continue, restricting access to private lands, damaging those lands, and creating roadway hazards.

CSA No. 20 Summit was formed in 2003 to provide storm drainage control for the Summit Corporate Center industrial subdivision. The boundary of CSA No. 20 can generally be described as approximately 450 feet west of McHenry Avenue and bounded on the north by Bangs Avenue, on the West by the Union Pacific Railroad, and on the south by Modesto Irrigation Lateral Canal No. 6 and Pelandale Avenue. The area can also be identified on Attachment "A", which is a map of the proposed service area. Dissolving CSA No. 20 Summit and combining its territory with the Bangs Industrial Park area to form a new County Service Area will provide the opportunity for economies of scale and the utilization of an assessment formula that accounts for the difference in storm water runoff between a developed and undeveloped parcel. The 2010-2011 Summit assessment was \$177.51 per acre to fund the operation and maintenance of the area's storm water drainage system. However, that assessment formula assumed a non-developed parcel produces the same amount of runoff as a developed parcel with a building and paved parking lot. The new formula proposes a lower assessment level for undeveloped properties as compared to developed properties.

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

Government Code section 25217, subd., (a) states, "Whenever the board determines that it is in the public interest to provide different authorized services, provide different levels of service, provide different authorized facilities, or raise additional revenues within specific areas of a county service area, it may form one or more zones pursuant to this article".

Pursuant to Government Code section 25217. (a), the proposed County Service Area budget is divided into six zones according to facility infrastructure and level of service as well as to properly assign benefits, costs, and annual assessments. The boundaries of the six zones are identified on the map of the proposed service area (Attachment "A"). For a full explanation of each zone please refer to Part III of the Engineer's Report for CSA No. 29.

The Revised Engineer's Report has three changes to note. The description for Zone 2 on page 8 was modified to exclude those parcels within Zone 6, and the description of Zone 6 was modified to drop any reference to the "zone's drainage facilities". The other change worth mention is in the report attachments. Exhibit B - Legal Description & Boundary Map has an incorrect heading for the Legal Description. It has been changed from reading "Exhibit A" to now read "Exhibit B".

If this proposal is approved there will be no change to CSA No. 20 Summit's infrastructure; it will remain intact, and continue to function as a separate system from the Bangs Industrial Park area. It will also continue to provide the same level of service and be identified as a separate zone (Zone 1) for budgeting and assessment purposes under the proposed CSA No. 29. Overall, every property within the Summit area will be the recipient of a lower assessment. In total, those assessments would reduce from \$6,381.48 to \$3,006.50 annually. An example of an individual assessment is APN 046-004-073. This parcel is 1.04 acres of developed property and would be assessed \$121.32 by the new CSA for Fiscal Year 2011-2012; a decrease of \$60.92 when compared to the CSA No. 20 assessment of \$182.24 in Fiscal Year 2010-2011. An example of an undeveloped parcel is APN 046-004-023. This parcel is 0.7 acres of undeveloped property and would be assessed \$11.34 by the new CSA; a decrease of \$112.92 when compared to the CSA No. 20 assessment of \$124.26 for this parcel in Fiscal Year 2010-2011.

Parcels within the Bangs Industrial Park area have not previously been part of a CSA and therefore have not been previously assessed. This area is divided into benefit zones (Zones 2 through 6) with a different assessment for each based upon the services provided and Equivalent Benefit Units (EBU's) and acreage. The total assessment for Zone 2 would be \$8,605.94 (or \$44.12 per EBU). There are 3.5 EBU's per developed acre; therefore a developed acre would be assessed at \$154.42. The total assessment for Zone 3 would be \$3,291.28 (or \$103.76 per EBU). A developed acre would be assessed at \$363.16. The total assessment for Zone 4 would be \$486.48 (or \$69.10 per EBU). A developed acre would be assessed at \$241.85. The total assessment for Zone 5 would be \$339.52 (or \$98.98 per EBU). A developed acre would be assessed at \$346.43. The total assessment for Zone 6 would be \$1,565.34 (or \$25.53 per EBU). A developed acre would be assessed at \$89.36.

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

The services that would be provided by the Public Works Department for CSA No. 29 include the operation and maintenance of the area's storm water drainage system. The storm water drainage system includes two storm drain basins, 12 trench drains, 45 catch basins/drop inlets, and curbs and gutters in the service area. Periodic street sweeping will also be provided as a preventative measure to remove materials that could impair the drainage system.

On November 10, 2010, a public outreach meeting was held to seek input regarding this proposal from owners of property located within the proposed service area. Turnout was light with only 12 people attending; not enough to determine the degree of property owner support. Therefore, the decision was made to move forward with formal proceedings, which will require a Proposition 218 assessment ballot procedure. If the ballot procedure to form the CSA fails, the matter will be closed. If approved, CSA No. 29 will be formed and CSA No. 20 will be dissolved at the end of July 2011. Assessments for the new CSA are planned to take effect in Fiscal Year 2011-2012.

A second public outreach meeting was held June 8, 2011. The purpose of the meeting was to explain the proposal, answer questions, and seek feedback. Once again, turnout was light with less than 15 people attending out of 92 landowners.

Proposition 218, approved by California voters in November 1996, requires an assessment ballot procedure and public hearing preceded by an Engineer's Report before a new County Service Area, new assessment methodology or new assessment may be levied. Because a new County Service Area, new assessment and method to calculate that assessment are proposed, a ballot procedure is required to obtain property owner's approval. It also requires a notice of public hearing be delivered to all property owners of record as of the date of the last assessment roll. The notice must inform them of the date, time, and place of the Public Hearing and advise them of the assessment ballot procedure. A tabulation of the ballots cannot be done until the Board of Supervisors concludes the Public Hearing.

To fulfill the requirements of Proposition 218, an Assessment Ballot Package was mailed to landowners of parcels within the proposed service area. The landowners were those of record as of the date of the last assessment roll. The Assessment Ballot Package was mailed on May 26, 2011, more than 45 days in advance of the public hearing. It included three documents, a "Notice of Public Hearing", Ballot Instruction Sheet, and an Assessment Ballot, along with a return envelope addressed to the Clerk of the Board of Supervisors. Information contained in the three documents included: information advising them of the ballot procedure, how to submit their vote, a disclosure statement regarding the effect of a majority protest, the specific benefit of the County Service Area, the total amount chargeable to the entire County Service Area, the amount chargeable to the owners' particular parcel, the duration of the payments, the reason and basis upon which the proposed assessment was calculated, and the date, time, and location of the public hearing. An example of the Assessment Ballot Package, including ballot, can be found in Attachment "B". In addition, a "Notice of the Public Hearing" was also published in a local, general circulation, newspaper on June 28, 2011, Attachment "C". This meets the requirements of the Government Code sections 6061, 25211.3, and 53753. A proposed assessment list by parcel number is included in Attachment "D".

Public Hearing to Consider the Formation of County Service Area (CSA) No. 29 Bangs Summit and the Levy of an Annual Specific Benefit Assessment; the Dissolution of CSA No. 20 Summit; and Conduct an Assessment Ballot Procedure Regarding the Matter

A tabulation of the ballots cannot be done until the Board of Supervisors concludes the required Public Hearing. The Board of Supervisors must hold the Public Hearing to receive any comments regarding the proposal. Any interested person may present written or oral testimony at the public hearing. At the conclusion of the public hearing, balloting will be closed and the Clerk of the Board of Supervisors will tabulate the results for presentation at the next scheduled meeting on July 19, 2011.

If the assessment ballot procedure to form the County Service Area fails, the matter will be closed. Failure of the ballot measure would result in the Public Works Department not moving forward with the capital investment of the basin improvements because there would not be a funding source to maintain the improvements with preventative annual maintenance. Anticipating that flooding will continue in the industrial area north of Bangs Avenue, the Public Works Department would provide appropriate safety measures as needed.

If approved, the formation and its assessment methodology would allow annual assessments to increase or decrease without further ballot procedures being required. The method to calculate assessments would be used indefinitely and would result in a flexible annual assessment to meet the service needs of the County Service Area. If approved, the new assessments would take effect in Fiscal Year 2011-2012.

POLICY ISSUES:

State of California Government Code sections 25210 thru 25338 authorizes the county's Board of Supervisors to be the governing body for County Service Areas within their county.

This action is consistent with the Board's policy of providing A Safe Community and A Well Planned Infrastructure System by commencing the formal process to bring a proposal before the property owners to enhance the level of service provided.

STAFFING IMPACT:

The staffing impact will be limited to the time required to prepare Board reports and their supporting materials, conduct the ballot procedure, and coordinate the project with the Local Agency Formation Commission.

CONTACT PERSON:

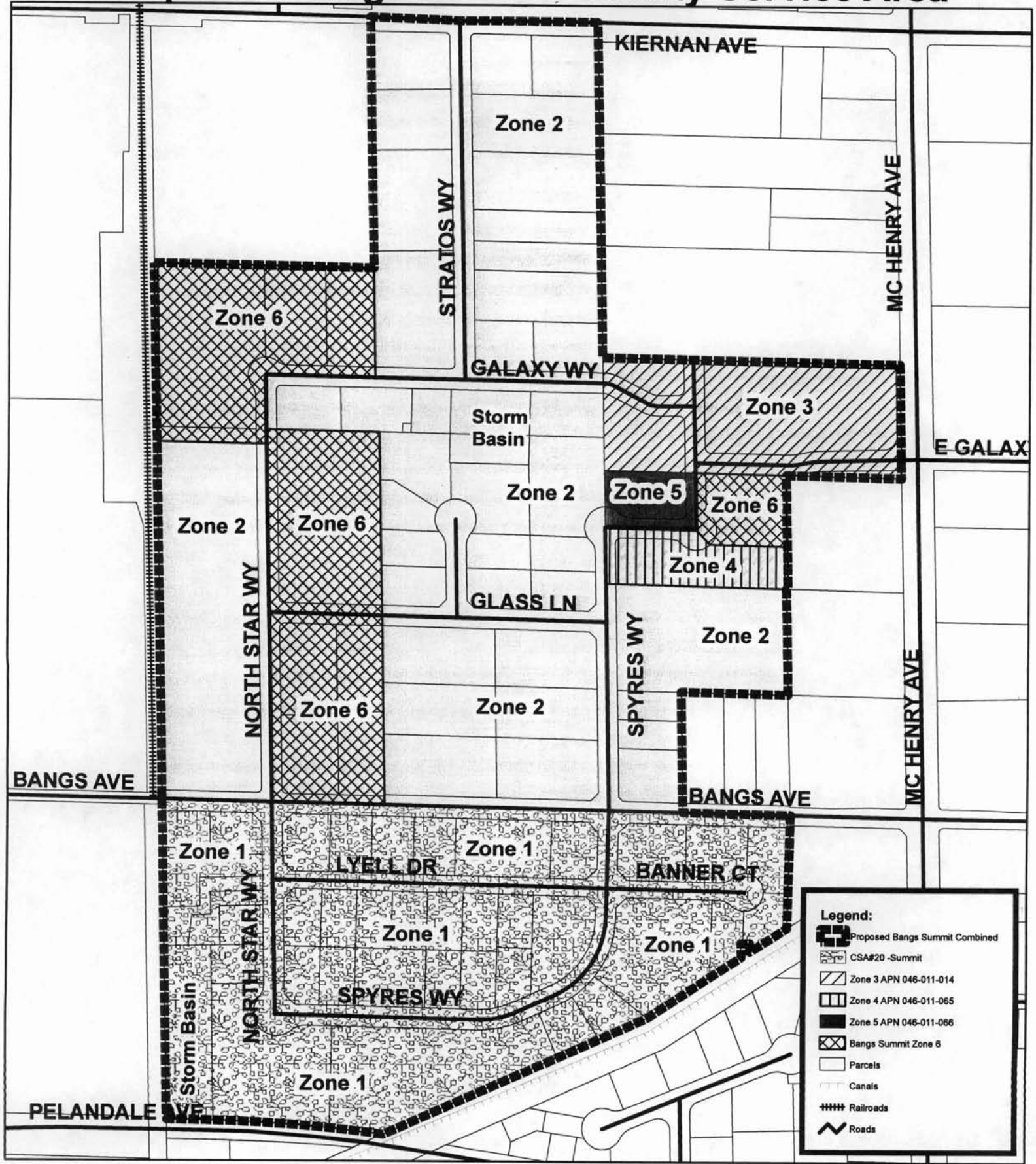
Mike Wilson, Senior Engineering Technician, Stanislaus County Public Works.
Telephone (209) 525-4190.

MW:sj

H:\SERVICES\Districts\CSA Formation\Bangs Summit Proposal\Agenda Items\Public Hearing Bangs Summit CSA_BOS 7-12-11

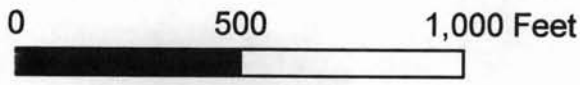
Attachment "A"

Proposed Bangs-Summit County Service Area



Legend:

- Proposed Bangs Summit Combined
- CSA#20 -Summit
- Zone 3 APN 046-011-014
- Zone 4 APN 046-011-065
- Zone 5 APN 046-011-066
- Bangs Summit Zone 6
- Parcels
- Canals
- Railroads
- Roads



ATTACHMENT "B"

110304

OFFICIAL BALLOT ENCLOSED



DEPARTMENT OF PUBLIC WORKS
1716 Morgan Road
Modesto, CA 95358

RETURN SERVICE REQUESTED

OUTGOING ENVELOPE
PARCEL OWNER ADDRESS
LABEL
GOES HERE

Official Ballot Enclosed
Tarjeta de Votación
Oficial Incluida



STANISLAUS COUNTY



NOTICE OF PUBLIC HEARING, ASSESSMENT BALLOT PROCEDURE, AND BALLOT REGARDING

THE PROPOSED FORMATION OF COUNTY SERVICE AREA (CSA) NO.29 BANGS SUMMIT, THE LEVY OF AN ANNUAL ASSESSMENT TO PROVIDE FUNDING FOR MAINTENANCE AND OPERATION OF THE COUNTY SERVICE AREA, AND DISSOLUTION OF COUNTY SERVICE AREA NO. 20 SUMMIT

You Are Hereby Notified, pursuant to Government Code section 53753 (b), that the Board of Supervisors of the County of Stanislaus has set a public hearing for 9:05 a.m., or as soon thereafter as the matter may be heard, on July 12, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

PROPOSAL

The proposal being considered is the formation of County Service Area (CSA) No 29 Bangs Summit; the adoption of a formula for calculating the levy of an annual assessment to provide funding for maintenance and operation costs; and the dissolution of County Service Area (CSA) No 20 Summit. Because you are the owner of a parcel located within the proposed County Service Area you are being provided an assessment ballot along with this notice. Please use the enclosed assessment ballot to vote your support or protest of this proposal. The assessment ballot procedure will be concluded at the end of the public hearing.

The extended services to be provided within the proposed County Service Area will maintain the existing gravity flow, storm drainage system. Those services are generally described as:

- Street sweeping to prevent materials from entering and impairing the drainage system.
- Drain cleaning to remove materials that are impairing the drainage system.
- Maintaining 2 Storm Drain Basins and 12 trench drains. Curb & gutter repair.
- Administration of budget and services.

REASON FOR PROPOSED ASSESSMENT AND BALLOT

The purpose of the proposed assessment is to establish a continued source of funding for the services to be provided by County Service Area No. 29 Bangs Summit. Annual assessments may increase or decrease as needed to provide funds to cover operating and maintenance costs. If operation and maintenance costs are less than expected, the CSA'S fund balance will be carried forward to reduce the amount needed to be collected in the next Fiscal Year. To fund the extended services and associated operating and maintenance costs for the County Service Area there must also be a corresponding assessment for the property owners located within the service area that benefit from the services. Pursuant to Proposition 218, the formation of a new County Service Area and levy of an annual assessment has to be approved by those property owners through an assessment ballot procedure and public hearing.

AMOUNT OF PROPOSED ASSESSMENT

If the County Service Area's landowners approve this proposal, the annual assessment will be :

- **The CSA's Total Annual Assessment = \$17,295.06** chargeable to the entire CSA for the 2011-2012 Fiscal year.
- **Your Individual Parcel Assessment =** Is listed in upper right hand box of your assessment ballot which is included with this notification. Your assessment ballot also lists your parcels weighted vote.

BASIS FOR ASSESSMENT

The basis for the proposed assessment is the equitable distribution of the total cost of the service being provided by the County Service Area among all 92 parcels within the service area. This is accomplished through calculation of the following formulas to arrive at the individual parcel assessment.

CSA's Total Annual Assessment = Estimated Operating, Maintenance, & Administrative Costs For Current Year (+ plus) Operating Reserve Requirements and Capital Improvement Reserve Requirements (- minus) Fund Balance From Previous Year.

Individual Parcel's Total Weighted EBU's = Parcel's EBU (x times) Parcel's Acreage.

Assessment Rate Per EBU = District's Total Assessment (/ divided by) Total Weighted EBU's for all Parcels.

Individual Parcel Assessment = Assessment Rate Per EBU (x times) Individual Parcel's Total Weighted EBU's.

Equivalent Benefit Unit (EBU) is a value that represents the degree of special benefit that each property type receives from the services provided. Some examples of property type include: developed commercial/industrial, vacant, and residential. A developed parcel will receive more benefit than an undeveloped parcel and therefore have a higher EBU. Each parcel may have a different assessment levied upon them due to their EBU and acreage.

Reserve Requirements includes a 6-month Operating Reserve equal to ½ of annual operating, maintenance, and administrative expenses and a Capital Improvement Reserve to cover basin excavation and/or and trench drain replacement.

The proposed County Service Area is divided into 6 zones according to facility infrastructure and level of service as well as to properly assign benefits, costs, and annual assessments. Boundaries of the 6 zones are identified on the enclosed map.

Zone 1 Summit – this zone is the same territory previously covered by CSA No.20 Summit. It has its own drainage system, facilities, and infrastructure and will be assessed on that basis. This area will also benefit from the use of unused reserve funds from the dissolution of CSA No. 20. Those funds will be used to reduce the assessments for this zone.

Zone 2 Bangs – this zone comprises the remainder of the new CSA with the exception of the parcels that comprise zones 3 through 6. This zone has a separate drainage system, facilities, and infrastructure than Zone 1. Beyond the assessment for administration, maintenance, and operating expenses, this zone is being assessed to build an operating reserve. The required reserve will be spread over the first 5 years after formation to level the assessment and avoid levying the full amount the first year.

Zones 3, 4, & 5 – the runoff from these three zones flows to trench drains only and they are therefore not assessed for drainage basin maintenance. However, trench drains require maintenance and the properties in these zones will benefit from the additional maintenance and street sweeping proposed. Also, the trench drains in these zones will need improvement and replacement in the future. The assessments for Zones 3, 4, and 5 will cover the costs of the increased maintenance, build an operating reserve, and to build capital reserve to finance replacement of the trench drains:

- Zone 3 APN 046-011-014 is the largest of the 3 parcels and contains 10 trench drains.
- Zones 4 & 5 APN 046-011-065 & 066 contains 1 trench drain each.

Zone 6 –the parcels in this zone maintain their own storm water facilities. These parcels will benefit only from street sweeping, and will only be assessed for that service, as well as administrative costs, and to build an operational reserve for its street sweeping service. The portion of the assessment corresponding to the required reserve will be spread over the first 5 years after formation to level the assessment and avoid levying the full reserve amount the first year.

Services Provided To Zones	Frequency	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Catch Basin/Drop Inlet cleaning	2 per year	X	X	X	X	X	N/A
Curb and Gutter repair	As Needed	X	X	X	X	X	N/A
Drain System Pipe cleaning and maintenance	As Needed	X	X	N/A	N/A	N/A	N/A
Storm Basin maintenance*	As Needed	X	X	N/A	N/A	N/A	N/A
Street Sweeping	26 per year	X	X	X	X	X	X
Trench Drain Cleaning & Maintenance	As Needed	N/A	N/A	X	X	X	N/A

*Storm Basin Maintenance includes erosion control, weed control, silt removal, and fence repair.

N/A = Not Applicable

EFFECT AND DURATION OF APPROVAL OR DISAPPROVAL

If approved, it is anticipated the proposal would take effect with the start of the new 2011-2012 Fiscal Year. The annual assessment for your parcel would continue indefinitely and may decrease or increase from year to year, depending upon remaining fund balances and on the amount of money needed to pay for operation and maintenance costs.

If the proposal is not approved County Service Area No. 29 would not be formed and County Service Area 20 Summit would continue to serve the Summit Business Park area.

PUBLIC HEARING & BALLOT TABULATION

At the public hearing on the proposal, the Board of Supervisors will consider all objections or protests, if any, to the proposal. Any interested person may present written or oral testimony at the public hearing. After conclusion of the public hearing, the submitted Assessment Ballots will be tabulated to determine if a majority protest exists, and the results posted by the Clerk of the Board of Supervisors. All Assessment Ballots submitted are public information and subject to inspection by request under the Public Records Act.

PROTESTS

The proposal will not be approved if there is a majority protest. A majority protest exists if a simple majority of Assessment Ballots submitted are opposed to the proposal. The Assessment Ballots are weighted according to the proportional financial obligation of the affected property.

In addition to the Assessment Ballots in favor of or in opposition to the proposal, the Board of Supervisors also will consider any other protests to the proposed assessments at the public hearing. Any protest about the validity of the assessment or the regularity or sufficiency of the proceedings shall be in writing and shall clearly and specifically set forth the alleged irregularity or defect. Any grounds of protest not stated in a written protest filed prior to the close of the public hearing shall be deemed waived.

The Board of Supervisors retains all authority conferred by law, including the extent of services to be provided, and in the amount of the assessment (including the amounts of any individual assessments) provided, however, that the assessment shall not be increased beyond that specified by this notice without a new notice and proceedings in compliance with all laws.

ADDITIONAL INFORMATION

For further information, contact the Stanislaus County Department of Public Works, Mike Wilson (209) 525-4195, or (209) 525-4130, located at 1716 Morgan Road, Modesto, Ca 95358.



STANISLAUS COUNTY



ASSESSMENT BALLOT INSTRUCTIONS

Use the enclosed Assessment Ballot to express support for or opposition to:

The proposed formation of County Service Area No.29 Bangs Summit, the levy of an annual assessment to pay for the services that will be provided; and the dissolution of County Service Area No.20 Summit.

You will receive a separate ballot for each parcel you own within the District.

How To Vote Your Assessment Ballot

1. Use a pen to mark an "X" in one of the boxes to indicate either your support or protest, and sign and date the ballot certification.
2. Place the ballot in the enclosed envelope addressed to the Clerk of the Board of Supervisors and seal the envelope.
3. Deliver the ballot either by mail or in person by:
 - **Mail Delivery:** If by mail, mail with the required postage no later than July 7, 2011. Mailing later than this deadline creates a risk that the ballot may not be received in time to be counted.
 - **Personal Delivery:** If in person, deliver to the Clerk of the Board of Supervisors at any time prior to 5:00 p.m. on Monday, July 11, 2011, at 1010 Tenth Street, Sixth Floor, Modesto, California, or at the hearing itself at 9:05 a.m. on July 12, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

Regardless of which method of delivery is used, for it to be counted the Assessment Ballot must be received prior to the close of the public hearing on Tuesday, July 12, 2011. After an Assessment Ballot is submitted, it may be changed or withdrawn prior to the conclusion of the public testimony at the hearing on the proposed assessment by presenting identification with a picture to a county staff member designated at the start of the public hearing. If you need a replacement ballot for any reason please contact Stanislaus County Public Works Department, Mike Wilson, at (209) 525-4190 or (209) 525-4130 prior to the public hearing; or a replacement may be obtained at the public hearing by contacting the designated county staff member.

MULTIPLE OWNERS OF ONE PARCEL

If there is more than one record owner of the identified parcel, the owners may either submit (a) one Assessment Ballot for all the owners of that parcel or (b) one Assessment Ballot from each of the record owners, in which case, each record owner's ballot will be weighted in proportion to that owner's percentage of ownership. If each record owner wants to submit an individual ballot, return the enclosed Assessment Ballot along with a list of names and addresses of all the record owners and each owner's percentage of ownership in the parcel. Separate Assessment Ballots will be issued to each record owner, who will be individually responsible for submitting his or her ballot.

If title to property is held wholly or partly by a single legal entity (such as a corporation, partnership or trust), that entity may submit only one Assessment Ballot; the separate owners of that entity may not submit separate ballots.

COPY

ASSESSMENT BALLOT

FOR PROPOSED COUNTY SERVICE AREA No.29 BANGS SUMMIT
FISCAL YEAR 2011/2012

COPY

Attention Landowner:

Parcel #:
Site: 0 Spyres Way Modesto Ca 95356

Owner:

Fiscal Year 2011-2012 Parcel Assessment

\$38.04

Your Weighted Vote Equals = 38.04

This Ballot requires one box to be marked and a signature to be valid. Mark one box only:

I/we **SUPPORT** the proposed formation of County Service Area No. 29 Bangs Summit, the levy of an annual assessment to pay for the services provided, and the dissolution of County Service Area No.20 Summit.

I/we **PROTEST** the proposed formation of County Service Area No. 29 Bangs Summit, the levy of an annual assessment to pay for the services provided, and the dissolution of County Service Area No. 20 Summit.

The undersigned certifies under penalty of perjury under the laws of the State of California that he/she submits this assessment ballot as owner or as the duly authorized representative of the owner/owners of the above-referenced parcel.

Dated: _____

(Signature) _____

(Type or print name and representative capacity, if any.)

Return to: Clerk of Board of Supervisors, 1010 10th Street, Suite 6700, Modesto, CA 95354
Please use enclosed envelope.

COPY

**NOTICE OF PUBLIC HEARING REGARDING
THE PROPOSED FORMATION OF COUNTY SERVICE AREA NO. 29 BANGS SUMMIT
THE LEVY OF AN ANNUAL ASSESSMENT AND ASSESSMENT BALLOT PROCEDURE
AND THE DISSOLUTION OF COUNTY SERVICE AREA NO. 20 SUMMIT**

NOTICE IS HEREBY GIVEN that on Tuesday, July 12, 2011, at the hour of 9:05 A.M., or as soon thereafter as the matter may be heard, in the Joint Chambers located in the basement of the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing to consider the formation of County Service Area No.29 Bangs Summit and the levy of an annual assessment to pay for the proposed services; conduct an assessment ballot procedure, and consider the dissolution of County Service Area No. 20 Summit. County Service Area No. 29 will contain all that certain real property in the County of Stanislaus, State of California, particularly described as follows:

All that certain real property being situate in the East Half of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 5, thence North 88°43'03" West 454.14 feet on the north line of the Southeast ¼ of said Section 5, said ¼ section line also being the centerline of Bangs Avenue, to the northerly extension of the east line of Parcel 6 as shown on the Parcel Map recorded on May 9, 2003 in Book 52 of Parcel Maps at Page 18, Stanislaus County Records, said intersection being the **POINT OF BEGINNING** of the herein described County Service Area No. 22:

- 1) thence South 01°16'50" West 393.64 feet on said northerly extension and the east line of Parcels 6 and 7 as shown on said Parcel Map to the southeast corner of said Parcel 7;
- 2) thence South 56°59'46" West 151.71 feet on the southeasterly line of said Parcel 7 to a point on the east line of the deed filed for record as Instrument No. 90-088310 of Official Records, Stanislaus County Records;
- 3) thence North 01°14'02" West 29.82 feet on the east line of said Instrument No. 90-088310;
- 4) thence South 88°45'58" West 30.00 feet on the north line of said Instrument No. 90-088310;
- 5) thence South 01°14'02" East 48.40 feet on the west line of said Instrument No. 90-088310, to the southeasterly line of Parcel 8 as shown on said Parcel Map;
- 6) thence South 56°59'46" West 384.19 feet on the southeasterly line of Parcels 8 and 9 as shown on said Parcel Map;
- 7) thence South 65°54'43" West 986.31 feet on the southeasterly line of Parcels 10, 11, 12, 13 and the remainder to the most southerly point of said Parcel Map, said point being a point of curvature, non-tangent to the preceding course, concave southerly, having a radius of 5067.50 feet, from which the radius point bears South 07°54'36" West;

ATTACHMENT "D"
COUNTY SERVICE AREA NO.28 BANGS SUMMIT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012

The Assessor's parcels listed below are subject to the annual assessment.

ZONE 1		
Count	APN	Assessment
1	046-004-023	\$11.34
2	046-004-027	\$80.54
3	046-004-028	\$57.92
4	046-004-029	\$63.08
5	046-004-030	\$322.76
6	046-004-031	\$71.66
7	046-004-032	\$8.66
8	046-004-035	\$8.80
9	046-004-036	\$59.54
10	046-004-037	\$152.74
11	046-004-038	\$8.20
12	046-004-039	\$8.86
13	046-004-041	-\$17.48
14	046-004-044	\$173.72
15	046-004-045	\$10.52
16	046-004-046	\$10.52
17	046-004-047	\$10.52
18	046-004-048	\$11.50
19	046-004-050	\$9.30
20	046-004-051	\$8.86
21	046-004-052	\$8.86
22	046-004-053	\$64.10
23	046-004-054	\$64.10
24	046-004-055	\$64.08
25	046-004-058	\$8.86
26	046-004-059	\$8.72
27	046-004-060	\$64.32
28	046-004-061	\$410.06
29	046-004-064	\$540.36
30	046-004-065	\$128.14
31	046-004-066	\$53.74
32	046-004-067	\$54.92
33	046-004-068	\$71.76
34	046-004-069	\$121.94
35	046-004-070	\$55.40
36	046-004-071	\$61.82
37	046-004-072	\$14.96
38	046-004-073	\$121.32
	Zone Total	\$2,989.02

ZONE 2		
Count	APN	Assessment
1	046-010-005	\$385.08
2	046-010-008	\$154.24
3	046-010-009	\$170.50
4	046-010-010	\$304.06
5	046-010-011	\$305.26
6	046-010-012	\$166.52
7	046-010-013	\$157.28
8	046-010-021	\$191.26
9	046-010-028	\$120.26
10	046-010-031	\$142.18
11	046-010-033	\$264.20
12	046-010-034	\$329.94
13	046-010-035	\$198.88
14	046-011-002	\$1,443.80
15	046-011-009	\$117.24
16	046-011-011	\$16.42
17	046-011-012	\$133.90
18	046-011-017	\$756.62
19	046-011-018	\$77.58
20	046-011-019	\$77.58
21	046-011-020	\$141.12
22	046-011-026	\$70.90
23	046-011-027	\$124.22
24	046-011-029	\$3.20
25	046-011-044	\$104.14
26	046-011-045	\$95.84
27	046-011-046	\$91.18
28	046-011-047	\$50.56
29	046-011-048	\$27.36
30	046-011-049	\$197.34
31	046-011-050	\$91.98
32	046-011-051	\$103.82
33	046-011-052	\$104.88
34	046-011-053	\$92.20
35	046-011-054	\$291.48
36	046-011-056	\$283.58
37	046-011-057	\$256.86
38	046-011-060	\$238.64
39	046-011-061	\$216.74
40	046-011-062	\$240.86
41	046-011-063	\$266.24
	Zone Total	\$8,605.94

ATTACHMENT "D"
COUNTY SERVICE AREA NO.28 BANGS SUMMIT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
The Assessor's parcels listed below are subject to the annual assessment.

ZONE 3		
1	046-011-014	\$3,291.28
ZONE 4		
1	046-011-065	\$486.48
ZONE 5		
1	046-011-066	\$339.52
ZONE 6		
1	046-010-002	\$410.16
2	046-010-003	\$144.76
3	046-010-004	\$115.28
4	046-011-001	\$9.96
5	046-011-004	\$109.02
6	046-011-005	\$92.04
7	046-011-006	\$95.62
8	046-011-007	\$124.22
9	046-011-028	\$426.24
10	046-011-064	\$38.04
	Zone Total	\$1,565.34

TOTALS FOR ALL ZONES

TOTAL PARCELS	92
TOTAL ASSESSMENT	\$17,277.58

PROPOSED FORMATION
BANGS - SUMMIT COUNTY SERVICE AREA CSA No.29
REVISED ENGINEER'S REPORT
Prepared for Prop 218 Ballot Procedure
Revised July 2011

BUDGET YEAR 2011-2012

SET HEARING: May 24, 2011
PUBLIC HEARING: July 12, 2011

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ENGINEER'S REPORT AFFIDAVIT

County of Stanislaus, State of California

Proposed Bangs Summit County Service Area No. 29

This report describes the County Service Area and all relevant zones therein including the proposed budget(s), parcels and assessments to be levied for the Budget Year 2011-2012. Reference is hereby made to the Stanislaus County Assessor's maps for a detailed description of the lines and dimensions of parcels within the County Service Area (CSA)

The undersigned respectfully submits the enclosed report as directed by the Board of Supervisors.

Dated this _____ day of _____, 2011

MATT MACHADO, DIRECTOR, PE
Stanislaus County Department of Public Works

**PROPOSED BANGS SUMMIT COUNTY SERVICE AREA
ENGINEER'S REPORT May 2011
Prepared for Prop 218 Ballot Procedure**

INTRODUCTION:

The purpose of this report is to set forth findings and analysis regarding a proposal to create a County Service Area, CSA No.29 Bangs Summit, and simultaneously dissolve existing County Service Area No. 20 Summit. The new CSA will encompass the area previously in CSA No. 20 along with additional territory (see attached map, Exhibit "A").

The intended goals in establishing this County Service Area are: 1) Include the Bangs Industrial Area to fund preventative maintenance for their fair share of the benefit of the storm water drainage system. 2) Dissolve CSA No. 20 Summit and include its territory in the formation of the new CSA. 3) Obtain economies of scale through the creation of a larger service area by combining the Bangs Industrial area with the Summit area. 4) Provide a continued source of funding for the services to be provided to operate and maintain the storm drain system

The formation of County Service Area No. 20 - Summit, was approved by LAFCO on December 4, 2002 by Resolution 2002-15 and established by the Stanislaus County Board of Supervisors on January 14, 2003 by Resolution 2003-77. The Service Area was formed to provide extended maintenance service for the storm drain system within the Summit Corporate Center Industrial Park Subdivision and to finance its ongoing operation and maintenance. The area can be identified on Exhibit "A", which is a map of the existing and proposed service areas. Dissolving CSA 20 Summit and combining it with the Bangs Industrial Park area to form a new County Service Area will provide the opportunity for economies of scale and the utilization of an assessment formula that accounts for the difference in storm water runoff between a developed and undeveloped parcel. The Fiscal Year 2010-2011 Summit assessment was \$177.51 per acre to fund the operation and maintenance of the area's storm water drainage system. However, that assessment formula assumed a non-developed parcel produces the same amount of runoff as a developed parcel with a building and paved parking lot. The new formula proposes a lower assessment level for undeveloped properties as compared to developed properties. If this proposal is approved there will be no change to the former CSA No. 20 Summit's infrastructure; it will remain intact and continue to function as a separate system from the Bangs Industrial Park area. It will also continue to provide the same level of service and be identified as a separate zone (Zone 1) for budgeting and assessment purposes under the proposed CSA No. 29.

Bangs Industrial Park is located immediately to the North of the Summit Industrial Park. The area is identified on Exhibit "A", which is a map of the proposed service area. The parcels in and around the Bangs Industrial Park, particularly along Glass Court and Glass Lane, have experienced significant storm water drainage problems in the past with backup, flooding, and poor drainage conditions during periods of heavy storm water runoff. The Bangs Industrial Park area has a storm drainage system that operates poorly due to the original design, requiring extraordinary annual effort to maintain.

The Stanislaus County Public Works Department has developed a capital improvement project to remedy this ongoing drainage problem in the Bangs Industrial Park area. Planned improvements include excavating the basin for greater holding capacity and improving its trench drains for better ground percolation. Total cost of improvements is estimated at \$46,390 and will be covered by the Public Works Department. This investment will alleviate the need for

recurring annual costs currently borne by Stanislaus County Public Works to pump the basin and mitigate the potential for flooding. Once improvements are completed there will be a need for ongoing maintenance of the entire drainage system (basin, catch basins, curbs & gutters, and street sweeping). The costs of this ongoing maintenance should be the responsibility of the benefiting parcels within the new CSA. Without the capital improvements and ongoing maintenance flooding will continue, restricting access to private lands, damaging those lands, and creating roadway hazards. The creation of the CSA will help promote a safe community with a well planned infrastructure where businesses, employees, and customers are free from concerns over storm water runoff, flooding and property damage, and roadway hazards and restrictions.

PART I- PLANS AND SPECIFICATIONS:

A. Description of the Service Area

There are 38 parcels, on 35.98 acres, within the present boundaries of CSA No. 20 Summit and 54 parcels on 88.72 acres within the Bangs Industrial Park area. The total combined for the proposed service area is 92 parcels and 124.7 acres.

The proposed County Service Area is divided into 6 zones to properly assign benefits, costs, and annual assessments. The boundaries of the 6 zones are identified on the map of the proposed service area (Exhibit "A"). This attachment also identifies the area currently occupied by CSA No. 20 Summit. The legal description and legal map of the proposed new County Service Area are shown on Exhibit "B" of this report.

B. Description of Improvements and Services

The purpose of the proposed County Service Area is to insure the ongoing maintenance, operation, and servicing of the area's storm drainage systems, including but not limited to, materials, equipment, labor, utilities, and administrative expenses. The special benefit assessments to be levied for this County Service Area are intended to provide a revenue source to accomplish this purpose.

The improvements to be maintained and funded entirely through the service area's assessments are generally described as:

- Periodic street sweeping to prevent build up of silt and other materials that may enter the storm drain system and damage or impair it. All debris is hauled off site;
- Repair curbs and gutters as needed to maintain the storm drain system;
- Periodic cleaning and maintenance of 45 catch basins/drop inlets;
- Periodic cleaning and maintenance, as needed, of drainage system piping;
- Repair and general maintenance of the storm drain basin including erosion control, weed control, grading/excavation as needed;
- Maintenance of basin fences;
- Removal of silt built up next to the wall of the separators; and
- Periodic cleaning and maintenance of 12 trench drains.

The Stanislaus County Public Works Department will provide the above services for the new County Service Area.

PART II – COST ESTIMATE AND 2011-2012 PROPOSED BUDGET

A. Start Up Costs

One time start up costs associated with the creation of the CSA and covered by Stanislaus County Public Works are estimated at \$10,000. Those costs include staff time and assessment ballot costs. Additional start up costs includes Local Agency Formation Commission (LAFCO) fees and State Board of Equalization Fees.

The Stanislaus County Public Works Department has developed a capital improvement project to remedy the ongoing drainage problem in the Bangs Industrial Park area. Planned improvements include excavating the basin for greater holding capacity and improving its trench drains for better ground percolation. Total cost of improvements is estimated at \$46,390 and will be covered by the Public Works Department

LAFCO fees of \$4,000 and State Board of Equalization fees of \$2,000 are planned for coverage through a \$6,000 allotment of funding from the Community Development Fund. This is consistent with Stanislaus County's goal of providing funding for "one-time projects or programs benefiting the unincorporated area that demonstrates strong local support and commitment and a general public benefit." Should property owner support not be given and the formation not be approved through an assessment ballot, this funding will not be needed.

Public Works staff time includes time to coordinate the project, write the Engineer's Report, write a legal description of the boundary and create a legal map, conduct an assessment ballot procedure, and write Agenda Items, Resolutions, and Notices for Stanislaus County Board of Supervisor Meetings, and then attend the meetings. Assessment ballot costs includes supplies and postage.

B. Annual Expenses

Annual costs are listed on the "Proposed Budget" sheet in Part III of this report. The expense portion of the budget includes annual costs to operate and maintain the County Service Area. General categories of expenses includes:

- Administrative expenses - the cost for Stanislaus County Public Works Department to administer the CSA;
- Drain system cleaning;
- Basin maintenance, weed and erosion control, separator cleaning, fence repair;
- Curb and gutter repair; and
- Street sweeping - will be completed every two weeks, which is 26 times per year. However, the entire county receives 4 general benefit street sweepings per year. Therefore, the CSA will only be charged for 22 street sweepings. This is also addressed in Part III of this report under "Benefit Analysis – Identification and Separation of Special and General benefits.

C. Reserve Fund Requirements

Over and above administrative, operational, and maintenance expenses there is also a need for reserve funds. Reserve funds can be described as either operating or capital improvement reserves.

Operating Reserves or Dry Period Reserves are equal to $\frac{1}{2}$ of the annual administrative, operating and maintenance costs. It is the amount needed to cover expenses between July, when the assessment is levied, and December, when the assessment is collected and disbursed. The fiscal year is the 12-month period commencing on July 1 and ending on the following June 30. However, assessments are collected in December and April. This means the fiscal year starts on July 1 but the first installment of the assessments will not be collected until December. This creates a 6-month lag (dry period) in receiving the money necessary to operate and maintain the services. Therefore, a sufficient amount of money collected by the assessments will be carried forward as a general reserve. Any unused portion of the reserve is carried over to the next fiscal year as fund balance and helps lower the amount of subsequent assessments.

Capital Improvement Reserves are funds from assessments that are set aside to cover expenses that do not recur annually, but are still necessary to operate and maintain the County Service Area. For example, a trench drain may have a 20-year life expectancy before becoming dysfunctional. To avoid assessing the full replacement costs in the year it will be replaced, a capital reserve amount is set aside each year to build over its life expectancy. Once the full amount required for the capital reserve is attained, the annual assessment will adjust and stop levying a capital reserve requirement until it is expended for the purpose intended. Once expended the levy will resume again to build a capital reserve for the next replacement. The capital improvement reserves will earn a moderate amount of interest while being held.

PART III – 2011-2012 PROPOSED BUDGET

A. Zones

Government Code section 25217.(a), states: "Whenever the board determines that it is in the public interest to provide different authorized services, provide different levels of service, provide different authorized facilities, or raise additional revenues within specific areas of a county service area, it may form one or more zones pursuant to this article". Pursuant to Government Code section 25217.(a), the proposed County Service Area budget is divided into 6 zones according to facility infrastructure and level of service as well as to properly assign benefits, costs, and annual assessments. The boundaries of the 6 zones are identified on the map of the proposed service area (Exhibit "A"). The "Assessment List By Parcel" in Part V of this report gives the Assessor parcel numbers associated with each zone.

Zone 1 Summit – this zone is the same territory previously covered by CSA No. 20 Summit. This zone has its own drainage system, facilities, and infrastructure and will be assessed on that basis. This area will also benefit from the use of unused reserve funds from the dissolution of CSA No. 20. Those funds will be used to reduce the assessments for this zone.

Zone 2 Bangs – this zone comprises the remainder of the new CSA with the exception of the parcels that comprise zones 3, 4, and 5. This zone has a separate drainage system, facilities, and infrastructure than Zone 1. Beyond the assessment for administration, maintenance, and operating expenses, this zone is being assessed to build an operating reserve. The required reserve will be spread over the first 5 years after formation to level the assessment and avoid levying the full amount the first year.

Zones 3, 4, & 5 – the runoff from these three zones flows to trench drains only and they are therefore not assessed for drainage basin maintenance. However, trench drains require maintenance and the properties in these zones will benefit from the additional maintenance and street sweeping proposed. Also, the trench drains in these zones will need improvement and replacement in the future. The assessments for Zones 3, 4, and 5 will cover the costs of the increased maintenance, build an operating reserve and to build capital reserve to finance replacement of the trench drains:

- **Zone 3 APN 046-011-014** is the largest of the 3 parcels and contains 10 trench drains.
- **Zone 4 APN 046-011-065** is the next largest and contains 1 trench drain.
- **Zone 5 APN 046-011-066** is the smallest of the 3 parcels and contains 1 trench drain.

Zone 6 – the parcels in this zone contain their own storm water facilities. These parcels will benefit only from street sweeping, and will only be assessed for that service, as well as administrative costs, and to build an operational reserve for its street sweeping service. The portion of the assessment corresponding to the required reserve will be spread over the first 5 years after formation to level the assessment and avoid levying the full amount the first year.

Services Provided To Zones	Frequency	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Catch Basin/Drop Inlet cleaning	2 per year	X	X	X	X	X	N/A
Curb and Gutter repair	As Needed	X	X	X	X	X	N/A
Drain System Pipe cleaning and maintenance	As Needed	X	X	N/A	N/A	N/A	N/A
Storm Basin maintenance*	As Needed	X	X	N/A	N/A	N/A	N/A
Street Sweeping	26 per year	X	X	X	X	X	X
Trench Drain Cleaning & Maintenance	As Needed	N/A	N/A	X	X	X	N/A

*Storm Basin Maintenance includes erosion control, weed control, silt removal, and fence repair.

B. 2011-2012 Proposed Budget

PROPOSED 2011-2012 BUDGET BANGS SUMMIT COUNTY SERVICE AREA	ZONE 1	ZONE 2	ZONES 3-5 TRENCH DRAIN PARCELS			ZONE 6	ALL ZONES
	SUMMIT	BANGS	046-011-014	046-011-065	046-011-066	Streetsweep	COMBINED
Administration Expense Budget:							
Stanislaus County Public Works Administration	\$243.09	\$493.47	\$80.25	\$17.80	\$8.67	\$155.11	\$998.39
Total Administration	\$243.09	\$493.47	\$80.25	\$17.80	\$8.67	\$155.11	\$998.39
Maintenance and Operation Expense Budget:							
Street Sweeping	\$1,986.98	\$4,033.59	\$655.93	\$145.52	\$70.87	\$1,267.89	\$8,160.78
Drain Cleaning	\$1,325.94	\$2,691.66	\$437.71	\$97.11	\$47.29	\$0.00	\$4,599.71
Basin Maintenance	\$297.86	\$604.65	\$0.00	\$0.00	\$0.00	\$0.00	\$902.51
Total Maintenance and Operation	\$3,610.78	\$7,329.90	\$1,093.64	\$242.63	\$118.16	\$1,267.89	\$13,663.00
Other Expenses Budget:							
Capital Improvement Reserve Requirement :							
Trench Drains Replacement (APNs 046-011-014; 065; & 066 only)	\$0.00	\$0.00	\$2,000.00	\$200.00	\$200.00	\$0.00	\$2,400.00
Other Capital Improvement Reserve Requirements	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Other Expenses:	\$0.00	\$0.00	\$2,000.00	\$200.00	\$200.00	\$0.00	\$2,400.00
Total Expense Budget	\$3,853.87	\$7,823.37	\$3,173.89	\$460.43	\$326.83	\$1,423.00	\$17,061.39
Fund Balance Information:							
Beginning Fund Balance (Estimated for 2010/11 Yr End)	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,000.00
Capital Improvement Reserve (-)	-\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$2,000.00
Available Fund Balance	\$3,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,000.00
Adjustments to Available Fund Balance:							
Capital Improvement Expenditure (pumps etc.) (-)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6 Months Operating Reserve (-)*	\$2,152.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,152.42
Total Adjustments	\$2,152.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,152.42
Remaining Available Fund Balance	\$847.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$847.58
Assessment							
Total Expense Budget	\$3,853.87	\$7,823.37	\$3,173.89	\$460.43	\$326.83	\$1,423.00	\$17,061.39
Use of Remaining Available Fund Balance (-)	-\$847.58	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	-\$847.58
6 Months Operating Reserve* (All but Summit on 5 Year Build) **	\$0.00	\$782.34	\$117.39	\$26.04	\$12.68	\$142.30	\$1,080.75
Balance to Levy on Assessments	\$3,006.29	\$8,605.71	\$3,291.28	\$486.47	\$339.51	\$1,565.30	\$17,294.56
Assessments Rounded to Even Cents For Each Parcel	\$3,006.50	\$8,605.94	\$3,291.28	\$486.48	\$339.52	\$1,565.34	\$17,295.06
Assessment per EBU (Balance to Levy / Total Weighted EBU)	\$31.29	\$44.12	\$103.76	\$69.10	\$98.98	\$25.53	N/A
Statistics							
Total Parcels	38	41	1	1	1	10	92
Total Acreage	35.98	57.81	9.06	2.01	0.98	18.86	124.7
Total "Weighted" Economic Benefit Units (EBU)**	96.08	195.05	31.72	7.04	3.43	61.31	394.63
Capital Improvement Reserve Target***	\$2,000.00	\$0.00	\$40,000.00	\$4,000.00	\$4,000.00	\$0.00	\$50,000.00

* 6 month Operating Reserve = (Administration + Maintenance & Operating Costs / 2). Zones 2-5 on 5 year build, starting FY 2011-2012.

** Total "Weighted" Economic Benefit Units = (Parcels Assessable Acreage x EBU Rate for Assessor Land Use).

*** Capital Improvement Reserve Target for APN's 046-011-014, 065, & 066 = 20 year replacement cycle for Trench Drains.

PART IV- PROPOSED METHOD OF APPORTIONMENT

The proposed method of apportionment, described in this part of this report, utilizes commonly accepted engineering practices to allocate special benefit assessments to properties within the County Service Area that benefit from its improvements and services. The goal being to fairly distribute the total cost to operate and maintain the County Service Area among the benefiting parcels in proportion to the special benefit they each receive.

Pursuant to the California Constitution Article XIID section 4 (Prop 218), a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. General and special benefits must be separated and the parcel may only be assessed for special benefits received.

A. Benefit Analysis: Identification and Separation of Special and General Benefits

Stanislaus County manages County Service Areas formed to provide for the ongoing maintenance, operation, and servicing of storm drainage systems for specific areas. The source of the Service Area's funding is an assessment specific to the Service Area that is approved by the Service Area's property owners. The funds are used only by and for the County Service Area.

All the services associated with this proposed County Service Area, will be implemented, maintained, and continue, solely because of the Service Area's formation and existence. Were the CSA to cease to exist, the services, and expenditures would cease as well. Therefore the ongoing operation, maintenance and services provide direct, distinct and special benefits only to the properties within the County Service Area.

Some of the special benefits that will be associated with all the properties within this proposed County Service Area are:

- Storm water drainage, retention and storage;
- Maintenance of the storm drainage system;
- Flood abatement;
- Street Sweeping; and
- Enhanced property value as a result of being located within the CSA.

Since the storm drainage system provides a direct, distinct, and special benefit only to the parcels within the CSA, the burden of funding its ongoing maintenance, operation, and servicing should rest solely upon the County Service Area. As a consequence, no general benefit has been assigned, with the exception of street sweeping. Street sweeping is the only service provided to the service area that is also provided to all unincorporated areas of the county that have curb and gutter infrastructure. The general benefit to the unincorporated areas is 4 street sweepings per year. There are 26 planned street sweepings for the proposed County Service Area, but the proposed service area would only be charged for 22 special benefit street sweepings. The 4 general benefit street sweepings would not be chargeable to the service area.

B. Benefit Analysis: Assignment of Special Benefits

The amount of storm water runoff a property produces is a function of both the size of the property and whether or not it is developed (buildings, paved parking areas, etc.). As a consequence, properties do not benefit equally from the storm drainage services provided by the County Service Area and a methodology is needed to equitably allocate the costs of the services provided based upon the size of the property and whether it is developed or undeveloped. That methodology is outlined in the next section of this report.

C. Proposed Assessment Methodology

A weighted method of apportionment utilizing an Equivalent Benefit Unit (EBU) is proposed to identify, quantify, and fairly allocate the special benefit associated to each parcel within the County Service Area relative to the other parcels within the service area. With this methodology, the County Service Area's total cost of providing the improvements and services is distributed among the benefiting parcels based upon three factors, Land Use/Property Type, EBU, and a multiplier (parcel acreage or units).

Equivalent Benefit Units (EBU):

The EBU method of apportioning special benefits is typically seen as the most appropriate and equitable assessment methodology, as the benefits from the improvements are apportioned to each parcel as a function of land use type, as well as development, and size. To assess benefits equitably it is necessary to correlate each property's proportional special benefits to the special benefits of all other property in the Service Area.

The Land Use/Property Type of a single-family home site is the base unit of apportionment used by the EBU method of apportioning assessments. A single-family home site equals one EBU. All other land uses are converted to EBU's based on an assessment formula that equates the property's specific development status, type of development (land use) and size of property, as compared to a single-family home site. The table on the following page provides a summary of property-land use types, EBU factors, and the multiplier to be used in the proposed assessment calculations. Note that the Property Type/Land Use of Single Family Residential has a EBU rating of 1.0. All other EBU ratings are in proportional relation to this base.

EBU Application by Property Type - Land Use:

Each parcel within the County Service Area has a current Land Use Classification designated by the County Assessor's Office. This Land Use Classification is converted into one of twelve "Property Type Land Use" categories.

Those property type/land use categories are: Single Family Residential; Multi Family Residential; Residential Condominium/Town Home Units; Planned Residential Development; Vacant/Undeveloped Residential Land; Public Parks;

Public Storm Drain Basin; Public School/Congregation; Commercial/Industrial Parcel; Undeveloped Commercial/Industrial Parcel; Rural Agricultural; and Exempt Parcels. A description of "Property Type Land Use" categories is included in this report's appendix.

The following table provides a summary of property-land use types, EBU factors, and the multiplier to be used in the proposed assessment calculations:

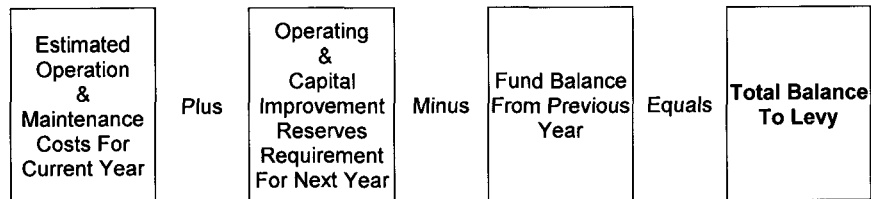
Property Type - Land Use	EBU	Multiplier
Single Family Residential	1.00	Per unit/lot (parcel).
Multi-Family Residential	0.75	Per Unit for first 3 units.
	0.50	Per Unit for units 4 thru 29 units.
	0.25	Per Unit > 29.
Condominium/Town-Home Units	0.75	Per Unit.
Planned Residential Development	1.00	Per Planned Residential Lot.
	0.75	Per Planned Condominium.
	0.75	Per Unit for first 3 units.
	0.50	Per Unit for units 4 thru 29 units.
	0.25	Per Unit > 29.
Vacant/Undeveloped Residential Land	1.00	Per Acre
Public Park	0.40	Per Acre
Public Storm Drain Basin	0.40	Per Acre
Public School/Congregations	2.20	Per Acre
Commercial/Industrial Parcel	3.50	Per Acre
Undeveloped Commercial/Industrial Parcel	1.00	Per Acre
Rural Agricultural	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

Special Cases- Adjustments are made for any properties where the standard "Property Type Land Use" classifications, or usual benefit calculations, will not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a vacant residential property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

Site visits and/or recent aerial photography may also be reviewed for discrepancies in the Assessor assigned Land Use values versus actual land use. For example, a parcel assigned "Vacant Commercial/Industrial" may have been developed with a building now on the site. The Land Use/Property Type would in this case be changed fro "Vacant Commercial/Industrial" to "Commercial/Industrial".

D. Proposed Assessment Formulas

The formula to arrive at the total annual assessment for the CSA:



The calculation for each parcel's Economic Benefit Unit (proportional benefit) is:

$$\text{"Property Type-Land Use" EBU} \times \text{Acres or Units} = \text{Parcel EBUs}$$

The total number of EBU's is the sum of all individual EBU's applied to parcels that receive special benefit from the improvements and services.

$$\text{Sum of All Individual Parcel EBU's} = \text{Total EBU's}$$

An assessment rate per EBU is established by taking the total cost of the improvements and services and dividing that amount by the total number of EBU's of all parcels benefiting from the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU's} = \text{Levy per EBU, a.k.a. Assessment Rate}$$

The assessment rate is then applied back to each parcel's individual EBU to determine the parcels proportionate benefit and assessment obligation for the improvements and services.

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount, a.k.a. Assessment}$$

Fund balance from the previous year is the balance as of the close of the previous fiscal year. A positive fund balance will help reduce the CSA's overall assessment while a negative fund balance will increase the overall assessment. Operating Reserve and Capital Improvement Reserve are explained in Part II "C" of this report

If the proposed formula is approved, it will be utilized indefinitely to compute the CSA's parcel assessments.

PART IV- PROPOSED ASSESSMENTS

A. Proposed Assessment List By Parcel By Zone

A summary of zone assessments, expenses, and statistics can be viewed on the budget sheet listed in Part III of this report. The Assessment List by Parcel beginning on page 15 of this report is the proposed assessment for Budget Year 2011-2012 apportioned to each of the CSA's parcels. The Assessment Roll was extracted from the County Assessor's last equalized roll.

Dissolving CSA 20 Summit and combining it with the Bangs Industrial Park area to form a new County Service Area will provide the opportunity for economies of scale and the utilization of an assessment formula that accounts for the difference in storm water runoff between a developed and undeveloped parcel. The Fiscal Year 2010-2011 Summit assessment was \$177.51 per acre to fund the operation and maintenance of the area's storm water drainage system. However, that assessment formula assumed a non-developed parcel produces the same amount of runoff as a developed parcel with a building and paved parking lot. The new formula proposes a lower assessment level for undeveloped properties as compared to developed properties.

If this proposal is approved CSA No.20 Summit will be dissolved and any remaining fund balance will be transferred to the new CSA but will only be utilized to lower assessments for the former CSA No. 20 Summit properties. It will also be identified as a separate zone (Zone 1) for budgeting and assessment purposes under the proposed CSA No.29. Overall, every property within the Summit area will be the recipient of a lower assessment. In total, those assessments would reduce from \$6,381.48 to \$3,006.50 annually. An example of an individual assessment is APN 046-004-073. This parcel is 1.04 acres of developed property and would be assessed \$121.32 by the new CSA for Budget Year 2011-2012; a decrease of \$60.92 when compared to the CSA No. 20 assessment of \$182.24 in Fiscal Year 2010-2011. An example of an undeveloped parcel is APN 046-004-023. This parcel is 0.7 acres of undeveloped property and would be assessed \$11.34 by the new CSA; a decrease of \$112.92 when compared to the CSA No. 20 assessment of \$124.26 for this parcel in Fiscal Year 2010-2011.

Parcels within the Bangs Industrial Park area have not previously been part of a CSA and therefore have not been previously assessed. This area is divided into benefit zones (Zones 2 through 6) with a different assessment for each based upon Equivalent Benefit Units (EBUs) and acreage. For a full explanation of each zone please refer to Part III of the Engineer's Report for CSA No.29. Zone 2's total assessment would be \$8,605.94; or \$44.12 per EBU; there are 3.5 EBUs per developed acre therefore a developed acre would be assessed \$154.42. Zone 3's total assessment would be \$3,291.28; or \$103.76 per EBU. A developed acre would be assessed \$363.16. Zone 4's total assessment would be \$486.48; or \$69.10 per EBU. A developed acre would be assessed \$241.85. Zone 5's total assessment would be \$339.52; or \$98.98 per EBU. A developed acre would be assessed \$346.43. Zone 6's total assessment would be \$1,565.34; or \$25.53 per EBU. A developed acre would be assessed \$89.36.

**COUNTY SERVICE AREA NO. 29 BANGS SUMMIT PROPOSED BUDGET YEAR 2011-2012
ASSESSOR PARCELS LISTED ARE SUBJECT TO THE ANNUAL ASSESSMENT**

ZONE 1		
Count	APN	Assessment
1	046-004-023	\$11.34
2	046-004-027	\$80.54
3	046-004-028	\$57.92
4	046-004-029	\$63.08
5	046-004-030	\$322.76
6	046-004-031	\$71.66
7	046-004-032	\$8.66
8	046-004-035	\$8.80
9	046-004-036	\$59.54
10	046-004-037	\$152.74
11	046-004-038	\$8.20
12	046-004-039	\$8.86
13	046-004-041	\$0.00
14	046-004-044	\$173.72
15	046-004-045	\$10.52
16	046-004-046	\$10.52
17	046-004-047	\$10.52
18	046-004-048	\$11.50
19	046-004-050	\$9.30
20	046-004-051	\$8.86
21	046-004-052	\$8.86
22	046-004-053	\$64.10
23	046-004-054	\$64.10
24	046-004-055	\$64.08
25	046-004-058	\$8.86
26	046-004-059	\$8.72
27	046-004-060	\$64.32
28	046-004-061	\$410.06
29	046-004-064	\$540.36
30	046-004-065	\$128.14
31	046-004-066	\$53.74
32	046-004-067	\$54.92
33	046-004-068	\$71.76
34	046-004-069	\$121.94
35	046-004-070	\$55.40
36	046-004-071	\$61.82
37	046-004-072	\$14.96
38	046-004-073	\$121.32
	Zone Total	\$3,006.50

ZONE 2		
Count	APN	Assessment
1	046-010-005	\$385.08
2	046-010-008	\$154.24
3	046-010-009	\$170.50
4	046-010-010	\$304.06
5	046-010-011	\$305.26
6	046-010-012	\$166.52
7	046-010-013	\$157.28
8	046-010-021	\$191.26
9	046-010-028	\$120.26
10	046-010-031	\$142.18
11	046-010-033	\$264.20
12	046-010-034	\$329.94
13	046-010-035	\$198.88
14	046-011-002	\$1,443.80
15	046-011-009	\$117.24
16	046-011-011	\$16.42
17	046-011-012	\$133.90
18	046-011-017	\$756.62
19	046-011-018	\$77.58
20	046-011-019	\$77.58
21	046-011-020	\$141.12
22	046-011-026	\$70.90
23	046-011-027	\$124.22
24	046-011-029	\$3.20
25	046-011-044	\$104.14
26	046-011-045	\$95.84
27	046-011-046	\$91.18
28	046-011-047	\$50.56
29	046-011-048	\$27.36
30	046-011-049	\$197.34
31	046-011-050	\$91.98
32	046-011-051	\$103.82
33	046-011-052	\$104.88
34	046-011-053	\$92.20
35	046-011-054	\$291.48
36	046-011-056	\$283.58
37	046-011-057	\$256.86
38	046-011-060	\$238.64
39	046-011-061	\$216.74
40	046-011-062	\$240.86
41	046-011-063	\$266.24
	Zone Total	\$8,605.94

**COUNTY SERVICE AREA NO. 29 BANGS SUMMIT PROPOSED BUDGET YEAR 2011-2012
ASSESSOR PARCELS LISTED ARE SUBJECT TO THE ANNUAL ASSESSMENT**

ZONE 3		
1	046-011-014	\$3,291.28
ZONE 4		
1	046-011-065	\$486.48
ZONE 5		
1	046-011-066	\$339.52

ZONE 6		
1	046-010-002	\$410.16
2	046-010-003	\$144.76
3	046-010-004	\$115.28
4	046-011-001	\$9.96
5	046-011-004	\$109.02
6	046-011-005	\$92.04
7	046-011-006	\$95.62
8	046-011-007	\$124.22
9	046-011-028	\$426.24
10	046-011-064	\$38.04
	Zone Total	\$1,565.34

TOTAL FOR ALL ZONES

TOTAL PARCELS	92
TOTAL ASSESSMENT	\$17,295.06

APPENDIX: Definitions of Property Type – Land Use:

(Spring 2011)

In 1999, Stanislaus County Department of Public Works retained the consulting services of NBS Government Finance Group to prepare an Engineer's Report for County Service Area #10 – Salida. At that time, NBS proposed a revised method to calculate assessments by quantifying the various land use types and their respective special benefits received in terms of Equivalent Units. The revised methodology was reviewed and approved by the county and has been in use since that time. The methodology is utilized for determining assessments for special districts - County Service Areas, Landscape and Lighting Districts; and Lighting Districts. Following are property type land use definitions and their Equivalent Benefit Unit or EBU.

Single-Family Residential: This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that all other land use types are compared and weighted against (i.e. Equivalent Benefit Unit or EBU).

Multi-Family Residential: This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property typically includes apartments, duplexes, triplex etc. It does not typically include condominiums, town-homes, or mobile home parks). Based on average population densities and the size of the structure as compared to a typical single family residential unit, multi-family residential parcels shall be proportionally assessed for the parcels total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single family residence (sample sources: Institute of transportation Engineers Informational report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Addition). These Various studies indicate the most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases, the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations it has been determined that an appropriate allocation of special benefit for multifamily residential properties as compared to a single family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 5 units; 0.50 EBU per unit for units 6 through 50; and 0.25 EBU per unit for all remaining units.

Residential Condominium/Town-Home Units- Condominiums and town-homes tend to share attributes of both a single family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to the APN. There is no adjustment factor with parcels with more than five units.

APPENDIX: Definitions of Property Type – Land Use (Continued) :

Planned-Residential Development- This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the property. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionally for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out (the EBU assigned to each parcel shall represent the combination of single family, condominium, multifamily units to be developed).

Vacant/Undeveloped Residential Land: This land use is defined as property currently zoned for single-family detached residential development, but a tentative or final tract map has not been submitted and/or approved. This land use is assessed at 1.0 EBU per parcel.

Public Park: This is land, owned by the county, that is designated for a public park. It is developed as such or awaiting development. This land use is assessed at 0.4 EBU per parcel.

Public Storm Drain Basin: This is land, owned by the county, that is developed or under development as a public storm drain basin. This land use is assessed at 0.4 EBU per parcel.

Public School/Congregation: A public school is a publicly owned school site. A congregation is defined as a place of religious worship. This land use is assessed at 2.2 EBU per parcel.

Commercial / Industrial Parcel: This land use is defined as property developed for either commercial or industrial use; or property being used for parking and/or storage in support of a business. This land use is assessed at 3.5 EBU per parcel.

Undeveloped Commercial / Industrial Parcel: This land use is defined as property currently zoned for either commercial or industrial use that has not been developed and is not being used for parking and/or storage in support of a business. This land use is assessed at 1.0 EBU per parcel.

Rural Agricultural: This land use is defined as property zoned and used for Agriculture. This land use is assessed at 1.0 EBU per parcel.

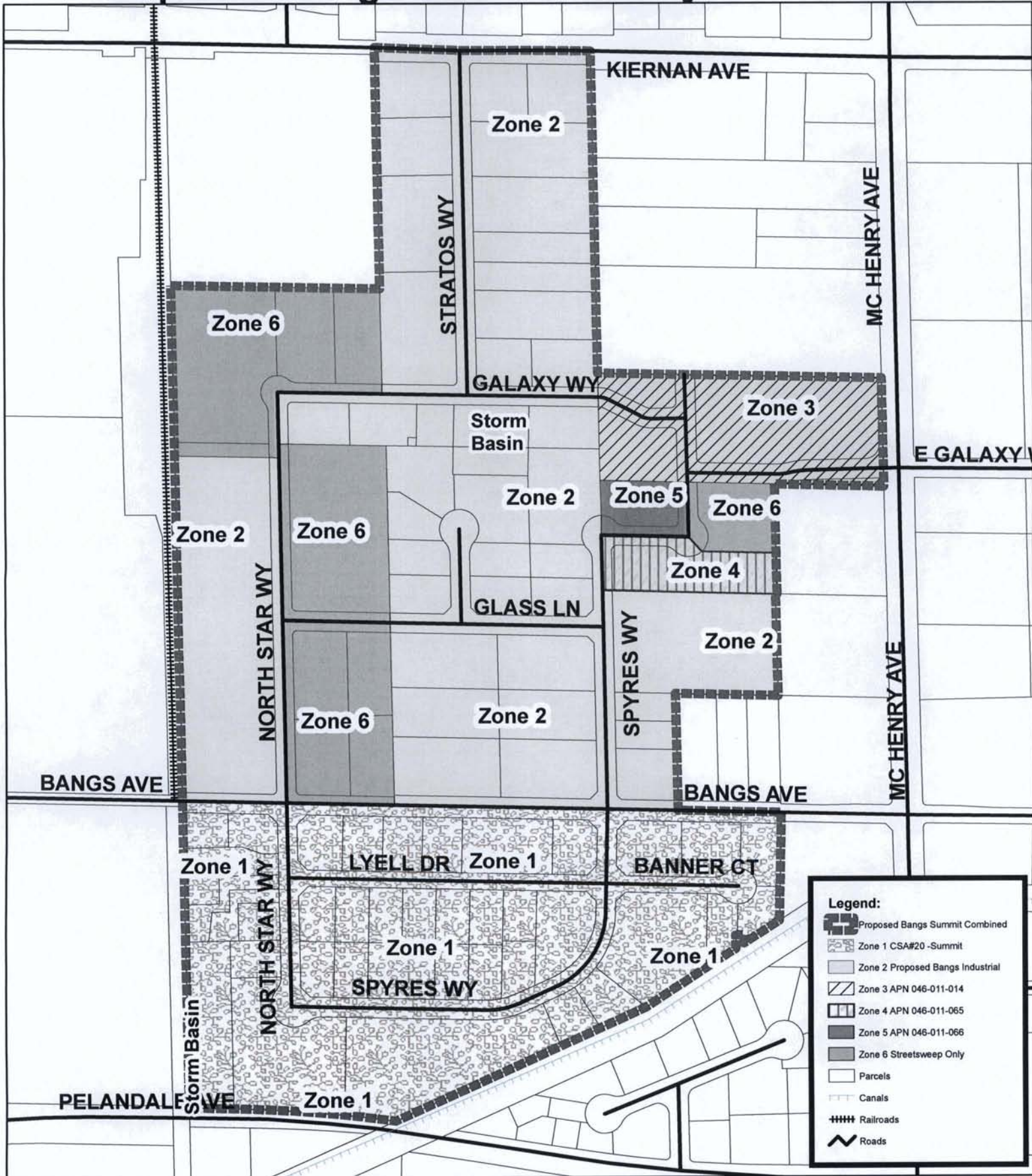
Exempt Parcels: This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County)
- Bifurcated lots or properties with very restrictive development use

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment. The exemption may be from a particular service provided or from all services provided.

Exhibit "A"

Proposed Bangs-Summit County Service Area



Legend:

- Zone 1 CSA#20 -Summit
- Zone 2 Proposed Bangs Industrial
- Zone 3 APN 046-011-014
- Zone 4 APN 046-011-065
- Zone 5 APN 046-011-066
- Zone 6 Streetsweep Only
- Parcels
- Canals
- Railroads
- Roads



0 550 1,100 Feet



Exhibit "B"

FORMATION OF COUNTY SERVICE AREA NO. 29 – BANGS-SUMMIT

All that certain real property being situate in the East Half of Section 5, Township 3 South, Range 9 East, Mount Diablo Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 5, thence North $88^{\circ}43'03''$ West 454.14 feet on the north line of the Southeast $\frac{1}{4}$ of said Section 5, said $\frac{1}{4}$ section line also being the centerline of Bangs Avenue, to the northerly extension of the east line of Parcel 6 as shown on the Parcel Map recorded on May 9, 2003 in Book 52 of Parcel Maps at Page 18, Stanislaus County Records, said intersection being the **POINT OF BEGINNING** of the herein described County Service Area No. 22:

- 1) thence South $01^{\circ}16'50''$ West 393.64 feet on said northerly extension and the east line of Parcels 6 and 7 as shown on said Parcel Map to the southeast corner of said Parcel 7;
- 2) thence South $56^{\circ}59'46''$ West 151.71 feet on the southeasterly line of said Parcel 7 to a point on the east line of the deed filed for record as Instrument No. 90-088310 of Official Records, Stanislaus County Records;
- 3) thence North $01^{\circ}14'02''$ West 29.82 feet on the east line of said Instrument No. 90-088310;
- 4) thence South $88^{\circ}45'58''$ West 30.00 feet on the north line of said Instrument No. 90-088310;
- 5) thence South $01^{\circ}14'02''$ East 48.40 feet on the west line of said Instrument No. 90-088310, to the southeasterly line of Parcel 8 as shown on said Parcel Map;
- 6) thence South $56^{\circ}59'46''$ West 384.19 feet on the southeasterly line of Parcels 8 and 9 as shown on said Parcel Map;
- 7) thence South $65^{\circ}54'43''$ West 986.31 feet on the southeasterly line of Parcels 10, 11, 12, 13 and the remainder to the most southerly point of said Parcel Map, said point being a point of curvature, non-tangent to the preceding course, concave southerly, having a radius of 5067.50 feet, from which the radius point bears South $07^{\circ}54'36''$ West;
- 8) thence westerly, on the arc of said curve, through a central angle of $06^{\circ}39'04''$, an arc distance of 588.27 feet on the south line of said remainder and Lot A as shown on said Parcel Map;
- 9) thence North $88^{\circ}44'29''$ West 152.17 feet continuing on the south line of said Lot A to the southwest corner of said Lot A;

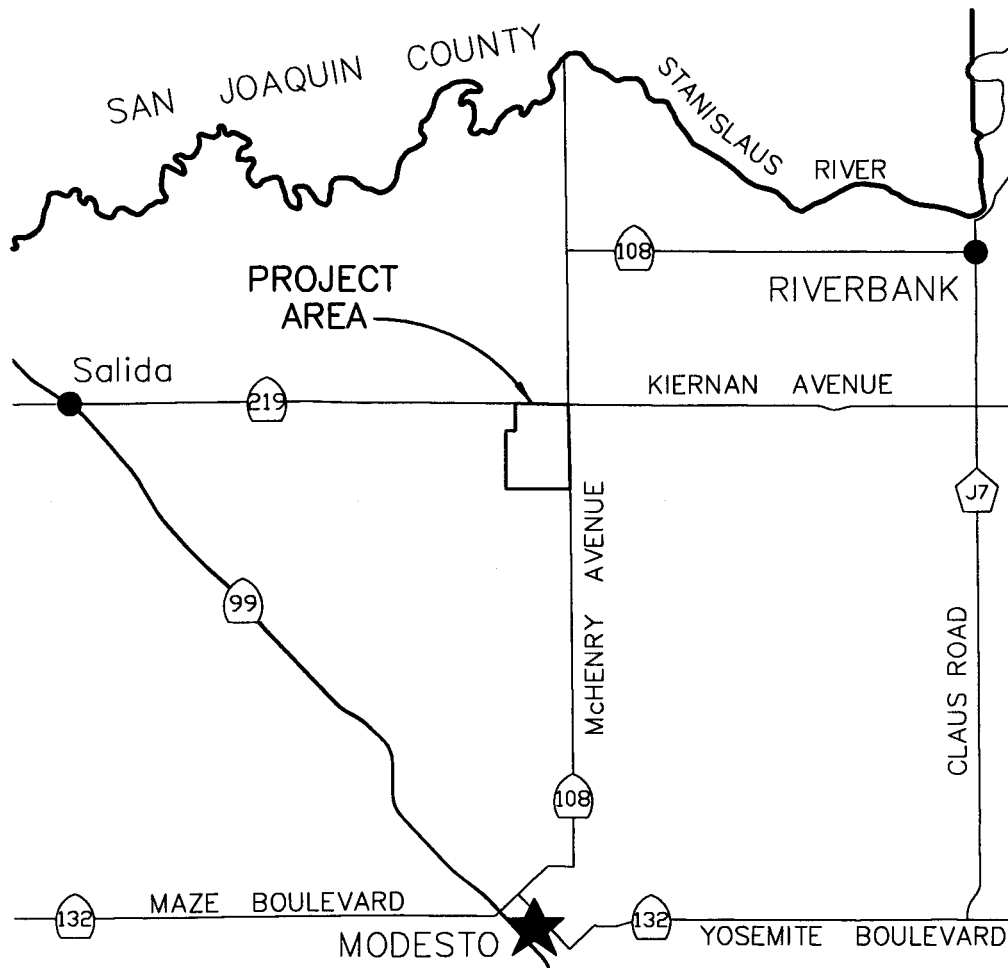
- 10) thence North 01°10'49" West 1105.25 feet on the west line of said Parcel Map to the north line of the Southeast ¼ of said Section 5;
- 11) thence North 01°38'05" West 622.00 feet on the west line of Parcel A as shown on the Parcel Map recorded on October 5, 1972 in Book 15 of Parcel Maps at Page 32, Stanislaus County Records, to the northwest corner of said Parcel A;
- 12) thence North 01°38'38" West 626.82 feet on the west line of Parcel A and Parcel B as shown on the Parcel Map recorded on August 26, 1983 in Book 34 of Parcel Maps at Page 50, Stanislaus County Records to the northwest corner of said Parcel B;
- 13) thence North 01°37'59" West 560.81 feet on the west line of Parcel 1 as shown on the Parcel Map recorded on April 6, 1979 in Book 28 of Parcel Maps at Page 104, Stanislaus County Records to the northwest corner of said Parcel 1;
- 14) thence South 89°26'39" East 749.51 feet on the north line of Parcel 1 and Parcel 2 as shown on said Parcel Map to the west line of Parcel 6 as shown on the Parcel Map recorded on June 22, 1984 in Book 35 of Parcel Maps at Page 34, Stanislaus County Records;
- 15) thence North 01°37'38" West 864.55 feet on the west line of Parcels 4, 5 and 6 and the northerly extension of said west line as shown on said Parcel Map to the north line of said Section 5;
- 16) thence South 89°26'39" East 776.10 feet on the north line of said Section 5 to the northerly extension of the east line of Parcel 1 as shown on said Parcel Map;
- 17) thence South 01°37'38" East 1153.99 feet on said northerly extension and the east line of Parcels 1, 2 and 3 as shown on said Parcel Map, to the northwest corner of Parcel 1 as shown on the Parcel Map recorded on March 17, 2010 in Book 56 of Parcel Maps at Page 40, Stanislaus County Records;
- 18) thence South 88°47'14" East 1020.90 feet on the north line of the subdivided area as shown on said map to the west right-of-way line of McHenry Avenue as shown on said Parcel Map;
- 19) thence South 01°14'33" East 136.85 feet on said west right-of-way line;
- 20) thence North 88°45'27" East 5.00 feet continuing on said west right-of-way line;
- 21) thence South 01°14'33" East 100.00 feet continuing on said west right-of-way line;
- 22) thence South 88°45'27" West 5.00 feet continuing on said west right-of-way line;
- 23) thence South 01°14'33" East 149.57 feet continuing on said west right-of-way line to the southeast corner of Parcel 4 as shown on said Parcel Map;

- 24) thence North 88°42'03" West 395.08 feet on the south line of said Parcel 4 to the northeast corner of Parcel 1 as shown on the Parcel Map recorded on March 31, 2005 in Book 53 at Page 69, Stanislaus County Records;
- 25) thence South 01°42'22" East 390.38 feet on the east line of Parcel 1 and Parcel 2 as shown on said map to the southeast corner of said Parcel 2;
- 26) Thence North 89°08'28" West 5.34 feet to the northeast corner of Parcel 2 as shown the Parcel Map recorded on June 28, 1985 in Book 36 of Parcel Maps at Page 91, Stanislaus County Records;
- 27) Thence South 01°42'30" East 364.26 feet on the east line of said Parcel 2 to the southeast corner of said Parcel 2;
- 28) thence North 89°08'36" West 368.16 feet on the north line of Parcels 1, 2 & 3 of the Parcel Map recorded on October 11, 1990 in Book 43 at Page 47, Stanislaus County Records to the northwest corner of Parcel 3 as shown on said map;
- 29) thence South 01°37'38" East 417.66 feet on the west line of said Parcel 3 and the southerly extension of said west line to the centerline of Bangs Avenue as shown on said Parcel Map recorded in Book 52 of Parcel Maps at Page 18, Stanislaus County Records;
- 30) thence South 88°43'03" East 370.05 feet on the centerline of Bangs Avenue to the northerly extension of the east line of Parcel 6 as shown on said Parcel Map and the **POINT OF BEGINNING.**

Area =145.40 ± acres

VICINITY MAP

SCALE: 1' = 10,000'



COURSE TABLE

1	393.64'	S01°16'50"W	12	626.82'	N01°38'38"W	25	390.38'	S01°42'22"E
2	151.71'	S56°59'46"W	13	560.81'	N01°37'59"W	26	5.34'	N89°08'28"W
3	29.82'	N01°14'02"W	14	749.51'	S89°26'39"E	27	364.26'	S01°42'30"E
4	30.00'	S88°45'58"W	15	864.55'	N01°37'38"W	28	368.16'	N89°08'36"W
5	48.40'	S01°14'02"E	16	776.10'	S89°26'39"E	29	417.66'	S01°37'38"E
6	384.19'	S56°59'46"W	17	1153.99'	S01°37'38"E	30	370.05'	S88°43'03"E
7	986.31'	S65°54'43"W	18	1020.90'	S88°47'14"E			
8	L 588.27		19	136.85'	S01°14'33"E			
	R 5067.50		20	5.00'	N88°45'27"E			
	Δ 06°39'04"		21	100.00'	S01°14'33"E			
9	152.17'	N88°44'29"W	22	5.00'	S88°45'27"W			
10	1105.25'	N01°10'49"W	23	149.57'	S01°14'33"E			
11	622.00'	N01°38'05"W	24	395.08'	N88°42'03"W			

SHEET 1 OF 3



FORMATION OF COUNTY SERVICE AREA NO. 29 - BANGS-SUMMIT PORTION OF E. ½ SECTION 5, T.3 S., R.9 E.

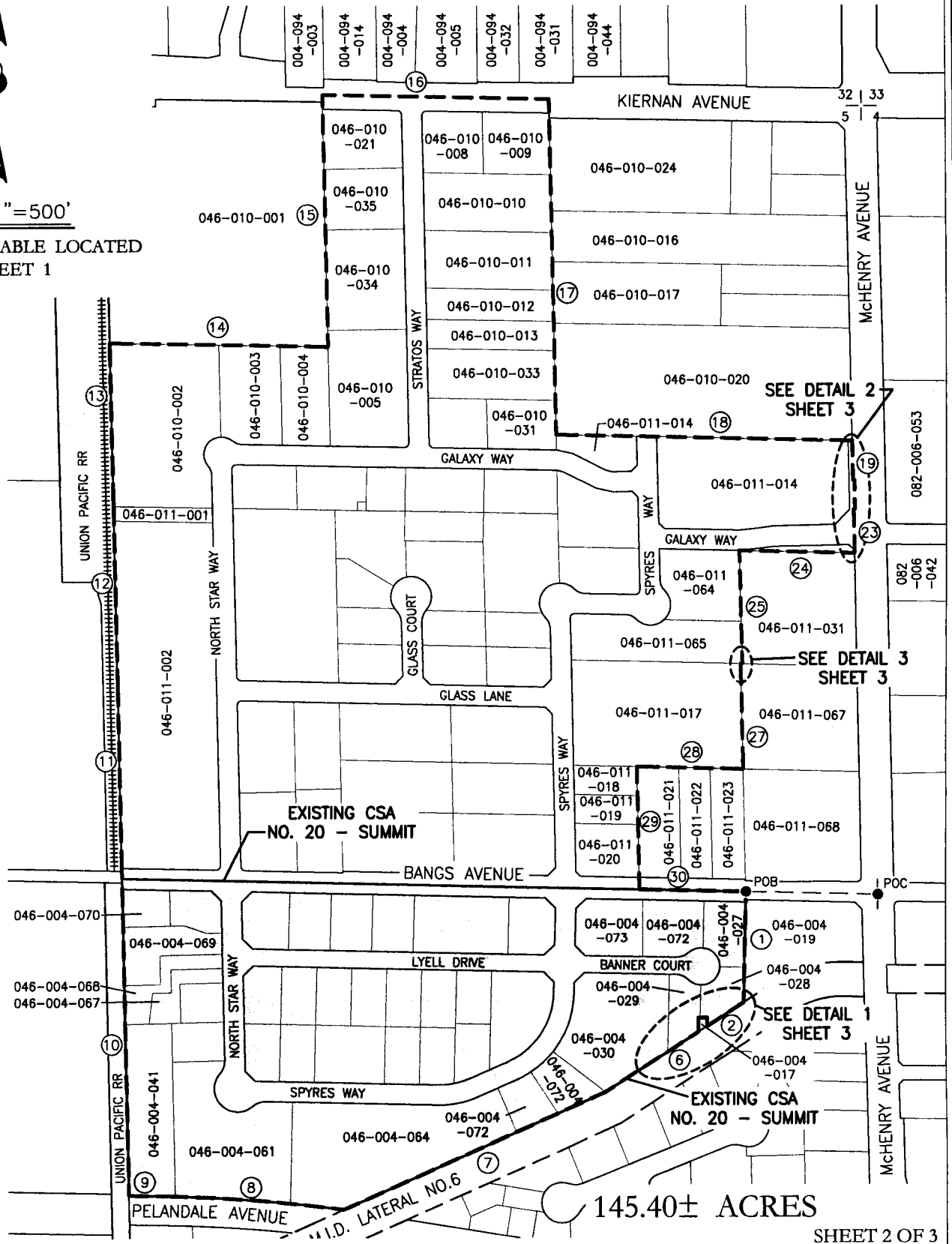


EXHIBIT "B"



SCALE: 1"=500'

NOTE: COURSE TABLE LOCATED ON SHEET 1



145.40± ACRES

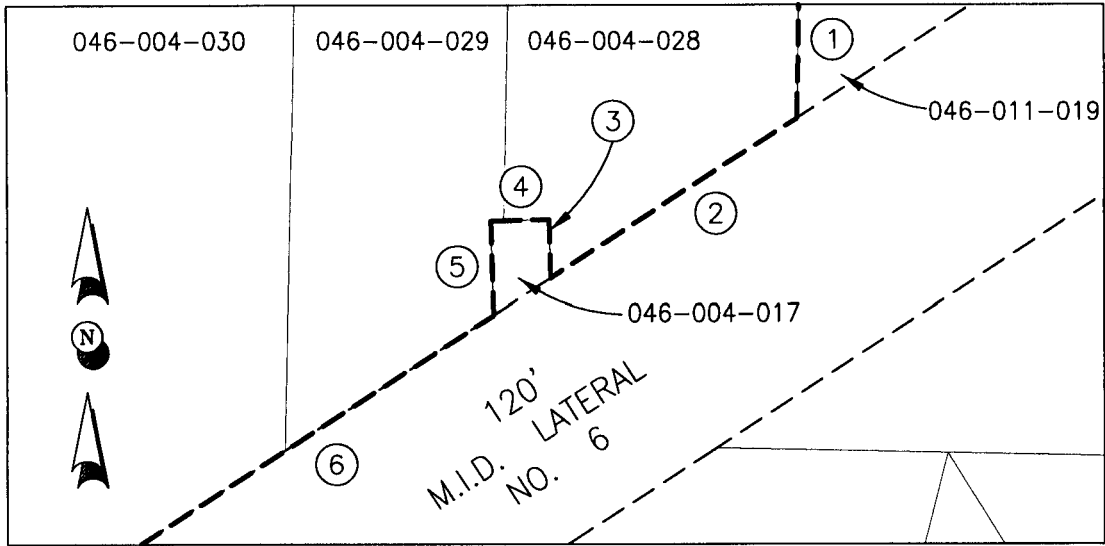
SHEET 2 OF 3



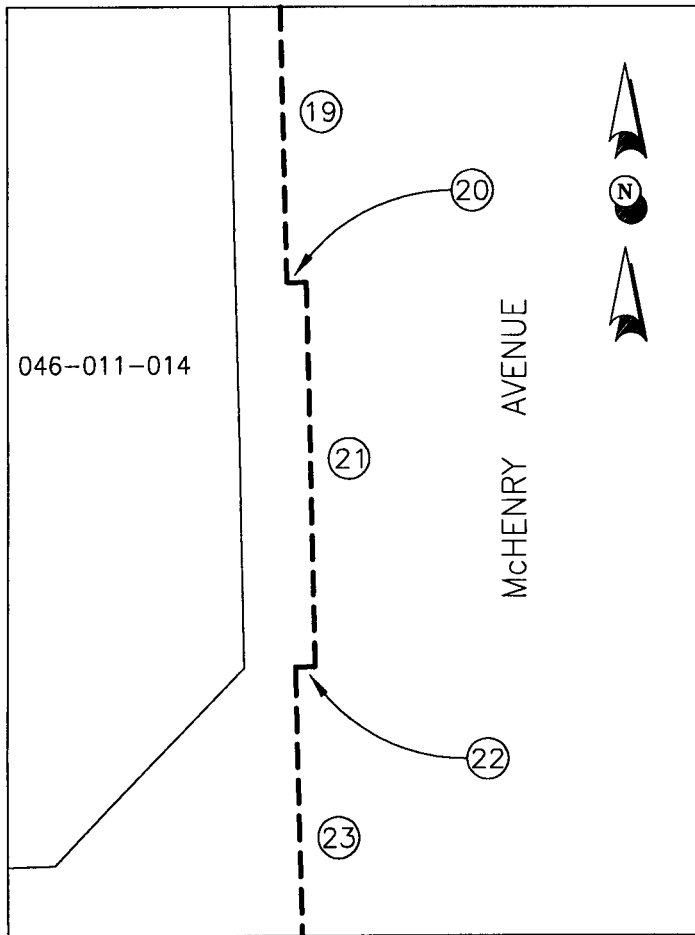
FORMATION OF COUNTY SERVICE AREA NO. 29 - BANGS-SUMMIT PORTION OF E. ½ SECTION 5, T.3 S., R.9 E.



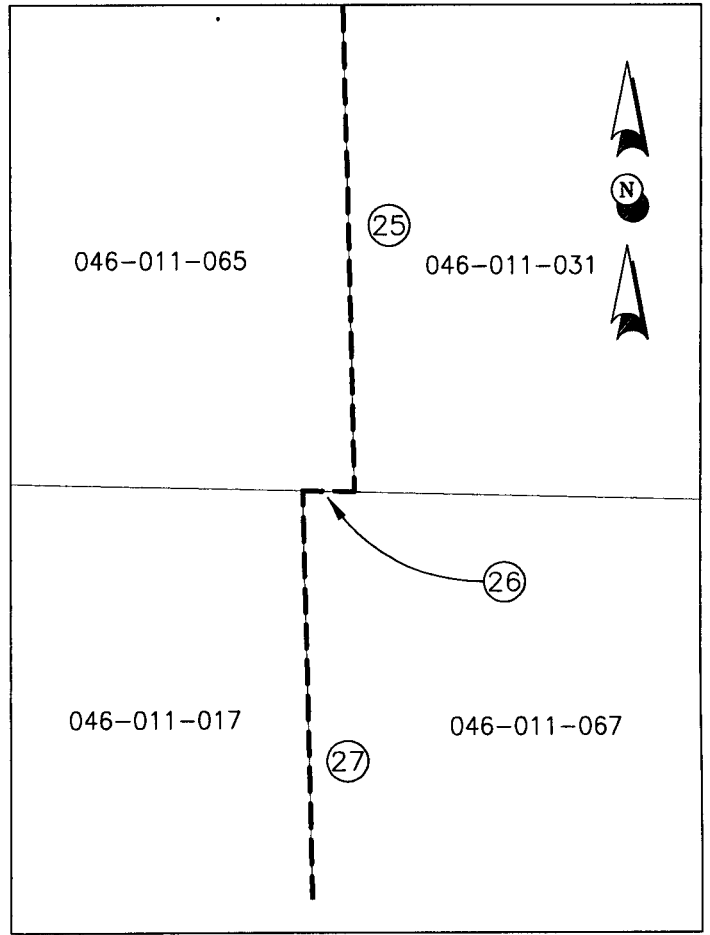
DETAIL 1
SCALE: 1"=100'



DETAIL 2
SCALE: 1"=50'



DETAIL 3
SCALE: 1"=20'



NOTE: COURSE TABLE LOCATED ON SHEET 1

SHEET 3 OF 3



FORMATION OF
COUNTY SERVICE AREA NO. 29 - BANGS-SUMMIT
PORTION OF E. 1/2 SECTION 5, T.3 S., R.9 E.

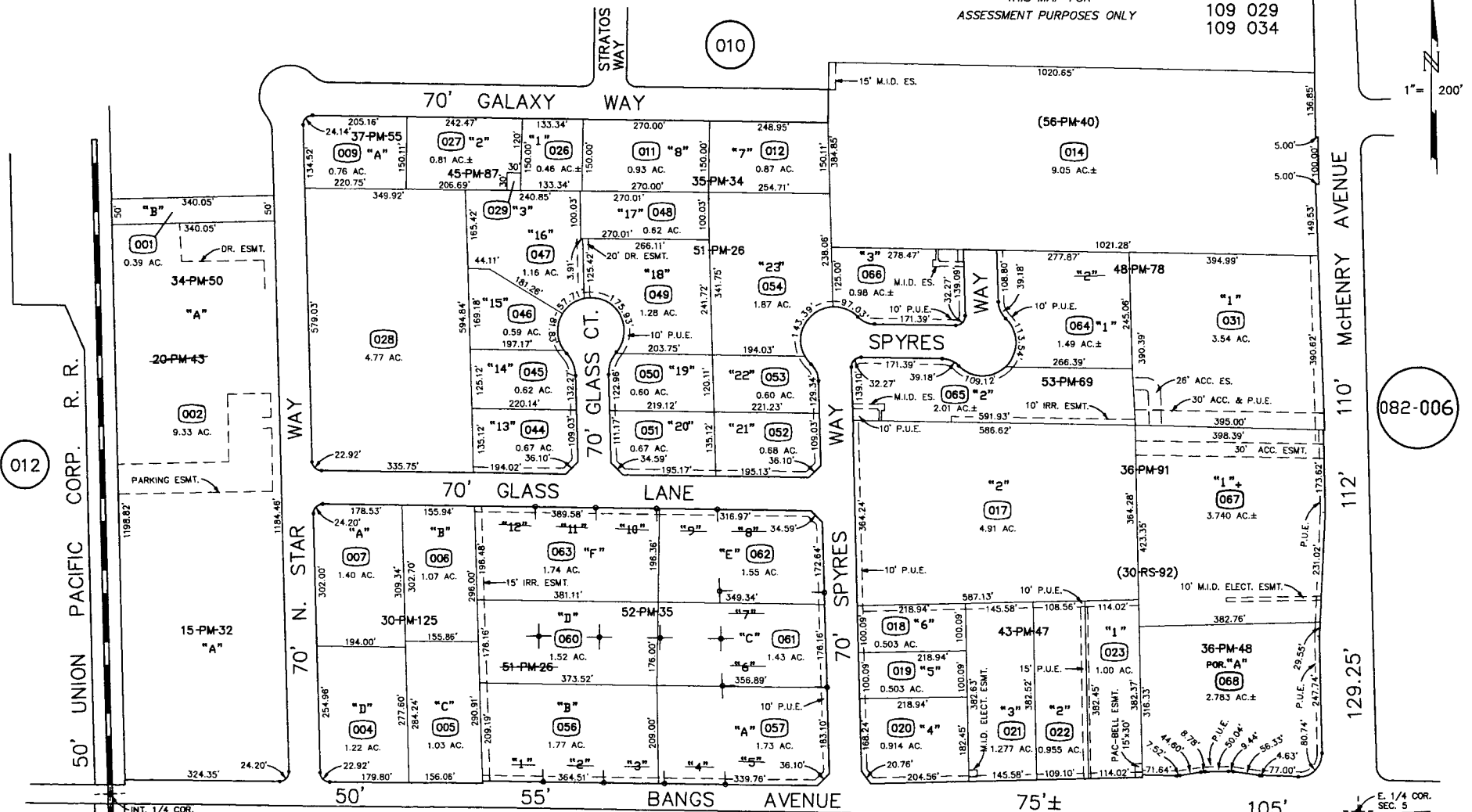


POR. NE 1/4 SECTION 5 T.3S. R.9E. M.D.B.& M.
BANGS INDUSTRIAL PARK (51PM26)

109 007
109 016
109 022
109 024
109 029
109 034

046 - 011

THIS MAP FOR
ASSESSMENT PURPOSES ONLY



FROM: F-5, 46-01
DRAWN: 3-22-90
REVISED: 6-10-91, 6-16-93 NC, 7-9-98, 2-8-02 MF, 9-5-02 MF, 9-16-02 DH,
02-12-04 MB., 5-11-05 MB., 06-09-05 MB, 01-03-06 MF, 5-26-06 DH, 09-04-08 MB,
06-15-10 MB, 04-25-11 MB



91,99,02,03,04,06,09

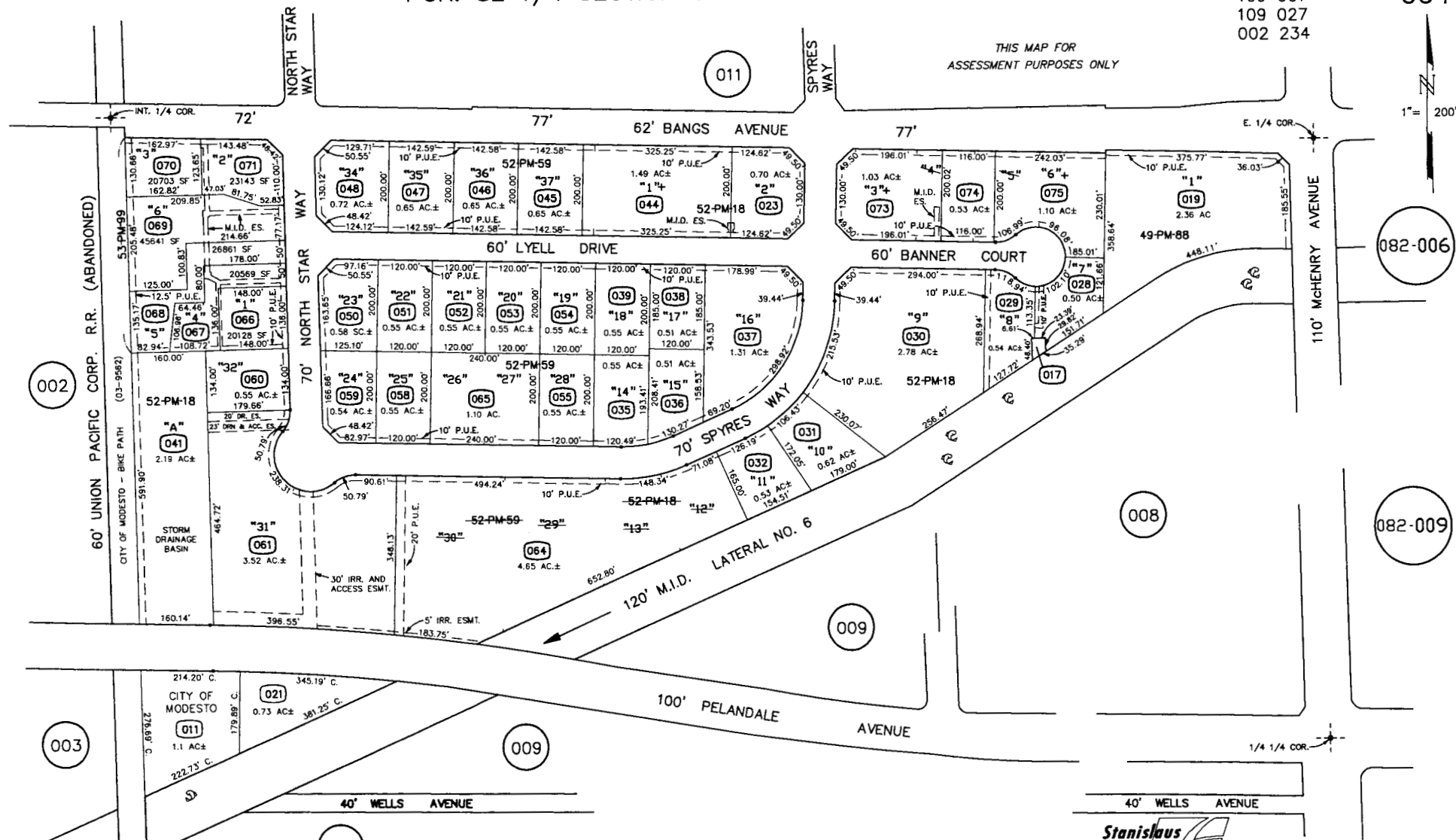
046 - 011

POR. SE 1/4 SECTION 5 T.3S. R.9E. M.D.B.& M.

109 030
109 007 046 - 004
109 027
002 234

THIS MAP FOR
ASSESSMENT PURPOSES ONLY

1" = 200'



FROM: F-5, 046-04
DRAWN: 10-13-80
REVISED: 8-31-88, 7-13-00, 4-29-02, 8-1-03(V) MF, 11-21-03 MF, 2-4-04 DH, 6-4-04 MB., 09-15-04 MB., 1-4-06 DH, 2-14-06 DH, 8-16-06 MF, 9-7-07 DH, 04-15-08 CS, 02-07-11 MB

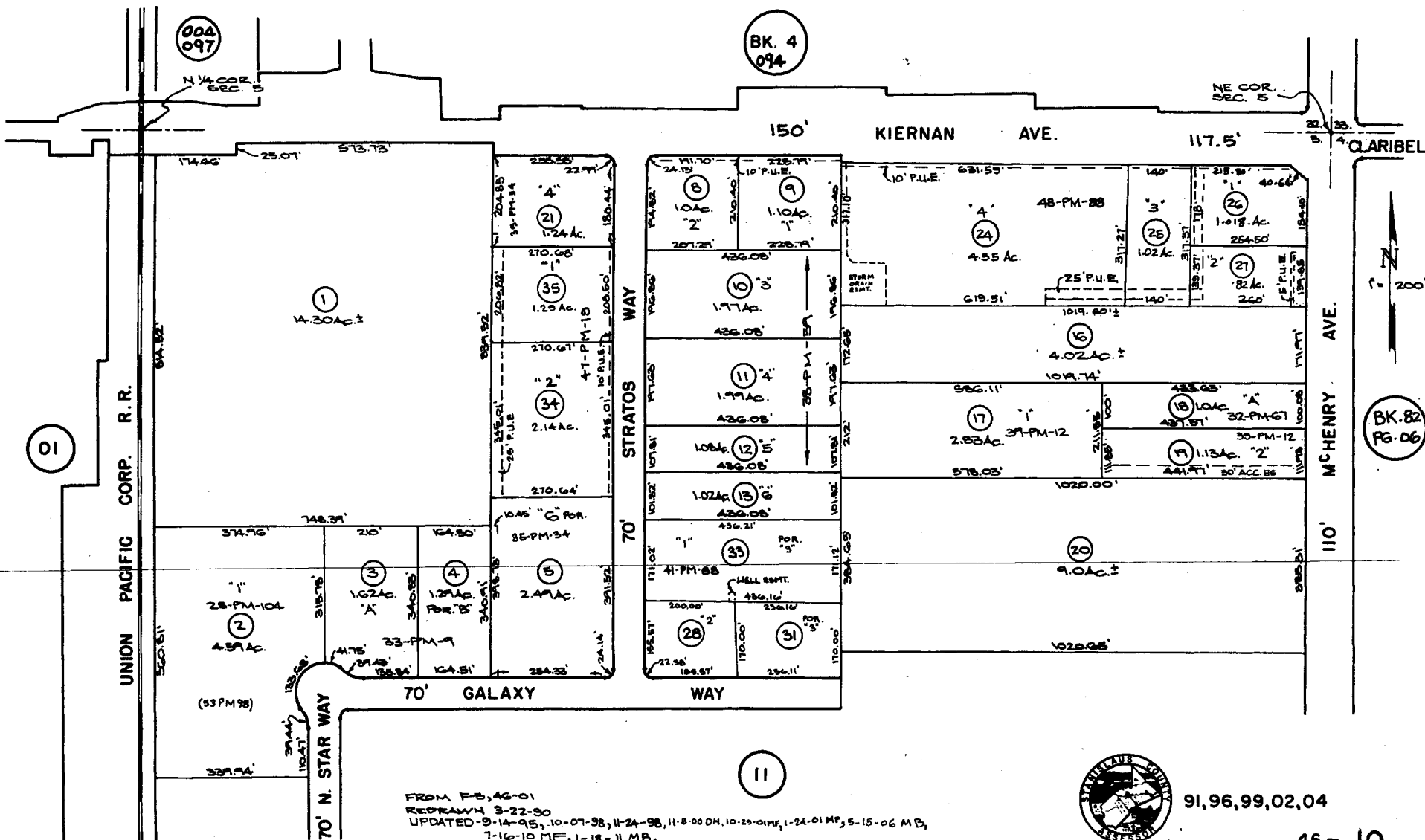
Stanislaus
County
Assessor
61,01,02,04,05,06,07,12

046 - 004

PORTION NE 1/4 SECTION 5 T.3S. R.9E. M.D.B.&M.

109 007

46 - 10



FROM F-5, 46-01
 REDRAWN 3-22-30
 UPDATED-9-14-95, 10-07-98, 11-24-98, 11-8-00 DN, 10-29-01 MF, 1-24-01 MF, 5-15-06 MB,
 7-16-10 MF, 1-18-11 MB.



91,96,99,02,04

46 - 10