



Orlando Fuentes, President  
Jim Luttrell, Vice President  
Gil Albiani, Director  
Rod Brewer, Director  
Jaclyn Moreno, Director

Joshua Green, General Manager  
Michael McLaughlin, Fire Chief  
Sigrid Asmundson, District Counsel  
Nitish Sharma, Chief Administrative Officer  
Paul Mewton, Chief of Planning,  
Design and Construction

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## REGULAR BOARD OF DIRECTORS MEETING WEDNESDAY, MAY 20, 2020

REGULAR MEETING – 6:30 P.M.

Video Conference  
Zoom Meeting

<https://zoom.us/j/91051679490>

Meeting ID: 910 5167 9490

One tap mobile  
+16699009128,,91051679490# US (San Jose)  
12532158782,,91051679490# US+(Tacoma)

Dial by your location  
+1 669 900 9128 US (San Jose)  
+1 253 215 8782 US (Tacoma)

### **AGENDA**

**Note:** All items submitted for the Agenda must be in writing. The deadline for submitting these items is 4:00 P.M. on the Monday one week prior to the meeting. The Secretary of the Board receives all such items.

#### CORONAVIRUS DISEASE (COVID-19) ADVISORY

To protect our constituents, District officials requests all members of the public to follow the California Department of Health Services' guidance and the County of Sacramento Public Health Officer Order for the Control of COVID-19 restricting group events and gatherings and maintaining social distancing. Consistent with Executive Order N-29-20, the meeting will be held via zoom teleconference. In-person participation by the public will not be permitted and no physical location from which the public may observe the meeting will be available. Remote public participation is available in the following ways: 1) Video Conference Zoom Meeting <https://zoom.us/j/91051679490>, Meeting ID 910 5167 9490 2) Email public comments to [clerkoftheboard@yourcsd.com](mailto:clerkoftheboard@yourcsd.com) by 5:30 pm, Wednesday, May 20. The District Clerk will read the comments out loud during public comment, subject to the customary 3-minute time limitation. If your comment concerns a specific agenda item, please note the item in the subject line of your email. If you have issues submitting a public comment via email, please contact the Clerk's Office at 916-405-7169 by the 5:30 p.m. deadline and leave a message, your comment will be played during the meeting.

**REGULAR BOARD MEETING – 6:30 P.M.**

**A. CALL TO ORDER**

1. Session Roll Call
2. Pledge of Allegiance
3. Moment of Silence

**B. ANNOUNCEMENTS/PRESENTATIONS**

None

**C. DEPARTMENT REPORTS**

4. Administrative Services Department Report – (J. Ambrosini)
5. Parks and Recreation Department Report – (M. Dopson)
6. Fire Department Report – (M. McLaughlin)

**D. COMMUNICATIONS FROM THE PUBLIC (Non-agendized items):** This is the time and place for the general public to address the Board of Directors. State law prohibits the Board from addressing any items not previously included on the Agenda. The Board of Directors may receive testimony and set the matter for a subsequent meeting. Comments are to be limited to three minutes per individual at the discretion of the President. Individuals representing a group or an organization shall be permitted five minutes. Comments relating to similar issues should be brief, concise and non-repetitious. Speakers should state their home or business address when commenting to the Board.

**Note:** Under the provisions of the California Government Code, the Board is prohibited from discussing or taking immediate action on any non-agendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

**E. CONSENT CALENDAR**

The following Consent Calendar items are expected to be routine and non-controversial. They may be acted upon by the Board at one time without discussion. Any item may be removed by a Board Member for discussion or clarification. Members of the public wishing to comment on any Consent Calendar item may do so before Board action.

7. Approve the May 6, 2020 Regular Board Meeting Minutes.
8. Approve a Two-year Agreement Extension with Health Management Associates, Inc.
9. Approve the Preliminary Engineer’s Report and Resolution of Intention Levying Landscape and Lighting Annual Assessments, and set a Public Hearing for June 17, 2020.
10. Receive and File Report on Essential Staff Childcare.
11. Accept the Morse Dog Park Upgrades Construction as complete.
12. Approve a Proclamation Endorsing May 17 - 23, 2020 as Special Districts Week.

**RECOMMENDATION:** Approve the Consent Calendar as presented.

## **F. PUBLIC HEARINGS**

### **13. SUBJECT: Joint Community Facilities Agreements (N. Sharma)**

#### **RECOMMENDATION:**

- 1) Open the public hearing to take testimony and thereafter close the public hearing,
- 2) Approve Resolution No. 2020-27, "Resolution Authorizing Execution and Delivery of Joint Community Facilities Agreements in Connection with the Bond Opportunities For Land Development (BOLD) Program".

## **G. STAFF REPORTS:**

The President will open the meeting for public input if the Board desires to take action on any item(s).

### **14. SUBJECT: Fire Department Rate Range Intergovernmental Transfer Program – FY2019-20 and 2020 Transports. (J. Ebner)**

#### **RECOMMENDATION:**

- 1) Authorize the District to participate in an Intergovernmental Transfer (IGT) with the California Department of Health Care Services (DHCS) in order to increase District reimbursement for EMS ambulance transport services previously provided by the Cosumnes Fire Department to Medi-Cal members of five health plans, Health Net, Molina Healthcare, Kaiser Permanente, Aetna, and Anthem Blue Cross, during the time periods from July 1, 2019, to June 30, 2020, and July 1, 2020, to December 31, 2020.
- 2) Authorize the General Manager to execute an Intergovernmental Agreement Regarding Transfer of Public Funds and a DHCS Transfer Assessment Fee of 20% with the California Department of Health Care Services for each of the five plans in order to transfer approximately \$2,675,372 in General Funds to the California Department of Health Care Services.
- 3) Authorize the General Manager to execute an amendment to the Health Plan-Provider Agreements with Health Net, Molina Healthcare, Kaiser Permanente, and Anthem Blue Cross respectively, in order to disburse approximately \$5,229,826 to the Fire Department to support health services for Medi-Cal beneficiaries and other underserved populations within the District.
- 4) Authorize the General Manager to execute a Health Plan-Provider Agreement with Aetna in order to disburse approximately \$109,307 to the Fire Department to support health services for Medi-Cal beneficiaries and other underserved populations within the District.
- 5) Authorize the General Manager to execute any other necessary documents or agreements related to the FY 2019/20 & 2020 EMS-IGT program.

## **H. INFORMATIONAL ITEMS**

15. Note from parent recognizing and commending Preschool Teachers Mr. Ray, and Ms. Lala.
16. Note from parent thanking Preschool Teacher Ms. Robbie for the work she did in preparing her child for kindergarten.
17. Note from the Rotary Club of Rio Vista thanking Fire Chief Mike McLaughlin and Fire Captain Nicholas Santini for the equipment donation.
18. Note from the Firefighters Burn Institute in recognition of the District's participation in the annual "Fill the Boot for the Burns" Boot Drive.
19. Note from the City of Elk Grove Community Event Center Manager thanking Recreation Manager Traci Farris for her professionalism, and all the on-going work performed at the Elk Grove Aquatic Center.

## **I. BOARD OF DIRECTOR'S BUSINESS**

20. Miscellaneous Reports
21. Meeting/Event Approval
22. Meeting/Event Report

## **J. IDENTIFICATION OF ITEMS FOR FUTURE MEETING:**

This is the time for the Board of Directors to identify the items they wish to discuss at a future meeting. These items will not be discussed at this meeting, only identified for a future meeting. This is also the time for scheduling of Board Workshops or special meetings.

## **K. ADJOURNMENT**

**Note:** *Disabled Accommodations.*

*The Cosumnes Community Services District will make reasonable accommodations for persons having special needs due to disabilities. Please contact Elenice Gomez, Assistant to the General Manager, at [clerkoftheboard@yourcsd.com](mailto:clerkoftheboard@yourcsd.com), phone (916) 405-7169, at least 48 hours prior to the meeting, to allow time to provide for special accommodations.*

**Note:** *Review and Copies of Agenda, Agenda Reports and Material.*

*Prior to each Meeting, copies of the Agenda, Agenda Reports and other materials, as well as any public record relating to an open session agenda item that is distributed within 72 hours prior to the meeting, are available for public review by contacting the Clerk of the Board at [clerkoftheboard@yourcsd.com](mailto:clerkoftheboard@yourcsd.com) during normal working hours.*

*Certificate of Posting of Agenda*

*I hereby declare that the foregoing Agenda for the May 20, 2020 Regular Meeting of the Cosumnes Community Services District Board of Directors was posted on May 14, 2020 at 8820 Elk Grove Blvd., Elk Grove, California, 95624, and was available for public review at that location.*

*Signed this 14<sup>th</sup> day of May 2020*



# STAFF REPORT

**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Nitish Sharma, Chief Administrative Officer

**SUBJECT: MONTHLY ADMINISTRATIVE SERVICES DEPARTMENT REPORT – APRIL 2020**



**VISION:** A regional leader dedicated to providing superior fire, emergency medical and parks and recreation services that enrich the community and save lives.

**MISSION:** To enhance the quality of live for those residing in, doing business in and visiting the community. The CSD strives to provide balanced services to all areas of the community, while being responsive to individuals.

## GOAL 1 – The CSD will make safety a priority in all operations.

- IT continued optimizing the remote telework experience related to Covid-19.
- Staff restocked front offices with hand sanitizer, gloves, masks and sanitation wipes to keep facilities and staff safe.
- General Manager Joshua Green participated in several meetings related to the COVID - 19:
  - Town Hall Meeting, supporting the City of Elk Grove with community questions related to measures being taken by the City and CSD to mitigate COVID 19 restrictions and recommendations.
  - Sacramento Office of Emergency Services Stakeholder call.
  - COVID-19 Planning Meeting.
  - Sacramento County Health Office, where discussions were focused on potentially relaxing orders regarding recreation facilities or parks and the impacts of such decision.
- General Manager Joshua Green initiated a Regional Coordinating Collaborative and held the first meeting involving multiple public agencies leaders discussing the roles of each agency in the Sacramento area and strengthening the ties among the agencies for future collaborations.

## GOAL 2 – The CSD will ensure its financial stability, accountability and transparency.

- The Executive Management Team held a budget/informational session with our labor partners in an effort to provide greater collaboration on the District's budget.
- Human Resources provided District retirees a welcome packet and helpful information regarding the District's new retiree healthcare reimbursement provider.
- Human Resources instituted a streamlined procedure for processing EDD Unemployment Insurance claims.
- Human Resources processed 193 part-time staff reparations.

- General Manager Joshua Green attend the CSDA COVID-19 Congressional Briefing gaining more understanding on measures being place at the Federal level that will assist Special Districts with financial recovery.
- Finance completed the third quarter budget to actual report analysis for fiscal year 2019/20 and the salary and benefit budget from the District's new Adastra labor costing software for fiscal year 2020/21.

### **GOAL 3 – The CSD will promote a work environment where staff can thrive.**

- Staff worked on preparing, review and providing support to the Parks and Recreation budgets.
- Staff created a video celebrating Administrative Professionals Day.
- Human Resources completed the secondary classification and compensation study, ensuring the selected employees were appropriately placed in the correct job classifications and corresponding salary schedules.

### **GOAL 4 – The CSD will provide excellent services, programs, and facilities to address the distinct needs of the community.**

- The Website Committee, tasked with overseeing a re-design for the public website and creation of a new employee intranet, continues to meet twice per month and enlist the services of District staff in updating web content while organizing the site's infrastructure.
- Staff continued to provide support to the development of recreation program videos for the launch of Virtual Recreation Programming.
- General Manager attended local Service Organizations meetings:
  - Laguna Sunrise Rotary Club
  - Elk Grove Chamber of Commerce Board meeting
- General Manager did a walk through Oasis Park site.
- Staff shared COVID-19 related news, including park and facility updates and public safety information, through its digital platforms.
- IT obtained technology items for the new Park Ranger program.

### **GOAL 5 – The CSD will ensure access, equity and inclusion in all of its programs, services and operations.**

- IT prepared various Zoom documentation for virtual programs, performed device installations and issued standardized tablets for Zoom-based Board of Directors meetings.
- General Manager Joshua Green was nominated by County Chair Serna to serve on the Sacramento County Children's Coalition. The Sacramento County Children's Coalition serves as an advisory body to the Board of Supervisors on matters relating to the needs of children and families in Sacramento County.

## Webpage Visits

April	2020
Sessions	15,190
Unique Visitors	11,142
Pageviews	38,575

	Top Pages	Users
1	Home Page	2,973
2	Coronavirus-Disease-2019	1,725
3	AlertCenter	714
4	CivicAlerts	649
5	Fire	642
6	Activity-Guide	601
7	Parks-Recreation	553
8	Why-Does-a-Fire-Engine-Come-With-an-Ambulance	521
9	Employment	506
10	Parks-Facilities-Stations	466

## Planning, Design & Construction Project Status (Facilities & Parks)

<i>Planning</i>		
2020-25 District Capital Improvement Plan (CIP)	Goal 4	Completed 2nd draft and presented to SMT team. On 4/16. Scheduled to be complete 5/6
Climate Action Plan	Goal 4*	Completed list of CHG reduction strategies. CAP completion scheduled 5/29/20.
Fire & Park Impact Fee Updates	Goal 2	Consultant will commence Nexus study work for Park Impact Fee once CIP numbers are finalized.
Morse Park Recreation Center	Goal 1*	Capital Budget completed and Operations Plan/Feasibility Study 90%. Board Presentation date TBD.
Admin Building Solar Project	Goal 2	RFP for both Solar and Parking Lot Improvement which shall include CWTA now scheduled for future Board Meeting TBD.
<i>Design &amp; Bidding</i>		
Fire Station 77	Goal 4	Design Development Plans 80% complete. Modifications being made to plans for temporary stormwater retention basin and new sewer connection on Big Horn. Estimate out to bid July 2020.
MacDonald Park Phase 2 (1 acre)	Goal 1*	Construction Documents (CD) 35% complete.
Lichtenberger/Pederson Park Revitalization	Goal 2*	Staff completed review of 35% CD submittal
Administration Building Landscape Maintenance	Goal 4*	Bid Awarded 3/18, Contract executed
Playground Poured in Place Sealing	Goal 4*	Contract executed. Scheduling Pre-construction meeting

Electrostatic Painting	Goal 4*	Contract executed. Scheduling Pre-construction meeting
Recreation Center @ Beeman Park	Goal 2*	Architect consultant completed 95% CDs COEG provided 1 <sup>st</sup> review of Tenant Improvement 4/16. Resubmittal made 4/30

*Construction*

Roof Repair Project	Goal 3	Laguna Town Hall completed
Roof Repair Project	Goal 3	Kloss Park shade structure roof panels were removed and work began to install new steel framing to support steel roofing
Fire HQ North Building	Goal 3	Remodel work completed and office spaces have been set up
Fire Station 72 Roof	Goal 3	Staff removed approximately 50 sq. ft. of roof tile and repaired leaking underlayment.
Strauss Island	Goal 4*	Staff completed majority of remodel work. Need to install new HVAC.
Administration Building	Goal 4	All project work is complete. Letter of completion has been issued to the contractor and the County of Sacramento. Retention funds have been released to the contractor. One year construction guarantee began March 17, 2020.
Elk Grove Park	Goal 1	Staff installed new LED lighting outside the restroom at the White Diamond
Recreation Center @ Beeman Park	Goal 3	Completed Phase 1 temporary office remodel and staff move in. Asbestos removal has been completed and new LED exterior wall lighting has been installed.
Oasis Community Park (20 acres)	Goal 1*	Construction is 70% complete. 95% of concrete flatwork complete, plumbing for restroom complete, dog park surfacing complete, court fencing complete. Next steps include water play, shade structure and restroom installations Phased opening, phase 1 open late summer 2020 weather dependent.
Fieldstone North/ Milestone Trail Corridor	Goal 1*	Performing Inspections on irrigation & landscaping, Fieldstone Nth construction at 90%. Contractor needs to install Electrical for Irrigation controllers
Administration Building – Landscape	Goal 4*	Pre-school Tot Lot play equipment delivered. Coast Landscaping will donate labor and materials to complete play equipment install and site improvements.
Singh & Kaur Park (5 acres)	Goal 1*	Construction fence installed 4/14, weeds mowed and grading operations began 4/23

\* Indicates Goal from Parks and Recreation 2019-2022 Strategic Plan

## Finance: Accounts Payable

**668**  
INVOICES

**590**  
CHECKS

**156**  
RECEIVABLES

## Human Resources



**22**  
APPLICANTS

**3**  
RECRUITMENTS

**31** Personnel Action Forms

## Communications

### Social Media Statistics

Cosumnes Fire and Cosumnes Parks & Rec

**315,069** Impressions

**27,414** Engagements

**476** Link Clicks



**36**  
GRAPHICS  
WORK ORDERS

**155**  
COMMUNICATIONS  
WORK ORDERS

## Information Systems



**153** Work Requests

**67**  
PARKS &  
RECREATION

**33**  
FIRE  
DEPARTMENT

**27**  
ADMINISTRATION  
DEPARTMENT

**38,575** Page views on yourcsd.com

**15,190** Website Sessions

**11,142** Unique Visitors



## Customer Service

**825** **751** via Internet  
**246** Hotline calls and emails  
**Registrations** **21** Main Office Call-in  
PHONE, FAX, MAIL, **51** Wackford Call-in  
AND ONLINE **2** Elk Grove Aquatic Center Call-in



**1,028** **Customer support**  
at registration sites (remotely)



# STAFF REPORT

**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Mike Dopson Parks and Recreation Director

**SUBJECT: PARKS AND RECREATION DEPARTMENT REPORT – APRIL 2020**



**VISION:** An inclusive and connected park, recreation, and trails system that delivers opportunities for health and wellness, social interaction, and delight to the Elk Grove community.

**MISSION:** At Cosumnes CSD, we provide exceptional parks and recreation services to our diverse Elk Grove community.



## **GOAL 1 – Meeting the Needs of Our Growing Community**

*Create responsive programs, parks and facilities for Elk Grove’s diverse and growing community.*

- Sports Section created a social media video campaign with safety tips in recognition of National Youth Sports Safety Month (April); created a Trick Shot Challenge via social media as a way to remain engaged with the community where people were encouraged to film themselves doing a “trick shot” of some kind and all videos were shown on CSD social media platform; and created an eSports tournament with the goal of adding eSports tournaments as additional programming, during the shelter in place, and potentially after.
- Preschool Staff continuously provide early childhood activities and online resources to families due to school closures.
- Preschool and Toddler Time launched virtual learning. Literacy, math, science, PE, art, and social emotional activity resources are sent daily. Teachers lead a 30-minute video chat with students as well as on demand private chats requested by guardians.
- Partnerships staff is working with our contract instructors and preparing to launch virtual recreation contracted classes to our community during the shelter in place, and planning to continue to offer these classes after to improve community access.
- Partnerships staff held teleconferences with nine prospective independent contractors to offer classes beginning in the Fall 2020 session.



## **GOAL 2 – Revitalizing & Developing Community Spaces**

*Strengthen parks and recreation facilities for future generations.*

- Staff turned off pool heaters at all the aquatics facilities to safeguard District resources during closures.
- Recreation Services staff implemented various updates to the CSD website to accommodate all of the changes in programming.
- Golf Course staff rebuilt old benches on the golf course.

- Three new concrete benches were installed at Berens Park.
- Two new concrete pads were poured, and new benches were installed by the lake at Camden Lake Greenbelt.
- Thirty yards of mulch was installed at Del Meyer Park to beautify the area and cover the geotextile fabric.
- Park Operations staff mowed portions of the Fish Hatchery and Fallbrook Trails to remove extensive amounts of overgrown weeds.
- The No Fishing signs and posts were removed from around Elk Grove Park Lake, and the holes were back-filled.
- New kiosks were installed around the Elk Grove Park Lake to house fishing regulation brochures.



### **GOAL 3 – Enhancing Community Connections**

*Foster collaborative partnerships that leverage strengths and resources to enhance recreation experiences.*

- Preschool Staff utilized Class Dojo app to connect families and students who have been staying home due to school closure and hosted a drive-thru supply and snack pick-up so families could see and reconnect with staff.
- The following Community Support Programs were canceled due to COVID 19 restrictions:
  - Monthly Advocacy Meeting at Wackford Community and Aquatic Complex, hosted by South Area People First
  - Elk Grove Community Band Concert at Laguna Town Hall, hosted by Elk Grove Community Concert Band
  - EGACT Tri-Tip Dinner at Wackford Community and Aquatic Complex, hosted by Elk Grove Adult Community Training (EGACT).
- Partnerships staff assisted with benchmarking and review of District website changes, is working with our Community Support Program award recipients to coordinate and reschedule as many events as possible later into the 2020 calendar year, and is initiated the process for the Equitable Partnership Program for special events to be held in 2021.
- Recreation Supervisor, Teri deRosier, is currently serving as President of the CPRS Aquatic Section. She is hosting weekly calls with the membership to discuss how agencies throughout the state are handling the COVID-19 situation. Additionally, a statewide task force has been formed to assist in the creation of industry recommendations for re-opening aquatic facilities.
- Golf Course staff worked with Park Operations staff to receive training on how to mow the two Bermuda grass soccer fields located at Laguna Community Park and Kammerer Park.
- Park Operations staff assisted the Golf Course with cleaning and sanitizing golf carts and range area to comply with COVID-19 related precautions.
- Park Rangers responded to numerous reports of COVID-19 safety precaution related infractions, primarily related to improper gatherings, social distancing, and using park amenities that were closed.



## **GOAL 4 – Ensuring a Sustainable Parks & Recreation System**

*Allocate staff and resources based upon sound operational practices to ensure long-term operation and maintainability.*

- In accordance with recent updates released by the American Red Cross Training, the Aquatics Section created online classroom trainings for the staff recertification process. Certifications currently being recertified include: Lifeguard, First Aid for Public Safety Personnel (Title 22), Administering Oxygen, and Bloodborne Pathogens. Certifications pending in-person skill checks. The American Red Cross also allowed extension of expiring Lifeguarding Certifications. Twenty eight staff members' certifications that were due for renewal this spring were extended 120 days.
- Senior Park Maintenance Worker, Elio Chavez, received his Confined Space Certification, which is beneficial for staff safety during Aquatic facility maintenance.
- Golf Course staff instituted a variety of COVID-19 related protocol in preparation for the reopening of the driving range and golf course.
- Park Operations staff performed the following tasks:
  - Completed spray park maintenance and cleaning of the holding tanks at Derr-Okamoto and Morse Parks to prepare for the upcoming season.
  - Installed bark in the Laguna Town Hall Rose Garden to beautify and assist with moisture retention for improved plants lives.
  - Removed weeds around the bike park to keep it clean and safe.
  - Replaced a master control valve at the Elk Grove Park Lake pump that will allow the new pump to work efficiently and increase its longevity.
  - Hydro seeded 8,000 square feet of street scape along Riparian Drive from West Taron to Houde Park.
  - Removed concrete at Foulks Park to allow an irrigation mainline to be repaired. Staff completed the project by pouring two yards of concrete into the location.
  - Maintained Covid-19 signs and caution tape at the playgrounds and park features to make them inaccessible to the public; and
  - Stayed consistent with sanitizing park restrooms and work vehicles to comply with health and safety standards due to COVID-19.

**619**  
WORK ORDERS



Tree Maintenance

**3,471**

Pre-Paid  
Registered Activities



**246**

Park Maintenance  
Hotline Calls & Emails



**321**

Registered for  
Virtual Learning



**92,260**  
Golf Range  
Balls Purchased



**103**

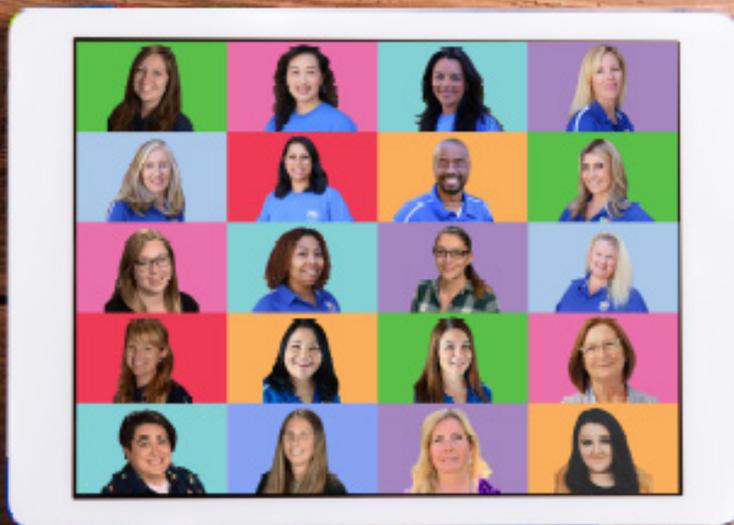
Other Maintenance  
Work Orders

## Mission

At Cosumnes CSD, we provide exceptional parks and recreation services to our diverse Elk Grove community.

## Vision

An inclusive and connected park, recreation, and trails system that delivers opportunities for health and wellness, social interaction, and delight to the Elk Grove community.



## Teacher Appreciation Week 2020

Thank you for sharing your passion and dedication  
in the classroom and beyond



# STAFF REPORT

**DATE:** May 20, 2020  
**TO:** Board of Directors  
**FROM:** Mike McLaughlin, Fire Chief



**SUBJECT: FIRE DEPARTMENT REPORT – APRIL 2020**

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**VISION:** Committed to providing extraordinary service through prevention, preparedness, and emergency response.

**MISSION:** The Men and Women of the Cosumnes Fire Department strive to exceed expectations at all times.



**Administration – Achieve excellence through leadership, sound fiscal management, industry best practices, transparency, and innovation.**

- Staff completed the build out of the activity module in Image Trend for Fire Prevention to provide the ability to pull quantitative reports showing billable time worked on tasks. (Objective 1.a.)
- The draft Annual Report was submitted to Graphics for the creation of the final product. (Objective 6.a.)
- Logistics staff played critical roles in supporting the District's logistical needs related to COVID-19. (Objective 5.a.,8.c.)
- Logistics staff met regularly with local and regional partners as well as existing and new vendors to maintain adequate supplies and situational awareness regarding our supply chains. (Objective 4.a.,5.a.,8.c.,8.e.)
- Logistics staff began the process of relocating to the new EMS/Logistics building. (Objective 2.f.,7.b.)
- Battalion Chief Quiggle facilitated the monthly Regional Diversity Committee meeting using Zoom. (Objective 3.b.,4.a.)
- Battalion Chief Quiggle provided a presentation on Emergency Management and Department Operations Center Functions at the Quarterly Parks and Recreation Staff Zoom meeting. (Objective 3.b.,5.b.)



**Operations – Provide exceptional emergency response operations consistent with the communities' needs and expectations.**

- Crews arrived on scene of emergency calls in 6 minutes and 46 seconds (06:46) from the receipt of the dispatch by Sacramento Regional Fire/EMS Communications Center Systems (SRFECC), 90% of the time for the month of April. The Cosumnes Fire Department's standard is seven minutes (07:00) from the time the call is received in SRFECC. (Objective 1.a.)

- Cosumnes Fire joined Sacramento Regional Fire Services in implementing Mobile Health Integration which began on April 9, 2020. This platform provides a continuum of healthcare between the 911 system, doctors' offices, and area hospital Emergency Departments. The team is comprised of a 911 Firefighter/Paramedic and an Advanced Level Practitioner who responds to locations identified by Sacramento County Public Health where individual and group assessments and testing for COVID19 may be indicated. (Objectives 2.b., 2.d., 3.a., 4.b.)
- Cosumnes Fire management and the Sacramento Area Firefighters 522 Cosumnes Labor Unit collaborated to implement the Day-Shift Medic Pilot Program which began on April 5, 2020. This purpose of this program is to reduce the unit-hour-utilization (UHU) and ambulance patient offload time (APOT) impacts on existing units and personnel, ensure that CFD has sufficient medic units to handle projected call volumes and to assess the effectiveness of the medic unit and its impact to the system. (Objectives 1.b., 2.d., 4.b., 5.a.)
- Chief Bair continued to run the operations of the DOC for the Fire Department during the ongoing COVID-19 event. (Objectives 2.c., 3.a.)
- Cosumnes Fire continued to work with Cal Trans to discuss the Cosumnes River Bridge replacement project on SR 99 and address any response changes necessary as a result of the construction. (Objective 3.a.)



### **Emergency Medical Services – Provide exceptional medical care and customer service while supporting the needs and well-being of our members who provide that care.**

- Staff has been actively engaged with the developing COVID19 field response guide, patient monitoring, employee health, and supply chain disruptions. (Objective 1.c.)
- Staff, Fire Services Medical Director, Dr.Mackey, and Sacramento Public Health Officer, Dr. Olivia Kasirye have Implemented CC71 Mobile Integrated Health units in partnership with Kaiser and U.C. Davis Medical Centers. The unit is staffed Monday – Friday from 9:00 am to 5:00 pm. Through the end of April, the unit has seen 182 in their place of residence, and all but 1 were able to be assessed, treated, and able to remain at their place of residence. (Objective 1.b.)
- Thirteen subpoenas (13) processed and nine hundred and twenty-one (921) Patient Care Reports were processed. (Objective 3.a.)
- Staff assisted five (5) personnel with licensure. (Objective 3.a.)



### **Fire Prevention – Proactively improve life safety, minimize losses, and reduce the risks from fire through education, application of codes, and investigation.**

- Fire Investigators performed five (5) fire investigations and issued one (1) infraction citation for \$113.00 in fines. (Objective 1.a.,4.a.,4.b.,4.c.)
- 100% of the 262 requested construction inspections were completed within 48 hours. (Objective 3.c.)
- Public Education Officer performed seven (7) virtual car seat inspections. (Objective 5.a.)

- Fire and life safety information was provided through social media and reached over 88,814 community members (Objective 5.a.)



### **Fleet Management – Provide effective management of vehicles and equipment to ensure that they are safe, properly designed, and well maintained.**

- Staff completed eighteen (18) services and one hundred and seventeen (117) other repairs. (Objective 1.b.)
- Staff finished services and repairs on all wildland rigs in anticipation of the upcoming wildland season. (Objective 1.b.)



### **Training & Special Operations – Create effectiveness through innovative and diverse training programs.**

- The Training Division organized and facilitated the Battalion Chief Promotional process. (Objective 1.b., 3.a.)
- Staff administered 18 hours of Administration training, 210.5 hours of Daily Training, 130.5 hours of Emergency Medical Services Continued Education training, 924.37 hours of Monthly training, and 177.75 hours of Taskbook Completions, totaling 1461.12 hours of training (Objective 1.a.)
- Members of the Training and Spec Ops divisions directly supported the Sacramento County Emergency Operations Center (EOC) for the COVID-19 incident. (Operations Objective 3.b.)
- Training Staff organized training props on the drill grounds and delivered props to the stations to provide opportunities during the COVID social distancing procedures. (Objective 1.b.)

### Total Number of Monthly Incidents

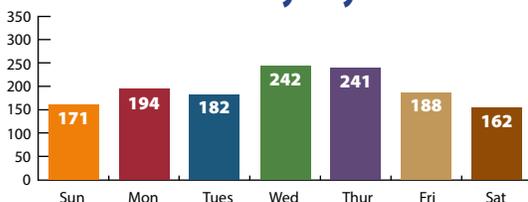
**1,380** ↓

	Fire .....	<b>26</b>
	Explosion .....	<b>0</b>
	EMS .....	<b>1,019</b>
	Hazardous Conditions .....	<b>19</b>
	Service Call .....	<b>111</b>
	Good Intent .....	<b>108</b>
	False Alarm .....	<b>70</b>
	Severe Weather .....	<b>1</b>
	Special Incidents .....	<b>0</b>
	Not Reported .....	<b>26</b>

### Total Loss from April Fires

**\$751,236**

### Call Volume by Day of Week



### Total Responding Units

**2,488** ↓

April 2019  
3,034 Responding Units

### Response Time

*Alarm to Arrival Emergent Only*

90th Percentile  
CFD Standard is 7:00



**0:06:46**

### Average Commitment Time

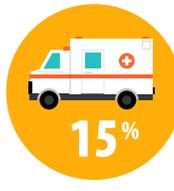
*Dispatch to Clearing Scene*

**0:38:43**

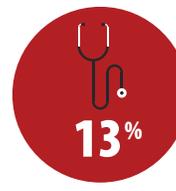


### Unit Hour Utilization

*Total hours for 30 days for 24 hours per day*



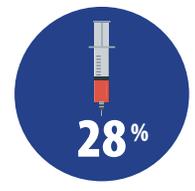
Medic 45



Medic 46



Medic 71



Medic 72



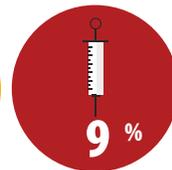
Medic 73



Medic 74



Medic 76



Medic 78



CC71

### Public Education

Virtual Cart Seat Inspections ..... 7  
Reached via Social Media ..... 89,769  
Diaper Drop Donations Received.....  
10,386 Diapers.....145,112 Wipes....\$400 Money Donations



**COSUMNES COMMUNITY SERVICES DISTRICT  
EXECUTIVE SESSION – 5:30 PM  
REGULAR BOARD MEETING – 6:30 PM  
WEDNESDAY, MAY 6, 2020  
MINUTES**

**EXECUTIVE SESSION – 5:30 PM**

1. CALL TO ORDER

President Fuentes called the meeting to order at 5:30 p.m.

2. COMMUNICATIONS FROM THE PUBLIC

None

3. RECESS TO EXECUTIVE SESSION

President Fuentes recessed to Executive Session at 5:30 p.m.

a. PUBLIC EMPLOYMENT

Pursuant to Government Code Section 54957

Title: Fire Chief

**REGULAR BOARD MEETING – 6:30 PM**

**ATTENDANCE**

Directors present included Gil Albiani, Rod Brewer, Orlando Fuentes, Jim Luttrell and Jaclyn Moreno.

General Manager Joshua Green, Fire Chief Michael McLaughlin, Chief Administrative Officer Nitish Sharma, Legal Counsel Sigrid Asmundson and Chief of Planning Design and Construction Paul Mewton were also present.

**A. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

1. President Fuentes had nothing to report out of Executive Session.
2. President Fuentes called the meeting to order at 6:37 p.m.
3. Fire Chief Mike McLaughlin led the Pledge of Allegiance.
4. A moment of silence and meditation was observed in honor of all the 1<sup>st</sup> Responders, Medical Staff and Research Scientists working on the COVID-19 efforts and initiatives.

**B. ANNOUNCEMENTS/PRESENTATION**

None

**C. COMMUNICATIONS FROM THE PUBLIC**

None

## **D. CONSENT CALENDAR**

5. Approve the April 15, Regular Board Meeting Minutes.
6. Receive and Fire the District Strategic Communication Plan.
7. Adopt May is Water Safety Month Proclamation.
8. Receive and File Report on Virtual and Outdoor Recreation Programs.
9. Retire Acting Assistant Chief Brett Shurr Firearm.

Director Albiani moved to approve consent items 5 through 9; seconded by Director Moreno, the Clerk did the roll call and the vote was 5 yes and 0 no.

## **E. PUBLIC HEARINGS**

None

## **F. STAFF REPORTS**

10. **SUBJECT:** Budget Update Quarter 3 (N. Sharma)

### **RECOMMENDATIONS:**

1. Receives the Chief Administrative Officer's report on the Quarter 3 Budget to Actuals for the District; and
2. Approves the budget amendments as outlined in this report and further described in the budget decision packages in Attachment 1.

Chief Administrative Officer Nitish Sharma and Finance Manager Jeremy Edwards presented the staff report.

After deliberating Director Albiani moved to accept staff's recommendations; seconded by Director Brewer, the Clerk did the roll call and the vote was 5 yes and 0 no.

## **G. INFORMATIONAL ITEMS**

None

## **H. BOARD OF DIRECTORS BUSINESS**

1. City of Elk Grove Liaison
2. City of Elk Grove Two by Two
3. City of Galt Liaison
4. City of Galt Two by Two
5. Elk Grove Cosumnes Cemetery District Two by Two
6. Elk Grove USD Two by Two
7. Senior Center Board

Director Albiani – The Center has been very proactive reaching out to membership virtually and providing reports on recent events.

8. Elk Grove Historical Society
9. Elk Grove Chamber of Commerce

- 10. Galt Chamber of Commerce
- 11. Diversity Work Group
- 12. Northern California Special Districts Insurance Authority
- 13. Fire Communications Center
- 14. Sacramento County Treasury Oversight Committee
- 15. Miscellaneous Reports

Director Luttrell – will be golfing at Emerald Lakes Golf Course this week.

President Fuentes – the Provisions Task Force meetings will change to alternating weeks starting on 5/10.

Director Albiani – commended staff and President Fuentes on adapting so well to working under these adverse circumstances and leading Board meetings and keeping the District moving forward.

- 16. Meeting/Event Approval
- 17. Meeting/Event Report

**H. IDENTIFICATION OF ITEMS FOR FUTURE MEETING**

None

**I. ADJOURNMENT**

With no further business, the meeting was adjourned at 7:39 p.m.

Approved: \_\_\_\_\_  
Board President

Attest: \_\_\_\_\_  
Secretary to the Board

# STAFF REPORT

**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Michael W. McLaughlin, Fire Chief

**BY:** John Ebner, Senior Management Analyst

**SUBJECT: APPROVAL OF TWO-YEAR AGREEMENT EXTENSION WITH HEALTH MANAGEMENT ASSOCIATES, INC.**



## RECOMMENDATION

The Board of Directors:

1. The Board of Directors authorizes the General Manager to execute a two-year agreement extension (Attachment A) with Health Management Associates, Inc. for Emergency Medical Services Intergovernmental Transfer (EMS-IGT) consulting services.

## BACKGROUND/ANALYSIS

In October 2014, the Cosumnes Fire Department entered into an agreement with Health Management Associates, Inc. (HMA) for consulting services such as data analysis, program evaluation, and plan liaison for the Fire Department's EMS-IGT program, which allows the Department to obtain federal matching funds that help backfill capitated Medi-Cal Health Management Organization ambulance transport revenue.

Over the past five years, HMA has helped the Fire Department manage and negotiate the complex contracts and program rules between the California Department of Health Care Services and the health care programs participating in the EMS-IGT. They have proven to be a valuable partner, helping the District generate an additional \$10 million dollars in ambulance transport revenue over that time that would not have been otherwise available.

HMA is a national healthcare consulting firm with local representatives in the Sacramento region and the District has previously extended the agreement in one-year increments. HMA wishes to extend this agreement for two years, necessitating Board approval of the contract extension. The current agreement expires in June 2020.

## FINANCIAL ANALYSIS

The Cosumnes Fire Department budgets for the annual cost of this service (not to exceed \$29,500 per year).

**SUSTAINABILITY ANALYSIS**

There is no environmental impact related to the Health Management Associates agreement.

Should you have any questions, please contact me prior to the Board meeting.

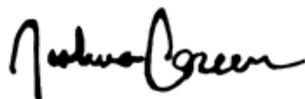
Respectfully submitted,



Michael W. McLaughlin  
Fire Chief

Attachment 1 – HMA Amendment #6 to Consulting Agreement

Staff Report recommendation authorized by:



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General Manager

Approved as to Form:



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General Counsel

# Attachment 1

HEALTH MANAGEMENT ASSOCIATES, INC.

AMENDMENT #6 TO  
CONSULTING AGREEMENT

This Amendment #6 to Consulting Agreement (“Amendment”) is made and entered into effective May 1, 2020, by and between Health Management Associates, Inc. (“HMA”) and Cosumnes Fire Department (“Company”).

**RECITALS**

HMA and the Company are parties to a certain Letter Agreement regarding Consulting Services dated October 22, 2014 (as previously amended, the “Agreement”).

The parties wish to amend the Agreement as further stated herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the foregoing premises, the following mutual terms and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, HMA and the Company agree as follows:

1. Capitalized Terms. Capitalized terms not otherwise defined herein shall have the meanings set forth in the Agreement.

2. Amendment. The Agreement shall be amended as follows:

A. Term. The Term of the Agreement shall be amended as follows:

This Agreement will begin on the Effective Date and shall continue in effect until June 30, 2022 unless terminated earlier (i) pursuant to the provisions of the Agreement or (ii) upon notice from Company that the project for which the Company has been engaged has been completed.

3. Ratification. Except as expressly modified and amended hereby, the Agreement and all the terms and provisions thereof are and shall remain in full force and effect and the same are hereby ratified and confirmed. In the event of a dispute between the terms of the Agreement and the terms of this Amendment, the terms of this Amendment shall control.

4. Counterparts. This Amendment may be executed in counterparts. Each executed counterpart of this Amendment will constitute an original document, and all executed counterparts, together, will constitute the same instrument.

IN WITNESS WHEREOF, the parties have executed and delivered this Amendment as of the date first above written.

Health Management Associates, Inc.

Cosumnes Fire Department

By: Kelly Johnson \_\_\_\_\_

By: \_\_\_\_\_

Printed Name: Kelly Johnson \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: Vice President \_\_\_\_\_

Title: \_\_\_\_\_

Date: 4/29/2020 \_\_\_\_\_

Date: \_\_\_\_\_

HMA Client #: 100012

Revised 2/2/2015

# STAFF REPORT



**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Steve Sims, Director of Parks and Neighborhood Services  
Parks and Recreation Department

**BY:** Rachele Manges, Sr. Management Analyst

**SUBJECT:** **APPROVE THE PRELIMINARY ENGINEER'S REPORTS AND RESOLUTION OF INTENTION LEVYING LANDSCAPE AND LIGHTING ANNUAL ASSESSMENTS; AND SET A PUBLIC HEARING FOR JUNE 17, 2020**

## RECOMMENDATION

The Board of Directors:

1. Approves the Preliminary Engineer's Report and Resolution of Intention No. 2020-18, directing the levy of the annual assessments within the boundaries of the District Wide Landscape and Lighting (L&L) Assessment District, Camden Park Assessment District, Camden Estates & Camden Pointe Improvement District, Fallbrook/Park Lane/Britschgi Park Assessment District, Hampton Village Improvement District, Perry Ranch Improvement District, and Vista Creek Park Landscape and Lighting (L&L) Assessment Districts;
2. Sets a Public Hearing for final budget adoption and levy of assessments for June 17, 2020 at 6:30 pm.

## BACKGROUND/ANALYSIS

### Engineer's Reports

On February 5, 2020, the Cosumnes Community Services District Board of Directors approved Resolution No. 2020-09 directing the District Engineer, SCI Consulting Group (SCI), to prepare and file an Engineer's Reports for the District Wide Landscape & Lighting Assessment District, Camden Park Assessment District, Camden Estates & Camden Pointe Improvement District, Fallbrook/Park Lane/Britschgi Park Assessment District, Hampton Village Improvement District, Perry Ranch Improvement District, and Vista Creek Park Landscape and Lighting (L&L) Assessment Districts.

. The Engineer's Reports (**Attachment A, B, C, D, E, F and G**) are the basis for the Fiscal Year 2020-21 Landscape & Lighting District Budget to be submitted to the Board on June 17, 2020.

The Resolution of Intention (**Attachment H**), declared the intention of the District to levy the Assessments for the 2020-21 fiscal year, preliminarily approves the Engineer's Reports, and sets the date and time for the annual Public Hearing as June 17, 2020 at 6:30 pm. This Resolution is the second of three Board Resolutions required to levy the Assessments for the 2020-21 fiscal year.

## **FINANCIAL ANALYSIS**

If the Board passes this Resolution as well as the one scheduled to be presented on June 17, 2020 ordering the levy of the assessments, the estimated revenue from the Assessments are as described in the budget of each Engineer's Report.

Should there be any changes made by the Board of Directors, staff will include these in the final budget scheduled to be presented during the June 17, 2020 Board meeting.

## **SUSTAINABILITY ANALYSIS**

There is no impact to the District's sustainability practices as a result of what is being presented today.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Steve Sims  
Director of Park and Neighborhood Services

### **Attachments: *Please click on each attachment to view the file at the end of this packet***

- A – District Wide Landscape and Lighting Assessment District Engineer's Report
- B – Camden Park Assessment District Engineer's Report
- C – Camden Estates & Camden Pointe Improvement District Engineer's Report
- D – Fallbrook/Park Lane/Britschgi Park Assessment District Engineer's Report
- E – Hampton Village Improvement District Engineer's Report
- F – Perry Ranch Improvement District Engineer's Report
- G – Vista Creek Park Assessment District Engineer's Report
- H – Resolution of Intention No. 2020-18

Staff Report recommendation authorized by:



General Manager

# STAFF REPORT

**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Mike Dopson, Director of Recreation Services  
Parks and Recreation Department

**SUBJECT: ESSENTIAL WORKER CHILDCARE**




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## **RECOMMENDATION**

The Board of Directors reviews this staff report on the essential worker childcare Parks and Recreation Department will be providing.

## **BACKGROUND/ANALYSIS**

The District Parks and Recreation Department provides before and after school child care, as well as day long childcare for students who are off-track at selected elementary school sites. Beginning Mid-March, in accordance with the County's and State's Public Health Order, the District canceled all these programs.

In April, the Board asked staff to assess essential staff's need for childcare. Youth Development staff consulted with District staff and various bargaining units to gauge the need. Staff also reached out to the City of Elk Grove for input. Staff collected contact information to prepare for an appropriate starting date, but determined, after initial assessment, that the majority of those who responded were only looking for childcare as the quarantine standards were relaxed and they had to return to work.

Notwithstanding the responses, Youth Development staff developed a program in compliance with the current public health orders standards on how you can offer childcare; and starting Monday, May 18 the District will start to provide childcare for essential workers. Participants will be able to call the District registration line to register on a weekly basis. Services will be provided at the Youth Center at Elk Grove Park from 7:00 am to 6:00 pm Monday through Friday and the cost will be \$180/week per child.

## **FINANCIAL ANALYSIS**

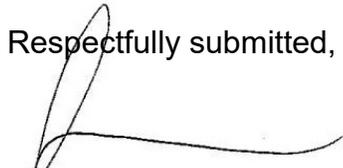
The implementation of this program has no significant impact on the District's General Fund. The Parks and Recreation Department already offers childcare service as part of its regular programming, and if there is a need to offer childcare for staff's children, current resources can be allocated to accommodate the added need.

**SUSTAINABILITY ANALYSIS**

There is no impact to the District's current sustainability practices as a result of this report.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Mike Dopson  
Director of Recreation Services

Staff Report recommendation authorized by:



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General Manager

# STAFF REPORT

**DATE:** May 20, 2020

**TO:** Board of Directors

**FROM:** Paul Mewton, Chief of Planning, Design and Construction  
Administrative Services Department

**SUBJECT: MORSE DOG PARK UPGRADES: CONTRACT ACCEPTANCE  
CONTRACT # PC-19-004**



## RECOMMENDATION

The Board of Directors:

- 1) Accepts the construction of Morse Dog Park Upgrades as complete; and
- 2) Approves the revised contract amount of \$407,815.

## BACKGROUND/ANALYSIS

The project included the furnishing of all labor, materials, equipment, transportation and services necessary for the renovation of an existing dog park, which included: clearing, grubbing, removal of existing improvements including export of soil, concrete, site furnishings, dog equipment; minor grading; installation of concrete flatwork and curbing; installation of shade structures, dog equipment, decomposed granite paving and site furnishings; irrigation modifications and landscaping.

## IMPACT ON DISTRICT RESOURCES

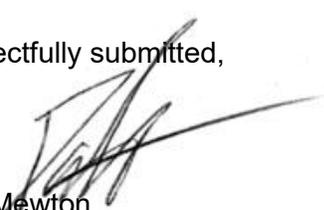
The revised contract amount of \$407,815 consists of the original contract award of \$384,876 plus change orders in the amount of \$22,939. The change orders totaled 6 % of the contract amount and were within the 7.5% contingency of \$28,865 as approved by the Board on June 19, 2019.

## ENVIRONMENTAL SUSTAINABILITY

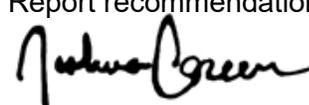
The project included the replacement of the existing Fescue turf mix with Bermuda turf mix which is more drought tolerant and resilient to heavy traffic. The park was also re-configured and re-graded to maximize the efficient use of turf and hardscape. This will result in less water usage and less maintenance.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,

  
Paul Mewton  
Chief of Planning, Design and Construction  
Administrative Services Department

Staff Report recommendation authorized by:

  
\_\_\_\_\_  
Joshua Green, General Manager

# STAFF REPORT



**DATE:** May 20, 2020  
**TO:** Board of Directors  
**FROM:** Mike Dopson, Parks and Recreation Director  
Parks and Recreation Department  
**SUBJECT: PROCLAMATION ENDORSING MAY 17, 2020 TO MAY 23, 2020 AS SPECIAL DISTRICTS WEEK**

## RECOMMENDATION

The Board of Directors approves a proclamation endorsing May 17, 2020 to May 23, 2020 as Special Districts Week (Attachment A).

## BACKGROUND/ANALYSIS

May 17, 2020 to May 23, 2020 is designated as Special Districts Week. Special Districts Week is meant to encourage residents to increase interest and involvement in their communities through civic engagement with their local government, and in particular special districts such as Cosumnes Community Services District.

The State Legislature is also likely to establish Special Districts Week, with the approval of Assembly Concurrent Resolution (ACR) 179 by Assembly Member Voepel. ACR 179 was sponsored by The California Special Districts Association (CSDA), which is a statewide association representing over 1,000 special districts and affiliate organizations throughout the state.

## FINANCIAL ANALYSIS

This report has no impact on District resources.

## SUSTAINABILITY ANALYSIS

There is no impact to the District’s sustainability practices as a result of this report.

Should you have any questions, please contact me prior to the Board meeting.

Mike Dopson  
Director of Recreation and Community Services

### **Attachment A – May 17, 2020 to May 23, 2020 as Special Districts Week Proclamation**

Staff Report recommendation authorized by:

Approved as to Form:

General Manager

District Counsel



## **COSUMNES COMMUNITY SERVICES DISTRICT**

### **PROCLAMATION**

#### **ENDORING MAY 17 – MAY 23, 2020 AS SPECIAL DISTRICTS WEEK**

**WHEREAS**, special districts are local governmental entities created by a community's residents, funded by those residents, and overseen by those residents, to provide specialized services and infrastructure; and

**WHEREAS**, today, just over 2,000 independent special districts provide millions of Californians with essential services, including services related to water, sanitation and water recycling, fire protection, electricity, parks and recreation, health care, open space, ports and harbors, flood protection, mosquito abatement, cemeteries, resource conservation, airports, transit, road maintenance, veterans' facilities, and more; and

**WHEREAS**, special districts first arose when San Joaquin Valley farmers needed a way to access their local water supply; and

**WHEREAS**, under the Wright Act of 1887, the Turlock Irrigation District became California's first special district and made it possible for local farmers to intensify and diversify agriculture in California's Central Valley; and

**WHEREAS**, in the 20th century, special districts increased dramatically in both number and scope, and during the periods of prosperity and population growth following both World Wars when the demand for all types of public services increased, and special districts met that need; and

**WHEREAS**, fire protection districts can trace their origins to a 1923 state law, and in 1931 the Legislature authorized recreation districts, the forerunners of today's recreation and park districts; and

**WHEREAS**, although originally created to provide individual services, in 1961 the Legislature authorized special districts to address multiple needs, when it provided for multipurpose, community services districts; and

**WHEREAS**, special districts vary in size and scope and serve diverse communities throughout California, from small rural neighborhoods, such as the Pine Cove Water District in the San Jacinto Mountains of Riverside County, to large urban regions, such as the East Bay Municipal Utility District spanning much of the Counties of Alameda and Contra Costa; and



**WHEREAS**, local residents own special districts and govern them through locally elected or appointed boards. A series of sunshine laws ensure special districts remain transparent and accountable to the communities they serve, as these laws require open and public meetings, public access to records, regular audits, online posting of finances and compensation, and more; and

**WHEREAS**, to prevent overlapping services and ensure that local agencies are operating effectively and efficiently to meet communities' needs, special districts are formed, reviewed, consolidated, or dissolved through a methodical local process that includes the oversight of a local agency formation commission and the consent of local voters; and

**WHEREAS**, fifty one years ago, in 1969, several independent special districts formed a statewide association called the California Special Districts Association, commonly referred to as the CSDA, to promote good governance and improved essential local services through professional development, advocacy, and other services for all types of independent special districts; and

**WHEREAS**, the Cosumnes Community Services District seeks to promote community-based services, local control, and self-determination; and

**WHEREAS**, the Cosumnes Community Services District seeks to promote and educate the public about their local public service providers, including awareness and understanding of special districts; and

**NOW, THEREFORE**, the Cosumnes Community Services District Board of Directors does hereby join the California State Legislature in proclaiming the week of May 17, 2020, to May 23, 2020, as:

**SPECIAL DISTRICTS WEEK**

**DONE AND PROCLAIMED** this 20<sup>th</sup> day of May 2020, in Elk Grove, California.

**ATTEST:**

\_\_\_\_\_  
Orlando Fuentes, President

\_\_\_\_\_  
Gil Albiani, Director

\_\_\_\_\_  
Jim Luttrell, Vice-President

\_\_\_\_\_  
Rod Brewer, Director

\_\_\_\_\_  
Jaclyn Moreno, Director

# STAFF REPORT

**DATE:** May 20, 2020  
**TO:** Board of Directors  
**FROM:** Nitish Sharma, Chief Administrative Officer  
**SUBJECT:** JOINT COMMUNITY FACILITIES AGREEMENTS



## RECOMMENDATION

The Board of Directors:

1. Opens the public hearing to take testimony and thereafter closes the public hearing,
2. Approves Resolution No. 2020-27 "Resolution Authorizing Execution and Delivery of Joint Community Facilities Agreements in Connection with the Bond Opportunities For Land Development (BOLD) Program".

## BACKGROUND/ANALYSIS

The "BOLD" program (acronym for Bond Opportunities for Land Development) is a program offered by the California Municipal Finance Authority ("CMFA") to provide its members and other local agencies in the State a means to accommodate community facilities district ("CFD") formation and bonding within their jurisdiction. By participating in the program, formation of the CFD, administration and bonding is handled by CMFA and the District can help facilitate new development within its boundaries, with minimal involvement by the District and District staff.

***Mello-Roos Districts.*** The Mello-Roos Community Facilities law offers financing flexibility commonly used by cities, schools and other local agencies throughout the State to generate funds for the payment of public facilities, including development fees for facilities. Although each new CFD would be located within the District's jurisdiction, involvement of the District is flexible and can be minimal. The Program offers developers the opportunity to finance public infrastructure, as well as impact fees associated with new development through tax-exempt bonds payable from special taxes levied by the CFD on property within the CFD, a typical financing method for new home developments in California.

***CMFA Joint Powers Authority.*** CMFA is a State-wide joint powers authority ("JPA") whose members are numerous public entities throughout California. CMFA has the same powers as its members and can issue municipal bonds on behalf of a member after the member jurisdiction holds a public hearing on the proposed issuance. Participation is at no cost to members. In addition, typically lower borrowing and administration costs and providing an alternate means for bond issuances, CMFA shares a portion of its bond issuance fee directly with the member it issues on behalf of and all District expenses incurred in connection with a CFD, if any, can be reimbursed.

***CMFA Financing Team.*** The Program is facilitated through bond professionals chosen by CMFA with specialized expertise in CFD bond issuance and sales – bond counsel, underwriter and other advisors provided as needed, all ranked among the top firms in the field.

***District Participation Generally.*** Bonds are issued through CMFA, with no involvement of the District needed other than approving the use of the program and, prior to actual issuance

of bonds, entering into an agreement to acquire the public facilities or fees to be paid for with the bond proceeds. CMFA authorizes and issues the bonds in their name and awards their sale to the bond underwriter (Piper Sandler & Co.) per the underwriter's credit requirements; CMFA's financing team provides the bond documentation and the Official Statement through its counsel, Jones Hall.

The District is not liable to repay the bonds issued by CMFA or the special taxes imposed on the participating properties and has no contractual relationship with bond owners or the bond trustee.

Upon issuance of the bonds, proceeds are a funding source for direct payment of impact or mitigation fees or to otherwise reimburse developer costs for public facilities associated with new development. Once the bond issuance occurs, bond proceeds are available to be disbursed pursuant to the Joint Community Facilities Agreement between CMFA and the District for each project, the form of which is attached to the Resolution. The proceeds are held by a bond trustee or fiscal agent and are not directly paid to the developer but are available as directed by the District for use on public capital improvements to be owned by the District.

In accordance with Government Code Section 6586.5, notice was published at least five days prior to the adoption of this resolution.

### **FINANCIAL ANALYSIS**

None. Formation and administration of each CFD formed through the BOLD Program to help finance certain costs of development in the District is the responsibility of the California Municipal Finance Authority ("CMFA"), not the District.

### **SUSTAINABILITY ANALYSIS**

This request has no environmental impact.

Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Nitish Sharma,  
Chief Administrative Officer

**Attachment A:** Resolution No. 2020-27 "Resolution Authorizing Execution and Delivery of Joint Community Facilities Agreements in Connection with the Bond Opportunities For Land Development (BOLD) Program".

Staff Report recommendation authorized by:



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General Manager

**COSUMNES COMMUNITY SERVICES DISTRICT**

**RESOLUTION NO. 2020-27**

**RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF JOINT  
COMMUNITY FACILITIES AGREEMENTS IN CONNECTION WITH THE BOND  
OPPORTUNITIES FOR LAND DEVELOPMENT (BOLD) PROGRAM**

**WHEREAS**, the California Municipal Finance Authority (the “CMFA”) is a joint exercise of powers authority, the members of which include numerous cities, counties and other local agencies in the State of California (the “State”); and

**WHEREAS**, the CMFA has established the Bond Opportunities for Land Development Program (the “BOLD Program”) to allow the financing through the levy of special taxes under the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”) of certain public facilities and development impact fees that finance public facilities (together, the “Improvements”) to be owned by local agencies (“Participating Local Agencies”) in the State; and

**WHEREAS**, the Act provides that a community facilities district (a “CFD”) may finance facilities to be owned or operated by a public agency other than the agency that created the CFD, or services to be provided by a public agency other than the agency that created the CFD, or any combination, pursuant to a joint community facilities agreement; and

**WHEREAS**, other local agencies in the region of the District are Participating Local Agencies; and

**WHEREAS**, the District may be eligible to receive certain development impact fees from development within CFDs within the boundaries or service area of the District; and

**WHEREAS**, the District is not a member of CMFA but desires to enter into a joint community facilities agreement with CMFA in connection with the use by developers of the BOLD Program within the boundaries or service area of the District, which may overlap with the boundaries or service area of certain Participating Local Agencies;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Cosumnes Community Services District as follows:

Section 1. The Board of Directors hereby approves the execution and delivery of one or more joint community facilities agreements, substantially in the form presented to the Board of Directors and attached hereto as Exhibit A (“JCFA”), with such other changes as the General Manager, Chief Administrative Officer, or a designee of the foregoing (each, an “Authorized Officer”) may deem appropriate or necessary in connection with the formation of one or more CFDs by CMFA as part of future financings. Each Authorized Officer is authorized and directed to execute and deliver one or more JCFA’s on behalf of the District as necessary or appropriate in connection with the foregoing, and the Board of Directors finds and declares that entrance into each such agreement will be beneficial to residents within the District. Each Authorized Officer is hereby further authorized and delegated the ability to approve applications submitted by developers to the BOLD Program and evidence the District’s official intent to reimburse itself for capital projects from tax-exempt bond proceeds issued by CMFA in connection with the BOLD Program.

Section 2. This Resolution shall take effect immediately upon its adoption. The Clerk of the Board is hereby authorized and directed to transmit a certified copy of this resolution to the Secretary of the CMFA.

\* \* \* \* \*

**PASSED AND ADOPTED** this 20<sup>th</sup> day of May, 2020 by the following vote, to wit:

AYES: Board Members \_\_\_\_\_

NOES: Board Members \_\_\_\_\_

ABSENT: Board Members \_\_\_\_\_

ABSTAIN: Board Members \_\_\_\_\_

**EXHIBIT A**

**CMFA BOLD PROGRAM**

**Form of Joint Community Facilities Agreement**

**Relating to \_\_\_\_\_ Project**

This Joint Community Facilities Agreement (this "Agreement"), dated as of \_\_\_\_\_, 20\_\_, by and between the CALIFORNIA MUNICIPAL FINANCE AUTHORITY, a joint exercise of powers authority duly organized and existing under the Constitution and laws of the state of California (the "CMFA"), and COSUMNES COMMUNITY SERVICES DISTRICT, a special district duly organized and existing under the Constitution and laws of the state of California (the "District," and together with CMFA, the "Parties").

*WITNESSETH:*

WHEREAS, CMFA has conducted, or intends to conduct, proceedings under the Mello-Roos Community Facilities Act of 1982 (California Government Code section 53311 et seq.) (the "Act") to form community facilities districts (each, a "CFD") to finance certain public facilities and development impact fees used for public facilities authorized to be financed under the Act (together, the "CFD Improvements") as part of its Bond Opportunities for Land Development ("BOLD") program;

WHEREAS, the CFD Improvements have or will be described in the resolution of formation for each CFD, including the impact fees payable to the District for public facilities that are set forth on Exhibit A hereto (the "District Improvements");

WHEREAS, CMFA intends to utilize the proceeds of sale of special tax bonds of the CFDs (the "Bonds") to finance some or all of the CFD Improvements, including the District Improvements;

WHEREAS, under Section 53316.2 of the Act, CMFA may form a CFD to, among other things, finance the District Improvements, provided CMFA and the District enter into a joint community facilities agreement such as this Agreement; and

WHEREAS, the District is willing to cooperate with CMFA in accomplishing the financing of the District Improvements, and to confer upon the CMFA full power to provide financing for the District Improvements in the event that proceeds of special taxes and/or bonds in the CFD become available and are utilized for such purpose;

WHEREAS, this Agreement is made under the authority of Section 53316.2 of the Act; and

WHEREAS, in consideration for the mutual undertakings of the Parties stated herein, the Parties agree as follows:

*AGREEMENT:*

1. Administration of CFD and Issuance of Bonds by CMFA. CMFA shall administer each CFD, including employing and paying all consultants, annually levying the special tax and paying and administering the Bonds, and complying with all state and federal requirements appertaining to the proceedings establishing the CFD and issuing and using the proceeds of the Bonds, including the requirements of the United States Internal Revenue Code of 1986, as amended (the "Code").

2. Agreement to Hold and Disburse Available Amounts. CMFA shall hold or cause to be held the special tax and/or Bond proceeds available for the payment of District Improvements ("Available Amounts"). Available Amounts shall be disbursed only in accordance with Section 3 of this Agreement.

3. Disbursements. Available Amounts shall be disbursed pursuant to written requisitions of the District, in substantially the form attached hereto as Exhibit B and executed by the General Manager, Chief Administrative Officer, or a designee of the foregoing (each, an "Authorized Officer"). CMFA and its designees, including any trustee or fiscal agent holding Available Amounts, may conclusively rely on such requisitions for purposes of making such disbursements. All disbursements of Available Amounts to the District shall be made by wire transfer of immediately available funds or by check payable to the District's bank account number at a bank located within the United States on file with CMFA as part of the BOLD program, unless another method of payment is requested in writing by the District.

4. Use of Available Amounts for Public Capital Improvements. The District shall utilize Available Amounts for public capital improvements to be owned by the District. The public capital improvements to be constructed using Available Amounts will be set forth in requisitions submitted by the District in accordance with Section 3 above.

5. Amendments. This Agreement may be amended by a writing signed by the Parties, including to update Exhibit A to reflect additional or different impact fees and public facilities to be financed through the BOLD program.

6. Term of this Agreement. This Agreement shall be in full force and effect from this date to and including its termination by mutual written agreement of the parties hereto. CMFA agrees to terminate this agreement upon request of the District upon delivery to CMFA of an opinion Bond Counsel to the effect that the termination of this Agreement will not adversely affect the exclusion from gross income of interest on the Bonds for federal income tax purposes.

7. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

[Signatures on Following Page]

IN WITNESS WHEREOF the Parties have caused this Agreement to be executed by their authorized representatives as of the effective date stated above.

CMFA:

CALIFORNIA MUNICIPAL  
FINANCE AUTHORITY

DISTRICT:

COSUMNES COMMUNITY SERVICES  
DISTRICT

By: \_\_\_\_\_  
Authorized Signatory

By: \_\_\_\_\_  
Name:  
Title:

EXHIBIT A

DESCRIPTION OF DISTRICT FEES/IMPROVEMENTS

E.g., Fire Impact Fee, Park Impact Fee, etc.

EXHIBIT B

DISBURSEMENT REQUEST FORM

To:

California Municipal Finance Authority  
2111 Palomar Airport Road, Suite 320  
Carlsbad, California 92011

Re: BOLD Program - Request for Disbursement of Bond Proceeds

The undersigned, a duly authorized officer of the Cosumnes Community Services District (the "District") hereby requests a disbursement of "Available Amounts" from the account(s) set forth below, and certifies that the amounts listed below have been or will be spent by the District for listed public capital improvements as of the date indicated below or within 5 days thereafter:

Account(s)	Amount(s)
[example, CMFA CFD No. 20__ - __, Special Tax Bonds, Series 2020 Project Fund]	\$

\_\_\_\_\_ Total:

Wiring Instructions: \_\_\_\_\_

The undersigned hereby additionally certifies as follows:

1. These funds have been or will be used to acquire and/or construct capital improvements, and this disbursement is not being made for the purpose of reinvestment.
2. None of the expenditures for which payment is requested have been reimbursed previously from other sources of funds.
3. If the total amount above is greater than the "Available Amounts" held by CMFA for the District, CMFA is authorized to amend the amount requested to be equal to the amount of such funds.
4. The amounts being disbursed pursuant to this request are being used to finance or refinance certain public infrastructure and facilities (the "Improvements"). The District will

own, and for the entire useful life of such Improvements reasonably expects to own, all of such Improvements. The Improvements consist of the following:

[Describe the improvements]

5. To the extent any of such Improvements are sold to an entity that is not a state or local government agency, the District will seek the advice and approval of bond counsel to CMFA for the BOLD program prior to any such sale. District will not allow any of such Improvements to be used (for example, by lease or other contract) in the trade or business of any nongovernmental persons (other than in their roles as members of the general public). All of such Improvements will be used in the performance of essential governmental functions of District or another state or local government District. The average expected useful life of such Improvements is at least \_\_\_\_ years. The representations and covenants contained in this paragraph are intended to support the conclusion that the interest paid on the bonds issued to finance the Improvements is excluded from gross income for federal income tax purposes under Section 103 of the Internal Revenue Code of 1986 (the "Code").

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

# STAFF REPORT



**DATE:** May 20, 2020  
**TO:** Board of Directors  
**FROM:** Michael W. McLaughlin, Fire Chief  
**BY:** John Ebner, Senior Management Analyst  
**SUBJECT: FIRE DEPARTMENT RATE RANGE INTERGOVERNMENTAL TRANSFER PROGRAM – FY 2019/20 & 2020 TRANSPORTS**

## RECOMMENDATION

The Board of Directors:

1. Authorizes the District to participate in an Intergovernmental Transfer (IGT) with the California Department of Health Care Services (DHCS) in order to increase District reimbursement for EMS ambulance transport services previously provided by the Cosumnes Fire Department to Medi-Cal members of five health plans, Health Net, Molina Healthcare, Kaiser Permanente, Aetna, and Anthem Blue Cross, during the time periods from July 1, 2019, to June 30, 2020, and July 1, 2020, to December 31, 2020.
2. Authorizes the General Manager to execute an Intergovernmental Agreement Regarding Transfer of Public Funds and a DHCS Transfer Assessment Fee of 20% with the California Department of Health Care Services for each of the five plans in order to transfer approximately \$2,675,372 in General Funds to the California Department of Health Care Services.
3. Authorizes the General Manager to execute an Amendment to the Health Plan-Provider Agreements with Health Net, Molina Healthcare, Kaiser Permanente, and Anthem Blue Cross respectively, in order to disburse approximately \$5,229,826 to the Fire Department to support health services for Medi-Cal beneficiaries and other underserved populations within the District.
4. Authorizes the General Manager to execute a Health Plan-Provider Agreement with Aetna in order to disburse approximately \$109,307 to the Fire Department to support health services for Medi-Cal beneficiaries and other underserved populations within the District.
5. Authorizes the General Manager to execute any other necessary documents or agreements related to the FY 2019/20 & 2020 EMS-IGT program.

## BACKGROUND/ANALYSIS

The Fire Department requests the Board's approval to participate in an Intergovernmental Transfer (IGT) program covering the date range July 1, 2019, to December 30, 2020, to secure additional

federal matching funds to support health services for Medi-Cal beneficiaries and other underserved populations the Department serves.

DHCS continues to offer public EMS providers the opportunity to participate in a voluntary program that improves reimbursement for services provided to Medi-Cal Managed Care plan members. The Sacramento County Medi-Cal Managed Care plans that have agreed to participate in the program with Cosumnes Fire are Health Net, Molina Healthcare, Anthem Blue Cross, Kaiser Permanente, and, for the first time, Aetna (THE PLANS).

Since 2006, local government entities participating in Medi-Cal Managed Care have entered into agreements with the DHCS to help increase the reimbursement amounts they are paid by the Health Plans for services delivered to Plan members. These Rate Range Intergovernmental Transfers (or IGTs) consist of the transfer of eligible local government funds to the State, which is then used to increase the actuarially sound rates that the State pays to the Plans. Because the federal government matches State Medi-Cal expenditures, including actuarially sound managed care Plan rates, the District's contributions allow DHCS to draw down federal matching funds to pay for 50% of the Plans' rate increases. The Plans then pay their IGT-funded rate increases to the counties, cities, and districts that made them possible.

The following provides a summary of the IGT process:

**State DHCS Rate Increase Contract:** Based on the District's signed contracts to transfer funds to DHCS, the State will contract with each participating Health Plan to increase its per member, per month capitation rates for the 2018 calendar year (which is the term of their most recently concluded rate contract). THE PLANS' rates will be increased to the highest actuarially sound rate calculated by DHCS and approved by the federal government.

**Transfers from District to State DHCS:** Once the Centers for Medicare and Medicaid Services has approved the entire IGT transaction and the Plan rate contracts have been signed by DHCS and THE PLANS, DHCS will request the District to transfer its funds to the State.

The transfer timeline for this year's program will be conducted in two phases because the State would like to move the program to calendar year instead of fiscal year. This will require a one-time 18-month program allowing the timeline to reset. Phase 1 will cover transports from July 1, 2019, to June 30, 2020, with an expected wiring date in the third quarter of FY21 (January – March 2021). Approximately one month after that wiring the Fire Department will receive its first round of payments. Based on current state approvals, we anticipate transferring approximately \$1,771,714 to the state for Phase 1. This will help to fund the rate increases for all three plans and includes DHCS's 20% administrative fee. If the State is not able to use all the transferred funds to increase Plan rates, it will return any unused funds and the associated 20% fee to the District.

Phase 2 of the program will cover transports from July 1, 2020, to December 30, 2020, with an expected wiring date in either the fourth quarter of FY21 or the first quarter of FY22 (April – September 2021). The same conditions apply for Phase 2 and we anticipate transferring approximately \$903,631 to the state for Phase 2, with payments made back to the Fire Department within one month.

**Payment to the Fire Department:** Upon receipt of the IGT-funded rate increase, THE PLANS will pay required taxes of approximately 3% and retain an additional 2-5% as the Plan administrative fee depending on the plan. Each Plan then has a maximum of 30 days in which to pay all remaining IGT-funded proceeds to the Fire Department.

As a result of the IGT, the Department will receive increased Medi-Cal payments from THE PLANS that include the funds submitted by the Fire Department, plus the federal match (which doubles the local contribution). The net revenue received by the Fire Department for Phase 1 will be approximately \$2,265,418. For Phase 2 it will be approximately \$1,093,574.

THE PLANS' payments to the Department (including both the Department's IGT amount and the federal match amount) are considered Medi-Cal revenues. Pursuant to the terms of the Plan-Provider Agreement, the payments must be used for the uncompensated costs of care provided to Medi-Cal managed care members in FY 2020/21, with any excess used by the Department to provide health care services. Funds do not have to be expended in the year received and may be used to maintain or improve current services or create new programs and services. The funds cannot be used for non-health care related purposes.

The Department will continue to use this revenue to maintain normal service levels, with all ambulance, engine, and truck companies fully staffed and providing EMS response to Medi-Cal Managed Care beneficiaries as well as all other members of the community. Some funding may be dedicated to the purchase of ambulance units or other equipment necessary for the EMS program as identified in the normal budget process. As the timeline for the IGT process becomes more definite and these revenues are received, the Department will finalize its plans and return to the Board with proposed actions for your approval, generally through the budget process.

**FINANCIAL ANALYSIS**

The funds to be transferred to the State will be allocated from the District's General Fund and wired to DHCS in the Phase 1 and Phase 2 timelines previously outlined. The funds will return to the District as enhanced Medi-Cal payments six to eight weeks later. There will be a slight reduction in liquidity as a result; but with the lead time available, the District will be able to plan for this. When the District receives the funds, the General Fund outlay will be reimbursed. Revenue beyond unreimbursed costs will be placed into the Fire Department EMS-IGT Reserve Account in order to support health services for Medi-Cal beneficiaries and other underserved populations, as outlined in the IGT program.

**SUSTAINABILITY ANALYSIS**

There is no environmental impact related to the EMS-IGT program.

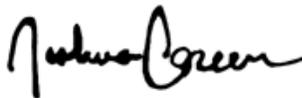
Should you have any questions, please contact me prior to the Board meeting.

Respectfully submitted,



Michael W. McLaughlin  
Fire Chief

Staff Report recommendation authorized by:



---

General Manager

Approved as to Form:



---

General Counsel

-----Original Message-----

From: Emily Autenrieth [REDACTED]  
Sent: Saturday, May 9, 2020 7:16 PM  
To: Bernadette Ramirez <[BernadetteDeLeon@csdparks.com](mailto:BernadetteDeLeon@csdparks.com)>  
Cc: Racoya Hays <[RacoyaHays@csdparks.com](mailto:RacoyaHays@csdparks.com)>  
Subject: Teacher Appreciation Week

[CAUTION-EXTERNAL SENDER]

Hi Bernadette,

I didn't want to let Teacher Appreciation Week come to an end without recognizing Mr. Ray and Ms. Lala for their profound influence on A [REDACTED] confidence, skill level, and emotional growth throughout her two years at Tiny Tot Neighbors. One of the saddest things to me about the school closure is that she can't finish out her preschool year with the two best preschool educators she could've possibly had. Both of them have connected to her and helped her feel seen, accepted, and inspired to take the next steps in her education. She has loved seeing Mr. Ray over Zoom and misses Ms. Lala very much; seeing them in person for a few minutes at the supply pick-up event was the highlight of her week, and she counted down the days until it happened. I strongly believe that her experience in elementary school will be different because of the start they have given her.

Thank you,  
Emily Autenrieth

Happy Mother's Day to you also! PLUS, Happy National Teacher's Week to one of the best! As Janice [REDACTED], I wanted to thank you for all you have done this year to prepare J [REDACTED] for TK next year. You are truly an incredible person with a very special talent and connection with all these little people. You are an amazing teacher, Ms. Robbie, who is hard to find, difficult to part with, and impossible to forget. You will always be in our hearts and thoughts. Hopefully Z [REDACTED] will be blessed enough to have you too.

Best Wishes,  
Janice Steenhoek

Message J [REDACTED] parent

**ROTARY CLUB OF RIO VISTA CALIFORNIA (Club 459)**

P.O. Box 513  
Rio Vista, CA 94571

**E-Mail:** RotaryofRioVista@gmail.com

**To:** Fire Chief Michael W. McLaughlin  
Captain Santini  
Consumnes Fire Department

**Date:** April 3, 2020

**SUBJECT:** Fire Equipment



Dear Chief McLaughlin,

I would personally like to thank you and your organization for donating excess Fire equipment to the Rio Vista Rotary Club. Our club, along with several other Rotary Clubs, began a process of furnishing a fire engine and fire equipment to Mulege, Baja Sur, Mexico. Mulege is located on the Sea of Cortez and has experienced four hurricanes since 2006, destroying much of their fire equipment. The equipment that we gathered from other fire agencies, as well as your agency, was dispersed to eleven fire agencies in Baja Sur and Mulege, Mexico. All of the agencies were extremely appreciative as the majority of these fire agencies are not paid and have to rely on donations.

I would also like to thank Captain Santini for his assistance in getting the equipment ready for transport. It is rewarding to see California Fire Agencies ready to assist other Fire Agencies in Mexico, knowing that these donations do make a difference in their communities. Again, thank you and know that the equipment you furnished is already in use.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Joseph Huyssoon".

Joseph "Jay" Huyssoon  
Retired Fire Chief  
Rio Vista Rotary Club



# FIREFIGHTERS BURN INSTITUTE

Item 18

3101 Stockton Blvd • Sacramento, CA 95820 • (916) 739-8525 • www.ffburn.org

March 11, 2020

Chief Mike McLaughlin  
Cosumnes CSD Fire Department  
10573 East Stockton Blvd.  
Elk Grove, CA 95624

Dear Chief McLaughlin,

We would like you to take a moment to recognize your department's participation in this year's annual Firefighters **"Fill the Boot for Burns" Boot Drive** held February 6-9, 2020. Donations collected totaled over \$190,000 at the Citrus Heights location alone! Since its founding in 1973, The Firefighters Burn Institute, a 501(c)3 nonprofit, has dedicated over 45 years to assuring that the best burn treatment and burn recovery programs are available. Our annual Boot Drive plays a significant role in making life-changing opportunities available to firefighters, children, and adults who have suffered the tragedy of a serious burn injury.

We know this accomplishment would not have been possible without the generous help of your department and the firefighters who came out to **"Shake the Boot"**. Please extend our sincere appreciation. I would also like to thank you for your personal dedication to our mission through your involvement with the Chief's Challenge.

The following is a list of the Cosumnes firefighters who volunteered for one or more shifts during this year's event:

Ben Adams	Sean Parkyr
Kyle Boehringer	Ulises Pena
Joel Burke	Justin Quarisa
Samson Griffis	Eli Ransdell
Ryan Leuver	Matt Rodriguez
Patrick O'Rourke	Jeff Stillman
Thomas Wildgoose	

Thank you again for your department's participation and continued support of local burn programs. I look forward to continue working with your department in the future.

Sincerely,

Joe Pick  
Executive Director, Firefighters Burn Institute  
Retired Captain, Sacramento Metro Fire District

WE APPRECIATE ALL  
THE SUPPORT WE GET  
FROM YOUR MEMBERS.



**From:** Lana Yoshimura <[lyoshimura@elkgrovecity.org](mailto:lyoshimura@elkgrovecity.org)>

**Date:** May 6, 2020 at 11:25:35 AM PDT

**To:** Mike Dopson <[MikeDopson@csdparks.com](mailto:MikeDopson@csdparks.com)>, Joshua Green <[JoshuaGreen@yourcsd.com](mailto:JoshuaGreen@yourcsd.com)>

**Cc:** Traci Farris <[TraciFarris@csdparks.com](mailto:TraciFarris@csdparks.com)>

**Subject:** FYI: Kudos for Traci

[CAUTION-EXTERNAL SENDER]

Hi Mike & Josh –

Hope you're well! While present circumstance are odd and uncertain to say the least, I wanted to take a moment to express my gratitude for Traci. She's been incredible to work with as we try to plan for EGAC in shifting sands of change. From working with me on the EGAC annual report, project list for the EGAC staff, ensuring the warranty items are being taken care of, and giving me insight into what aquatics might look like this year, Traci has been incredibly responsive.

I feel fortunate to work with her as a strong professional with great insights and experience to help forge a path for us during this time. Under these challenging circumstances, Traci has been nothing short of outstanding and you should be very proud of the way she represents CSD to the community.

All the best,  
Lana



**Lana Yoshimura**  
*Community Event Center Manager*

**City of Elk Grove – District56**  
8230 Civic Center Drive, Elk Grove, CA 95757  
t 916.627-3214  
TTY/TDD 888.435.6092  
[elkgrovecity.org](http://elkgrovecity.org)



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By sending us an email (electronic mail message) or filling out a web form, you are sending us personal information (i.e. your name, address, email address or other information). We store this information in order to respond to or process your request or otherwise resolve the subject matter of your submission.

Certain information that you provide us is subject to disclosure under the California Public Records Act or other legal requirements. This means that if it is specifically requested by a member of the public, we are required to provide the information to the person requesting it. We may share personally identifying information with other City of Elk Grove departments or agencies in order to respond to your request. In some circumstances we also may be required by law to disclose information in accordance with the California Public Records Act or other legal requirements.



# **COSUMNES COMMUNITY SERVICES DISTRICT**

**DISTRICT-WIDE LANDSCAPE AND LIGHTING ASSESSMENT  
DISTRICT**

## **ENGINEER'S REPORT**

FISCAL YEAR 2020-21  
MAY 2020

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

ENGINEER OF WORK:  
**SCIConsultingGroup**  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PH: 707.430.4300  
FAX: 707.430.4319  
WWW.SCI-CG.COM

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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

---

**INTRODUCTION** ..... 1

**PROPOSITION 218** ..... 5

**PLANS AND SPECIFICATIONS** ..... 7

**DEFINITIONS AND DESCRIPTIONS** ..... 7

**ESTIMATE OF COSTS AND BUDGET** ..... 9

**DISTRICT-WIDE BUDGET SUMMARY** ..... 11

**METHOD OF ASSESSMENT APPORTIONMENT** ..... 13

**METHOD OF APPORTIONMENT** ..... 13

**DISCUSSION OF BENEFIT** ..... 13

**BENEFIT FACTORS** ..... 14

**GENERAL VERSUS SPECIAL BENEFIT** ..... 16

**CALCULATING GENERAL BENEFIT** ..... 18

**PROXIMITY AND ZONES OF BENEFIT** ..... 21

**DISTRICT-WIDE & ZONE BENEFITS** ..... 21

**METHOD OF ASSESSMENT** ..... 24

**ASSESSMENT** ..... 29

**ASSESSMENT DIAGRAM** ..... 31

**ASSESSMENT ROLL FOR FISCAL YEAR 2020-21** ..... 35

**EXHIBIT A – PARKS AND RECREATION AREAS BY ZONE** ..... 36

**LIST OF TABLES**

---

TABLE 1 - ESTIMATE OF COSTS ..... 9

TABLE 2 - ESTIMATE OF ASSESSMENT REVENUE BY ZONE ..... 10

TABLE 3 – BUDGET SUMMARY FISCAL YEAR 2020-21 ..... 12

TABLE 4 – SUMMARY OF LAND USE EDU RATES ..... 27

TABLE 5 – SUMMARY COST ESTIMATES ..... 29

## INTRODUCTION

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The Cosumnes Community Services District (“District”) is a public agency that is responsible for providing parks, creeks, streams, open spaces, recreation facilities and recreation programs within its jurisdictional service area. The District’s service area for its parks and recreation services encompasses the City of Elk Grove and the unincorporated areas in Sacramento County east, west and south of the City. In addition, the District provides fire and emergency medical services to its park service area, plus the City of Galt.

In 1994, the District formed a benefit assessment district, the District Wide Landscape and Lighting Assessment District (the “Assessment District”) to provide funding for the creation, maintenance, improvement and preservation of local parks and recreation facilities within its park service areas. This Assessment District, which was established prior to the approval of Proposition 218 in 1996, was reconfirmed and continued in an assessment ballot proceeding conducted in 1997.

The District’s parks and recreation areas that are funded by the Assessment District are listed below and on the following page. More detailed information on the parks and recreation areas funded by the Assessment District is provided in Exhibit A to this Report.

### EXISTING PARKS AND RECREATION AREAS

PARK/RECREATION AREA	ADDRESS	LOCATION
Batey	Seasons Drive	Laguna
Betschart	Adobe Springs/Bambridge	Laguna
Lag Crk Trail	Franklin/Lag Park Dr	Laguna
Case	Red Dog Cr/Laguna Springs	Laguna
Colton	Laguna Springs Dr	Laguna
Herberger	Peninsula Way	Laguna
Davis	Laguna Star Dr	Laguna
Foulks	Trenholm Dr	Laguna
Fite	Careyback Ave/Warmsprings	Laguna
Fite Extension (Harris Ranch)	Thira Way	Laguna
Fite/Fite Extension Trail	Thira Way	Laguna
Guttridge	Laguna Brook Way	Laguna
Kloss	Laguna Park Dr	Laguna
Laguna Community	Big Horn Blvd	Laguna
LCP - WCAC Turf	Big Horn Blvd	Laguna
Lichtenberger	Kilconnel Dr/Laguna Park Dr	Laguna
Rose	Frye Cr/Deepdale Wy	Laguna
Oneto	Big Timber Dr	Laguna
Pedersen	Laguna Woods Dr	Laguna
Pinkerton Park	Lewis Stein Rd/W Stockton	Laguna
Senterra Trail	Laguna Springs	Laguna
Wackman	Laguna Quail Way	Laguna
Womack	Castleview Dr	Laguna

PARK/RECREATION AREA	ADDRESS	LOCATION
Zehnder	Neosho at Edisto Way	Laguna
Laguna Greenbelt (Park #4)	Laguna Park Dr	Laguna
Miwok	Big Horn Blvd	Laguna
Zimbelman	Big Horn Blvd/Laguna Blvd	Laguna
Camden Greenbelt	Camden Dr	Camden
Camden Creek	Bond Rd/Elk Grove-Florin	Camden
Fish & Game (easement)	Bond Rd/Elk Grove-Florin	Camden
Underwood	Bond Rd/Elk Grove-Florin	Camden
Whitehouse Creek		Camden
Amundson Park	Heritage Hill Dr	EGWW
Fales Park	Power Inn Road	EGWW
Fales Park - Ph II	Auberry Drive	EGWW
Edie MacDonald	Spring Azure Way	EGWW
Gage	Silverberry Ave	EGWW
Hrepich	Black Kite Dr.	EGWW
Jones Park	Shasta Lily Dr	EGWW
Jordan Family Park	Jordan Ranch Road	EGWW
Karamanos Park	Stoneflower Wy/Magnolia Hill	EGWW
Lombardi	Garrity Dr./Blackman Wy	EGWW
Perry Ranch	Brown Road	EGWW
Rau Park	Sheldon Rd	EGWW
Vista Creek Trail		EGWW
Bartholomew	Renwick Dr	W Laguna
Hawkins Park	Harbor Point Dr	W Laguna
King	Keefe Dr	W Laguna
Lawrence Park	Babson Dr	W Laguna
Lawson	Harbor Point Dr	W Laguna
Lippincott	Renwick Dr	W Laguna
Town Hall	Renwick Dr	W Laguna
Caterino Park	Windy Cove Dr	Lakeside
Johnson Park	Lakepoint Dr	Lakeside
Perez Park	Maritime Dr	Lakeside
Baker	Elk Grove Blvd	Elk Grove
Beeman	Sharkey Ave	Elk Grove
Castello	El Toreador Way	Elk Grove
Del Meyer Park	Elk Grove-Florin Rd	Elk Grove
Elk Grove Park	Elk Grove-Florin Rd	Elk Grove
Feickert	Emerald Vista Dr	Elk Grove
Mendoza	Polhemus Dr	Elk Grove
Russell	Mardelle Way	Elk Grove
Smedberg	Grouse Meadow Dr	Elk Grove
Fallbrook Trail (easement)		Waterman
Jack Hill	Porto Rosa Dr	Waterman
Lag Commons Trail (esmt)		Waterman
McConnell Park	Hampton Oak Dr	Park Village
Mix	Goldy Glen Way	Camden
Van Doren	Neponset Dr	Waterman
EEG Creek Trail	Stonebrook Drive	East Elk Grove
EEG Basins	Sierra River Dr/Bond	East Elk Grove
Bond Ridge Trail	Lost Springs Court	East Elk Grove
Berens Park	Mosher Rd	East Elk Grove
Derr-Okamoto Park	Mainline Dr	East Elk Grove

<b>PARK/RECREATION AREA</b>	<b>ADDRESS</b>	<b>LOCATION</b>
Fleming Park	Salmon Creek Dr	East Elk Grove
Gates	Elk Grove Blvd	East Elk Grove
Lewis Park	Elk Grove Blvd	East Elk Grove
Miles Park	Mainline Dr/Nordman Way	East Elk Grove
Newton Ranch2 Trail	Mainline Dr/Founders Way	East Elk Grove
Simpson Park	Crisswell Dr	East Elk Grove
Strong	Elk Grove Blvd/Bay Pt Way	East Elk Grove
Trebbiano Cir Bike Trail	Trebbiano Circle	East Elk Grove
Wright Park - Ph I	Sierra River Dr	East Elk Grove
Don Nottoli Park	East Taron Dr	Lag Stonelake
East Taron Dr Trail	East Taron Dr	Lag Stonelake
Henderson	West Taron Dr	Lag Stonelake
Houde	Club Park Dr	Lag Stonelake
Pedestrian Trail	East Taron Dr	Lag Stonelake
Backer Park	Stathos Dr/Bilby Rd	East Franklin
Bartholomew Sports Park	Franklin High/Whitlock Pkwy	East Franklin
Bilby Ranch Trail	Canadeo Circle	East Franklin
Bradford Park	Gold Autumn Way	East Franklin
Buscher Park	Matina Dr	East Franklin
EG Green Trail	Spring Flower Dr	East Franklin
EG Meadows 3C Trail	Canadeo Circle/Stockmen Wy	East Franklin
Ehrhardt Oaks Park	Percheron Dr/Dartmoor Way	East Franklin
George Park	Glacial Way	East Franklin
Gilliam Meadows #2 Trail	Whitlock Pkwy	East Franklin
Johnston Park	Ferragamo Way	East Franklin
Jungkeit Park	Fire Poppy Rd	East Franklin
Jungkeit Dairy Trail	Fire Poppy Rd	East Franklin
Keema Park	Summer Glen Way	East Franklin
Kramer Park	Orchard View Dr	East Franklin
Kunsting Park	Whitlock Pkwy/Wild Orchid	East Franklin
Luttig Park	Cambrie Way	East Franklin
Machado Dairy Park	Stathos Dr/Boa Nova Dr	East Franklin
Morse Park	Bellaterra Drive	East Franklin
Schauer Park	Stathos Dr/Porto Moniz Wy	East Franklin
Stephenson Park	Coop Dr	East Franklin
Willard Park	Blue Poppy Dr	East Franklin
Bartholomew Sports Park	Quail Run Dr.	East Franklin
<b>CORRIDORS/MEDIANS</b>	<b>ADDRESS</b>	<b>LOCATION</b>
Laguna	Various	Laguna
Camden	Various	Camden
Elk Grove/ West Vineyard	Various	EG/WW
W Laguna	Various	W Laguna
Lakeside	Various	Lakeside
Central EG	Bond Rd	Central EG
Other Rural	VanRuiten Ranch	Other Rural
Waterman/Park Village	Various	Wat/PV
Auto Mall	Varrious	Auto Mall
East Elk Grove	Various	East EG
Laguna Stonelake	Various	Lag Stonelake
East Franklin	Various	East Franklin

**FUTURE PARKS AND RECREATION AREAS:**

<b>VACANT/FUTURE PARK SITES</b>	<b>ADDRESS</b>	<b>ZONE</b>
Arcadian Village Park	Auberry Dr	EG/WW
Borrow Pit	Lodestone Cir	Elk Grove
MacDonald Park-Ph II	Spring Azure Way	EG/WW
Sheldon Place	Hawley Way	EG/WW
Wright Park - Phase II	Waterman Rd.	East EG

This Engineer's Report ("Report") was prepared to establish the budget for the capital improvement and services expenditures that would be funded by the proposed fiscal year 2020-21 Assessments. The Report also determines both the special and general benefits received from the improvements and services by property within the District and the method of assessment apportionment of the special benefits to lots and parcels within the District. This Report and the proposed Assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act"), the Government Code and Article XIID of the California Constitution (the "Article").

This Report describes the Assessments for fiscal year 2020-21. The Assessments are based on the estimated cost to operate, maintain and service the improvements that provide a direct and special benefit to properties within the District.

Pursuant to the Act, in each year for which the Assessments will be levied, the District Board must direct the preparation of an Engineer's Report, budgets and proposed Assessments for the upcoming fiscal year. After the Engineer's Report is completed, the Board may preliminarily approve the Engineer's Report and proposed Assessments and establish the date for a public hearing on the continuation of the Assessments for fiscal year 2020-21. This Report was prepared pursuant to the direction of the Board adopted on February 5, 2020.

If the Board preliminarily approves this Engineer's Report and the proposed Assessments by resolution, a notice of the public hearing must be published in a local newspaper at least 10 days prior to the date of the public hearing.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the Assessments for fiscal year 2020-21. This hearing is currently scheduled for June 17, 2020.

Following consideration of public comments at a public hearing, and review of the Final Annual Engineer's Report, the Board of Directors ("the Board") of the District may order amendments to the Report or confirm the Report as submitted.

At this hearing, the Board would consider approval of a resolution confirming the Assessments for fiscal year 2020-21. If so confirmed and approved, the Assessments

would be submitted to the County Auditor/Controller for inclusion on the property tax rolls for Fiscal Year 2020-21.

## PROPOSITION 218

These assessments were originally formed prior to the passage of Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. (Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.) Although these assessments are consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as “grandfathered assessments” and held them to a lower standard than post Proposition 218 assessments.

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

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (“SVTA”). This ruling is the most current legal guidance clarifying the requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

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

This Engineer’s Report has been prepared to follow the guidance provided by the SVTA decision for complying with the requirements of Article XIIC and XIID of the California Constitution. Specifically, as described in this Engineer’s Report the improvements to be funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property.

### DAHMS V. DOWNTOWN POMONA PROPERTY

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

**BONANDER V. TOWN OF TIBURON**

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

**BEUTZ V. COUNTY OF RIVERSIDE**

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

**GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

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

**COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in each Assessment District; and the Improvements provide a direct advantage to property in each Assessment District that would not be received in absence of the assessments.

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in each Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

## PLANS AND SPECIFICATIONS

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### DEFINITIONS AND DESCRIPTIONS

The work and improvements (the “Improvements”) proposed to be undertaken by the Cosumnes Community Services District, District-Wide Landscape and Lighting Assessment District (the “Assessment District”) and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the “Act”) the Improvements are generally described as follows:

- Furnish all labor, materials, supplies, utilities, equipment, services and management required to maintain, improve, repair, operate, construct and replace the parks, landscaped corridors, District-owned sound walls, project entrances, signs, walkways, green belts, parkways, trail systems, tennis courts, open space of any nature and Camden Lake; and may also include other recreational facilities, amenities and appurtenances within the District’s parks thereto owned by the District which are designated for inclusion within the Assessment District. The report shall also include operations and maintenance expenditures for those parks that are scheduled to be constructed during the year, as specifically identified in Exhibit A, and the parks, landscaped medians, corridors, and other landscape areas owned by the City of Elk Grove that the District maintains through the City-CSD Landscape Maintenance Agreement.
- Pay the debt service including principal, interest, and financing costs on loans obtained to construct a new well within Underwood Park, purchase capital equipment, including an aerator, mowers, gator and tractor.

As applied herein, “Installation” means the construction of public improvements, including, but not limited to, land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks and drainage, and lights. “Maintenance” means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti. “Servicing” means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c)

compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment. (Streets & Highways Code §22526.

The Assessment proceeds will be exclusively used for Improvements within the Assessment District plus Incidental expenses. Reference is made to Exhibit A which specifically identifies the parks, recreation areas and other sites to be funded by the Assessment proceeds and to the plans and specifications, including specific expenditure and improvement plans by park/recreation site and zone of benefit, which are on file with the Cosumnes Community Services District.

## ESTIMATE OF COSTS AND BUDGET

### ESTIMATE OF COSTS

The following Table displays the estimate of the cost of the Improvements that would be funded by the Assessment District in Fiscal Year 2020-21. The expenditures would be governed by the policies, criteria and requirements established within this Report, the Article and by the Act.

TABLE 1 - ESTIMATE OF COSTS

	Total Budget
Expenditures	
Salaries and Wages	\$5,181,950
Services & Supplies	\$10,503,183
Debt Service	\$0
Operating Transfers Out	\$135,694
Capital/Fixed Assets	\$7,300,370
Contingencies	\$215,754
Capital Impv Reserve	\$1,922,018
Totals for Installation, Maintenance and Servicing	<u>\$25,258,969</u>
Carryover from prior year	\$0
Net Cost of Installation, Maintenance and Servicing to Assessment District	<u>\$25,258,969</u>
Other Revenue	\$5,085,950
Operating Transfers In	\$4,822,812
Total District Wide Landscape and Lighting Assessment District Budget (Net Amount to be Assessed)	<u><u>\$15,350,206</u></u>
Total Contributions towards any General Benefits <sup>1</sup>	
Service Fees, Cell Tower Rental, Vehicle Fines & Other Misc. Revenue	\$3,451,434
Recreation revenue contribution to maintenance activities	\$166,474
Benefits from Improvements paid by other sources	<u>\$2,701,610</u>
Total Contributions	<u>\$6,319,518</u>

Notes:

As determined in the following section, at least 20% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits from the Improvements. Therefore, out of the total cost of Improvements of \$25,258,969, the District must contribute at least \$5,051,794 from sources other than the assessments. The District will contribute more than this amount, based upon the cost of park improvements paid for by other sources annualized over the life of those improvements, which more than covers any general benefits from the Improvements.

TABLE 2 - ESTIMATE OF ASSESSMENT REVENUE BY ZONE

Zone	EDUs <sup>1</sup>	Assessment Rate per EDU <sup>2</sup>	Total Assessment by Zone <sup>3</sup>
1	15147.54	\$279.79	\$4,238,130
2	594.00	\$302.28	\$179,554
3	6884.19	\$139.24	\$958,555
4	3380.31	\$277.35	\$937,528
5	2536.91	\$270.88	\$687,198
6	7076.10	\$94.06	\$665,578
7	0.00	\$0.00	\$0
8	10422.50	\$93.61	\$975,650
9	2078.00	\$167.68	\$348,439
10	412.36	\$109.11	\$44,993
11	4386.28	\$468.30	\$2,054,094
12	1963.02	\$274.04	\$537,947
13	9803.38	\$379.72	\$3,722,541
<b>Totals</b>	<b>64,684.59</b>		<b>\$15,350,206</b>

## GENERAL NOTES TO ESTIMATE OF ASSESSMENT REVENUE BY ZONE:

1. "EDU" means single family Equivalent Dwelling Unit.
2. The assessment rate per EDU is the total amount to assess per single family Equivalent Dwelling Unit.
3. Parcels within Benefit Zone 7, Southwest Agriculture Area, are found to have no direct benefit at this time and are not assessed for Fiscal Year 2020-21.
4. The Act stipulates that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Assessment District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year.
5. The assessment amounts are rounded down to the even penny for purposes of complying with the collection requirements from the County Auditor. Therefore, the total assessment amount for all parcels subject to the Assessments may vary slightly from the net amount to assessment.

## DISTRICT-WIDE BUDGET SUMMARY

The following page provides the Cosumnes Community Services District-Wide Landscape and Lighting Assessment District budget summary by Benefit Zone for fiscal year 2020-21. The table includes the specific Benefit Zone costs, District-Wide costs, credits, and each Benefit Zone's fiscal year 2020-21 EDU rate. Additional budget detail and expenditure plans by park and Benefit Zone are contained in the fiscal year 2020-21 budget document and other documents maintained by the District and are incorporated by reference herein.

TABLE 3 – BUDGET SUMMARY FISCAL YEAR 2020-21

DESCRIPTION	Laguna ZONE 1	Camden ZONE 2	EGWV ZONE 3	W Laguna ZONE 4	Lakeside Zone 5	Central EG ZONE 6	(1)	Other Rural ZONE 8	Wat/PV ZONE 9	Auto Mall ZONE 10	East EG ZONE 11	Lag Stnlake ZONE 12	East Frank ZONE 13	City Costs	Dist Wide Costs	Total
EDUs	15147.54	594.00	6884.19	3380.31	2536.91	7076.11		10422.50	2078.00	412.36	4386.28	1963.03	9803.38			64,684.59
Salaries & benefits	969,118	68,889	244,963	200,102	136,990	79,534		43,141	119,196	722	276,758	118,279	588,369	802,260	1,533,629	5,181,950
Services & supplies	2,352,630	134,970	574,710	580,340	403,060	233,220		35,870	321,680	3,400	683,180	357,350	1,426,080	1,650,843	1,745,850	10,503,183
Debt Service/Taxes	0	0	0	0	0	0		0	0	0	0	0	0	0	0	0
Capital/Fixed assets	10,000	0	0	0	0	0		0	0	0	0	0	15,000	34,394	76,300	135,694
Operating Transfers Out (5)	2,388,880	79,150	364,220	258,190	179,390	248,490		412,320	689,560	12,210	300,930	152,490	1,566,790	103,360	544,390	7,300,370
Contingencies	10,000	3,000	2,000	8,500	10,000	6,000		5,000	5,000	2,000	20,000	5,000	20,000	100,351	18,903	215,754
Capital Impv Reserve (4)	0	0	0	0	0	108,432		505,751	0	29,577	914,729	0	363,529	0	0	1,922,018
<b>Total Expenditures</b>	<b>5,730,628</b>	<b>286,009</b>	<b>1,185,893</b>	<b>1,047,132</b>	<b>729,440</b>	<b>675,676</b>		<b>1,002,082</b>	<b>1,135,436</b>	<b>47,909</b>	<b>2,195,597</b>	<b>633,119</b>	<b>3,979,768</b>	<b>2,691,208</b>	<b>3,919,072</b>	<b>25,258,969</b>
Assessment Revenue	4,238,130	179,554	958,555	937,528	687,198	665,578		975,650	348,439	44,993	2,054,094	537,947	3,722,541	0	0	15,350,207
Operating Transfers In	0	104,840	51,458	7,500	0	1,500		0	718,992	0	67,019	0	8,519	0	3,862,984	4,822,812
Other Revenue (2)	1,492,498	1,615	175,880	102,104	42,242	8,598		26,432	68,005	2,916	74,484	95,172	248,708	2,691,208	56,088	5,085,950
<b>Total Revenues</b>	<b>5,730,628</b>	<b>286,009</b>	<b>1,185,893</b>	<b>1,047,132</b>	<b>729,440</b>	<b>675,676</b>		<b>1,002,082</b>	<b>1,135,436</b>	<b>47,909</b>	<b>2,195,597</b>	<b>633,119</b>	<b>3,979,768</b>	<b>2,691,208</b>	<b>3,919,072</b>	<b>25,258,969</b>
<b>Proposed Rate Per EDU</b>	279.79	302.28	139.24	277.35	270.88	94.06		93.61	167.68	109.11	468.30	274.04	379.72			
<b>FY19-20 Rate Per EDU</b>	271.86	293.71	135.29	269.49	263.20	91.39		90.95	162.92	106.01	455.03	266.26	368.95			
<b>Maximum Assmnt Rate Per EDU (3)</b>	279.79	302.28	139.24	277.35	270.88	94.06		93.61	167.68	109.11	468.30	274.04	379.72			
<b>Over/(Under) Maximum Rate</b>	0.00	0.00	0.00	0.00	0.00	0.00		0.00	0.00	0.00	0.00	0.00	0.00			

- (1) Benefit Zone 7, Southwest Ag, is not listed as there are no assessments in this area at this time.
- (2) Other revenue includes City of Elk Grove revenue for Zone 17 costs, interest income and cell tower rentals, use of reserves to offset Park Maintenance Management Plan costs.
- (3) Assessment rate per EDU has been increased by a 2.917% CPI over the prior year rate.
- (4) Reserves necessary to replace capital equipment in Park Maintenance Management Plan.
- (5) Used for overhead allocation, district wide costs (e.g. Elk Grove Park, Bartholomew Sports Park, Rau Park, Camden Creek Greenbelt).

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived by the installation, maintenance and servicing of the Improvements, and the methodology used to apportion the total assessment to the various zones of benefit and land uses within the Assessment District.

The Assessment District consists of all Assessor Parcels within the boundaries of the Cosumnes Community Services District's parks and recreation service area as defined by the County of Sacramento tax code areas. The method used for apportioning the total assessment is based upon the proportional special benefits to be derived by the properties in the Assessment District over and above general benefits conferred on real property in the Assessment District or to the public at large. The apportionment of special benefit is a multi-step process: the first step is to identify the types of special benefits arising from the Improvements. The second step is to determine the special benefits being conferred which are of a district-wide benefit and which are conferred only on the local zones of benefit within the Assessment District. The next step is to estimate the general benefits from the Improvements. The final step is to allocate the costs of the Improvements and Assessments in proportion to the special benefit conferred on each property within the Assessment District.

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit to property. This special benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Cosumnes Community Services District's (District's) recreational facilities or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

"The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that Assessments must be based on the special benefit to property and that the value of the special benefits must reasonably exceed the cost of the assessment:

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

Since Assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A of the California Constitution.

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

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

Finally, Proposition 218 twice uses the phrase “over and above” general benefits in describing special benefit. (Art. XIID, sections 2(i) & 4(f).)

The following benefit categories have been established that represent the types of special benefit to parcels resulting from the Improvements to be financed with the assessment proceeds. These categories of special benefits are summarized as follows:

## BENEFIT FACTORS

The special benefits from the Improvements are described below:

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

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

According to the industry-standard guidelines established by the National Park and Recreation Association (the “NPRA”), neighborhood parks in urban areas have a service area radius of generally one-half mile and community parks have a service area radius of approximately two miles. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within these service radii close proximity and easy walking access to such public land areas. Moreover, community parks, with their more extensive land area and permanent public resources provide a

somewhat larger service area. Since proximate and accessible parks serve as an extension of the usable land area for property in the service radii and since the service radii was specifically designed to provide close proximity and access, the parcels within this service area clearly receive a direct advantage and special benefit from the Improvements, and this advantage is not received by other properties or the public at large.

Moreover, most neighborhood parks in the Assessment District do not provide a restroom or parking lot. Such public amenities were specifically excluded from neighborhood parks because neighborhood parks are designed to be an extension of usable land area specifically for properties in close proximity, and not the public at large or other non proximate property. The occupants of proximate property do not need to drive to their local park and do not need restroom facilities because they can easily reach their local neighborhood park and can use their own restroom facilities as needed. This is further tangible evidence of the effective extension of land area provided by the Improvements to proximate parcels in the Assessment District and the unique direct advantage the proximate parcels receive from the Improvements.

An analysis of the service radii for the Improvements finds that all properties in the Assessment District enjoy the distinct and direct advantage of being close and proximate to parks within the Assessment District. The benefiting properties in the Assessment District therefore uniquely and specially benefit from the Improvements.

#### PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES

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

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

#### ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS

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

### IMPROVED VIEWS

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

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

In many areas within the Assessment District that have been subdivided and developed, the assessments provide the necessary funding for public improvements that were required as a condition of development and subdivision approval. Therefore, such assessments allowed the original property to be subdivided and for development of the parcels to occur. As parcels were sold, new owners were informed of the assessments through the title reports, and in some cases, through Department of Real Estate "White Paper" reports that the parcels were subject to assessment. Purchase of property was also an "agreement" to pay the assessment. Therefore, in absence of the assessments, the lots within many zones of benefit and areas within the Assessment District would not have been created. These parcels, and the improvements that were constructed on the parcels, are another direct advantage and special benefit from the assessments.

### GENERAL VERSUS SPECIAL BENEFIT

The Cosumnes Community Services District is a Special District created pursuant to the laws of the State of California. There are many types of Special Districts that provide a variety of urban services. Special Districts, like the Cosumnes Community Services District, are created to provide a higher level of service within their boundaries than what would be provided in their service area in absence of the Special District. The Assessments allow the Cosumnes Community Services District to provide its park and recreation Improvements within its boundaries at a much higher level than what otherwise would be provided in absence of the Assessments. Moreover, in absence of the Assessments, no other agency would provide the Improvements nor would the District because it does not have alternative available funds to provide the Improvements.

All of the Assessment proceeds derived from the Assessment District will be utilized to fund the cost of providing a level of tangible "special benefits" in the form of parks, recreation facilities, parkways, open space, landscaped corridors, sound walls, project entrances, signs, walkways, green belts, trail systems, parks, tennis courts, other Improvements and costs incidental to providing the Improvements and collecting the Assessments. The Assessments are also structured to provide specific Improvements within each Zone of Benefit and sub-area within the District, further ensuring that the Improvements funded by the Assessments are specific and special to property within each Zone of Benefit.

Although these Improvements are available to the general public at large, the Assessment District was specifically created to provide additional and improved public resources for

property in the Assessment District that is proximate to the Improvements. Other properties that are either outside the Assessment District or within the Assessment District and not assessed, do not enjoy the proximity, access, views and other special benefit factors described previously. Moreover, many of the homes in the Assessment District would not have been built if the Assessments were not established because an assessment for parks and recreation was a condition of development approval.

These Improvements are of special benefit to certain proximate properties located within the Assessment District because the Assessments provide, maintain and improve local parks and recreation facilities that would not be provided in absence of the Assessments. Without the Assessments, the parks and recreation facilities within the Assessment District would be closed and would turn into brown, unmaintained and unusable lands. If this happened, it would create a significant and material negative impact on the desirability, utility and value of property in the Assessment District. In fact, it is reasonable to assume that if Assessments were not collected and the parks and recreation facilities were closed as a result, properties in the Assessment District would decline in desirability, utility and value by significantly more than the amount of the Assessment. We therefore conclude that all the park and recreation Improvements funded by this Assessment are of special benefit to certain benefiting properties located within the Assessment District and that the value of the special benefits from the Improvements to property in the Assessment District reasonably exceeds amount of the Assessments for every assessed parcel in the Assessment District.<sup>1</sup>

Although this determination of special benefits is well supported, particularly in light of clear degradation and loss of local parks and recreation facilities throughout the Assessment District that would occur in absence of the Assessments, a standard for measuring general benefits from similar parks and recreation facilities is not well defined by the California State Constitution or statutes. Therefore, a more conservative approach is to estimate a percentage of general benefits from the Improvements and establish a requirement for funding from other sources to cover any general benefits from the Improvements. In this report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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<sup>1</sup> In other words, as required by Article XIID, we find that the reasonable cost of the proportional special benefit exceeds the amount of assessment for each assessed parcel in the Assessment District.

Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA v. SCCOSA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this assessment, as noted, properties in the Assessment District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Assessment District or the public at large.

In the 2010 Beutz case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. The Assessments described and justified in this Engineer’s Report include a specific calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments for each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the Beutz decision.

## CALCULATING GENERAL BENEFIT

### BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT

Properties within the Assessment District receive almost all of the special benefits from the Improvements because properties in the Assessment District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements, but outside of the boundaries of the Assessment District, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the Assessment District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

The properties outside the Assessment District and within the proximity radii of one-half mile of parks in the Assessment District may receive benefits from the Improvements. Since these properties are not assessed for their benefits because they are outside of the area that can be assessed by the District, this is form of general benefit to the public at large and other property. A 50% reduction factor is applied to these properties because they are all geographically on only one side of the Improvements and are over twice the average distance from the Improvements compared to properties in the Assessment District. The general benefit to property outside of the Assessment District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

**Criteria:**

5,544 parcels outside the district but within 0.5 miles of a park within the Assessment District

51,363 parcels in the Assessment District

50% relative benefit compared to property within the Assessment district

**Calculation**

General Benefit to Property Outside the Assessment District =  
 $(5,544 / (5,544 + 51,363)) * .5 = 4.9\%$

Although it can reasonably be argued that Improvements inside, but near the District boundaries are offset by similar park and recreational improvements provided outside, but near the District's boundaries, we use the more conservative approach of finding that 4.9% of the Improvements may be of general benefit to property outside the Assessment District.

**BENEFIT TO PROPERTY *INSIDE* THE DISTRICT THAT IS *INDIRECT AND DERIVATIVE***

The "indirect and derivative" benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the Assessment District.

Nevertheless, the SVTA decision indicates there may be general benefit "conferred on real property located in the district" A measure of the general benefits to property within the Assessment area is the percentage of land area within the Assessment District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 2% of the land area in the Assessment District is used for such regional purposes, so this is a measure of the general benefits to property within the Assessment District.

**BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the District's parks and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the District<sup>2</sup>. Surveys

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<sup>2</sup> . When District facilities are used by those individuals, the facilities are not providing benefit to property within the District. Use under these circumstances is a measure of general benefit. For example, a non-resident who is drawn to utilize the District facilities and shops at local businesses while in the area would provide special benefit to business properties as a result of his or her use of the Improvements. Conversely, one who uses District facilities but does not reside, work, shop or own

of similar neighborhood park and recreation facility usage conducted by SCI Consulting Group found that an average of 5% of the District's park usage is by those who do not live or work within District boundaries. When people outside the Assessment District use parks, they diminish the availability of parks for people within the Assessment District. Therefore, another 5% of general benefits are allocated for people within the Assessment District. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large.

#### TOTAL GENERAL BENEFITS

Using a sum of these three measures of general benefit, we find that approximately 17.4% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>General Benefit Calculation</b>	
	<b>4.9% (Outside the Assessment District)</b>
<b>+ 2.0%</b>	<b>(Inside the Assessment District – indirect and derivative)</b>
<b>+ 10.0%</b>	<b>(Public at Large)</b>
<b>= 16.9%</b>	<b>(Total General Benefit)</b>

Although this analysis finds that 16.9% of the assessment may provide general benefits, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 20%. This minimum contribution above the measure of general benefits will serve to provide additional coverage for any other general benefits.

The District contributes funds from other sources for park and recreation facility acquisition, development, improvement and maintenance that significantly exceeds this measure of general benefits. The total amount of contributions from other sources to offset general benefits is \$6,319,518 from leases and other revenue sources as well as general benefits from recent park and recreation Improvements funded by impact fees and other sources and that have not been allocated to previous years' general benefits. These contributions from other sources, which collectively equate to 25.0% of the cost of Improvements funded by Assessments are in excess of the 20% measure of general benefits, and more than offset any general benefits that could be conferred from the Improvements.

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property within the District boundaries does not provide special benefits to any property and is considered to be a measure of the general benefits.

## PROXIMITY AND ZONES OF BENEFIT

As noted, neighborhood parks have a service area radius of approximately ½ mile and community parks in urban areas have a service area radius of approximately two miles. All specially benefiting properties in Zones of Benefit 1 through 6 and 9 through 13 enjoy good proximity to the neighborhood parks, community parks and other Improvements funded by the Assessments because they are within this industry accepted standard service area radii for parks and recreation facilities. Properties in Zone 8 have good proximity and access to community parks and other Improvements that have a broader service area radius (District-Wide Improvements), but not to neighborhood parks. Therefore properties in Zone 8 are assessed only for their share of the cost of District-Wide Improvements. Other properties in the Assessment District, such as those within Zone 7, do not have such good proximity and access and therefore are not assessed.

The special benefit factors described in this Report are not materially different for similar properties within the NPRA service area standards for parks because all such properties have good proximity and access to the parks and Improvements funded by the Assessments. Any benefits from increased proximity within each Zone of Benefit are reasonably offset by other negative factors such as increased traffic and loss of privacy from the public use of parks, recreation areas, recreation facilities or other public resource lands.

## DISTRICT-WIDE & ZONE BENEFITS

There are two types of special benefits in this Landscape and Lighting Assessment District depending upon the extent of the special benefits being derived by the Improvements being constructed, maintained, and operated: District-Wide Benefits and Zone Benefits. District-Wide Benefits are those special benefits enjoyed by parcels of property located within the Assessment District except Zone 7, which because of its lack of proximity to Improvements are deemed at this time to derive no special benefit. Zone benefits are those special benefits derived from Improvements of a more local nature and smaller service radius. The cost associated with District-Wide Improvements are allocated District-Wide (except Zone 7), while the cost associated with Zone Improvements are only allocated to parcels within the Zone that receive special benefit. Facilities and Improvements deemed to be of District-Wide benefit are defined as parks that have a sports complex and also provide services district wide: Bartholomew Sports Park, Elk Grove Park and Rau Community Park, or open spaces such as the Camden Creek Green Belt which provide services district wide. (These facilities and Improvements have a much larger service area radius than a neighborhood park, or other Improvements such as landscaped corridors and walkways). Facilities and Improvements deemed to be of local benefit to the Zone in which they are located are landscaped corridors, medians, sound walls, project entrances, signs, walkways, green belts, and parks without lighted sports facilities.

### ZONES OF BENEFIT

The District-Wide Landscape and Lighting Assessment District is divided into thirteen (13) separate Zones of benefit. The thirteen Zones are as follows:

**ZONE 1 (LAGUNA)**

Includes all of the lands that are included within the boundaries of the Laguna Landscape and Lighting Assessment District No. 1 as it was originally formed. Zone 1 properties are assessed for the cost of maintaining landscaped corridors, and parks or portions of parks that provide services primarily to the local Zone, and are located within the Zone. They also are assessed a portion of the cost of maintaining the park facilities of a District-Wide nature.

**ZONE 2 (CAMDEN)**

Includes all of the parcels of land that were originally within the boundaries of Zone A of the Camden Landscape & Lighting Assessment District No. 2 as it was originally formed. Zone 2 properties are assessed for the cost of maintaining the corridors, parkways, and parks or portions of parks located within Zone 2 that provide services primarily to the local Zone. They also are assessed a share of the cost of maintaining facilities of a District-Wide nature.

**ZONE 3 (ELK GROVE/WEST VINEYARD)**

Includes all of the parcels of land that were originally within the boundaries of the Elk Grove/West Vineyard Landscape & Lighting Assessment District No. 5 as it was originally formed. Zone 3 properties are assessed for the cost of maintaining landscaped corridors, and parks or portions of parks that provide services primarily to the local Zone, located within the Zone. They also are assessed a portion of the cost of maintaining the facilities of a District-Wide nature.

**ZONE 4 (WEST LAGUNA)**

Includes all of the parcels of land that were originally within the boundaries of Zone A of the West Laguna Landscape & Lighting Assessment District No. 4 as it was originally formed. Zone 4 properties are assessed for the cost of maintaining landscaped corridors, parkways, and parks or portions of parks that provide services primarily to the local Zone, located within the Zone. They also are assessed a portion of the cost of maintaining the facilities of a District-Wide nature.

**ZONE 5 (LAKESIDE)**

Includes all of the parcels of land that were originally within the boundaries of Zone B of the West Laguna Landscape & Lighting Assessment District No. 4 as it was originally formed. Zone 5 properties are assessed for the cost of maintaining landscaped corridors, and parks or portions of parks that provide services primarily to the local Zone, located within the Zone. They also are assessed a portion of the cost of maintaining the facilities of a District-Wide nature.

**ZONE 6 (CENTRAL ELK GROVE)**

Includes all of the parcels of land within the area bounded by Highway 99 from Bond Road, south to the Cosumnes River, east along the River to the Southern Pacific Railroad, north along the Railroad to Grant Line Road, north along Waterman Road to Bond road and back to Highway 99, excepting there from, the parcels of land which had been included in the Waterman Landscape & Lighting Assessment District No. 3 as it was originally formed. Zone 6 properties are assessed for the cost of maintaining parks or portions of parks that provide services primarily to the local Zone, located within the Zone. They also are assessed a portion of the cost of maintaining the facilities of a District-Wide nature.

**ZONE 7 (SOUTHWEST AGRICULTURE AREA)**

Includes all parcels of land within the boundaries of the Cosumnes Community Services District not included in other zones and generally lying west of Interstate Highway 5 as well as all parcels lying south of Hood-Franklin, Bilby, and Kammerer Roads and west of Highway 99. As there are no Improvements within good proximity of these parcels of land, they are found to have no direct benefit at this time, and are thus not assessed.

**ZONE 8 (LAGUNA RIDGE/OTHER RURAL)**

Includes all parcels of land within the boundaries of the Cosumnes Community Services District that are not included for assessment within the boundaries of Zones 1 through 7 or 9 through 13 as described herein. Zone 8 properties are assessed for the cost of maintaining a share of the facilities of a District-Wide nature and a landscaped corridor within the Zone.

**ZONE 9 (WATERMAN/PARK VILLAGE)**

Includes all of the parcels of land that were originally within the boundaries of the Camden Landscape & Lighting Assessment District No. 2 Zone B, Waterman Landscape & Lighting Assessment District No. 3, and the Park Village Landscape & Lighting Assessment District No. 6 as they were originally formed. Zone 9 properties are assessed for the cost of maintaining landscaped corridors, and parks or portions of parks that provide services primarily to the local Zone, located within the Zone. They also are assessed a portion of the cost of maintaining the facilities of a District-Wide nature.

**ZONE 10 (AUTO MALL)**

This Zone, which was formed after receiving weighted majority approval in a ballot proceeding for property owners conducted in 1999, encompasses property known as the Auto Mall area, south of Elk Grove Boulevard, between Highway 99 and Bruceville Road, previously within benefit Zone 8. The intent of the District is to expand this Zone through annexation(s) to include the development or urbanization of any other properties located generally west of Highway 99 and east of Bruceville Road. The annual Assessment is utilized for the purpose of funding the annual, ongoing cost and expenses associated with the operation, maintenance, servicing and construction of parks, corridors, sound walls, project entrance signage, lakes, trail systems, wetlands and open space. Zone 10 properties are also assessed for the cost of maintaining facilities of a District-Wide nature.

#### ZONE 11 (EAST ELK GROVE)

This Zone, which was formed after receiving weighted majority approval in a ballot proceeding for property owners conducted in 1999, encompasses all new development and the urbanization of those properties south of Bond Road, east of Waterman Road, north of the Cosumnes River previously within the existing benefit Zone 8. The intent of the District is to expand this Zone through annexation(s) to include the development or urbanization of any other properties located generally south of Calvine Road and east of Waterman Road. The annual Assessment will be utilized for the purpose of funding the annual, ongoing cost and expenses associated with the operation, maintenance, servicing and construction of parks, corridors, medians, sound walls, project entrance signage, lakes, trail systems, wetlands and open space. Zone 11 properties are also assessed for the cost of maintaining facilities of a District-Wide nature.

#### ZONE 12 (LAGUNA STONELAKE)

This Zone, which was formed after receiving weighted majority approval in a ballot proceeding for property owners conducted in 2000, encompasses all new development and the urbanization of those properties within the Laguna Stonelake subdivision (formerly Elliott Ranch South - Area A). This Zone was previously within the existing benefit Zone 8. This area is generally described as being located due south of Elk Grove Boulevard and due east of Interstate 5. The annual Assessment will be utilized for the purpose of funding the annual, ongoing cost and expenses associated with the operation, maintenance, servicing and construction of parks, corridors, sound walls, project entrance signage, lakes, trail systems, wetlands and open space. Zone 12 properties are also assessed for the cost of maintaining facilities of a District-Wide nature.

#### ZONE 13 (EAST FRANKLIN)

This Zone, which was formed after receiving weighted majority approval in a ballot proceeding for property owners conducted in 2001, encompasses all new development and the urbanization of those properties within the East Franklin Specific Plan. This Zone was previously within the existing benefit Zone 8. This area is generally described as being bordered by Elk Grove Boulevard to the north, Bruceville Road to the east, Bilby Road to the south, and Franklin Boulevard to the west, plus an area of approximately 85 acres located south of Bilby Road and East of the Western Pacific railroad tracks. The annual Assessments are utilized for the purpose of funding the annual, ongoing cost and expenses associated with the operation, maintenance, servicing and construction of parks, corridors, sound walls, project entrance signage, lakes, trail systems, wetlands and open space. Zone 13 properties are also assessed for the cost of maintaining facilities of a District-Wide nature. Agricultural properties are assumed to be in the tentative map stage, with appropriate densities, and assessments will begin when a tentative map is issued on the property.

#### METHOD OF ASSESSMENT

Pursuant to the Landscape and Lighting Act of 1972 and Article XIID of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the Improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the

Improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received. This Assessment District, which was established prior to the approval of Proposition 218 in 1996, was reconfirmed and continued in an assessment ballot proceeding conducted in 1997.

Each parcel's benefit is determined by the difference between the general and special benefits being conferred on the properties by the Improvements; the special benefits being covered which are of District-Wide benefit and which are conferred only on the local Zones of benefit within the Assessment District; and the proportion of the special benefit conferred on the various land uses within the Assessment District.

In summary, the Assessment Engineer determined that the appropriate method of assessment should be based on the proximity of the property to the Improvements, type of property, the relative size of the property and the property's location. This method is further depicted below.

#### EQUATION 1 – SPECIAL BENEFIT APPORTIONMENT FACTORS

$$\text{Special Benefit} \approx \Sigma \text{ (Special Benefit apportionment factors including use property type, size, location, and proximity to Improvements)}$$

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

#### EQUATION 2 – RELATIVE SPECIAL BENEFIT (EDU)

$$\text{Relative Special Benefit} \approx \frac{\text{Special Benefit for a Specific Parcel}}{\text{Special Benefit for the Benchmark Parcel}}$$

#### RESIDENTIAL PROPERTIES

All improved residential properties that represent a single residential dwelling unit or parcels with tentative map approval for single family development are designated as "mapped" and are assigned 1.00 EDU per dwelling unit. Traditional houses, zero-lot line houses, and townhomes are included in this category. Properties with one or more buildings with more than one residential unit are designated as multi-family residential

properties. Due to less lot area per unit than a single-family residence, multi-family units are assumed to have an increased need for recreation and open space area. This increased need offsets the generally lower population and dwelling unit size in comparison to a single family home and creates equivalent levels of special benefit from the Improvements. Therefore, each mapped multi-family unit is assigned 1.00 EDU. Mobile Homes on separate parcels of land are benefited at a rate of 0.75 EDU per unit because such structures have similar lot sizes as single family home but lower relative population density and the corresponding need for recreation and open space area.

#### UNMAPPED RESIDENTIAL PROPERTIES

Unmapped residential properties specifically benefit because the availability of proximate and well maintained parks and recreation facilities satisfies a condition of subdivision and development approval for residential properties. Therefore, the Assessments allow for the future development of such properties which is a direct and special benefit to unmapped residential properties. If the Assessments were not in place, such properties would incur significantly more cost to create an ongoing funding source for parks and recreation facilities. Therefore, such properties are assumed to be benefited at the rate of 50% of that of developed parcels. Unmapped multi-family properties are assumed to receive benefits at the rate of 40% of the rate of developed parcels.

#### COMMERCIAL/INDUSTRIAL PROPERTIES

Commercial and industrial properties are generally open and operated for more limited times, relative to residential properties. Therefore, the relative hours of operation can be used as a measure of benefits, since employee density also provides a measure of the relative benefit to property. Since commercial and industrial properties are typically open and occupied by employees approximately one-half the time of residential properties, it is reasonable to assume that commercial land uses receive one-half of the special benefit on a land area basis relative to single family residential property.

The average size of a single family home with 1.0 EDU factor in the District is 0.33 acres. This equates to an average of 3 homes and 3 EDU per acre of residential land. Therefore, a commercial property on a one acre parcel receives one-half the relative benefit of a single family home, or a 1.50 EDU factor. Therefore, mapped Commercial and Industrial parcels are assigned 1.5 EDU per acre of land.

#### UNMAPPED COMMERCIAL/INDUSTRIAL PROPERTIES

Unmapped commercial/industrial properties are not specially benefited until the property is developed because, unlike vacant residential property, such property typically does not require funding for parks as a condition of subdivision and development approval. Consequently, the existence of the Assessments does not benefit unmapped and vacant commercial and industrial properties by making such properties more developable. Unmapped commercial/industrial properties therefore, are not specially benefited or assessed until the property is developed.

### PROPERTIES OWNED BY GOVERNMENTAL OR QUASI-GOVERNMENTAL AGENCIES

The determination of special benefit to properties owned by governmental and quasi-governmental agencies is new to the area of Assessment District financing.<sup>3</sup> The collection of any assessment levied against these properties is also questionable in that assessment levies from public and nonprofit entities can be difficult to collect. There is no industry accepted standard to determine special benefits to government and quasi-governmental owned property. It is reasonable to assume, however, that properties owned by governmental or quasi-governmental agencies will receive some special benefit from the Improvements, so such parcels shall be assessed at a rate of \$100 per parcel. This rate per parcel, as applied to all such properties, allocates an average benefit per parcel at similar levels as vacant and unmapped residential properties.

### SUMMARY OF ASSESSMENT AND EDU FACTORS

The following Table lists the formula used to calculate EDU's and the rate of assessment for each land use code established by the County of Sacramento. The primary factors used to determine assessments are property usage, number of residential units, and parcel size.

TABLE 4 – SUMMARY OF LAND USE EDU RATES

Summary of Land Use Rates	
Land Use	Assigned EDU's
Mapped Single Family	1.00 per Unit
Unmapped Single Family	0.50 per Potential Unit
Mapped Multi-family	1.00 per Unit
Unmapped Multi-family	0.40 per Potential Unit
Mobile Home	0.75 per Unit
Mapped Commercial	1.50 per Acre
Mapped Industrial	1.50 per Acre
Unmapped Commercial	0.00 per Acre
Unmapped Industrial	0.00 per Acre
Governmental Properties	\$100 per Parcel
Quasi-Governmental Properties	\$100 per Parcel

### CALCULATION OF ASSESSMENTS

Assessments in each Zone of Benefit are determined by dividing the total cost of all the work to be performed in that Zone of benefit by the total number of EDU's in that Zone. In accordance with the Table above, each parcel's land use determines how many EDU's are assigned to that parcel, and that assigned value is the parcel's proportional share of the cost for the Improvements performed in that Zone. The total cost to perform the Improvements determined to be of district-wide benefit is then divided by all the EDU's in all of the Zones to be assessed. In addition, per the Table above, each parcel's land use determines how many EDU's are assigned to that parcel and that assigned value is the

<sup>3</sup> Quasi-governmental agencies include institutional agencies such as water districts and utilities and other agencies that are exempt from property taxation.

parcel's proportional share of the cost for the Improvements performed deemed to be of district-wide benefit. The allocation of the Zone cost is added to the allocation of District-Wide cost for each parcel to determine the total assessment levied against each parcel.

#### ANNUAL COST INDEXING

The Assessments are subject to an annual increase tied to the Consumer Price Index for Pacific West Cities B/C for All Urban Consumers as of February of each succeeding year.

#### APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Engineer or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

## ASSESSMENT

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WHEREAS, The Cosumnes Community Services District, by its Resolution adopted on February 5, 2020 ordered the initiation of the proceedings for Fiscal Year 2020-21 for the continuation of the District-Wide Landscape & Lighting Assessment District, County of Sacramento, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act") and Article XIID of the California Constitution; and

WHEREAS, the Resolution directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution and the order of the Board of the Cosumnes Community Services District, hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for the Improvements and the expenses incidental thereto, to be paid by the Assessment District for the fiscal year 2020-21 is generally as follows:

TABLE 5 – SUMMARY COST ESTIMATES

	FY 2020-21 Budget
Improvements	\$25,258,969
Less Carryover and Contributions from Other Sources:	(\$4,822,812)
Subtotal	<u>\$20,436,157</u>
Other Revenue	\$5,085,950
<b>NET AMOUNT TO ASSESSMENTS</b>	<u><u>\$15,350,208</u></u>

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Assessment District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for Pacific West Cities B/C for all Urban Consumers as of February of each succeeding year.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

The change in the CPI from February 2019 to February 2020 was 2.917%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.917% per single family equivalent benefit unit per benefit zone. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate equal to the maximum authorized assessment rate for each benefit zone.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Sacramento for the fiscal year 2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the Assessment District.

Dated: May 6, 2020

Engineer of Work



A handwritten signature in blue ink, appearing to read "John W. Bliss".

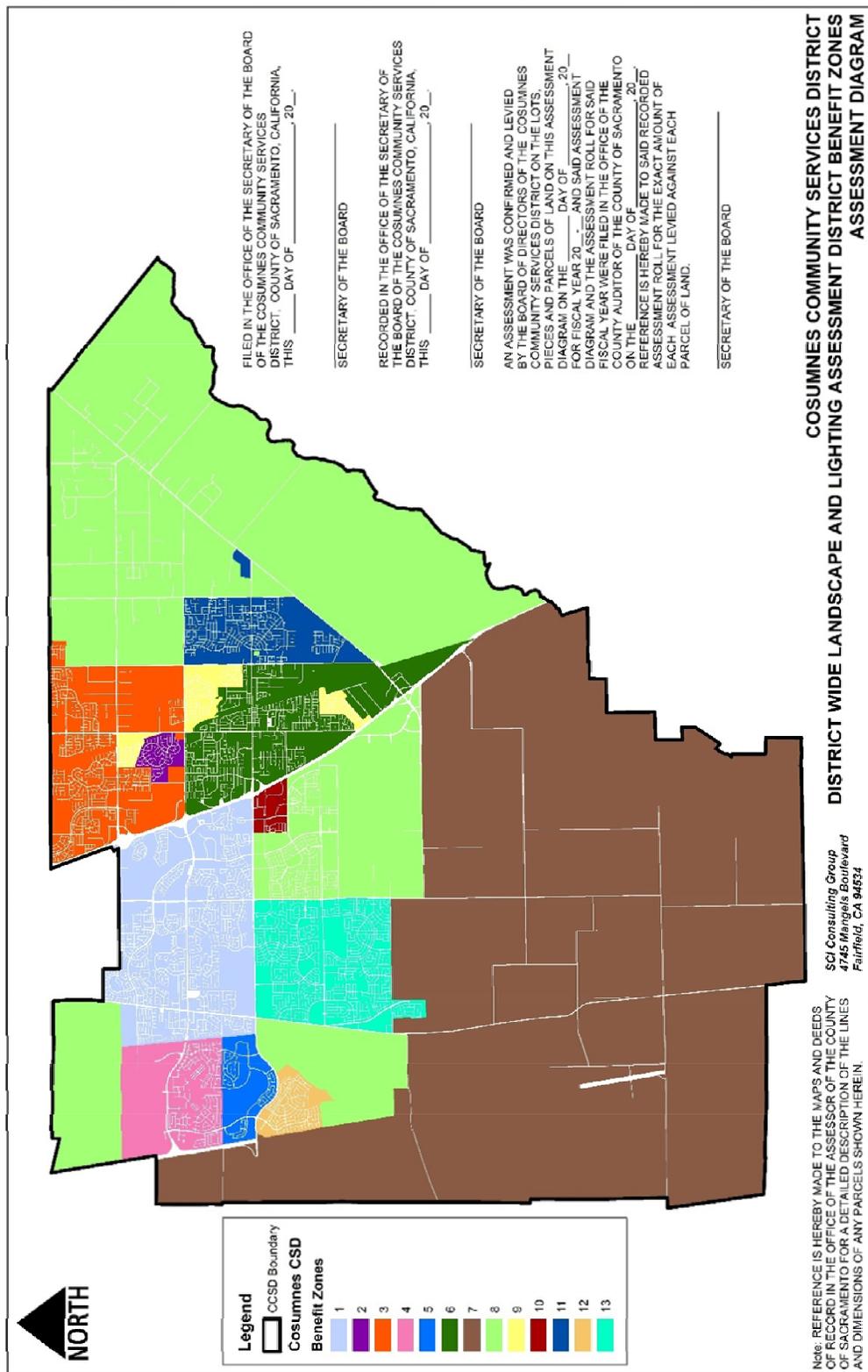
By \_\_\_\_\_  
John W. Bliss, License No. C052091

## ASSESSMENT DIAGRAM

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The Assessment District includes all properties within the boundaries of Cosumnes Community Services District, as defined by County Tax Rate Areas. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for fiscal year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.

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## ASSESSMENT ROLL FOR FISCAL YEAR 2020-21

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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

## EXHIBIT A – PARKS AND RECREATION AREAS BY ZONE

<u>PARK OR TRAIL/CREEK</u>	<u>ADDRESS</u>	<u>LOCATION</u>	<u>BEN ZONE/ DISTWIDE</u>	<u>ACREAGE</u>
Batey	Seasons Drive	Laguna	Zone 1	1.85
Betschart	Adobe Springs/Bambridge	Laguna	Zone 1	12.65
Lag Crk Trail	Franklin/Lag Park Dr	Laguna	Zone 1	0.94
Case	Red Dog Cr/Laguna Springs	Laguna	Zone 1	5.59
Colton	Laguna Springs Dr	Laguna	Zone 1	3.50
Herberger	Peninsula Way	Laguna	Zone 1	1.90
Davis	Laguna Star Dr	Laguna	Zone 1	1.50
Foulks	Trenholm Dr	Laguna	Zone 1	5.45
Fite	Careyback /Warm Springs	Laguna	Zone 1	4.26
Guttridge	Laguna Brook Way	Laguna	Zone 1	4.17
Fite Extension (Harris Ranch)	Thira Way	Laguna	Zone 1	0.30
Fite/Fite Extension Trail	Thira Way	Laguna	Zone 1	0.10
Kloss	Laguna Park Dr	Laguna	Zone 1	22.80
Laguna Community	Big Horn Blvd	Laguna	Zone 1	15.97
LCP - WCAC turf	Big Horn Blvd	Laguna	Zone 1	2.98
Lichtenberger	Kilconnel/Laguna Park Dr	Laguna	Zone 1	15.56
Rose	Frye Cr/Deepdale Wy	Laguna	Zone 1	1.13
Oneto	Big Timber Dr	Laguna	Zone 1	1.64
Pedersen	Laguna Woods Dr	Laguna	Zone 1	5.79
Pinkerton	Lewis Stein Rd/W Stockton	Laguna	Zone 1	4.50
Senterra Trail	Laguna Springs	Laguna	Zone 1	6.32
Wackman	Laguna Quail Way	Laguna	Zone 1	9.50
Womack	Castleview Dr	Laguna	Zone 1	4.07
Zehnder	Neosho at Edisto Way	Laguna	Zone 1	9.54
Laguna Greenbelt (Park #4)	Laguna Park Dr	Laguna	Zone 1	3.06
Miwok	Big Horn Blvd	Laguna	Zone 1	6.20
Zimbelman	Big Horn Blvd/Laguna Blvd	Laguna	Zone 1	5.30
				156.57
Camden Greenbelt	Camden Dr	Camden	Zone 2	7.00
Camden Creek	Bond Rd/Elk Grove-Florin	Camden	Dist Wide	
Fish & Game (easement)	Bond Rd/Elk Grove-Florin	Camden	Zone 2	0.06
Underwood	Bond Rd/Elk Grove-Florin	Camden	Zone 2	5.60
Whitehouse Creek		Camden	Zone 2	3.95
				16.61
Amundson	Heritage Hill Dr	EGWV	Zone 3	8.65
Fales	Power Inn Road	EGWV	Zone 3	3.71
Fales - Ph II	Auberry Drive	EGWV	Zone 3	1.30
Edie MacDonald	Spring Azure Way	EGWV	Zone 3	1.00
Gage	Silverberry Ave	EGWV	Zone 3	1.14
Hrepich	Black Kite Dr.	EGWV	Zone 3	1.50
Jones	Shasta Lily Dr	EGWV	Zone 3	17.17
Jordan Family	Jordan Ranch Road	EGWV	Zone 3	1.70
Karamanos	Stoneflower Wy/Magnolia Hill	EGWV	Zone 3	1.50
Lombardi	Garrity Dr./Blackman Wy	EGWV	Zone 3	1.57
Perry Ranch	Brown Road	EGWV	Zone 3	1.96
Rau	Sheldon Rd	EGWV	Dist Wide	
Vista Creek Trail		EGWV	Zone 3	0.48
				41.68

<b>PARK OR TRAIL/CREEK</b>	<b>ADDRESS</b>	<b>LOCATION</b>	<b>BEN ZONE/ DISTWIDE</b>	<b>ACREAGE</b>
Bartholomew	Renwick Dr	W Laguna	Zone 4	10.00
Hawkins	Harbor Point Dr	W Laguna	Zone 4	4.46
King	Keefe Dr	W Laguna	Zone 4	5.70
Lawrence	Babson Dr	W Laguna	Zone 4	8.00
Lawson	Harbor Point Dr	W Laguna	Zone 4	2.09
Lippincott	Renwick Dr	W Laguna	Zone 4	1.50
Town Hall	Renwick Dr	W Laguna	Zone 4	6.20
				<u>37.95</u>
Caterino	Windy Cove Dr	Lakeside	Zone 5	1.78
Johnson	Lakepoint Dr	Lakeside	Zone 5	21.04
Perez	Maritime Dr	Lakeside	Zone 5	1.71
				<u>24.53</u>
Baker	Elk Grove Blvd	Elk Grove	Zone 6	0.86
Beeman	Sharkey Ave	Elk Grove	Zone 6	3.50
Castello	El Toreador Way	Elk Grove	Zone 6	2.32
Del Meyer	Elk Grove-Florin Rd	Elk Grove	Zone 6	1.13
Elk Grove	Elk Grove-Florin Rd	Elk Grove	Dist Wide	
Feickert	Emerald Vista Dr	Elk Grove	Zone 6	4.27
Mendoza	Polhemus Dr	Elk Grove	Zone 6	1.00
Russell	Mardelle Way	Elk Grove	Zone 6	0.82
Smedberg	Grouse Meadow Dr	Elk Grove	Zone 6	1.83
				<u>15.73</u>
Jack Hill	Porto Rosa Dr	Waterman	Zone 9	7.50
Fallbrook Trail (easement)		Waterman	Zone 9	11.50
Lag Commons Trail (esmt)	Bond Road	Waterman	Zone 9	3.45
McConnell	Hampton Oak Dr	Park Village	Zone 9	6.60
Mix	Goldy Glen Way	Camden	Zone 9	2.83
Van Doren	Neponset Dr	Waterman	Zone 9	3.83
				<u>35.71</u>
EEG Creek Trail	Stonebrook Drive	East Elk Grove	Zone 11	0.62
EEG Basins	Sierra River Dr/Bond Rd	East Elk Grove	Zone 11	0.34
Bond Ridge Trail	Lost Springs Court	East Elk Grove	Zone 11	0.37
Berens Park	Mosher Rd	East Elk Grove	Zone 11	2.65
Derr-Okamoto	Mainline Dr	East Elk Grove	Zone 11	12.70
Fleming	Salmon Creek Dr	East Elk Grove	Zone 11	2.20
Gates	Elk Grove Blvd	East Elk Grove	Zone 11	2.40
Lewis	Elk Grove Blvd	East Elk Grove	Zone 11	2.53
Miles	Mainline Dr/Nordman Way	East Elk Grove	Zone 11	2.00
Newton Ranch 2 Trail	Mainline Dr/Founders Way	East Elk Grove	Zone 11	0.37
Simpson	Crisswell Dr	East Elk Grove	Zone 11	7.80
Strong	Elk Grove Blvd/Bay Point Wy	East Elk Grove	Zone 11	7.37
Trebbiano Cir Bike Trail	Trebbiano Circle	East Elk Grove	Zone 11	0.31
Wright Park - Ph I	Sierra River Dr	East Elk Grove	Zone 11	1.50
				<u>43.16</u>

<b>PARK OR TRAILS/CREEKS</b>	<b>ADDRESS</b>	<b>LOCATION</b>	<b>BEN ZONE/ DISTWIDE</b>	<b>ACREAGE</b>
Don Nottoli	East Taron Dr	Lag Stonelake	Zone 12	21.00
East Taron Dr Trail	East Taron Dr	Lag Stonelake	Zone 12	2.37
Henderson	West Taron Dr	Lag Stonelake	Zone 12	2.20
Houde	Club Park Dr	Lag Stonelake	Zone 12	4.23
Pedestrian Trail	East Taron Dr	Lag Stonelake	Zone 12	0.48
				<u>30.28</u>
Backer Sr.	Stathos Dr/Bilby Rd	East Franklin	Zone 13	10.55
Bartholomew Sports	Franklin High/Whitlock Pkwy	East Franklin	Dist Wide	
Bilby Ranch Trail	Canadeo Circle	East Franklin	Zone 13	0.82
Bradford	Gold Autumn Way	East Franklin	Zone 13	1.50
Buscher	Matina Dr	East Franklin	Zone 13	2.26
EG Green Trail	Spring Flower Dr	East Franklin	Zone 13	0.87
EG Meadows 3C Trail	Canadeo Circle/Stockmen	East Franklin	Zone 13	0.24
Ehrhardt Oaks	Percheron Dr/Dartmoor Way	East Franklin	Zone 13	1.76
George	Fossil Way	East Franklin	Zone 13	5.00
Gilliam Meadows #2 Trail	Whitlock Pkwy	East Franklin	Zone 13	2.61
Johnston	Ferragamo Way	East Franklin	Zone 13	3.06
Jungkeit	Fire Poppy Rd	East Franklin	Zone 13	6.26
Jungkeit Dairy Trail	Fire Poppy Rd	East Franklin	Zone 13	1.85
Keema	Summer Glen Way	East Franklin	Zone 13	2.19
Kramer	Orchard View Dr	East Franklin	Zone 13	2.89
Kunsting	Whitlock Pkwy/Wild Orchid Dr	East Franklin	Zone 13	7.80
Luttig	Cambrie Way	East Franklin	Zone 13	9.48
Machado Dairy	Stathos Dr/Boa Nova Dr	East Franklin	Zone 13	10.13
Morse	Bellaterra Drive	East Franklin	Zone 13	29.62
Schauer	Stathos Dr/Porto Moniz Wy	East Franklin	Zone 13	1.50
Stephenson	Coop Dr	East Franklin	Zone 13	7.20
Willard	Blue Poppy Dr	East Franklin	Zone 13	6.33
				<u>113.92</u>
Bartholomew Sports	Franklin High Dr. Whitlock Pkwy	East Franklin	Dist Wide	46.10
Camden Creek	Bond Rd/Elk Grove-Florin	Camden	Dist Wide	20.28
Elk Grove	Elk Grove-Florin Rd	Elk Grove	Dist Wide	82.18
Rau	Sheldon Rd	EGWV	Dist Wide	18.10
				166.66
Laguna Ridge Parks - Bridgeview, Constellation, Horseshoe, Island, Kammerer, Porto, Promenade, Rose Garden, Storybook Woods			City	36.11
			<b>SUBTOTAL</b>	<u>718.91</u>
<b>Corridors/Medians</b>				
Laguna	Laguna Blvd	Laguna	Zone 1	92.12
Camden	Various	Camden	Zone 2	2.37
Elk Grove/ West Vineyard	Various	EG/WV	Zone 3	17.15
W Laguna	Laguna Blvd/Harbor Point Dr	W Laguna	Zone 4	22.54
Lakeside	Four Winds Dr	Lakeside	Zone 5	14.48
Central EG	Bond Rd	Central EG	Zone 6	0.42
Other Rural	VanRuiten Ranch	Other Rural	Zone 8	0.79
Waterman/Park Village	Various	Wat/PV	Zone 9	3.95
Auto Mall		Auto Mall	Zone 10	
East Elk Grove	EG Blvd	East EG	Zone 11	13.84
Laguna Stonelake	Elk Grove Blvd	Lag Stonelake	Zone 12	5.28
East Franklin	Elk Grove Blvd	East Franklin	Zone 13	45.00
Laguna Ridge Corridors	Various	Laguna Ridge	City	38.69
				<u>256.63</u>
			<b>TOTAL ACREAGE MAINTAINED</b>	<u>975.54</u>

## ACREAGE NOT CURRENTLY MAINTAINED

Arcadian Village	Auberry Dr	EG/WV	10.00
Borrow Pit	Lodestone Cir	Elk Grove	4.48
MacDonald Park-Ph II	Spring Azure Way	EG/WV	1.10
Sheldon Place	Hawley Wy	EG/WV	1.60
Wright Park - Phase II	Waterman Rd.	East EG	<u>28.07</u>
			45.25



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**CAMDEN PARK ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21  
MAY 2020

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

ENGINEER OF WORK:  
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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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TABLE OF CONTENTS

---

- INTRODUCTION ..... 1**
  - OVERVIEW ..... 1
  - ASSESSMENT PROCESS ..... 1
  - PROPOSITION 218 ..... 3
  - COMPLIANCE WITH CURRENT LAW ..... 4
- PLANS & SPECIFICATIONS ..... 6**
- FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET ..... 8**
  - INTRODUCTION ..... 8
  - SUMMARY OF DISTRICT'S IMPROVEMENT PLANS ..... 8
  - BUDGET FOR FISCAL YEAR 2020-21 ..... 8
- METHOD OF ASSESSMENT APPORTIONMENT ..... 11**
  - METHOD OF APPORTIONMENT ..... 11
  - DISCUSSION OF BENEFIT ..... 11
  - BENEFIT FACTORS..... 12
  - BENEFIT FINDING..... 14
  - GENERAL VERSUS SPECIAL BENEFIT ..... 14
  - CALCULATING GENERAL BENEFIT ..... 16
  - ZONES OF BENEFIT ..... 18
  - METHOD OF ASSESSMENT ..... 19
  - RESIDENTIAL PROPERTIES ..... 21
  - COMMERCIAL/INDUSTRIAL PROPERTIES..... 21
  - VACANT PROPERTIES ..... 23
  - OTHER PROPERTIES ..... 23
  - ANNUAL COST INDEXING ..... 23
  - APPEALS OF ASSESSMENTS LEVIED TO PROPERTY..... 23
- ASSESSMENT ..... 25**
- ASSESSMENT DIAGRAM..... 27**
- ASSESSMENT ROLL FOR FISCAL YEAR 2020-21 ..... 28**

**LIST OF TABLES**

---

TABLE 1 - ESTIMATE OF COSTS – CAMDEN PARK ASSESSMENT DISTRICT ..... 9

TABLE 2 - RESIDENTIAL DENSITY AND ASSESSMENT FACTORS ..... 21

TABLE 3 - COMMERCIAL/INDUSTRIAL DENSITY AND ASSESSMENT FACTORS ..... 22

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District ("District") formed the Camden Park Assessment District ("Assessment District") in order to provide funding for the improved maintenance of all park and recreational facilities in the Assessment District. The new assessments also provide funding to maintain new parks and other public improvements for the area. The area of the Assessment District is generally located east of Highway 99, and includes the Camden area. The assessments for this Assessment District will be levied annually, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act").

The park, landscaping and recreation facilities that are maintained and improved by the Assessment District are summarized as follows:

- Camden Park Greenbelt, Cooperston Dr
- Mix Park, 8770 Goldy Glen Wy
- Underwood Park, 8751 Bond Rd
- Whitehouse Creek Trail

The District has been experiencing a revenue shortfall for maintaining and improving parks and recreation facilities within the Assessment District that is primarily due to escalating costs and constrained revenues. For example, the District has been faced with significant increases in water costs, and higher costs for the maintenance and upkeep of its parks. Due to the increasing costs and its limited revenues, the District will be forced to make significant cuts in maintenance at existing facilities. Therefore, in absence of this new local revenue source, the baseline level of park and recreation facilities in the Assessment District (the "Baseline Service") would be a deteriorating level of maintenance and upkeep of the park and recreation facilities and properties listed above.

Due to this combination of flat revenues and increased costs, the District formed the Assessment District to provide revenues for park maintenance services as well as for expanding and improving park facilities to meet the growing demand placed on the parks. The Assessments fund the Improvements listed below that are provided throughout the District, extending above and beyond a baseline level of service and the likely elimination of services projected for future years in the District.

### ASSESSMENT PROCESS

On April 15, 2009 the Cosumnes Community Services District Board of Directors by Resolution called for an assessment ballot proceeding and public hearing on the proposed establishment of the Camden Park Assessment District.

On May 1, 2009 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the proposed area of the Assessment District. Such notice included descriptions of the proposed assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was held June 17, 2009. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the assessments. After the close of the public input portion of the public hearing, the meeting was continued until June 24, 2009 to allow time for the returned ballots to be tabulated.

Tabulation of the returned ballots began after the close of the public input portion of the Public Hearing. It was determined at the June 24, 2009 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2009-10 and future years. The Board took action, by a Resolution passed on June 24, 2009, to approve the first year levy of the assessments for fiscal year 2009-10. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their assessments for the upcoming fiscal year, preparation of an updated Engineer's Report, a noticed public meeting at which the Engineer's Report would be preliminarily approved, publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Assessment District, the Assessment District Boundaries, a description of the Improvements to be installed and maintained, and the assessments for fiscal year 2020-21. The assessments are based on the estimated cost to operate, maintain and service the parks, recreation areas, recreation facilities and other public lands owned by the District (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Assessment District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller in August 2020 for inclusion on the property tax roll for Fiscal Year 2020-21.

### **PROPOSITION 218**

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

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

#### **SILICON VALLEY TAXPAYERS ASSOCIATION, INC. v SANTA CLARA COUNTY OPEN SPACE AUTHORITY**

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

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

This Engineer's Report has been prepared to follow the guidance provided by the SVTA decision for complying with the requirements of Article XIIC and XIID of the California Constitution. Specifically, as described in this Engineer's Report the improvements to be funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District and

such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property.

#### **DAHMS V. DOWNTOWN POMONA PROPERTY**

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

#### **BONANDER V. TOWN OF TIBURON**

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

#### **BEUTZ V. COUNTY OF RIVERSIDE**

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

#### **GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

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

#### **COMPLIANCE WITH CURRENT LAW**

This Engineer's Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in each Assessment District; and the Improvements provide a direct advantage to property in each Assessment District that would not be received in absence of the assessments.

This Engineer's Report is consistent with *Beutz, Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in each Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

## PLANS & SPECIFICATIONS

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The Cosumnes Community Services District maintains parks, recreation areas and recreation facilities throughout the Camden Park Assessment District.

The work and improvements (the "Improvements") to be undertaken with the Camden Park Assessment District (the "Assessment District") and the cost thereof, including any debt service on bonds or other indebtedness issued for the work and improvements, paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the Improvements are generally described as follows:

Installation, maintenance and servicing of public recreational facilities and improvements, including, but not limited to, turf and play areas, playground equipment, hard court surfaces, ground cover, shrubs and trees, irrigation and sprinkler systems, landscaping, park grounds and facilities, drainage systems, lighting, fencing, entry monuments, hardcourt recreation areas, landscape corridors, trails, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Camden Park Assessment District. Plans and specifications for these improvements have been filed with the Chief Operating Officer of the District and are incorporated herein by reference.

As applied herein, "Installation" means the construction of recreational improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and

servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment. (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Assessment District plus Incidental expenses. Reference is made to the Summary of District's Improvement Plans section in the following section of this Report which specifically identifies the parks, recreation areas and other sites to be funded by the assessment proceeds and to the plans and specifications, including specific expenditure and Improvement plans by park/recreation site, which are on file with the District.

The specific sites that would be improved within the Assessment District are listed below:

- Camden Park Greenbelt, Cooperston Dr
- Mix Park, 8770 Goldy Glen Wy
- Underwood Park, 8751 Bond Rd
- Whitehouse Creek Trail

## FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET

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### INTRODUCTION

Following are the Improvements for the Assessment District. Improvements funded by the assessments will be used to maintain and improve existing parks within the Assessment District. The formula below describes the relationship between the final level of improvements, the existing baseline level of service, and the level of improvements to be funded by the assessments.

<b>Final Level of Improvements</b>	<b>=</b>	<b>Baseline Level of Improvements</b>	<b>+</b>	<b>Enhanced Level of Improvements</b>
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### SUMMARY OF DISTRICT'S IMPROVEMENT PLANS

Improvements will be provided on parks and recreational lands throughout the Assessment District in order to ensure that all properties in the narrowly drawn Assessment District boundaries will receive improved proximity and access to better maintained and improved parks in their area. The multi-year improvement plan includes projects that will replace outdated playground equipment, and improve maintenance of all parks and recreation areas to help ensure the continued beauty, usability, and accessibility of the District's parks, playfields, and open space areas.

#### IMPROVEMENT PLAN HIGHLIGHTS

- Improved park and recreation facility maintenance
- Replace aging play structures and other facilities in older parks
- Provide funds to maintain all parks in the Improvement District
- Installation of security cameras to monitor park activity

### BUDGET FOR FISCAL YEAR 2020-21

The following Tables display the estimate of the cost of the Improvements that would be funded by the Assessment District in Fiscal Year 2020-21. Table 1 shows the budget for the entire Assessment District and Table 2 shows the costs for each facility within the Assessment District. The expenditures would be governed by the policies, criteria and requirements established within this Report, the Article and by the Act.

TABLE 1 - ESTIMATE OF COSTS – CAMDEN PARK ASSESSMENT DISTRICT

	Total Budget
Installation, Maintenance & Servicing Costs	
Improvements	
Park Construction Costs	\$87,819
Salaries and Wages	\$0
Services & supplies	\$2,086
Operating Transfers Out	\$139,902
Contingencies	\$0
Capital Impv Reserve (5)	\$33,186
Totals for Installation, Maintenance and Servicing	\$262,993
Contribution from other sources <sup>1</sup>	(\$87,819)
Operating Transfers In	\$0
Other Revenue	(\$4,350)
Total Park Maintenance and Recreation Improvement District Budget <sup>2</sup> (Net Amount to be Assessed)	\$170,824
Budget Allocation to Property	
Total Assessment Budget	\$170,824
Assessment Contribution	
Total number of benefit units	1,064
Assessment per Single Family Equivalent Unit	\$160.53
Total revenue from Assessments <sup>3</sup>	\$170,824

## Notes to Estimate of Cost:

- As determined in the following section, at least 20% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits from the Improvements. Therefore, out of the total cost of Improvements of \$262,993, the District must contribute at least \$52,599 from sources other than the assessments. The District has built Van Doren Park, adjacent to the Camden Park Assessment District, at an estimated cost of \$1,350,000. The cost of this park allocated over 30 years at a 5% rate of interest equals \$87,819 per year, which more than covers any general benefits from the Improvements.
- The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Improvement District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year. The Park District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital

improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived from the Improvements to park facilities and District maintained property throughout the Assessment District, and the methodology used to apportion the total assessment to properties within the Assessment District.

The method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the Assessment District or to the public at large. Special benefit is calculated for each parcel in the Assessment District using the following process:

1. Identification of all benefit factors derived from the Improvements
2. Calculation of the proportion of these benefits that are general
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type, property characteristics, improvements on property and other supporting attributes

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit to property. This special benefit is received by property over and above any general benefits. Any and all general benefit must be funded from another source. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

"The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."

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

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

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A of the California Constitution.

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

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

Finally, Proposition 218 twice uses the phrase "over and above" general benefits in describing special benefit. (Art. XIII D, sections 2(i) & 4(f).) The SVTA decision further clarifies that special benefits must provide a direct advantage to benefiting property and that proximity to a park is an example of a special benefit.

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

## **BENEFIT FACTORS**

The special benefits from the Improvements are listed below:

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

In large part because it is cost prohibitive to provide large open land areas on property in the Assessment District, the residential, commercial and other benefiting properties in the Assessment District do not have large outdoor areas and green spaces. The parks in the Assessment District provide these larger outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The

Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties with good and close proximity to the Improvements.

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPRA"), neighborhood parks in urban areas have a service area radius of generally one-half mile and community parks have a service area radius of approximately two miles. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within the service radii close proximity and easy walking access to such public land areas. Since proximate and accessible parks serve as an extension of the usable land area for property in the service radii and since the service radii was specifically designed to provide close proximity and access, the parcels within this service area clearly receive a direct advantage and special benefit from the Improvements - and this advantage is not received by other properties or the public at large.

Moreover, every neighborhood park in the Assessment District does not provide a restroom or parking lot. Such public amenities were specifically excluded from neighborhood parks because neighborhood parks are designed to be an extension of usable land area specifically for properties in close proximity, and not the public at large or other non-proximate property. The occupants of proximate property do not need to drive to their local park and do not need restroom facilities because they can easily reach their local neighborhood park and can use their own restroom facilities as needed. This is further tangible evidence of the effective extension of land area provided by the Improvements to proximate parcels in the Assessment District and the unique direct advantage the proximate parcels receive from the Improvements.

An analysis of the service radii for the Improvements finds that all properties in the Assessment District enjoy the distinct and direct advantage of being close and proximate to parks sites within the Assessment District. The benefiting properties in the Assessment District therefore uniquely and specially benefit from the Improvements.

#### **PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES**

Only the specific properties within close proximity to the Improvements are included in the Assessment District. The Assessment District was also narrowly drawn to include only the benefiting parcels. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

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

the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

#### **ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS**

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

#### **IMPROVED VIEWS**

The Assessment District, by maintaining the landscaping at its park, recreation and open space facilities provides improved views of the Improvements to the proximate properties within the Assessment District. Therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

#### **BENEFIT FINDING**

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from closer proximity, access and views of improved parks, and recreation facilities funded by the Assessments. The Improvements are specifically designed to serve local properties in the Assessment District, not other properties or the public at large. The public at large and other properties outside the Assessment District receive only limited benefits from the Improvements because they do not have proximity, good access or views of the Improvements. These are special benefits to property in the Assessment District in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.

#### **GENERAL VERSUS SPECIAL BENEFIT**

Article XIII C of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not “particular and distinct” and are not “over and above” benefits received by other properties. SVTA provides some clarification by indicating that general benefits provide “an indirect, derivative advantage” and are not necessarily proximate to the improvements.

In this Report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service. The assessment will fund Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Assessment District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Assessment District or the public at large.

In the 2010 Beutz case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. The Assessments described and justified in this Engineer’s Report include a specific calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments for each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the Beutz decision.

## CALCULATING GENERAL BENEFIT

In this section, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

### BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT

Properties within the Assessment District receive almost all of the special benefits from the Improvements because properties in the Assessment District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements, but outside of the boundaries of the Assessment District, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the Assessment District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

The properties outside the Assessment District and within the proximity radii for neighborhood parks in the Assessment District receive benefits from the Improvements. To identify the properties outside the Assessment District, but within this proximity radii, the Assessment District is combined with two other adjoining, similar and simultaneously assessment districts because the overlap of proximity radii within the three assessment districts is offset by the similar park and recreation facilities that will be provided in each assessment district. In other words, the analysis of benefit to property outside the assessment district is based on the property outside the combined three assessment districts. Moreover, Interstate 99 forms a material barrier to proximity and access, so no parcels on the opposite side of Interstate 99 are considered to be within the effective proximity radii.

Since the properties outside the assessment districts but within the effective proximity radii are not assessed for their benefits, this is a form of general benefit to the public at large and other property. A 50% reduction factor is applied to these properties because they are all on only one side of the Improvements and properties in the Assessment District enjoy the advantage of over twice the average proximity to the Improvements. The general benefit to property outside of the Assessment District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

#### **Criteria:**

2,120 parcels outside the district but within 0.5 miles of a park within the Assessment District

14,562 parcels in the Assessment District

50% relative benefit compared to property within the Assessment district

#### **Calculation**

General Benefit to Property Outside the Assessment District =

$$(2,120/(14,562+2,120))* .5 = 6.4\%$$

Although it can reasonably be argued that Improvements inside, but near the Assessment District boundaries are offset by similar park and recreational improvements provided outside, but near the Assessment District's boundaries, we use the more conservative approach of finding that 6.4% of the Improvements may be of general benefit to property outside the Assessment District.

#### **BENEFIT TO PROPERTY *INSIDE* THE DISTRICT THAT IS *INDIRECT AND DERIVATIVE***

The "indirect and derivative" benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the Assessment District.

Nevertheless, the SVTA decision indicates there may be general benefit "conferred on real property located in the district" A measure of the general benefits to property within the Assessment area is the percentage of land area within the Assessment District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 1.5% of the land area in the Assessment District is used for such regional purposes, so this is a measure of the general benefits to property within the Assessment District.

#### **BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Assessment District's parks and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Assessment District. Based on surveys and research conducted by SCI, less than 5% of the use of similar parks and recreation areas is by the public at large.<sup>1</sup> When people outside the Improvement District use parks, they diminish the availability of parks for people within the Improvement District. Therefore, another 5% of general benefits are allocated for people within the Improvement District. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large.

#### **TOTAL GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 17.9% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

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<sup>1</sup> The public at large is defined as people who do not live or work within the three proposed and adjoining assessment districts.

<b>General Benefit Calculation</b>	
	<b>6.4% (Outside the Assessment District)</b>
<b>+</b>	<b>1.5% (Inside the Assessment District – indirect and derivative)</b>
<b>+</b>	<b>10.0% (Public at Large)</b>
<b>=</b>	<b>17.9% (Total General Benefit)</b>

Although this analysis finds that 17.9% of the assessment may provide general benefits, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 20%. This additional allocation above the measure of general benefits will serve to provide additional coverage for any other general benefits.

The Assessment District's total budget for maintenance and improvement of its parks and recreational facilities is \$262,993. There are several existing and planned new parks outside of the Assessment District that are proximate to parcels in the Assessment District and for which their park service areas extend into the Assessment District. These parks and recreation facilities provide alternative public amenities that serve to offset some of the use and demand for the Improvements. Moreover, Van Doren Park is directly on the Assessment District border and has an estimated improvement budget of \$1,350,000. This contribution alone offsets over 30 years of general benefits from the Improvements. These parks and recreation facilities and the past and future improvements to parks that serve properties in the Assessment District offset any general benefits from the Improvements.

## ZONES OF BENEFIT

The boundaries of the Assessment District have been carefully drawn only to include the properties in Cosumnes Community Services District that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements. In other words, the boundaries of the Assessment District have been narrowly drawn to include only properties that will specially benefit from the Improvements, and would receive a declining level of service if the assessments were not approved.

The SVTA decision indicates:

*In a well-drawn district — limited to only parcels receiving special benefits from the improvement — every parcel within that district receives a shared special benefit. Under section 2, subdivision (i), these benefits can be construed as being general benefits since they are not “particular and distinct” and are not “over and above” the benefits received by other properties “located in the district.”*

*We do not believe that the voters intended to invalidate an assessment district that is narrowly drawn to include only properties directly benefitting from an improvement. Indeed, the ballot materials reflect otherwise. Thus, if an assessment district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general rather than special. In that circumstance, the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g., proximity to park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g., general enhancement of the district’s property values).*

In the Assessment District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. Therefore, the even spread of assessment throughout the narrowly drawn district is indeed consistent with the OSA decision. The benefits from the Improvements within the Assessment District do not vary further based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity. Consequently, since all parcels in the Assessment District have good access and proximity to the Improvements and the benefits to relatively closer proximity are offset by other factors, additional proximity is not considered to be a factor in determining benefit within the Assessment District.

## **METHOD OF ASSESSMENT**

As previously discussed, the assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the Assessment District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the Assessment District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of “traditional” assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

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

In the process of determining the appropriate method of assessment, the Engineer considered various alternatives. For example, an assessment only for all residential improved property was considered but was determined to be inappropriate because commercial, industrial and other properties also receive direct benefits from the Improvements.

Moreover, a fixed or flat assessment for all properties of similar type was deemed to be inappropriate because larger properties receive a higher degree of benefit than other similarly used properties that are significantly smaller. (For two properties used for commercial purposes, there is clearly a higher benefit provided to the larger property in comparison to a smaller commercial property because the larger property generally supports a larger building and has higher numbers of employees, customers and guests that would benefit from proximity and improved access to well maintained and improved parks and recreational facilities. So the potential population of employees or residents is a measure of the special benefits received by the property.) Larger parcels, therefore, receive an increased benefit from the assessments.

Finally, the special benefits to be derived from the assessments will be conferred on property and are not based on a specific property owner's use of the improvements, or a specific property owner's occupancy of property or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who value the special benefits described above and use and enjoy the Assessment District's park and recreational facilities. In other words, the benefits derived to property are related to the average number of people who could potentially live on, work at, or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type and use of property, the relative size of the property, its relative population and usage potential and its proximity to parks and recreational facilities. This method is further described below.

## RESIDENTIAL PROPERTIES

Certain residential properties in the Assessment District that contain a single residential dwelling unit are assigned one Single Family Equivalent or 1.0 SFE. Traditional houses, zero-lot line houses and town homes are included in this category of single family residential property.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the average number of people who reside in multi-family residential units versus the average number of people who reside in a single family home. The population density factors for the Camden Park Assessment District, as depicted below, provide the basis for determining the SFE factors for residential properties. Using the total population in a certain property type in the area of the Assessment District from the 2000 Census and dividing it by the total number of such households, finds that approximately 3.24 persons occupy each single family residence, whereas an average of 2.48 persons occupy each multi-family residence. Using the ratio of one SFE for each single-family residence, which equates to one SFE for every 3.24 persons, 0.29 SFE would equate to one multi-family unit or 0.29 SFE for every 2.48 residents. Likewise, each condominium unit receives 0.56 SFE, each Duplex, Triplex, Fourplex receives 0.39 and each mobile home receives 0.18 SFE.

**TABLE 2 - RESIDENTIAL DENSITY AND ASSESSMENT FACTORS**

	<i>Total</i>	<i>Occupied</i>	<i>Persons per</i>	<i>Pop. Density</i>	<i>SqFt</i>	<i>SFE</i>
Source: 2000 Census, City of Elk Grove	<i>Population</i>	<i>Households</i>	<i>Household</i>	<i>Equivalent</i>	<i>Factor</i>	<i>Factor</i>
Single Family Residential	67,969	20,948	3.24	1.00	1.00	1.00
Condominium	2,533	793	3.19	0.98	0.57	0.56
Duplex, Triplex, Fourplex	1,031	418	2.47	0.76	0.51	0.39
Multi-Family Residential (5+ Units)	1,391	560	2.48	0.77	0.38	0.29
Mobile Home on Separate Lot	743	398	1.87	0.58	0.32	0.18

The single family equivalency factor of 0.29 per dwelling unit for multifamily residential properties applies to such properties with 20 or fewer units. Properties in excess of 20 units typically offer on-site recreational amenities and other facilities that tend to offset some of the benefits provided by the improvements. Therefore the benefit for properties in excess of 20 units is determined to be 0.29 SFE per unit for the first 20 units and 0.10 SFE per each additional unit in excess of 20 dwelling units.

## COMMERCIAL/INDUSTRIAL PROPERTIES

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The SFE values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, the average number of people residing in a single family home in the area is 3.24. Since the average lot size for a single family home in the Park District is approximately 0.30 acres, the average number of residents per acre of residential property is 10.80.

The employee density per acre is generally 2 times the population density of single family residential property per acre (24 employees per acre / 10.80 residents per acre). Therefore, the average employee density can be used as the basis for allocating benefit to commercial or industrial property since a commercial/industrial property with 2 employees receives generally similar special benefit to a residential property with 1 resident. This factor of equivalence of benefit between 1 resident to 2 employees is the basis for allocating commercial/industrial benefit. Table 3 below shows the average employees per acre of land area or portion thereof for commercial and industrial properties and lists the relative SFE factors per quarter acre for properties in each land use category.

Commercial and industrial properties in excess of 5 acres generally involve uses that are more land intensive relative to building areas and number of employees (lower coverage ratios). As a result, the benefit factors for commercial and industrial property land area in excess of 5 acres is determined to be the SFE rate per fifth acre for the first 5 acres and the relevant SFE rate per each additional acre over 5 acres.

Institutional properties that are used for residential, commercial or industrial purposes are also assessed at the appropriate residential, commercial or industrial rate.

**TABLE 3 - COMMERCIAL/INDUSTRIAL DENSITY AND ASSESSMENT FACTORS**

<b>Type of Commercial/Industrial Land Use</b>	<b>Average Employees Per Acre <sup>1</sup></b>	<b>SFE Units per Fraction Acre <sup>2</sup></b>	<b>SFE Units per Acre After 5</b>
Commercial	24	0.500	0.500
Office	68	1.420	1.420
Shopping Center	24	0.500	0.500
Industrial	24	0.500	0.500
Self Storage or Parking Lot	1	0.021	

1. Source: San Diego Association of Governments Traffic Generators Study.

2. The SFE factors for commercial and industrial parcels are applied by the fifth acre of land area or portion thereof. (Therefore, the minimum assessment for any assessable parcel in these categories is the SFE Units listed herein.)

## VACANT PROPERTIES

The benefit to vacant properties is determined to be proportional to the corresponding benefits for similar type developed properties; however, at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to improvements for developed property. An analysis of the Fiscal Year 2008-09 assessed valuation data from the County of Sacramento, found that 30% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 30% of the benefits are related to the underlying land and 70% are related to the improvements and the day-to-day use of the property. Using this ratio, the SFE factor for vacant parcels is 0.30 per parcel.

## OTHER PROPERTIES

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests and have limited economic value. These miscellaneous parcels receive minimal benefit from the Improvements and are assessed an SFE benefit factor of 0.

## ANNUAL COST INDEXING

It should also be noted that, if the assessments are approved, the maximum assessment rate within the Assessment District may increase in future years by an amount equal to the annual change in the Bay Area Consumer Price Index.

## APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the

District Engineer or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

## ASSESSMENT

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**WHEREAS**, this Engineer's Report (the "Report") has been prepared pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act") and Article XIID of the California Constitution; and

**WHEREAS**, the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution and the order of the Board of the Cosumnes Community Services District, hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Assessment District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The assessment is subject to an annual adjustment tied to the amount equal to the annual change in the Bay Area Consumer Price Index.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

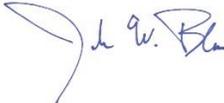
The change in the CPI from February 2019 to February 2020 was 2.91%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.91% which equates to \$160.53 per single family equivalent benefit unit. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$160.53, which is equal to the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Sacramento for the fiscal year

2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County. I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the Assessment District.

Dated: May 6, 2020

Engineer of Work

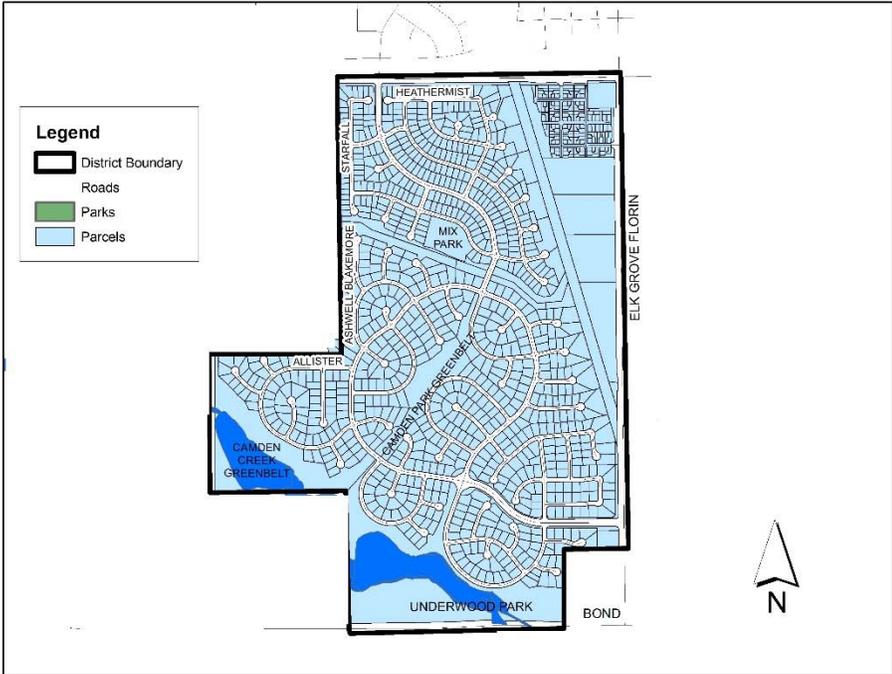


By \_\_\_\_\_  
John W. Bliss, License No. C052091



# ASSESSMENT DIAGRAM

The Assessment District includes all properties within the boundaries of Camden Park Assessment District. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for fiscal year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.



NOTE: REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SACRAMENTO FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

FILED AND RECORDED IN THE OFFICE OF THE SECRETARY OF THE BOARD OF THE COSUMNES COMMUNITY SERVICES DISTRICT, COUNTY OF SACRAMENTO, CALIFORNIA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SECRETARY OF THE BOARD

AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ FOR THE FISCAL YEAR 20\_\_ AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF SACRAMENTO ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_. REFERENCE IS MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND.

SECRETARY OF THE BOARD

## Cosumnes Community Services District Camden Park Assessment District Assessment Diagram

Prepared by SCI Consulting Group  
4745 Mangetts Blvd, Fairfield, CA 94534

## ASSESSMENT ROLL FOR FISCAL YEAR 2020-21

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**CAMDEN ESTATES & CAMDEN POINTE IMPROVEMENT  
DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21

MAY 2020

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

ENGINEER OF WORK:  
**SCIConsultingGroup**  
4745 MANGELS BOULEVARD  
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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **ACTING GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

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**INTRODUCTION ..... 1**

    OVERVIEW ..... 1

    ASSESSMENT BACKGROUND..... 1

    ASSESSMENT PROCESS ..... 2

    LEGAL REQUIREMENTS ..... 3

**PLANS & SPECIFICATIONS ..... 4**

**FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET ..... 6**

    BUDGET FOR FISCAL YEAR 2020-21 ..... 6

**METHOD OF ASSESSMENT APPORTIONMENT ..... 8**

    METHOD OF APPORTIONMENT ..... 8

    DISCUSSION OF BENEFIT ..... 8

    BENEFIT FACTORS..... 9

    BENEFIT FINDING..... 11

    GENERAL VERSUS SPECIAL BENEFIT ..... 11

    CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS..... 12

    ZONES OF BENEFIT..... 16

    METHOD OF ASSESSMENT..... 17

    RESIDENTIAL PROPERTIES ..... 18

    COMMERCIAL/INDUSTRIAL PROPERTIES..... 18

    VACANT/UNDEVELOPED PROPERTIES..... 19

    OTHER PROPERTIES ..... 19

    ANNUAL COST INDEXING ..... 19

    APPEALS OF ASSESSMENTS LEVIED TO PROPERTY..... 19

    ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA..... 20

    OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY ..... 20

**ASSESSMENT ..... 21**

**ASSESSMENT DIAGRAM..... 23**

**ASSESSMENT ROLL ..... 25**

**APPENDIX – IMPROVEMENTS AND ESTIMATED COSTS ..... ERROR! BOOKMARK NOT DEFINED.**

**LIST OF TABLES**

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TABLE 1 – ESTIMATE OF COSTS AND REVENUES..... 6

TABLE 2 – SUMMARY COST ESTIMATE FOR PARK DISTRICT INCLUDING MAINTENANCE &  
RECREATION IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-21..... 21

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District ("District") is a public agency that is responsible for operating and maintaining parks, creeks, streams, open spaces, recreation facilities and recreation programs within its jurisdictional service area. The District's service area for its parks and recreation services encompasses the City of Elk Grove and the unincorporated areas in Sacramento County east, west and south of the City. In addition, the District provides fire and emergency medical services to its park service area, plus the City of Galt.

The District's parks do not receive any revenues from property taxes. In 1994, the District formed a benefit assessment district, the District Wide Landscape and Lighting Assessment District, with 13 benefit zones, to provide funding for the creation, maintenance, improvement and servicing of local parks and recreation facilities within its park service areas. This Assessment District, which was established prior to the approval of Proposition 218 in 1996, was reconfirmed and continued in an assessment ballot proceeding conducted in 1997.

### ASSESSMENT BACKGROUND

The District is primarily funded by the assessment described above. The Elk Grove/West Vineyard benefit zone 3 includes thirteen parks, namely, Amundson, Arcadian Village, Fales, Gage, Hrepich, Jones Family, Jordan Family, Karamanos, Lombardi, MacDonald, Perry, Rau, and Sheldon Place. Over the years, operational costs, including utility costs, increased.

Over time, expenses exceeded revenues in benefit zone 3, and in 2017 the District conducted a public opinion survey proposing a funding measure for all the properties in this zone to address this shortfall. The survey indicated a proposed funding measure did not have enough support from the property owners to pass, so the District declined to proceed with a ballot measure at that time.

Subsequently, property owners in the area around MacDonald Park, known as Camden Estates & Camden Pointe, approached District staff about the possibility of initiating a funding measure for just their area, to improve the Whitehouse Creek Trail, the streetscapes on Sheldon Road, Spring Azure Way, and White Peacock Way, and the part of the park which is already developed, as well as to enable the District to develop the undeveloped part of the park. In response, in early 2019 the District conducted a survey proposing a funding measure just for Camden Estates & Camden Pointe, and the survey indicated the property owners in this area would support such a funding measure.

The purpose of the Camden Estates & Camden Pointe Improvement District funding measure, which is in addition to the District-wide assessment described above, is to increase the level of service by making improvements to MacDonald Park, the Whitehouse Creek

Trail, and the streetscapes along Sheldon Road, Spring Azure Way, and White Peacock Way, as described in more detail below.

If the funding from the assessment had not been approved, the District would have been forced to reduce park, trail and streetscape maintenance and postpone facilities upgrades, resulting in a continuing deterioration of park, trail and streetscape maintenance and facilities. In addition, the District would have been unable to develop the undeveloped section of the park, since it would not have had the funds to adequately maintain those improvements.

## ASSESSMENT PROCESS

On April 17, 2019 the Cosumnes Community Services District Board of Directors by Resolution called for an assessment ballot proceeding and public hearing on the proposed establishment of the Camden Estates and Camden Pointe Improvement District.

On May 1, 2019 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the area of the Improvement District. Such notice included descriptions of the proposed assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was held June 19, 2019. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the assessments.

Tabulation of the returned ballots began after the close of the Public Hearing. It was determined at the June 19, 2019 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2019-20 and future years. The Board took action, by a Resolution passed on June 19, 2019, to approve the first year levy of the assessments for fiscal year 2019-20. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their assessments for the upcoming fiscal year, preparation of an updated Engineer's Report, a noticed public meeting

at which the Engineer's Report would be preliminarily approved, publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Improvement District, the Improvement District Boundaries, a description of the Improvements to be installed and maintained, and the assessments for fiscal year 2020-21. The assessments are based on the estimated cost to operate, maintain and service the parks, recreation areas, recreation facilities and other public lands owned by the District (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Improvement District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2020-21.

## LEGAL REQUIREMENTS

### PROPOSITION 218

This assessment must comply with Proposition 218, "The Right to Vote on Taxes Act," which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Article XIID, Section 4 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which provide special benefits to the assessed property.

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

## PLANS & SPECIFICATIONS

---

The Cosumnes Community Services District maintains park facilities in locations throughout its boundaries, including MacDonald Park in the Camden Estates & Camden Pointe area. The work and Improvements to be undertaken by the Cosumnes Community Services District's Camden Estates & Camden Pointe Improvement District and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the Improvement District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and Improvements are generally described as follows:

The installation, maintenance and servicing of public recreational facilities and improvements, may include, but are not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Cosumnes Community Services District within the Improvement District boundaries. For a list of the Improvements which are initially planned, see the following page.

As applied herein, "Installation" means the construction of the Improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, parking lots, sidewalks and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

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

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

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing

of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Improvement District plus incidental expenses. If the funding measure passes, the District will meet with area residents before finalizing development plans for the undeveloped section of the park. Projects initially identified to be accomplished with the assessment proceeds include:

Improvements to existing facilities:

- Renovate the existing portion of the park
- Park, trail and streetscape maintenance
- Increase in water and mowing budgets
- Installation of plants and mulch in shrub beds and along trails
- Graffiti removal
- Turf repairs and replacement
- Replacement of the playground equipment when necessary
- Replacement of shade structure and benches when necessary

Improvements to the undeveloped portion of the park may include the addition of the following facilities:

- A looped trail
- Adult fitness equipment
- Two new children's playgrounds
- A shaded picnic area with benches and barbeque
- Half-court basketball
- A nature garden
- Native grasses and trees

## FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2020-21

The following budget shows the cost of the Improvements that would be funded by the Improvement District in Fiscal Year 2020-21.

Table 1 – Estimate of Costs and Revenues

	Total Budget
Installation, Maintenance & Servicing Costs	
Improvements	
Operating Transfers	\$22,816
Capital Improvements/Quimby Fees	\$41,802
Services and supplies and other maintenance <sup>1</sup>	\$1,995
Total for Installation, Maintenance and Servicing	\$66,613
Amount to/from Reserve	\$55,926
Total Improvements	\$122,539
Less:	
Contributions which can fund general benefit and/or benefit to properties outside the District	\$13,479
Contributions toward special benefits	\$28,538
Total contributions from sources other than the assessment <sup>2</sup>	\$42,017
Total Improvement District Budget <sup>3</sup> (Net Amount to be Assessed)	\$80,522
Budget Allocation to Property	
Total Assessment Budget	\$80,522
Assessment Contribution	EDUs      Effective EDUs
Number of benefit units In Benefit Zone A	480.4      480.4
Number of benefit units In Benefit Zone B	12.0      13.2
Total number of benefit units	493.6
Assessment per Equivalent Dwelling Unit in Zone A <sup>4</sup>	\$161.53
Assessment per Equivalent Dwelling Unit in Zone B <sup>4</sup>	\$177.69
Total revenue from Assessments	\$80,522

**NOTES TO ESTIMATE OF COSTS:**

1. Development of the west side of the park will be paid for with Quimby in-lieu Fees. The costs for these Improvements are amortized over 20 years. Estimated fiscal year 2020-21 incidental costs include assessment administration, county charges for inclusion of assessments on property tax bills and other incidental costs.
2. As determined in the following section, at least 11.0% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits and/or benefit to properties outside the Improvement District from the Improvements. Therefore, out of the total cost of Improvements of \$122,539 the District must provide contributions of at least \$13,479 from sources other than the assessments. The District will provide contributions of \$42,017 which more than covers any general benefits from the Improvements, even before consideration of the curbs & gutters, drainage, and streets as discussed below.
3. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Improvement District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.
4. The rate shown here is for a single family home or its equivalent. For the definition of the term EDU and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived from the Improvements to park facilities and District maintained property, throughout the Improvement District, and the methodology used to apportion the total assessment to properties within the Improvement District.

The method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the Improvement District or to the public at large. Special benefit and the Assessments are calculated for each parcel in the Improvement District using the following process:

1. Identification of special benefit factors derived from the Improvements
2. Calculation and quantification of the general benefits
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Apportionment of the costs to Assessment and calculation of the Assessment for each individual parcel based upon special benefit; location, property type, property size, property characteristics, improvements on property and other supporting attributes.

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit conferred to property by the Improvements. This special benefit is received by property over and above any general benefits. Any and all general benefit must be funded from another source. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

*The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California].*

Article XIID, Section 4 of the California Constitution states that assessments must be based on the special benefit conferred to property and that, "No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A or XIII C of the California Constitution.

A special benefit is a service or improvement that provides a direct advantage to a parcel. For example, park improvements may be viewed as a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment.

## **BENEFIT FACTORS**

The special benefits from the Improvements increase the utility, functionality and desirability of the assessed properties, and are listed below:

### **PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES**

Only the specific properties within close proximity to the Improvements are included in the Improvement District. The Improvement District was narrowly drawn to include only the benefiting parcels. Therefore, property in the Improvement District enjoys unique and valuable proximity (and access, as described in the next section) to the Improvements that the public at large and property outside the Improvement District do not share.

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

### **ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS**

The main entrances to MacDonald Park and the Camden Estates & Camden Pointe area are via Harding Hall Drive and Sheldon Creek Drive. Properties to the west, south, and east of the boundary do not enjoy the same access because the streets do not go through to the Camden Estates & Camden Pointe area. Properties to the north are separated from the area by Sheldon Road, a busy thoroughfare. The properties in the Improvement District all use either Harding Hall Drive or Sheldon Creek Drive to access their property, but those outside of it do not. Therefore, the properties in the boundaries of the assessment enjoy unique access to MacDonald Park.

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

#### **IMPROVED VIEWS**

The Improvement District, by maintaining the landscaping at its park and recreation facilities provides improved views of the Improvements to the proximate properties within the Improvement District. Because of the unique character of Camden Estates & Camden Pointe, with no access other than Harding Hall Drive or Sheldon Creek Drive from the areas surrounding it, there is no traffic just passing through the area, and therefore the park is viewed only by property owners, other residents, and visitors. Therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Improvement District.

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

In large part because it is cost prohibitive to provide large open land areas on property in the Improvement District, the residential, commercial and other benefiting properties in the Improvement District do not have large outdoor areas and green spaces. The Improvements to the park in the Improvement District will provide these larger outdoor areas that serve as an effective extension of the land area for properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements, as described above. The Improvements, therefore, will provide an important, valuable and desirable extension of usable land area and neighborhood-serving amenities for the direct advantage and special benefit of properties within the Improvement District.

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPRA"), neighborhood parks in urban areas have a service area radius of generally one-half mile. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within the service radii close proximity and easy walking access to such public land areas. Since proximate and accessible parks serve as an extension of the usable land area for property in the service radii, and since the service radii was specifically designed to provide close proximity and access to neighborhood parks and public land areas, the parcels within the Improvement District clearly receive a direct advantage and special benefit from the Improvements. This advantage is not received by other properties or the public at large. In the case of MacDonald Park, the service area is reduced from this standard to include only the assessed parcels because of the unique characteristics described above, whereby access from other surrounding parcels is limited.

An analysis of the service radii for the Improvements finds that all properties in the Improvement District enjoy the distinct and direct advantage of being close and proximate to the park and landscape corridor within the Improvement District. The benefiting properties in the Improvement District therefore uniquely and specially benefit from the Improvements.

### **BENEFIT FINDING**

In summary, real property located within the boundaries of the Improvement District distinctly and directly benefits from the effectively extended outdoor areas and green spaces; as well as closer proximity, access to and views of the improved park, recreation facilities, landscaping, and other public resources funded by the Assessments.

### **GENERAL VERSUS SPECIAL BENEFIT**

Article XIID, Section 4(a) of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. Property may be assessed to fund improvements to the extent of the special benefits conferred by the Improvements; but general benefits are not assessable. Accordingly, a separate estimate of the special and general benefit is given in this section.

Article XIID never defines the term “general benefit.” The definition of special benefit in Section 2(i) includes the statement that general enhancement of property value does not constitute special benefit. General benefit may be described as “an indirect, derivative advantage” resulting from the improvements. One infers from Article XIID that all benefit is either general or special.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for quantifying the amount of any general benefit that is identified.

In this Report, the general benefit is first identified, conservatively (i.e., generously) estimated, and then budgeted so that it is funded by sources other than the Assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service, which is funded primarily by the existing District-wide assessment. The Assessment funds Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” A special benefit is conferred to a property if the property “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Improvement District have close and unique proximity, views of and access to the Improvements, and uniquely improved desirability from the Improvements, and other properties and the public at large do not receive such benefits because they do not have proximity, access to or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and only minimal general benefit is conferred on property outside the Improvement District or the public at large.

In the 2010 *Beutz* case, the 4<sup>th</sup> District Court of Appeals rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. This Engineer’s Report includes a specific, quantified calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments to the special benefits conferred on each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the *Beutz* decision.

### **CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS**

In this section, the general benefit and special benefit not paid from the assessment, which must be paid from other funds, are conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

#### **BENEFIT TO PROPERTY OUTSIDE THE IMPROVEMENT DISTRICT**

Properties within the Improvement District receive almost all of the special benefits from the Improvements, because properties in the Improvement District enjoy unique and close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. This is because there are no streets into or out of most of Camden Estates & Camden Pointe other than via Harding Hall Drive or Sheldon Creek Drive. People in the surrounding areas cannot drive to MacDonald Park without taking an inconvenient, roundabout route. Moreover, there are other parks that are easier for them to access.

There are certain properties that are located outside the boundaries of the Improvement District immediately on the north side with an entrance on Sheldon Road which are within the proximity/access radius of the Improvements and that do not lack access due to obstacles other than Sheldon Road. These properties may receive some benefit from the Improvements. The amount of benefit conferred to properties just outside the Improvement District boundaries, must be deducted from the total benefit and not assessed to property in the Improvement District.

All of these properties are on the north side of the Improvements, with other, more easily accessible parks available to the north of Sheldon Road. Since the owners and residents of these properties can either go north to a more easily accessible park, or south to the Improvement District, there is more than a 50% likelihood that they will go to the more easily accessible park rather than the park in the Improvement District. A 50% reduction factor is therefore applied to the benefit received by these properties. Additionally, to access the Improvements they would have to drive twice the average distance from the Improvements compared to properties in the Improvement District. The benefit to property outside of the Improvement District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

**Assumptions:**

6 parcels outside the district immediately to the north with an entrance on Sheldon Road and within the proximity/access radius of MacDonald Park

534 parcels in the Improvement District

50% relative benefit compared to property within the Improvement District

**Calculation**

Benefit to property outside the Improvement District =  $(6 / (6 + 534)) * 0.5 = 0.6\%$

Although it can reasonably be argued that Improvements inside, but near the Improvement District boundaries are offset by similar park and recreational improvements provided outside, but near the Improvement District's boundaries, we use the more conservative approach of finding that 0.6% of the Improvements may be of benefit to property outside the Improvement District.

**BENEFIT TO PROPERTY INSIDE THE DISTRICT THAT IS INDIRECT AND DERIVATIVE**

The "indirect and derivative" benefit to property within the Improvement District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access to and views of the Improvements enjoyed by benefiting properties in the Assessment District.

### **BENEFIT TO THE PUBLIC AT LARGE**

Properties in the Improvement District receive special benefits from the Improvements because the benefit flows to those properties when users of these properties (i.e. residents, workers, etc.) enjoy the Improvements. The most common way for a property user to enjoy the Improvements is to visit the park and to use its facilities. Therefore, the general benefit to the public at large can be estimated by the proportionate amount of time that the Improvement District's park and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Improvement District.

In order to determine the proportionate use as described above, SCI has broadly conducted numerous surveys in similar parks over many years to determine the proportion of park visitors who are also property users in the park's District to those who are not. SCI has conducted these surveys at various times of the day, evening, and week in order to obtain a thorough sampling of different types of park users. Those surveyed were asked to look at a District map and to identify whether they owned property, resided, interacted with property owners, or worked within the park's District, without having to give up their privacy by identifying their exact address or even their block or neighborhood. These surveys found that less than 5% of the use of similar parks and recreation areas, in well-defined housing developments and subdivisions is by people who do not own property or interact with property owners in the park's District, meaning less than 5% of the use is by the public at large.

When people outside the Improvement District use parks, they not only receive benefit from them, but they also diminish the availability of park Improvements for people within the Improvement District. For instance, if a person from outside the Improvement District is using a particular piece of exercise equipment at the park, nobody from inside the Improvement District can use it until the person from outside is finished with it. Not all such visits from people outside the District reduce the benefits for those inside. For instance, if a person from outside the District is using a piece of exercise equipment but the only other people at the park that day are people from inside the District having a neighborhood picnic and they are not interested in using the exercise equipment, then the person from outside the District is having no negative effect on those who are from inside the District. As stated above, about 5% of the visits to similar parks were from people outside the District, and since not all of these visits result in reduced enjoyment to those inside the District, to be conservative it is assumed that all of these visits could potentially inconvenience a person from inside the District. Therefore, another 5% of general benefits are allocated for this potential reduced access to the Improvements.

Combining these two measures of general benefits (5% for those who live outside the District enjoying the Improvements plus 5% for diminishment of enjoyment those from outside cause those from inside the District), we find that 10% of the benefits from the Improvements are general benefits to the public at large.

### TOTAL GENERAL BENEFITS AND SPECIAL BENEFITS PAID FROM OTHER FUNDS

Using a sum of these three measures of general benefit, we find that approximately 10.6% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the Assessments.

General Benefit and Special Benefit Paid From Other Funds =

$$\begin{aligned}
 & 0.6\% \text{ (Outside the district)} \\
 + & 0.0\% \text{ (Inside the district - indirect and derivative)} \\
 + & 10.0\% \text{ (Public at Large)} \\
 \\ 
 = & 10.6\% \text{ (Total General Benefit and Special Benefit paid from other funds)}
 \end{aligned}$$

Although this analysis finds that 10.6% of the Assessment may provide general benefits and special benefit that would need to be paid from funds other than the assessment, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the Assessments of 11.0%. This additional allocation above the measure of general benefits will serve to provide additional coverage for any other general benefits.

This general benefit and special benefit contribution paid from other funds is the sum of the following components:

The City of Elk Grove owns, maintains, rehabilitates and replaces the curb and gutter along the border of the Assessment District's Improvements. This curb and gutter area is entirely within the Improvement District boundaries, and serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City of Elk Grove towards general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is estimated to be \$5.00 per linear foot, and there are approximately 870 linear feet of curb & gutter on the boundaries of MacDonald Park. 870 linear feet times \$5.00 per linear foot equals \$4,350, or 5.6% of the cost of the Improvements.

The City of Elk Grove owns and maintains a storm drainage system along the border of the Assessment District's Improvements. This system serves to prevent flooding and associated damage to the Improvements, and manage urban runoff including local pollutant loading from the Improvements. The contribution from the City of Elk Grove towards general benefit from the maintenance, and operation of the portion of the local storm drainage system serving the park and within the Improvement District boundaries is estimated to be \$3.50 per linear foot, and there are approximately 1,950 linear feet of storm pipe between the main pipe system and MacDonald Park. 1,950 linear feet times \$3.50 per linear foot equals \$6,825, or 8.8% of the cost of the Improvements.

The City of Elk Grove owns and maintains local public streets along the border of the Assessment District's Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the

City of Elk Grove towards general benefit from the maintenance of local public streets within the Improvement District boundaries is estimated to be \$2.11 per linear foot, and there are approximately 1,950 linear feet of streets between the nearest main road and MacDonald Park. 1,950 linear feet times \$2.11 per linear foot equals \$4,111, or 5.3% of the cost of the Improvements.

The District has collected Quimby in-lieu park fees which it will be using to develop the currently undeveloped portion of MacDonald Park. 100% of these funds are from sources other than the Camden Estates & Camden Pointe assessment. The improvements paid for by these funds will be amortized over 20 years.

A total of \$42,017 from other sources, consisting of the above referenced park Quimby in-lieu fees, is included in the budget to pay for this general benefit requirement. This totals 34.3%, which is substantially more than the amount required of 11.0%, even before taking into account the value of the improvements paid for by the City of Elk Grove, which would add another 19.7% (5.6% + 8.8% + 5.3%).

## ZONES OF BENEFIT

The boundaries of the Improvement District have been carefully drawn to only include the properties in Cosumnes Community Services District that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding and outside the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements and/or they do not enjoy the same access, due to roads that don't go through and/or fences, as described earlier in this Report. In other words, the boundaries of the Improvement District have been narrowly drawn to include only properties that will specially benefit from the Improvements, and would receive a declining level of service if the Assessments were not approved.

In the Improvement District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. For the most part, the benefits from the Improvements within the Improvement District do not vary based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity.

However, the properties in very close proximity to MacDonald Park do receive some additional benefit, due to the views provided to those homes, particularly from the second floor windows on those properties. Therefore, the majority of the parcels in the Improvement District are assigned to what will be known as Benefit Zone A, and the properties which enjoy this increased special benefit from the park will be assigned to what will be known as Benefit Zone B.

The increased special benefit in Benefit Zone B is calculated as follows:

Since properties in Benefit Zone B only receive the additional views of the park from the side of the property facing the park, and can best enjoy the view only from the second floor of the residence due to parked cars, traffic, and other obstructions at street level, the Engineer has determined that the increase in the special benefits enjoyed by the parcels in Benefit Zone B, due to direct but limited views of the Improvements in MacDonald Park, is 10%. Therefore, the rate applied to Benefit Zone B is 110% (100% plus 10%) times the rate in Benefit Zone A.

## METHOD OF ASSESSMENT

As previously discussed, the Assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the Improvement District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the Improvement District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of "traditional" assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

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

Not only residential improved property will be assessed, because commercial, industrial and other properties also receive direct benefits from the Improvements, and will be assessed.

A fixed or flat assessment is used for all single family residential properties regardless of occupancy or parcel size. Assessments on multi-family residential parcels vary based on the number of dwelling units. Assessments on commercial and industrial property are levied on an acreage basis because larger properties generally support larger buildings and have higher numbers of employees, customers and guests who would benefit from proximity and improved access to well-maintained and improved parks, landscaping and recreational facilities.

Finally, the special benefits to be derived from the Assessments will be conferred on property and are not based on a specific property owner's use of the Improvements, a specific property owner's occupancy of property, or the property owner's demographic status such

as age or number of dependents. The benefits derived to property are related to the average number of people who could potentially live on, work at, or otherwise could occupy a property, not how the property is currently used by the present owner. Therefore, the number of people who could, or potentially, live on, work at or otherwise occupy a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type of property, the relative size of the property, property location, its relative population and its proximity to parks and recreational facilities. This method is further described below.

### **RESIDENTIAL PROPERTIES**

All improved residential properties represent a single residential dwelling unit and are assigned 1.00 EDU per dwelling unit. Traditional houses, zero-lot line houses, and townhomes are included in this category.

### **COMMERCIAL/INDUSTRIAL PROPERTIES**

EDU values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The EDU values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, Census data shows that the average number of people residing in a single family home in the area is 2.55. Since the average lot size for a single family home in the Improvement District is approximately one fifth of an acre, the average number of residents per acre of residential property is 12.75.

The employee density per acre is generally 1.9 times the population density of single family residential property per acre (24 employees per acre / 12.75 residents per acre). Therefore, the average employee density can be used as the basis for allocating benefit to commercial or industrial property since a commercial/industrial property with 1.9 employees receives generally similar special benefit to a residential property with 1 resident. This factor of equivalence of benefit between 1 resident to 1.9 employees is the basis for allocating commercial/industrial benefit. Commercial and industrial property will therefore be assigned 0.5 EDU per one-fifth acre or portion thereof.

## VACANT/UNDEVELOPED PROPERTIES

The Improvements will make the land in the Improvement District more desirable and useable. The benefit to undeveloped properties is determined to be proportional to the corresponding benefits for similar type developed properties, but at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to Improvements for developed property. An analysis of the assessed valuation data from the County of Sacramento found that approximately 30% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 30% of the benefits are related to the underlying land and 70% are related to the improvements and the day-to-day use of the property. Using this ratio, the EDU factor for vacant/undeveloped parcels is 0.30 per parcel.

## OTHER PROPERTIES

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the Assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests, who would have access to or use the Improvements. These miscellaneous parcels therefore receive no benefit from the Improvements and are assessed an EDU benefit factor of 0 EDUs.

## ANNUAL COST INDEXING

The maximum assessment rate within the Improvement District may increase annually based on the annual increase, if any, in the Northern California (San Francisco-Oakland-Hayward) Consumer Price Index-All Urban Consumers (the "CPI"), from February to February of each year.

## APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on their property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Administrator or his or her designee. Any such appeal is limited to correction of an assessment during the then current Fiscal Year and applicable law. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been

filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Administrator or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

#### **ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA**

The net available Assessment funds, after incidental, administrative, financing and other costs, shall be expended exclusively for Improvements within the boundaries of the Improvement District and appropriate incidental and administrative costs as defined in the Plans and Specifications section.

#### **OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY**

The Assessment proceeds and expenditures will be annually audited by an independent auditing entity. The results of the audit will be publicly reviewed at a public meeting of the District. The Assessment proceeds and expenditures will also be reviewed and overseen by the District Board. In addition, the Assessment budget, Assessment rate, Assessment CPI increase, and Improvements will be reviewed at a noticed public hearing by the Board and public.

In general, the public review and accountability process is as follows: The Assessments will not automatically continue and will require specific actions, reports and procedures for continuation. In each subsequent year for which the Assessments will be levied, the Board must preliminarily approve at a public meeting a budget and costs for the upcoming Fiscal Year's Improvements, an updated annual Engineer's Report, and an updated Assessment roll listing all parcels and their Assessments. At this meeting, the Board will also call for the publication in a local newspaper of a legal notice of the intent to continue the Assessments for the next Fiscal Year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Board prior to the Board's decision on ordering the Improvements and the Assessments for the next Fiscal Year.

## ASSESSMENT

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**WHEREAS**, the Board of Directors of the Cosumnes Community Services District directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Improvement District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Improvement District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Board of the Cosumnes Community Services District, hereby makes the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Improvement District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the Improvement District for the Fiscal Year 2020-21 is generally as follows:

**Table 2 – Summary Cost Estimate for Park District Including Maintenance & Recreation Improvement District for Fiscal Year 2020-21**

Total for Installation, Maintenance and Servicing	\$66,613
Capital Improvement Reserve	\$55,926
Total Improvements	\$122,539
Less Contributions from Other Sources	-\$42,017
Net amount to assessments	\$80,522

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Improvement District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Improvement District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Improvement District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is made upon the parcels or lots of land within the Improvement District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

The Assessment is subject to an annual increase tied to the Consumer Price Index-All Urban Consumers for Northern California (San Francisco-Oakland-Hayward) as of February of each succeeding year (the "CPI").

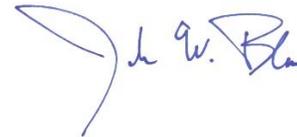
The change in the CPI from February 2019 to February 2020 was 2.906%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.906% which equates to \$161.53 per single family equivalent benefit unit in Benefit Zone A and \$177.69 in Benefit Zone B. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$161.53 in Benefit Zone A and \$177.69 in Benefit Zone B, which is equal to the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as will be shown on the Assessor's Maps of the County of Sacramento for the Fiscal Year 2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby will place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the Fiscal Year 2020-21 for each parcel or lot of land within the Improvement District.

Dated: May 6, 2020

Engineer of Work



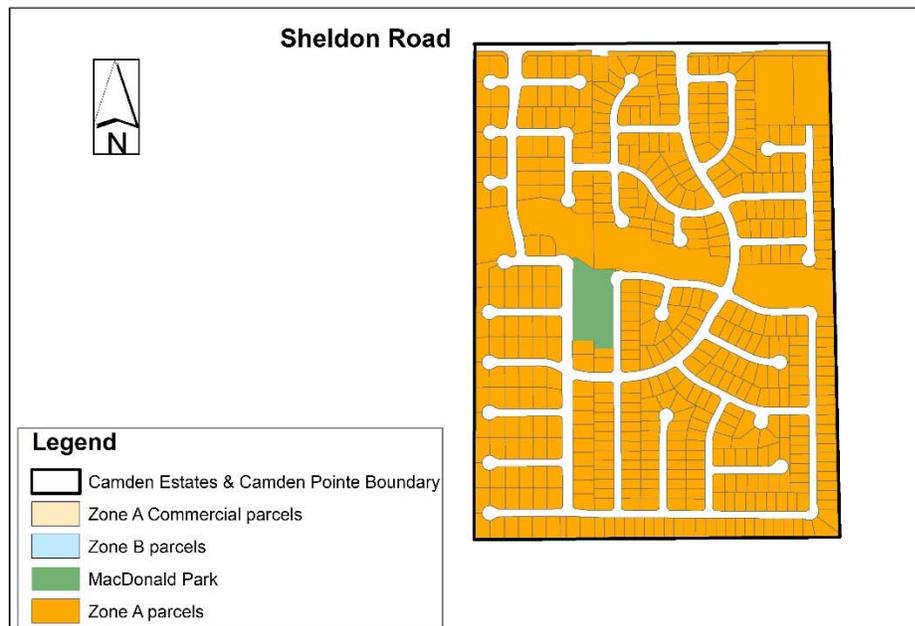
By \_\_\_\_\_

John W. Bliss, License No. C052091



# ASSESSMENT DIAGRAM

The Improvement District includes all properties within the Camden Estates & Camden Pointe area, as displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for Fiscal Year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.



NOTE: REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SACRAMENTO FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

FILED AND RECORDED IN THE OFFICE OF THE SECRETARY OF THE BOARD OF THE COSUMNES COMMUNITY SERVICES DISTRICT, COUNTY OF SACRAMENTO, CALIFORNIA, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SECRETARY OF THE BOARD

AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ FOR THE FISCAL YEAR 20\_\_-\_\_ AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF SACRAMENTO ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_. REFERENCE IS MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND.

SECRETARY OF THE BOARD

**Cosumnes Community Services District  
Camden Estates & Camden Pointe  
Assessment District  
Assessment Diagram**

Prepared by SCI Consulting Group  
4745 Mangels Blvd, Fairfield, CA 94534

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## ASSESSMENT ROLL

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) is below.

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



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**FALLBROOK / PARK LANE / BRITSCHGI PARK ASSESSMENT  
DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21  
MAY 2020

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

ENGINEER OF WORK:  
**SCIConsultingGroup**  
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FAX: 707.430.4319  
WWW.SCI-CG.COM

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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

---

**INTRODUCTION ..... 6**

    OVERVIEW ..... 6

    ASSESSMENT PROCESS ..... 7

    PROPOSITION 218 ..... 8

    COMPLIANCE WITH CURRENT LAW ..... 10

**PLANS & SPECIFICATIONS ..... 11**

**FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET ..... 13**

    INTRODUCTION ..... 13

    SUMMARY OF DISTRICT'S IMPROVEMENT PLANS ..... 13

    BUDGET FOR FISCAL YEAR 2020-21 ..... 13

**METHOD OF ASSESSMENT APPORTIONMENT ..... 15**

    METHOD OF APPORTIONMENT ..... 15

    DISCUSSION OF BENEFIT ..... 15

    BENEFIT FACTORS ..... 16

    BENEFIT FINDING ..... 17

    GENERAL VERSUS SPECIAL BENEFIT ..... 18

    CALCULATING GENERAL BENEFIT ..... 19

    ZONES OF BENEFIT ..... 21

    METHOD OF ASSESSMENT ..... 22

    RESIDENTIAL PROPERTIES ..... 24

    COMMERCIAL/INDUSTRIAL PROPERTIES ..... 24

    VACANT PROPERTIES ..... 26

    OTHER PROPERTIES ..... 26

    ANNUAL COST INDEXING ..... 27

    APPEALS OF ASSESSMENTS LEVIED TO PROPERTY ..... 27

**ASSESSMENT ..... 28**

**ASSESSMENT DIAGRAM ..... 31**

**ASSESSMENT ROLL FOR FISCAL YEAR 2020-21 ..... 32**

**LIST OF TABLES**

---

TABLE 1 - ESTIMATE OF COSTS – FALLBROOK/PARK LANE/BRITSCHGI PARK ASSESSMENT DISTRICT ..... 14

TABLE 2 – RESIDENTIAL DENSITY AND ASSESSMENT FACTORS ..... 24

TABLE 3 - COMMERCIAL/INDUSTRIAL DENSITY AND ASSESSMENT FACTORS ..... 26

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District ("District") formed the Fallbrook/Park Lane/Britschgi Park Assessment District ("Assessment District") in order to provide funding for the improvement and maintenance of parks, public landscaping and recreational facilities in the Assessment District. The new assessments also provide funding to maintain new park and recreation facilities and other public improvements for the area. The area of the Assessment District is generally located east of the railroad tracks, and includes the Fallbrook, Park Lane, and Britschgi Ranch areas, which are generally north of Porto Bella Way, south of Bond road and west of Waterman Road. The assessments for this Assessment District will be levied annually, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act").

The park, landscaping and recreation facilities that would be maintained and improved within the Assessment District (the "Improvements") are summarized as follows:

- Hill Park, 9380 Porta Rosa Dr
- Van Doren Park, 9100 Neponset Dr
- Landscape Corridors on Bond Rd and Waterman Rd
- Laguna Creek Trail

The District has been experiencing a revenue shortfall for maintaining and improving parks, landscaping and recreation facilities within the Assessment District that is primarily due to escalating costs and constrained revenues. For example, the District has been faced with significant increases in water costs, and higher costs for the maintenance and upkeep of its parks. Due to the increasing costs and its limited revenues, the District will be forced to make significant cuts in maintenance at existing facilities and new parks will not be developed because there will be insufficient funding to maintain them. Therefore, in the absence of a new local revenue source, the baseline level of park and recreation facilities in the Assessment District (the "Baseline Service") would be a deteriorating level of maintenance and upkeep of the park and recreation facilities and properties listed above and the new park and recreation facilities will not be developed.

Due to this combination of flat revenues and increased costs, the District formed the Assessment District to provide revenues for park maintenance services as well as for expanding and improving park facilities. The Assessments fund the Improvements listed below that are provided throughout the Assessment District, extending above and beyond a baseline level of service and the likely elimination of services projected for future years in the Assessment District.

## ASSESSMENT PROCESS

On August 19, 2009 the Cosumnes Community Services District Board of Directors by Resolution called for an assessment ballot proceeding and public hearing on the proposed establishment of the Fallbrook/Park Lane/Britschgi Park Assessment District.

On September 1, 2009 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the area of the Assessment District. Such notice included descriptions of the proposed assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was held October 21, 2009. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the assessments. After the close of the public input portion of the public hearing, the meeting was continued until October 26, 2009 to allow time for the returned ballots to be tabulated.

Tabulation of the returned ballots began after the close of the public input portion of the Public Hearing. It was determined at the October 26, 2009 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2009-10 and future years. The Board took action, by a Resolution passed on October 26, 2009, to approve the first year levy of the assessments for fiscal year 2009-10. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their assessments for the upcoming fiscal year, preparation of an updated Engineer's Report, a noticed public meeting at which the Engineer's Report would be preliminarily approved, publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Assessment District, the Assessment District Boundaries, a description of the Improvements to be installed and maintained, and the assessments for fiscal year 2020-21. The assessments are based on the estimated

cost to operate, maintain and service the parks, recreation areas, recreation facilities and other public lands owned by the District (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Assessment District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for Fiscal Year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller in August 2020 for inclusion on the property tax roll for Fiscal Year 2020-21.

## **PROPOSITION 218**

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

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

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

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA"). This ruling is the most current legal guidance clarifying the requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

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

This Engineer's Report has been prepared to follow the guidance provided by the SVTA decision for complying with the requirements of Article XIIC and XIID of the California Constitution. Specifically, as described in this Engineer's Report the improvements to be

funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. There have been a number of clarifications made to the analysis, findings and supporting text in this Report to ensure that this consistency is well communicated.

#### **DAHMS V. DOWNTOWN POMONA PROPERTY**

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

#### **BONANDER V. TOWN OF TIBURON**

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

#### **BEUTZ V. COUNTY OF RIVERSIDE**

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

#### **GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO**

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

## COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the assessments.

This Engineer's Report is consistent with *Beutz, Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

## PLANS & SPECIFICATIONS

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The Cosumnes Community Services District maintains parks, recreation areas and recreation facilities throughout the Fallbrook/Park Lane/Britschgi Park Assessment District.

The work and improvements (the "Improvements") to be undertaken with the Fallbrook/Park Lane/Britschgi Park Assessment District (the "Assessment District") and the cost thereof, including any debt service on bonds or other indebtedness issued for the work and improvements, paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the Improvements are generally described as follows:

Installation, maintenance and servicing of public recreational facilities and improvements, including, but not limited to, turf and play areas, playground equipment, hard court surfaces, ground cover, shrubs and trees, irrigation and sprinkler systems, landscaping, park grounds and facilities, drainage systems, lighting, fencing, entry monuments, hardcourt recreation areas, landscape corridors, trails, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Fallbrook/Park Lane/Britschgi Park Assessment District. Plans and specifications for these improvements have been filed with the General Manager of the District and are incorporated herein by reference.

As applied herein, "Installation" means the construction of recreational improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part;

(e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment. (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Assessment District plus Incidental expenses. Reference is made to the Summary of District's Improvement Plans section in the following section of this Report which specifically identifies the parks, recreation areas and other sites to be funded by the assessment proceeds and to the plans and specifications, including specific expenditure and Improvement plans by park/recreation site, which are on file with the District.

The specific permanent public facilities that would be improved and maintained within the Assessment District are listed below:

- Hill Park, 9380 Porta Rosa Dr
- Van Doren Park, 9100 Neponset Dr
- Landscape Corridors on Bond Road and Waterman Road
- Laguna Creek Trail

## FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET

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### INTRODUCTION

Following are the Improvements for the Assessment District. Improvements funded by the assessments will be used to maintain and improve existing parks within the Assessment District and improve and maintain future park sites that will be developed. The formula below describes the relationship between the final level of improvements, the existing baseline level of service, and the level of improvements for the future park site to be funded by the assessments.

<b>Final Level of Improvements</b>	<b>=</b>	<b>Baseline Level of Improvements</b>	<b>+</b>	<b>Enhanced Level of Improvements</b>
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### SUMMARY OF DISTRICT'S IMPROVEMENT PLANS

Improvements will be provided on parks and recreational lands with close proximity to all parcels in the Assessment District in order to ensure that all properties in the narrowly drawn Assessment District boundaries will receive improved proximity and access to better maintained and improved parks in their area. The multi-year improvement plan includes projects that will add new park lands and recreation facilities and trails to the District's infrastructure; replace outdated playground equipment, and improve maintenance of all parks and recreation areas to help ensure the continued beauty, usability, and accessibility of the District's parks, playfields, and open space areas.

#### IMPROVEMENT PLAN HIGHLIGHTS

- Improved park and recreation facility maintenance
- Improved maintenance of landscaped corridors and trails
- Replace aging play structures and other facilities in older parks
- Provide funds to maintain all parks in the Assessment district

### BUDGET FOR FISCAL YEAR 2020-21

The following Tables display the estimate of the cost of the Improvements that would be funded by the Assessment District in Fiscal Year 2020-21. Table 1 shows the budget for the entire Assessment District. The expenditures would be governed by the policies, criteria and requirements established within this Report, the Article and by the Act.

**TABLE 1 - ESTIMATE OF COSTS – FALLBROOK/PARK LANE/BRITSCHGI PARK ASSESSMENT DISTRICT**

	<b>Total Budget</b>
Installation, Maintenance & Servicing Costs	
Improvements	
Park Construction Costs	\$87,819
Salaries and Wages	\$0
Services & supplies	\$2,245
Operating Transfers Out	\$648,699
Contingencies	\$0
Capital Impv Reserve	-\$486,528
Totals for Installation, Maintenance and Servicing	\$252,235
Contribution from Other Sources <sup>1</sup>	(\$87,819)
Net Cost of Installation, Maintenance and Servicing to Assessment District	\$164,416
Operating Transfers In	\$0
Other Revenue	(\$7,990)
Total Park Maintenance and Recreation Improvement District Budget <sup>3</sup> (Net Amount to be Assessed)	\$156,426
Budget Allocation to Property	
Total Assessment Budget	156,426
Assessment Contribution	
Total number of benefit units	892
Assessment per Single Family Equivalent Unit	\$175.37
Total revenue from Assessments <sup>3</sup>	\$156,426

Notes to Estimate of Cost:

- As determined in the following section, at least 30% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits from the Improvements. Therefore, out of the total cost of Improvements of \$164,416, the District must contribute at least \$75,671 from sources other than the assessments. The District has built the Van Doren Park extension at an estimated cost of \$1,350,000. The cost of this park allocated over 30 years at a 5% rate of interest equals \$87,819 per year, which more than covers any general benefits from the Improvements.
- This amount is the projected ending fund balance at the end of the fiscal year. The Fund Balance shown includes operating reserves and the Capital Improvement Reserve Fund.
- The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Assessment district. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived from the Improvements to park facilities and District maintained property throughout the Assessment District, and the methodology used to apportion the total assessment to properties within the Assessment District.

The method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the Assessment District or to the public at large. Special benefit is calculated for each parcel in the Assessment District using the following process:

1. Identification of all benefit factors derived from the Improvements
2. Calculation of the proportion of these benefits that are general
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type, property characteristics, improvements on property and other supporting attributes

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit to property. This special benefit is received by property over and above any general benefits. Any and all general benefit must be funded from another source. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

*"The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."*

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

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

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A of the California Constitution.

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

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

Finally, Proposition 218 twice uses the phrase "over and above" general benefits in describing special benefit. (Art. XIID, sections 2(i) & 4(f).) The SVTA decision further clarifies that special benefits must provide a direct advantage to benefiting property and that proximity to a park is an example of a special benefit.

## **BENEFIT FACTORS**

The special benefits from the Improvements are listed below:

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

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

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPRA"), neighborhood parks in urban areas have a service area radius of generally one-half mile. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within the service radii close proximity and easy walking access to such public land areas. Since

proximate and accessible parks serve as an extension of the usable land area for property in the service radii and since the service radii was specifically designed to provide close proximity and access, the parcels within this service area clearly receive a direct advantage and special benefit from the Improvements - and this advantage is not received by other properties or the public at large.

An analysis of the service radii for the Improvements finds that all properties in the Assessment District enjoy the distinct and direct advantage of being close and proximate to park sites within the Assessment District. The benefiting properties in the Assessment District therefore uniquely and specially benefit from the Improvements.

#### **PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES**

Only the specific properties within close proximity to the Improvements are included in the Assessment District. The Assessment District was narrowly drawn to include only the benefiting parcels. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

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

#### **ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS**

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

#### **IMPROVED VIEWS**

The Assessment District, by maintaining the landscaping at its park, recreation and open space facilities provides improved views of the Improvements to the proximate properties within the Assessment District. Therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

### **BENEFIT FINDING**

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from closer proximity, access and views of improved parks, and recreation facilities funded by the Assessments. The Improvements are specifically

designed to serve local properties in the Assessment District, not other properties or the public at large. The public at large and other properties outside the Assessment District receive only limited benefits from the Improvements because they do not have proximity, good access or views of the Improvements. These are special benefits to property in the Assessment District in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.

### GENERAL VERSUS SPECIAL BENEFIT

Article XIIC of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not “particular and distinct” and are not “over and above” benefits received by other properties. The SVTA decision provides some clarification by indicating that general benefits provide “an indirect, derivative advantage” and are not necessarily proximate to the improvements.

In this Report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service. The assessment will fund Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	<b>=</b>	<b>Benefit to Real Property Outside the Assessment District</b>	<b>+</b>	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	<b>+</b>	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Assessment District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Assessment District or the public at large.

In the 2010 Beutz case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. The Assessments described and justified in this Engineer’s Report include a specific calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments for each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the Beutz decision.

## **CALCULATING GENERAL BENEFIT**

In this section, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

### **BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT**

Properties within the Assessment District receive almost all of the special benefits from the Improvements because properties in the Assessment District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements and outside of the boundaries of the Assessment District and not with a lack of proximity and access due to obstacles such as railroads or major roadways, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the Assessment District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

The properties outside the Assessment District and within the proximity radii for neighborhood parks in the Assessment District and without access obstructions such as railroads and major roadways may receive benefits from the Improvements. Since the properties outside the Assessment District but with proximity and access are not assessed for their benefits, this is a form of general benefit to the public at large and other property. A 50% reduction factor is applied to these properties because they are all geographically on only one side of the Improvements and are over twice the average distance from the Improvements compared to properties in the Assessment District. The general benefit to

property outside of the Assessment District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

<p><b><u>Criteria:</u></b></p> <p>296 parcels outside the district but within 0.5 miles of a park within the Assessment District</p> <p>888 parcels in the Assessment District</p> <p>50% relative benefit compared to property within the Assessment district</p> <p><b><u>Calculation</u></b></p> <p>General Benefit to Property Outside the Assessment District =</p> <p><math>(296/(888+296)) \cdot .5 = 12.5\%</math></p>
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Although it can reasonably be argued that Improvements inside, but near the Assessment District boundaries are offset by similar park and recreational improvements provided outside, but near the Assessment District's boundaries, we use the more conservative approach of finding that 12.5% of the Improvements may be of general benefit to property outside the Assessment District.

#### **BENEFIT TO PROPERTY *INSIDE* THE DISTRICT THAT IS *INDIRECT AND DERIVATIVE***

The "indirect and derivative" benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the Assessment District.

Nevertheless, the SVTA decision indicates there may be general benefit "conferred on real property located in the district". A measure of the general benefits to property within the Assessment area is the percentage of land area within the Assessment District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. Approximately 1.5% of the land area in the Assessment District is used for such regional purposes, so this is a measure of the general benefits to property within the Assessment District.

#### **BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Assessment District's parks and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Assessment District. Based on surveys and research conducted by SCI, less than 5% of the use of similar parks and recreation areas is by the public at large. When people

outside the Assessment district use parks, they diminish the availability of parks for people within the Assessment district. Therefore, another 5% of general benefits are allocated for people within the Assessment district. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large.

#### TOTAL GENERAL BENEFITS

Using a sum of these three measures of general benefit, we find that approximately 24% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

<b>General Benefit Calculation</b>	
	<b>12.5% (Outside the Assessment District)</b>
<b>+</b>	<b>1.5% (Inside the Assessment District – indirect and derivative)</b>
<b>+</b>	<b>10.0% (Public at Large)</b>
<b>=</b>	<b>24.0% (Total General Benefit)</b>

Although this analysis finds that 24% of the assessment may provide general benefits, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 30%. This additional allocation above the measure of general benefits will serve to provide additional coverage for any other general benefits.

The Assessment District's total budget for maintenance and improvement of its parks and recreational facilities is \$252,235. Of this total budget amount, the District will contribute \$87,819 from sources other than the assessments for the construction of the Van Doren Park extension. The estimated park construction cost of \$1,350,000 is allocated over a 30 year period at a rate of 5% interest, resulting in a general benefit of \$87,919 per year. This contribution by the District equates to approximately 35% of the total budget for maintenance and improvements and constitutes far more than the amount attributable to the general benefits from the Improvements.

#### ZONES OF BENEFIT

The boundaries of the Assessment District have been carefully drawn to only include the properties in Cosumnes Community Services District that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements. In other words, the boundaries of the Assessment District have been narrowly drawn to include only properties

that will specially benefit from the Improvements, and would receive a declining level of service if the assessments were not approved.

The SVTA decision indicates:

*In a well-drawn district — limited to only parcels receiving special benefits from the improvement — every parcel within that district receives a shared special benefit. Under section 2, subdivision (j), these benefits can be construed as being general benefits since they are not “particular and distinct” and are not “over and above” the benefits received by other properties “located in the district.”*

*We do not believe that the voters intended to invalidate an assessment district that is narrowly drawn to include only properties directly benefitting from an improvement. Indeed, the ballot materials reflect otherwise. Thus, if an assessment district is narrowly drawn, the fact that a benefit is conferred throughout the district does not make it general rather than special. In that circumstance, the characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g., proximity to park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g., general enhancement of the district’s property values).*

In the Assessment District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. Therefore, the even spread of assessment throughout the narrowly drawn district is indeed consistent with the OSA decision. The benefits from the Improvements within the Assessment District do not vary further based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity. Consequently, since all parcels in the Assessment District have good access and proximity to the Improvements and the benefits to relatively closer proximity are offset by other factors, additional proximity is not considered to be a factor in determining benefit within the Assessment District.

## METHOD OF ASSESSMENT

As previously discussed, the assessments provide comprehensive Improvements that will clearly confer special benefits to properties in the Assessment District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the Assessment District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of “traditional” assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water

systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

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

In the process of determining the appropriate method of assessment, the Engineer considered various alternatives. For example, an assessment only for all residential improved property was considered but was determined to be inappropriate because commercial, industrial and other properties also receive direct benefits from the Improvements.

Moreover, a fixed or flat assessment for all properties of similar type was deemed to be inappropriate because larger properties receive a higher degree of benefit than other similarly used properties that are significantly smaller. (For two properties used for commercial purposes, there is clearly a higher benefit provided to the larger property in comparison to a smaller commercial property because the larger property generally supports a larger building and has higher numbers of employees, customers and guests that would benefit from proximity and improved access to well maintained and improved parks and recreational facilities. So the potential population of employees or residents is a measure of the special benefits received by the property.) Larger parcels, therefore, receive an increased benefit from the assessments.

Finally, the special benefits to be derived from the assessments are conferred on property and are not based on a specific property owner's use of the improvements, or a specific property owner's occupancy of property or the property owner's demographic status such as age or number of dependents. However, it is ultimately people who value the special benefits described above and use and enjoy the Assessment District's park and recreational facilities. In other words, the benefits derived to property are related to the average number of people who could potentially live on, work at, or otherwise could use a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise use a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type and use of property, the relative

size of the property, its relative population and usage potential and its proximity to parks and recreational facilities. This method is further described below.

## RESIDENTIAL PROPERTIES

Certain residential properties in the Assessment District that contain a single residential dwelling unit are assigned one Single Family Equivalent or 1.0 SFE. Traditional houses, zero-lot line houses and town homes are included in this category of single family residential property.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the improvements in proportion to the number of dwelling units that occupy each property and the average number of people who reside in multi-family residential units versus the average number of people who reside in a single family home. The population density factors for the Fallbrook/Park Lane/Britschgi Park Assessment District, as depicted below, provide the basis for determining the SFE factors for residential properties. Using the total population in a certain property type in the area of the Assessment District from the 2000 Census and dividing it by the total number of such households, finds that approximately 3.24 persons occupy each single family residence, whereas an average of 2.48 persons occupy each multi-family residence. Using the ratio of one SFE for each single-family residence, which equates to one SFE for every 3.24 persons, 0.29 SFE would equate to one multi-family unit or 0.29 SFE for every 2.48 residents. Likewise, each condominium unit receives 0.56 SFE, each Duplex, Triplex, Fourplex receives 0.39 and each mobile home receives 0.18 SFE.

**TABLE 2 – RESIDENTIAL DENSITY AND ASSESSMENT FACTORS**

	<i>Total</i>	<i>Occupied</i>	<i>Persons per</i>	<i>Pop. Density</i>	<i>SqFt</i>	<i>SFE</i>
Source: 2000 Census, City of Elk Grove	<i>Population</i>	<i>Households</i>	<i>Household</i>	<i>Equivalent</i>	<i>Factor</i>	<i>Factor</i>
Single Family Residential	67,969	20,948	3.24	1.00	1.00	1.00
Condominium	2,533	793	3.19	0.98	0.57	0.56
Duplex, Triplex, Fourplex	1,031	418	2.47	0.76	0.51	0.39
Multi-Family Residential (5+ Units)	1,391	560	2.48	0.77	0.38	0.29
Mobile Home on Separate Lot	743	398	1.87	0.58	0.32	0.18

The single family equivalency factor of 0.29 per dwelling unit for multifamily residential properties applies to such properties with 20 or fewer units. Properties in excess of 20 units typically offer on-site recreational amenities and other facilities that tend to offset some of the benefits provided by the improvements. Therefore the benefit for properties in excess of 20 units is determined to be 0.29 SFE per unit for the first 20 units and 0.10 SFE per each additional unit in excess of 20 dwelling units.

## COMMERCIAL/INDUSTRIAL PROPERTIES

SFE values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the

average commercial/industrial property. The SFE values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, the average number of people residing in a single family home in the area is 3.24. Since the average lot size for a single family home in the Park District is approximately 0.30 acres, the average number of residents per acre of residential property is 10.80.

The employee density per acre is generally 2 times the population density of single family residential property per acre (24 employees per acre / 10.80 residents per acre). Therefore, the average employee density can be used as the basis for allocating benefit to commercial or industrial property since a commercial/industrial property with 2 employees receives generally similar special benefit to a residential property with 1 resident. This factor of equivalence of benefit between 1 resident to 2 employees is the basis for allocating commercial/industrial benefit. Table 3 below shows the average employees per acre of land area or portion thereof for commercial and industrial properties and lists the relative SFE factors per quarter acre for properties in each land use category.

Commercial and industrial properties in excess of 5 acres generally involve uses that are more land intensive relative to building areas and number of employees (lower coverage ratios). As a result, the benefit factors for commercial and industrial property land area in excess of 5 acres is determined to be the SFE rate per fifth acre for the first 5 acres and the relevant SFE rate per each additional acre over 5 acres.

Institutional properties that are used for residential, commercial or industrial purposes are also assessed at the appropriate residential, commercial or industrial rate.

TABLE 3 - COMMERCIAL/INDUSTRIAL DENSITY AND ASSESSMENT FACTORS

	<b>Average</b>	<b>SFE Units</b>	<b>SFE Units</b>
<b>Type of Commercial/Industrial</b>	<b>Employees</b>	<b>per</b>	<b>per</b>
<b>Land Use</b>	<b>Per Acre <sup>1</sup></b>	<b>Fraction Acre <sup>2</sup></b>	<b>Acre After 5</b>
Commercial	24	0.500	0.500
Office	68	1.420	1.420
Shopping Center	24	0.500	0.500
Industrial	24	0.500	0.500
Self Storage or Parking Lot	1	0.021	

1. Source: San Diego Association of Governments Traffic Generators Study.

2. The SFE factors for commercial and industrial parcels are applied by the fifth acre of land area or portion thereof. (Therefore, the minimum assessment for any assessable parcel in these categories is the SFE Units listed herein.)

### VACANT PROPERTIES

The benefit to vacant properties is determined to be proportional to the corresponding benefits for similar type developed properties; however, at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to improvements for developed property. An analysis of the Fiscal Year 2008-09 assessed valuation data from the County of Sacramento, found that 30% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 30% of the benefits are related to the underlying land and 70% are related to the improvements and the day-to-day use of the property. Using this ratio, the SFE factor for vacant parcels is 0.30 per parcel.

### OTHER PROPERTIES

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests and have limited economic value. These miscellaneous parcels receive minimal benefit from the improvements and are assessed an SFE benefit factor of 0.

## **ANNUAL COST INDEXING**

It should also be noted that, if the assessments are approved, the maximum assessment rate within the Assessment District may increase in future years by an amount equal to the annual change in the San Francisco Bay Area Consumer Price Index.

## **APPEALS OF ASSESSMENTS LEVIED TO PROPERTY**

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Engineer or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

## ASSESSMENT

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WHEREAS, this Engineer's Report (the "Report") has been prepared pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act") and Article XIID of the California Constitution; and

WHEREAS, the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution and the order of the Board of the Cosumnes Community Services District, hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Assessment District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The assessment is subject to an annual adjustment tied to the amount equal to the annual change in the San Francisco Bay Area Consumer Price Index.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

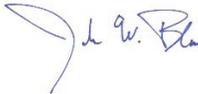
The change in the CPI from February 2019 to February 2020 was 2.91%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.91% which equates to \$175.37 per single family equivalent benefit unit. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$175.37, which is equal to the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Sacramento for the fiscal year

2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County. I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the Assessment District.

Dated: May 6, 2020

Engineer of Work



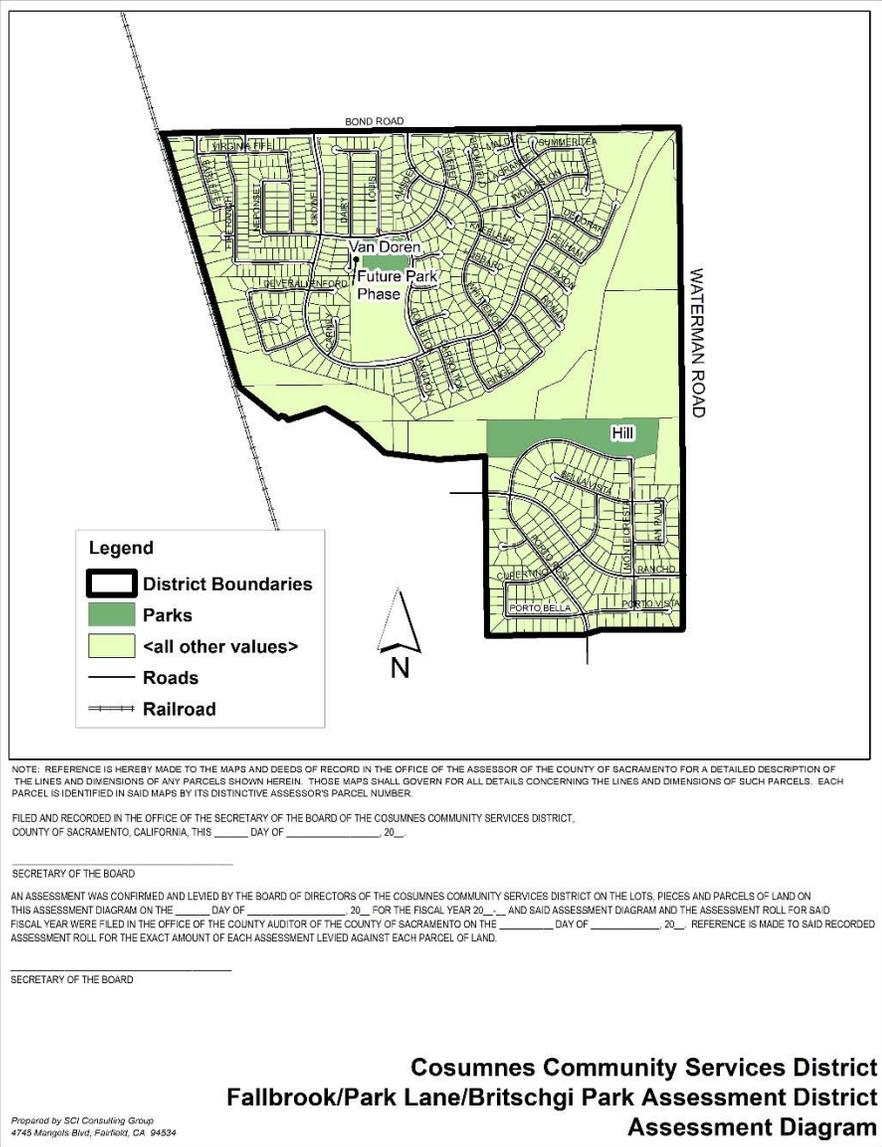
By \_\_\_\_\_  
John W. Bliss, License No. C052091



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# ASSESSMENT DIAGRAM

The Assessment District includes all properties within the boundaries of Fallbrook/Park Lane/Britschgi Park Assessment District. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for fiscal year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report



## ASSESSMENT ROLL FOR FISCAL YEAR 2020-21

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**HAMPTON VILLAGE IMPROVEMENT DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21

MAY 2020

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

ENGINEER OF WORK:

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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

---

**INTRODUCTION ..... 1**

    OVERVIEW ..... 1

    ASSESSMENT BACKGROUND..... 1

    ASSESSMENT PROCESS ..... 2

    LEGAL REQUIREMENTS ..... 3

**PLANS & SPECIFICATIONS ..... 4**

**FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET ..... 6**

    BUDGET FOR FISCAL YEAR 2020-21 ..... 6

**METHOD OF ASSESSMENT APPORTIONMENT ..... 8**

    METHOD OF APPORTIONMENT ..... 8

    DISCUSSION OF BENEFIT ..... 8

    BENEFIT FACTORS..... 9

    BENEFIT FINDING..... 11

    GENERAL VERSUS SPECIAL BENEFIT ..... 11

    CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS..... 12

    ZONES OF BENEFIT..... 15

    METHOD OF ASSESSMENT..... 16

    RESIDENTIAL PROPERTIES ..... 17

    COMMERCIAL/INDUSTRIAL PROPERTIES..... 17

    VACANT/UNDEVELOPED PROPERTIES..... 18

    OTHER PROPERTIES ..... 18

    ANNUAL COST INDEXING ..... 19

    APPEALS OF ASSESSMENTS LEVIED TO PROPERTY..... 19

    ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA..... 19

    OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY ..... 19

**ASSESSMENT ..... 21**

**ASSESSMENT DIAGRAM..... 23**

**ASSESSMENT ROLL ..... 25**

**LIST OF TABLES**

---

TABLE 1 – ESTIMATE OF COSTS AND REVENUES..... 6

TABLE 2 – SUMMARY COST ESTIMATE FOR PARK DISTRICT INCLUDING MAINTENANCE &  
RECREATION IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-21..... 21

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District ("District") is a public agency that is responsible for operating and maintaining parks, creeks, streams, open spaces, recreation facilities and recreation programs within its jurisdictional service area. The District's service area for its parks and recreation services encompasses the City of Elk Grove and the unincorporated areas in Sacramento County east, west and south of the City. In addition, the District provides fire and emergency medical services to its park service area, plus the City of Galt.

The District does not receive any revenues from property taxes. In 1994, the District formed a benefit assessment district, the District Wide Landscape and Lighting Assessment District, with 13 benefit zones, to provide funding for the creation, maintenance, improvement and servicing of local parks and recreation facilities within its park service areas. This Assessment District, which was established prior to the approval of Proposition 218 in 1996, was reconfirmed and continued in an assessment ballot proceeding conducted in 1997.

### ASSESSMENT BACKGROUND

The District is primarily funded by the assessment described above. The Waterman/Park Village benefit zone 9 includes three geographically separate areas, namely, Camden, Fallbrook, and Hampton Village. Over the years, operational costs, including utility costs, have increased. By 2009, expenses exceeded revenues in zone 9, and the District introduced a separate funding measure for each of the three areas in this zone to allow the services to be continued at the same level as before.

The funding measures passed for Camden and Fallbrook, but did not pass for Hampton Village. Therefore, the District was forced to reduce services to the Hampton Village area, specifically to McConnell Park, which is a neighborhood park, and the landscaped area along Hampton Oak Drive. Since that time, the grass area at the park where the ball field used to be died, and the landscaping along Hampton Oak Drive deteriorated. In addition, the playground equipment at the park was reaching the end of its useful life but there were insufficient funds available to replace it. These conditions are the base line level of service.

The purpose of the Hampton Village Improvement District funding measure, which was in addition to the District-wide assessment described above, is to increase the level of service by making improvements to McConnell Park and the landscaping along Hampton Oak Drive, as well as by establishing enough funding to replace the playground equipment at the park when needed, and improving the ongoing maintenance of both the park and the landscaping.

If the funding from the assessment had not been approved, the District would have been forced to further reduce park maintenance and postpone facilities upgrades, resulting in a continuing deterioration of park maintenance and facilities, as well as further deterioration of the landscape corridor.

## ASSESSMENT PROCESS

On February 3, 2016 the Cosumnes Community Services District Board of Directors by Resolution called for an assessment ballot proceeding and public hearing on the proposed establishment of the Hamilton Village Improvement District.

On February 17, 2016 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the area of the Improvement District. Such notice included descriptions of the proposed assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was held April 6, 2016. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the assessments.

Tabulation of the returned ballots began after the close of the public input portion of the Public Hearing. It was determined at the April 6, 2016 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2016-17 and future years. The Board took action, by a Resolution passed on April 6, 2016, to approve the first year levy of the assessments for fiscal year 2016-17. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their assessments for the upcoming fiscal year, preparation of an updated Engineer's Report, a noticed public meeting at which the Engineer's Report would be preliminarily approved, publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Improvement District, the Improvement District Boundaries, a description of the Improvements to be installed and maintained, and the assessments for fiscal year 2020-21. The assessments are based on the estimated cost to operate, maintain and service the parks, recreation areas, recreation facilities and other

public lands owned by the District (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Improvement District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2020-21.

## LEGAL REQUIREMENTS

### PROPOSITION 218

This assessment must comply with Proposition 218, "The Right to Vote on Taxes Act," which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIII C and XIII D of the California Constitution. Article XIII D, Section 4 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which provide special benefits to the assessed property.

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

## PLANS & SPECIFICATIONS

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The Cosumnes Community Services District maintains park facilities in locations throughout its boundaries, including McConnell Park in the Hampton Village area, and the landscape corridor along Hampton Oak Drive. The work and Improvements to be undertaken by the Cosumnes Community Services District's Hampton Oaks Improvement District and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the Improvement District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and Improvements are generally described as follows:

The installation, maintenance and servicing of public recreational facilities and improvements, may include, but are not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Cosumnes Community Services District. For a list of the Improvements which are initially planned, see the following page.

As applied herein, "Installation" means the construction of the Improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, parking lots, sidewalks and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

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

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

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant

to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Improvement District plus incidental expenses. Projects initially identified to be accomplished with the assessment proceeds include:

Improvements to McConnell Park:

- Repairs to benches, drinking fountain, and sidewalks
- Graffiti removal
- Addition of the following amenities:
  - Shaded picnic area
  - McConnell Park sign
  - Nature garden
  - Half basketball court
  - Adult fitness equipment
  - Walking trail
- Removal of dead trees as necessary
- Replacement of the playground equipment when necessary

Improvements along Hampton Oak Drive:

- Improve landscaping
- Removal of dead trees as necessary
- Install new entry sign at E. Stockton Blvd.

## FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2020-21

The following budget shows the cost of the Improvements that would be funded by the Improvement District in Fiscal Year 2020-21.

**Table 1 – Estimate of Costs and Revenues**

	Total Budget
Installation, Maintenance & Servicing Costs	
Improvements	
Operating transfers out	\$95,231
Salaries and wages	\$0
Services and supplies	\$12,920
Loan from within CCSD	\$0
Incidentals <sup>1</sup>	\$0
Total for Installation, Maintenance and Servicing	\$108,151
Capital Improvement Reserve	\$0
Total Improvements	\$108,151
Less:	
Contributions which can fund general benefit and/or benefit to properties outside the District <sup>2</sup>	\$10,925
Other income	\$17,339
Total other contributions to general/special benefits	\$28,264
Total Park Maintenance and Recreation Improvement District Budget <sup>3</sup> (Net Amount to be Assessed)	\$79,887
Budget Allocation to Property	
Total Assessment Budget	79,887
Assessment Contribution	
Number of benefit units In Benefit Zone A	484.9
Number of benefit units In Benefit Zone B	39.0
Total number of benefit units	523.9
Assessment per Equivalent Dwelling Unit in Zone A <sup>4</sup>	\$152.64
Assessment per Equivalent Dwelling Unit in Zone B <sup>4</sup>	\$155.30
Total revenue from Assessments	\$79,887

**NOTES TO ESTIMATE OF COSTS:**

1. Estimated fiscal year 2020-21 incidental costs include assessment administration, county charges for inclusion of assessments on property tax bills and other incidental costs.
2. As determined in the following section, at least 12.5% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits and/or benefit to properties outside the Improvement District from the Improvements. Therefore, out of the total cost of Improvements of \$108,151 the District must provide contributions of at least \$13,519 from sources other than the assessments. The District will provide contributions of \$28,264 which more than covers any general benefits from the Improvements.
3. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Improvement District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.
4. The rate shown here is for a single family home or its equivalent. For the definition of the term EDU and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived from the Improvements to park facilities and District maintained property, throughout the Improvement District, and the methodology used to apportion the total assessment to properties within the Improvement District.

The method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the Improvement District or to the public at large. Special benefit and the Assessments are calculated for each parcel in the Improvement District using the following process:

1. Identification of special benefit factors derived from the Improvements
2. Calculation and quantification of the general benefits
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Apportionment of the costs to Assessment and calculation of the Assessment for each individual parcel based upon special benefit; location, property type, property size, property characteristics, improvements on property and other supporting attributes.

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit conferred to property by the Improvements. This special benefit is received by property over and above any general benefits. Any and all general benefit must be funded from another source. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

*The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California].*

Article XIID, Section 4 of the California Constitution states that assessments must be based on the special benefit conferred to property and that, "No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A or XIII C of the California Constitution.

A special benefit is a service or improvement that provides a direct advantage to a parcel. For example, park improvements may be viewed as a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment.

## **BENEFIT FACTORS**

The special benefits from the Improvements increase the utility, functionality and desirability of the assessed properties, and are listed below:

### **PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES**

Only the specific properties within close proximity to the Improvements are included in the Improvement District. The Improvement District was narrowly drawn to include only the benefiting parcels. Therefore, property in the Improvement District enjoys unique and valuable proximity (and access, as described in the next section) to the Improvements that the public at large and property outside the Improvement District do not share.

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

### **ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS**

The main entrance to McConnell Park and the Hampton Village area is via Hampton Oak Drive. Properties to the north and west of the boundary do not enjoy the same access because the streets do not go through to the Hampton Village area. Properties to the south are separated from the park and the landscaping by a high fence. The properties in the Improvement District all use Hampton Oak Drive to access their property, but those outside of it do not. Therefore, the properties in the boundaries of the assessment enjoy unique access to Hampton Oak Drive and McConnell Park.

There are some parcels to the northeast which are outside the Improvement District that may enjoy some access to the Improvements, but are outside the assessment district boundary. These parcels are within the service area of the park, but since they are accessed via roads other than Hampton Oak Drive, they do not receive any special benefits from the landscaping along Hampton Oak Drive. In addition, the design and direct access to the park is geared toward the properties in Hampton Village, not to the properties on Iron Rock Way.

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

### **IMPROVED VIEWS**

The Improvement District, by maintaining the landscaping at its park, recreation facilities and landscape corridor provides improved views of the Improvements to the proximate properties within the Improvement District. Everyone who lives in the Improvement District drives by, and is able to view, the landscape corridor on Hampton Oak Drive on their way to and from Hampton Village. Because of the unique character of Hampton Village, with very little access other than Hampton Oaks Drive from the areas surrounding it, there is no traffic just passing through the area, and therefore the park is viewed only by property owners, other residents, and visitors. Therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Improvement District.

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

In large part because it is cost prohibitive to provide large open land areas on property in the Improvement District, the residential, commercial and other benefiting properties in the Improvement District do not have large outdoor areas and green spaces. The Improvements to the park in the Improvement District will provide these larger outdoor areas that serve as an effective extension of the land area for properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements, as described above. The Improvements, therefore, will provide an important, valuable and desirable extension of usable land area and neighborhood-serving amenities for the direct advantage and special benefit of properties within the Improvement District.

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPRA"), neighborhood parks in urban areas have a service area radius of generally one-half mile. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within the service radii close proximity and easy walking access to such public land areas. Since proximate and accessible parks serve as an extension of the usable land area for property

in the service radii, and since the service radii was specifically designed to provide close proximity and access to neighborhood parks and public land areas, the parcels within the Improvement District clearly receive a direct advantage and special benefit from the Improvements. This advantage is not received by other properties or the public at large. In the case of McConnell Park, the service area is reduced from this standard to include only the assessed parcels because of the unique characteristics described above, whereby access from other surrounding parcels is limited.

An analysis of the service radii for the Improvements finds that all properties in the Improvement District enjoy the distinct and direct advantage of being close and proximate to the park and landscape corridor within the Improvement District. The benefiting properties in the Improvement District therefore uniquely and specially benefit from the Improvements.

### **BENEFIT FINDING**

In summary, real property located within the boundaries of the Improvement District distinctly and directly benefits from the effectively extended outdoor areas and green spaces; as well as closer proximity, access to and views of the improved park, recreation facilities, landscaping, and other public resources funded by the Assessments.

### **GENERAL VERSUS SPECIAL BENEFIT**

Article XIID, Section 4(a) of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. Property may be assessed to fund improvements to the extent of the special benefits conferred by the Improvements; but general benefits are not assessable. Accordingly, a separate estimate of the special and general benefit is given in this section.

Article XIID never defines the term “general benefit.” The definition of special benefit in Section 2(i) includes the statement that general enhancement of property value does not constitute special benefit. General benefit may be described as “an indirect, derivative advantage” resulting from the improvements. One infers from Article XIID that all benefit is either general or special.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for quantifying the amount of any general benefit that is identified.

In this Report, the general benefit is first identified, conservatively (i.e., generously) estimated, and then budgeted so that it is funded by sources other than the Assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service, which is funded primarily by the existing District-wide assessment. The Assessment funds Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” A special benefit is conferred to a property if the property “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Improvement District have close and unique proximity, views of and access to the Improvements, and uniquely improved desirability from the Improvements, and other properties and the public at large do not receive such benefits because they do not have proximity, access to or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and only minimal general benefit is conferred on property outside the Improvement District or the public at large.

In the 2010 *Beutz* case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. This Engineer’s Report includes a specific, quantified calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments to the special benefits conferred on each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the *Beutz* decision.

**CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS**

In this section, the general benefit and special benefit not paid from the assessment, which must be paid from other funds, are conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

### **BENEFIT TO PROPERTY OUTSIDE THE IMPROVEMENT DISTRICT**

Properties within the Improvement District receive almost all of the special benefits from the Improvements, because properties in the Improvement District enjoy unique and close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. This is because there are no streets into or out of most of Hampton Village other than via Hampton Oak Drive. People in the surrounding areas cannot drive into Hampton Village without taking an inconvenient, roundabout route. Moreover, there are other parks that are easier for them to access.

There are certain properties that are located outside the boundaries of the Improvement District on the northeast side but which within the proximity/access radius of the Improvements and that do not lack access due to obstacles such as fences or major roadways. These properties may receive some benefit from the Improvements. The amount of benefit conferred to properties just outside the Improvement District boundaries, must be deducted from the total benefit and not assessed to property in the Improvement District.

A 50% reduction factor is applied to the benefit received by these properties because they are all geographically on only one side of the Improvements. Additionally, to access the Improvements they would have to drive twice the average distance from the Improvements compared to properties in the Improvement District. In addition, the proximity of the large Elk Grove Regional Park, which is outside the Improvement District, provides a more convenient and attractive venue to these properties than does McConnell Park. The benefit to property outside of the Improvement District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

#### **Assumptions:**

23 parcels outside the district but within the proximity/access radius of McConnell Park  
 529 parcels in the Improvement District  
 50% relative benefit compared to property within the Improvement District

#### **Calculation**

Benefit to property outside the Improvement District =  $(23 / (23 + 529)) * 0.5 = 2.1\%$

Although it can reasonably be argued that Improvements inside, but near the Improvement District boundaries are offset by similar park and recreational improvements provided outside, but near the Improvement District's boundaries, we use the more conservative approach of finding that 2.1% of the Improvements may be of benefit to property outside the Improvement District.

### **BENEFIT TO PROPERTY INSIDE THE DISTRICT THAT IS INDIRECT AND DERIVATIVE**

The "indirect and derivative" benefit to property within the Improvement District is particularly difficult to calculate. A solid argument can be presented that all benefit within the

Assessment District is special, because the Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity, access to and views of the Improvements enjoyed by benefiting properties in the Assessment District.

#### **BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Improvement District’s park and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Improvement District. Based on surveys and research conducted by SCI, in which visitors to similar parks; at various times of the day, evening, and week; were asked to look at a District map and to identify whether they lived or worked within the park’s District, less than 5% of the use of similar parks and recreation areas is by the public at large. When people outside the Improvement District use parks, they diminish the availability of parks for people within the Improvement District. Therefore, another 5% of general benefits are allocated for people within the Improvement District. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large.

#### **TOTAL GENERAL BENEFITS AND SPECIAL BENEFITS PAID FROM OTHER FUNDS**

Using a sum of these three measures of general benefit, we find that approximately 12.1% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the Assessments.

General Benefit and Special Benefit Paid From Other Funds =

$$\begin{aligned}
 & 2.1\% \text{ (Outside the district)} \\
 + & 0.0\% \text{ (Inside the district - indirect and derivative)} \\
 + & 10.0\% \text{ (Public at Large)} \\
 \\ 
 = & 12.1\% \text{ (Total General Benefit and Special Benefit paid from other funds)}
 \end{aligned}$$

Although this analysis finds that 12.1% of the Assessment may provide general benefits and special benefit that would need to be paid from funds other than the assessment, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the Assessments of 12.5%. This additional allocation above the measure of general benefits will serve to provide additional coverage for any other general benefits.

This general benefit and special benefit contribution paid from other funds is the sum of the following components:

The City of Elk Grove owns, maintains, rehabilitates and replaces the curb and gutter along the border of the Assessment District’s Improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City of Elk Grove towards general benefit from the

maintenance, rehabilitation, and replacement of the curb and gutter is conservatively estimated to be 4.3%.

The City of Elk Grove owns and maintains a storm drainage system along the border of the Assessment District's Improvements. This system serves to prevent flooding and associated damage to the Improvements, and manage urban runoff including local pollutants loading from the Improvements. The contribution from the City of Elk Grove towards general benefit from the maintenance, and operation of the local storm drainage system is conservatively estimated to be 1.7%.

The City of Elk Grove owns and maintains local public streets along the border of the Assessment District's Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City of Elk Grove towards general benefit from the maintenance of local public streets is conservatively estimated to be 4.3%.

The value of the survey conducted to determine the feasibility of a local funding measure, and ballot measure conducted to obtain the funding for the construction and maintenance of the Improvements, can be quantified and monetized as an annuity to be amortized over 10 years. Since the survey and balloting were performed and paid for by non-assessment funds, this "annuity" can be used to offset general benefit costs, and is conservatively estimated to contribute 1.9%.

In addition, the tennis court at the park was converted to a futsal court using private funds, at a cost of \$10,000. Since the futsal court was paid for by non-assessment funds, this "annuity," which will be amortized over 20 years, can be used to offset general benefit costs, and is conservatively estimated to contribute 1.2%.

A total of \$28,264 from other sources is included in the budget to pay for this general benefit requirement. This totals 26.1%, which is more than the amount required of 12.5%.

## ZONES OF BENEFIT

The boundaries of the Improvement District have been carefully drawn to only include the properties in Cosumnes Community Services District that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding and outside the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements and/or they do not enjoy the same access, due to roads that don't go through and/or fences, as described earlier in this Report. In other words, the boundaries of the Improvement District have been narrowly drawn to include only properties that will specially benefit from the Improvements, and would receive a declining level of service if the Assessments were not approved.

In the Improvement District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. For the most part, the benefits from the Improvements within the Improvement

District do not vary based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity.

However, the properties in very close proximity to the landscape corridor along Hampton Oak Drive do receive some additional benefit, due to the views provided to those homes, particularly from the second floor windows on those properties. Therefore, the majority of the parcels in the Improvement District are in assigned to what will be known as Benefit Zone A, and the properties which enjoy this increased special benefit from the landscape corridor will be assigned to what will be known as Benefit Zone B.

The increased special benefit in Benefit Zone B is calculated as follows:

The special benefit conferred to the properties within the Improvement District is derived approximately 80% from the park improvements and 20% from the improved landscaping along Hampton Oak Drive. The Engineer has determined that the increase in the special benefits enjoyed by the parcels in Benefit Zone B, due to direct but limited views of the improved landscaping along Hampton Oak Drive, is 10%. By multiplying the additional 10% special benefit by the 20% of the benefit derived from the improved landscaping, the increased benefit to the properties in Benefit Zone B is calculated to be 2% (10% times 20%). Therefore, the rate applied to Benefit Zone B is 102% (100% plus 2%) times the rate in Benefit Zone A.

## METHOD OF ASSESSMENT

As previously discussed, the Assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the Improvement District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the Improvement District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of "traditional" assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

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

in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Equivalent Dwelling Unit or one EDU.

Not only residential improved property will be assessed, because commercial, industrial and other properties also receive direct benefits from the Improvements, and will be assessed.

A fixed or flat assessment is used for all single family residential properties regardless of occupancy or parcel size. Assessments on multi-family residential parcels vary based on the number of dwelling units. Assessments on commercial and industrial property are levied on an acreage basis because larger properties generally support larger buildings and have higher numbers of employees, customers and guests who would benefit from proximity and improved access to well-maintained and improved parks, landscaping and recreational facilities.

Finally, the special benefits to be derived from the Assessments will be conferred on property and are not based on a specific property owner's use of the Improvements, a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. The benefits derived to property are related to the average number of people who could potentially live on, work at, or otherwise could occupy a property, not how the property is currently used by the present owner. Therefore, the number of people who could or potentially live on, work at or otherwise occupy a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type of property, the relative size of the property, property location, its relative population and its proximity to parks and recreational facilities. This method is further described below.

## **RESIDENTIAL PROPERTIES**

All improved residential properties represent a single residential dwelling unit and are assigned 1.00 EDU per dwelling unit. Traditional houses, zero-lot line houses, and townhomes are included in this category.

## **COMMERCIAL/INDUSTRIAL PROPERTIES**

EDU values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The EDU values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the

average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, Census data shows that the average number of people residing in a single family home in the area is 2.55. Since the average lot size for a single family home in the Improvement District is approximately one fifth of an acre, the average number of residents per acre of residential property is 12.75.

The employee density per acre is generally 1.9 times the population density of single family residential property per acre (24 employees per acre / 12.75 residents per acre). Therefore, the average employee density can be used as the basis for allocating benefit to commercial or industrial property since a commercial/industrial property with 1.9 employees receives generally similar special benefit to a residential property with 1 resident. This factor of equivalence of benefit between 1 resident to 1.9 employees is the basis for allocating commercial/industrial benefit. Commercial and industrial property will therefore be assigned 0.5 EDU per one-fifth acre or portion thereof.

#### **VACANT/UNDEVELOPED PROPERTIES**

The Improvements will make the land in the Improvement District more desirable and useable. The benefit to undeveloped properties is determined to be proportional to the corresponding benefits for similar type developed properties, but at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to Improvements for developed property. An analysis of the assessed valuation data from the County of Sacramento found that approximately 30% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 30% of the benefits are related to the underlying land and 70% are related to the improvements and the day-to-day use of the property. Using this ratio, the EDU factor for vacant/undeveloped parcels is 0.30 per parcel.

#### **OTHER PROPERTIES**

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the Assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests, who would have access to or use the Improvements. These miscellaneous parcels

therefore receive no benefit from the Improvements and are assessed an EDU benefit factor of 0 EDUs.

### **ANNUAL COST INDEXING**

It should also be noted that, if the Assessments are approved, the maximum assessment rate within the Improvement District may increase in future years based on the annual increase, if any, in the Northern California (San Francisco-Oakland-San Jose) Consumer Price Index-All Urban Consumers (the "CPI").

### **APPEALS OF ASSESSMENTS LEVIED TO PROPERTY**

Any property owner who feels that the assessment levied on their property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Administrator or his or her designee. Any such appeal is limited to correction of an assessment during the then current Fiscal Year and applicable law. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Administrator or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

### **ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA**

The net available Assessment funds, after incidental, administrative, financing and other costs, shall be expended exclusively for Improvements within the boundaries of the Improvement District and appropriate incidental and administrative costs as defined in the Plans and Specifications section.

### **OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY**

The Assessment proceeds and expenditures will be annually audited by an independent auditing entity. The results of the audit will be publicly reviewed at a public meeting of the District. The Assessment proceeds and expenditures will also be reviewed and overseen by the District Board. In addition, the Assessment budget, Assessment rate, Assessment CPI increase, and Improvements will be reviewed at a noticed public hearing by the Board and public.

In general, the public review and accountability process is as follows: The Assessments will not automatically continue and will require specific actions, reports and procedures for continuation. In each subsequent year for which the Assessments will be levied, the Board must preliminarily approve at a public meeting a budget and costs for the upcoming Fiscal Year's Improvements, an updated annual Engineer's Report, and an updated Assessment

roll listing all parcels and their Assessments. At this meeting, the Board will also call for the publication in a local newspaper of a legal notice of the intent to continue the Assessments for the next Fiscal Year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Board prior to the Board's decision on ordering the Improvements and the Assessments for the next Fiscal Year.

## ASSESSMENT

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**WHEREAS**, the Board of Directors of the Cosumnes Community Services District directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Improvement District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Improvement District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Board of the Cosumnes Community Services District, hereby makes the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Improvement District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the Improvement District for the Fiscal Year 2020-21 is generally as follows:

**Table 2 – Summary Cost Estimate for Park District Including Maintenance & Recreation Improvement District for Fiscal Year 2020-21**

Total for Installation, Maintenance and Servicing	\$108,151
Capital Improvement Reserve	\$0
Total Improvements	\$108,151
Less Contributions from Other Sources	-\$28,264
Net amount to assessments	\$79,887

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Improvement District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Improvement District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Improvement District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is made upon the parcels or lots of land within the Improvement District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

The Assessment is subject to an annual increase tied to the Consumer Price Index-All Urban Consumers for Northern California (San Francisco-Oakland-San Jose) as of February of each succeeding year (the "CPI").

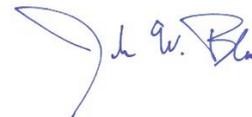
The change in the CPI from February 2019 to February 2020 was 2.906%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.906% which equates to \$152.26 per single family equivalent benefit unit in Benefit Zone A and \$155.30 in Benefit Zone B. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$152.26 in Benefit Zone A and \$155.30 in Benefit Zone B, which is equal to the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as will be shown on the Assessor's Maps of the County of Sacramento for the Fiscal Year 2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby will place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the Fiscal Year 2020-21 for each parcel or lot of land within the Improvement District.

Dated: May 6, 2020

Engineer of Work



By \_\_\_\_\_

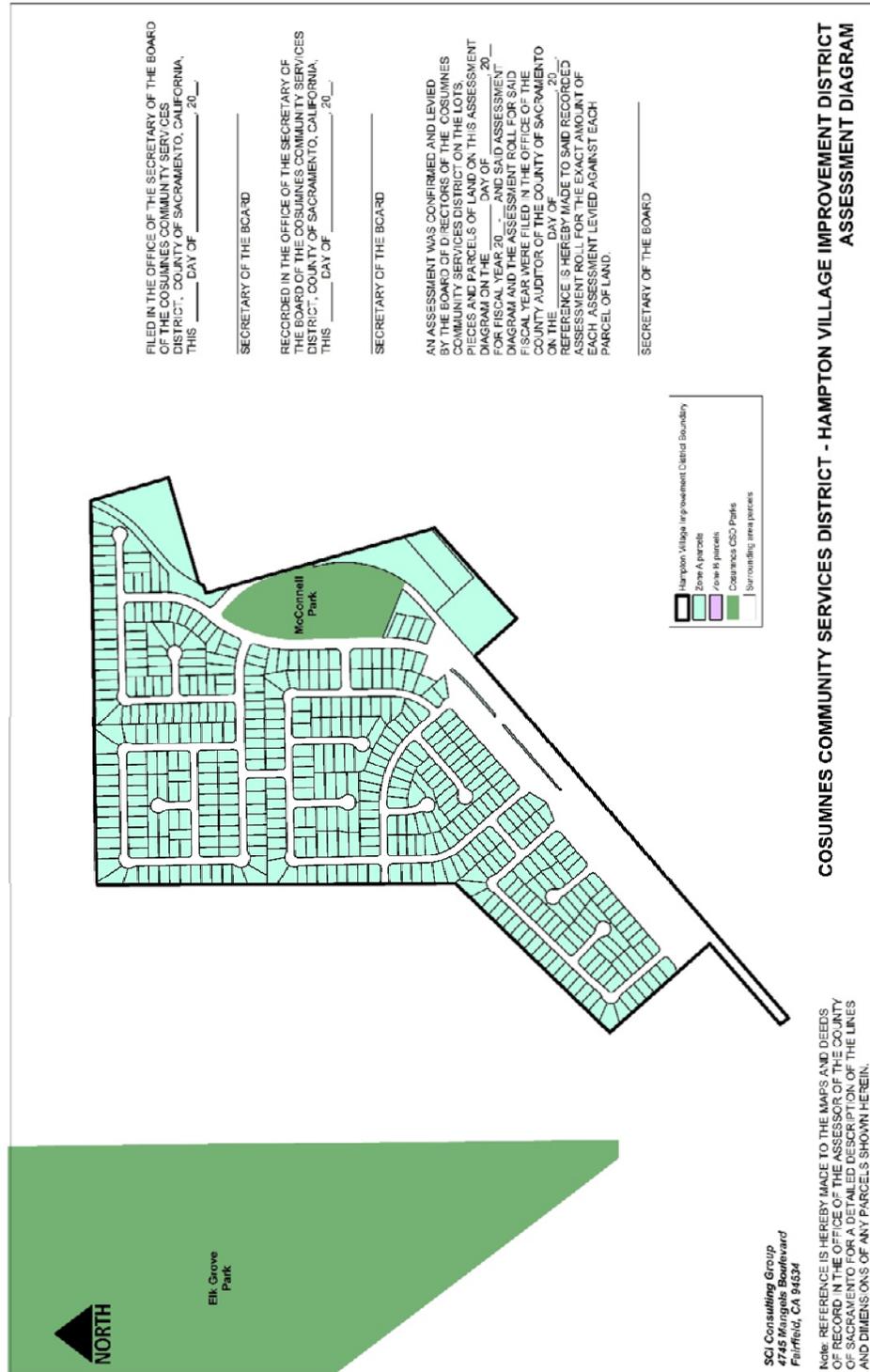
John W. Bliss, License No. C052091



## ASSESSMENT DIAGRAM

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The Improvement District includes all properties within the Hampton Village area, as displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for Fiscal Year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.

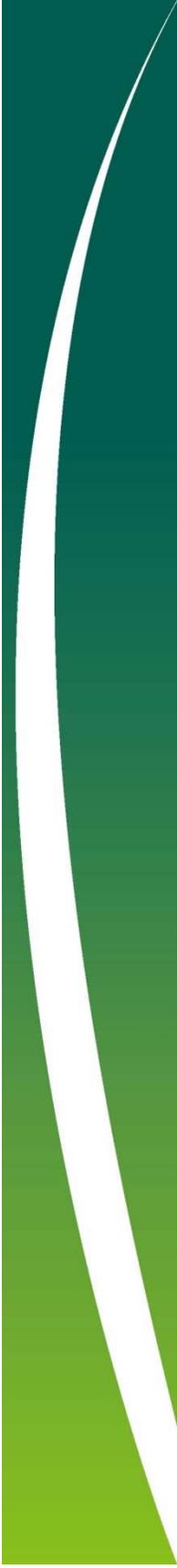


## ASSESSMENT ROLL

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**PERRY RANCH IMPROVEMENT DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21

MAY 2020

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

ENGINEER OF WORK:

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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

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Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **ACTING GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

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**INTRODUCTION ..... 1**

    OVERVIEW ..... 1

    ASSESSMENT BACKGROUND..... 1

    ASSESSMENT PROCESS ..... 2

    LEGAL REQUIREMENTS ..... 3

**PLANS & SPECIFICATIONS ..... 4**

**FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET ..... 6**

    BUDGET FOR FISCAL YEAR 2020-21 ..... 6

**METHOD OF ASSESSMENT APPORTIONMENT ..... 8**

    METHOD OF APPORTIONMENT ..... 8

    DISCUSSION OF BENEFIT ..... 8

    BENEFIT FACTORS..... 9

    BENEFIT FINDING..... 11

    GENERAL VERSUS SPECIAL BENEFIT ..... 11

    CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS..... 12

    ZONES OF BENEFIT..... 15

    METHOD OF ASSESSMENT..... 16

    RESIDENTIAL PROPERTIES ..... 17

    COMMERCIAL/INDUSTRIAL PROPERTIES..... 17

    VACANT/UNDEVELOPED PROPERTIES..... 18

    OTHER PROPERTIES ..... 18

    ANNUAL COST INDEXING ..... 18

    APPEALS OF ASSESSMENTS LEVIED TO PROPERTY..... 19

    ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA..... 19

    OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY ..... 19

**ASSESSMENT ..... 20**

**ASSESSMENT DIAGRAM..... 22**

**ASSESSMENT ROLL ..... 23**

**LIST OF TABLES**

---

TABLE 1 – ESTIMATE OF COSTS AND REVENUES..... 6

TABLE 2 – SUMMARY COST ESTIMATE FOR PARK DISTRICT INCLUDING MAINTENANCE &  
RECREATION IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-21..... 20

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District ("District") is a public agency that is responsible for operating and maintaining parks, creeks, streams, open spaces, recreation facilities and recreation programs within its jurisdictional service area. The District's service area for its parks and recreation services encompasses the City of Elk Grove and the unincorporated areas in Sacramento County east, west and south of the City. In addition, the District provides fire and emergency medical services to its park service area, plus the City of Galt.

The District's parks do not receive any revenues from property taxes. In 1994, the District formed a benefit assessment district, the District Wide Landscape and Lighting Assessment District, with 13 benefit zones, to provide funding for the creation, maintenance, improvement and servicing of local parks and recreation facilities within its park service areas. This Assessment District, which was established prior to the approval of Proposition 218 in 1996, was reconfirmed and continued in an assessment ballot proceeding conducted in 1997.

### ASSESSMENT BACKGROUND

The District is primarily funded by the assessment described above. The Elk Grove/West Vineyard benefit zone 3 includes thirteen parks, namely, Amundson, Arcadian Village, Fales, Gage, Hrepich, Jones Family, Jordan Family, Karamanos, Lombardi, MacDonald, Perry, Rau, and Sheldon Place. Over the years, operational costs, including utility costs, increased.

Over time, expenses exceeded revenues in benefit zone 3, and in 2017 the District conducted a public opinion survey proposing a funding measure for all the properties in this zone to address this shortfall. The survey indicated a proposed funding measure did not have enough support from the property owners to pass, so the District declined to proceed with a ballot measure at that time.

Subsequently, property owners in the area around Perry Park, known as Perry Ranch, approached District staff about the possibility of initiating a funding measure for just their area, to improve Perry Park and the streetscapes on Calvine and Waterman Roads. In response, in early 2019 the District conducted a survey proposing a funding measure just for Perry Ranch and the local streetscapes on Calvine and Waterman Roads, and the survey indicated the property owners in this area would support such a funding measure.

The purpose of the Perry Ranch Improvement District funding measure, which is in addition to the District-wide assessment described above, is to increase the level of service by making improvements to Perry Park and the streetscapes on Calvine and Waterman Roads, as described in more detail below.

If the funding from the assessment had not been approved, the District would have been forced to reduce park maintenance and postpone facilities upgrades, resulting in a continuing deterioration of park maintenance and facilities.

## ASSESSMENT PROCESS

On April 17, 2019 the Cosumnes Community Services District Board of Directors by Resolution called for an assessment ballot proceeding and public hearing on the proposed establishment of the Perry Ranch Improvement District.

On May 1, 2019 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the area of the Improvement District. Such notice included descriptions of the proposed assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was held June 19, 2019. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the assessments.

Tabulation of the returned ballots began after the close of the Public Hearing. It was determined at the June 19, 2019 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (each ballot is weighted by the proportional financial obligation of the property for which the ballot is submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2019-20 and future years. The Board took action, by a Resolution passed on June 19, 2019, to approve the first year levy of the assessments for fiscal year 2019-20. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their assessments for the upcoming fiscal year, preparation of an updated Engineer's Report, a noticed public meeting at which the Engineer's Report would be preliminarily approved, publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Improvement District, the Improvement District Boundaries, a description of the Improvements to be installed and maintained, and

the assessments for fiscal year 2020-21. The assessments are based on the estimated cost to operate, maintain and service the parks, recreation areas, recreation facilities and other public lands owned by the District (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Improvement District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2020-21.

## LEGAL REQUIREMENTS

### PROPOSITION 218

This assessment must comply with Proposition 218, "The Right to Vote on Taxes Act," which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Article XIID, Section 4 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which provide special benefits to the assessed property.

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

## PLANS & SPECIFICATIONS

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The Cosumnes Community Services District maintains park facilities in locations throughout its boundaries, including Perry Park in the Perry Ranch area. The work and Improvements to be undertaken by the Cosumnes Community Services District's Perry Ranch Improvement District and the cost thereof paid from the levy of the annual Assessment provide special benefit to Assessor Parcels within the Improvement District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and Improvements are generally described as follows:

The installation, maintenance and servicing of public recreational facilities and improvements, may include, but are not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, fencing, entry monuments, basketball courts, tennis courts, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by the Cosumnes Community Services District within the Improvement District boundaries. For a list of the Improvements which are initially planned, see the following page.

As applied herein, "Installation" means the construction of the Improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, parking lots, sidewalks and drainage, lights, playground equipment, play courts, playing fields, recreational facilities and public restrooms.

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

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

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing

of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Improvement District plus incidental expenses. If the funding measure passes, the District will meet with area residents before finalizing development plans for the undeveloped section of the park. Projects initially identified to be accomplished with the assessment proceeds include:

- Improved park maintenance
- Increased water and mowing
- Addition of plants and mulch in shrub beds
- Replacement of picnic table and bench
- Improved maintenance of streetscapes on Calvine Road and Waterman Road
- Addition of the following features over time:
  - New playground equipment
  - Adult fitness area
  - Barbeque and picnic area

See the Appendix for a complete list of Improvements and estimated costs.

## FISCAL YEAR 2020-21 ESTIMATE OF COST AND BUDGET

### BUDGET FOR FISCAL YEAR 2020-21

The following budget shows the cost of the Improvements that would be funded by the Improvement District in Fiscal Year 2020-21.

**Table 1 – Estimate of Costs and Revenues**

		Total Budget
Installation, Maintenance & Servicing Costs		
Improvements		
Capital improvements		\$0
Operating transfers		\$19,738
Services and supplies and other maintenance <sup>1</sup>		\$1,995
Total for Installation, Maintenance and Servicing		\$21,733
Amount to/from Reserve		\$43,244
Total Improvements		\$64,977
Curbs, gutters, drainage, streets		\$10,882
Less:		
Contributions which can fund general benefit and/or benefit to properties outside the District <sup>2</sup>		\$10,882
Interest		\$172
Total Improvement District Budget <sup>3</sup> (Net Amount to be Assessed)		\$64,805
Budget Allocation to Property		
Total Assessment Budget		\$64,805
Assessment Contribution		
	EDUs	Effective EDUs
Number of benefit units In Benefit Zone A	469.3	469.3
Number of benefit units In Benefit Zone B	12	13.2
Number of benefit units In Benefit Zone C	165.5	157.2
Total number of benefit units		639.7
Assessment per Equivalent Dwelling Unit in Zone A <sup>4</sup>		\$101.30
Assessment per Equivalent Dwelling Unit in Zone B <sup>4</sup>		\$111.44
Assessment per Equivalent Dwelling Unit in Zone C <sup>4</sup>		\$96.24

**NOTES TO ESTIMATE OF COSTS:**

1. Estimated fiscal year 2020-21 incidental costs include assessment administration, county charges for inclusion of assessments on property tax bills and other incidental costs.
2. As determined in the following section, at least 12.0% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits and/or benefit to properties outside the Improvement District from the Improvements. Therefore, out of the total cost of Improvements of \$64,805 there must be contributions of at least \$7,797 from sources other than the assessments. There are contributions from sources other than the assessment of \$11,054 which more than covers any general benefits from the Improvements.
3. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Improvement District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the Fiscal Year, June 30, must be carried over to the next Fiscal Year. The District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.
4. The rate shown here is for a single family home or its equivalent. For the definition of the term EDU and rates for other types of property, see the section titled, "Method of Assessment" and the sections following it in this report.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived from the Improvements to park facilities and District maintained property, throughout the Improvement District, and the methodology used to apportion the total assessment to properties within the Improvement District.

The method used for apportioning the assessment is based upon the proportional special benefits conferred to the properties over and above the general benefits conferred to real property in the Improvement District or to the public at large. Special benefit and the Assessments are calculated for each parcel in the Improvement District using the following process:

1. Identification of special benefit factors derived from the Improvements
2. Calculation and quantification of the general benefits
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Apportionment of the costs to Assessment and calculation of the Assessment for each individual parcel based upon special benefit; location, property type, property size, property characteristics, improvements on property and other supporting attributes.

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit conferred to property by the Improvements. This special benefit is received by property over and above any general benefits. Any and all general benefit must be funded from another source. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

*The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California].*

Article XIID, Section 4 of the California Constitution states that assessments must be based on the special benefit conferred to property and that, "No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A or XIII C of the California Constitution.

A special benefit is a service or improvement that provides a direct advantage to a parcel. For example, park improvements may be viewed as a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment.

## **BENEFIT FACTORS**

The special benefits from the Improvements increase the utility, functionality and desirability of the assessed properties, and are listed below:

### **PROXIMITY TO IMPROVED PARKS AND RECREATIONAL FACILITIES**

Only the specific properties within close proximity to the Improvements are included in the Improvement District. The Improvement District was narrowly drawn to include only the benefiting parcels. Therefore, property in the Improvement District enjoys unique and valuable proximity (and access, as described in the next section) to the Improvements that the public at large and property outside the Improvement District do not share.

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

### **ACCESS TO IMPROVED PARKS, OPEN SPACE AND RECREATIONAL AREAS**

The main entrances to Perry Park and the Perry Ranch area are via Heritage Hill Drive, Alameda Park Drive, and Brown Road. Properties to the south of the boundary do not enjoy the same access because there is a school with its own recreational area, and a large undeveloped lot south of that. Properties to the north and east do not enjoy the same access because they are separated from the area by Calvine Road and Waterman Road busy thoroughfares. Properties to the west do not enjoy the same access because they only access on the west is Brown Road, which goes through an area that is not heavily developed. Therefore, the properties in the boundaries of the assessment enjoy unique access to Perry Park.

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

#### **IMPROVED VIEWS**

The Improvement District, by maintaining the landscaping at its park and recreation facilities provides improved views of the Improvements to the proximate properties within the Improvement District. Because of the unique character of Perry Ranch, there is little traffic just driving by Perry Park, and therefore the park is viewed almost exclusively by property owners, other residents, and visitors. Therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Improvement District.

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

In large part because it is cost prohibitive to provide large open land areas on property in the Improvement District, the residential, commercial and other benefiting properties in the Improvement District do not have large outdoor areas and green spaces. The Improvements to the park in the Improvement District will provide these larger outdoor areas that serve as an effective extension of the land area for properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements, as described above. The Improvements, therefore, will provide an important, valuable and desirable extension of usable land area and neighborhood-serving amenities for the direct advantage and special benefit of properties within the Improvement District.

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPRA"), neighborhood parks in urban areas have a service area radius of generally one-half mile. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within the service radii close proximity and easy walking access to such public land areas. Since proximate and accessible parks serve as an extension of the usable land area for property in the service radii, and since the service radii was specifically designed to provide close proximity and access to neighborhood parks and public land areas, the parcels within the Improvement District clearly receive a direct advantage and special benefit from the Improvements. This advantage is not received by other properties or the public at large. In the case of Perry Park, the service area is reduced from this standard to include only the assessed parcels because of the unique characteristics described above, whereby access from other surrounding parcels is limited.

An analysis of the service radii for the Improvements finds that all properties in the Improvement District enjoy the distinct and direct advantage of being close and proximate to the park and landscape corridor within the Improvement District. The benefiting properties in the Improvement District therefore uniquely and specially benefit from the Improvements.

### **BENEFIT FINDING**

In summary, real property located within the boundaries of the Improvement District distinctly and directly benefits from the effectively extended outdoor areas and green spaces; as well as closer proximity, access to and views of the improved park, recreation facilities, landscaping, and other public resources funded by the Assessments.

### **GENERAL VERSUS SPECIAL BENEFIT**

Article XIID, Section 4(a) of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. Property may be assessed to fund improvements to the extent of the special benefits conferred by the Improvements; but general benefits are not assessable. Accordingly, a separate estimate of the special and general benefit is given in this section.

Article XIID never defines the term “general benefit.” The definition of special benefit in Section 2(i) includes the statement that general enhancement of property value does not constitute special benefit. General benefit may be described as “an indirect, derivative advantage” resulting from the improvements. One infers from Article XIID that all benefit is either general or special.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for quantifying the amount of any general benefit that is identified.

In this Report, the general benefit is first identified, conservatively (i.e., generously) estimated, and then budgeted so that it is funded by sources other than the Assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service, which is funded primarily by the existing District-wide assessment. The Assessment funds Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	=	<b>Benefit to Real Property Outside the Assessment District</b>	+	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	+	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” A special benefit is conferred to a property if the property “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Improvement District have close and unique proximity, views of and access to the Improvements, and uniquely improved desirability from the Improvements, and other properties and the public at large do not receive such benefits because they do not have proximity, access to or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and only minimal general benefit is conferred on property outside the Improvement District or the public at large.

In the 2010 *Beutz* case, the 4<sup>th</sup> District Court of Appeals rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. This Engineer’s Report includes a specific, quantified calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments to the special benefits conferred on each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer’s Report are consistent with the *Beutz* decision.

### **CALCULATING GENERAL BENEFIT AND SPECIAL BENEFIT PAID FROM OTHER FUNDS**

In this section, the general benefit and special benefit not paid from the assessment, which must be paid from other funds, are conservatively estimated and described, and then budgeted so that it is funded by sources other than the Assessment.

#### **BENEFIT TO PROPERTY OUTSIDE THE IMPROVEMENT DISTRICT**

Properties within the Improvement District receive almost all of the special benefits from the Improvements, because properties in the Improvement District enjoy unique and close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. This is because there are only a few streets into or out of most of Perry Ranch. People in the surrounding areas cannot drive to Perry Park without taking an inconvenient, roundabout route. Moreover, there are other parks that are easier for them to access.

There are certain properties that are located outside the boundaries of the Improvement District immediately on the north and east sides with an entrance along Calvine and Waterman Roads, which may receive some benefit from a partial view of the improved streetscapes along Calvine and Waterman Roads. The amount of benefit conferred to properties just outside the Improvement District boundaries, must be deducted from the total benefit and not assessed to property in the Improvement District.

A 90% reduction factor is applied to the benefit received by these properties due to fencing and other obstacles that prevent them from viewing these Improvements from their property, because they receive no such benefit from the Improvements in Perry Park, and because they are all geographically on only one side of the Improvements. The benefit to property outside of the Improvement District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

**Assumptions:**

49 parcels outside the district immediately to the north or east with a partial view of the streetscape on Calvine Road and/or Waterman Road  
 662 parcels in the Improvement District  
 90% relative benefit compared to property within the Improvement District

**Calculation**

Benefit to property outside the Improvement District =  $(49 / (49 + 662)) * 0.1 = 0.7\%$

Although it can reasonably be argued that Improvements inside, but near the Improvement District boundaries are offset by similar streetscaping improvements provided outside, but near the Improvement District's boundaries, we use the more conservative approach of finding that 0.7% of the Improvements may be of benefit to property outside the Improvement District.

**BENEFIT TO PROPERTY INSIDE THE DISTRICT THAT IS INDIRECT AND DERIVATIVE**

The "indirect and derivative" benefit to property within the Improvement District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly "over and above" and "particular and distinct" when compared with the baseline level of service and the unique proximity, access to and views of the Improvements enjoyed by benefiting properties in the Assessment District.

**BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Improvement District's park and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Improvement District. Based on surveys and research conducted by SCI, in which visitors to

similar parks; at various times of the day, evening, and week; were asked to look at a District map and to identify whether they lived or worked within the park's District, less than 5% of the use of similar parks and recreation areas is by the public at large. When people outside the Improvement District use parks, they diminish the availability of parks for people within the Improvement District. Therefore, another 5% of general benefits are allocated for people within the Improvement District. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large from the park.

In addition, a small amount of the assessment revenue will be used to improve the streetscaped along Calvine Road and Waterman Road. The view of these streetscapes may provide some benefit to the general public, which may briefly view these improvements as they drive along these streets. The assessment engineer has determined the amount of this benefit to be an additional 1%.

#### **TOTAL GENERAL BENEFITS AND SPECIAL BENEFITS PAID FROM OTHER FUNDS**

Using a sum of these three measures of general benefit, we find that approximately 10.6% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the Assessments.

General Benefit and Special Benefit Paid From Other Funds =

$$\begin{aligned}
 & 0.7\% \text{ (Outside the district)} \\
 + & 0.0\% \text{ (Inside the district - indirect and derivative)} \\
 + & 11.0\% \text{ (Public at Large)} \\
 \\ 
 = & 11.7\% \text{ (Total General Benefit and Special Benefit paid from other funds)}
 \end{aligned}$$

Although this analysis finds that 11.7% of the Assessment may provide general benefits and special benefit that would need to be paid from funds other than the assessment, the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the Assessments of 12.0%. This additional allocation above the measure of general benefits will serve to provide additional coverage for any other general benefits.

This general benefit and special benefit contribution paid from other funds is the sum of the following components:

The City of Elk Grove owns, maintains, rehabilitates and replaces the curb and gutter along the border of the Assessment District's Improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the Improvements. The contribution from the City of Elk Grove towards general benefit from the maintenance, rehabilitation, and replacement of the curb and gutter is estimated to be \$5.00 per linear foot, and there are approximately 550 linear feet of curb & gutter on the boundaries of Perry Park. 550 linear feet times \$5.00 per linear foot equals \$2,750, or 4.2% of the cost of the Improvements.

The City of Elk Grove owns and maintains a storm drainage system along the border of the Assessment District's Improvements. This system serves to prevent flooding and associated damage to the Improvements, and manage urban runoff including local pollutant loading from the Improvements. The contribution from the City of Elk Grove towards general benefit from the maintenance, and operation of the local storm drainage system is estimated to be \$3.50 per linear foot, and there are approximately 1,450 linear feet of storm pipe between the main pipe system and Perry Park. 1,450 linear feet times \$3.50 per linear foot equals \$5,075, or 7.8% of the cost of the Improvements.

The City of Elk Grove owns and maintains local public streets along the border of the Assessment District's Improvements. These public streets provide access to the Improvements for its enjoyment as well as efficient maintenance. The contribution from the City of Elk Grove towards general benefit from the maintenance of local public streets is estimated to be \$2.11 per linear foot, and there are approximately 1,450 linear feet of streets between the nearest main road and Perry Park. 1,450 linear feet times \$2.11 per linear foot equals \$3,057, or 4.7% of the cost of the Improvements.

The amounts contributed by The City of Elk Grove add up to 16.8% (4.2% + 7.8% + 4.7%) which is more than the 12% amount required to cover any General Benefits.

## ZONES OF BENEFIT

The boundaries of the Improvement District have been carefully drawn to only include the properties in Cosumnes Community Services District that are proximate to the Improvements and that would materially benefit from the Improvements. Certain other properties surrounding and outside the District were excluded from the Improvement area because these properties are generally less proximate to the Improvements and/or they do not enjoy the same access, due to roads that don't go through and/or fences, as described earlier in this Report. In other words, the boundaries of the Improvement District have been narrowly drawn to include only properties that will specially benefit from the Improvements, and would receive a declining level of service if the Assessments were not approved.

In the Improvement District, the advantage that each parcel receives from the Improvements is direct, and the boundaries are narrowly drawn to include only parcels that benefit from the Assessment. For the most part, the benefits from the Improvements within the Improvement District do not vary based on proximity of the parcels to the Improvements because the increased benefits of greater proximity to the Improvements are generally offset by a parallel increase in negative factors such as higher levels of traffic, noise, etc. that comes with increased proximity.

However, the properties in very close proximity to Perry Park do receive some additional benefit, due to the views provided to those homes, particularly from the second floor windows on those properties. Therefore, the majority of the parcels in the Improvement District are assigned to what will be known as Benefit Zone A, and the properties which enjoy this

increased special benefit from the park will be assigned to what will be known as Benefit Zone B.

The increased special benefit in Benefit Zone B is calculated as follows:

The Engineer has determined that the increase in the special benefits enjoyed by the parcels in Benefit Zone B, due to direct but limited views of the Improvements in Perry Park, is 10%. Therefore, the rate applied to Benefit Zone B is 110% (100% plus 10%) times the rate in Benefit Zone A.

In addition, the parcels to the north of Lakemont Drive enjoy slightly reduce proximity and access to Perry Park than the parcels in Zone A because those parcels are further away from the park. These parcels will be assigned to what will be known as Benefit Zone C.

The Engineer has determined that the special benefit by parcels in Benefit Zone C is reduced by 5% due to their relative distance from the park. Therefore, the rate applied to Benefit Zone C is 95% (100% minus 5%) times the rate in Benefit Zone A.

#### **METHOD OF ASSESSMENT**

As previously discussed, the Assessments will provide comprehensive Improvements that will clearly confer special benefits to properties in the Improvement District. The allocation of special benefits to property is partially based on the type of property and the size of property. These benefits can also partially be measured by the occupants on property in the Improvement District because such parcel population density is a measure of the relative benefit a parcel receives from the Improvements. It should be noted that many other types of "traditional" assessments also use parcel population densities to apportion the assessments. For example, the assessments for sewer systems, roads and water systems are typically allocated based on the population density of the parcels assessed. Therefore, the apportionment of benefit is reasonably based on the type of parcel, the size of parcels and the population density of parcels.

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

Not only residential improved property will be assessed, because commercial, industrial and other properties also receive direct benefits from the Improvements, and will be assessed.

A fixed or flat assessment is used for all single family residential properties regardless of occupancy or parcel size. Assessments on multi-family residential parcels vary based on the number of dwelling units. Assessments on commercial and industrial property are levied on an acreage basis because larger properties generally support larger buildings and have higher numbers of employees, customers and guests who would benefit from proximity and improved access to well-maintained and improved parks, landscaping and recreational facilities.

Finally, the special benefits to be derived from the Assessments will be conferred on property and are not based on a specific property owner's use of the Improvements, a specific property owner's occupancy of property, or the property owner's demographic status such as age or number of dependents. The benefits derived to property are related to the average number of people who could potentially live on, work at, or otherwise could occupy a property, not how the property is currently used by the present owner. Therefore, the number of people who could, or potentially, live on, work at or otherwise occupy a property is one indicator of the relative level of benefit received by a property.

In conclusion, the Assessment Engineer determined that the appropriate method of assessment apportionment should be based on the type of property, the relative size of the property, property location, its relative population and its proximity to parks and recreational facilities. This method is further described below.

## **RESIDENTIAL PROPERTIES**

All improved residential properties represent a single residential dwelling unit and are assigned 1.00 EDU per dwelling unit. Traditional houses, zero-lot line houses, and townhomes are included in this category.

## **COMMERCIAL/INDUSTRIAL PROPERTIES**

EDU values for commercial and industrial land uses are based on the equivalence of special benefit on a land area basis between single family residential property and the average commercial/industrial property. The EDU values for various commercial and industrial land uses are further defined by using average employee densities because the special benefit factors described previously can be measured by the average number of people who work at commercial/industrial properties.

In order to determine employee density factors, the findings from the San Diego Association of Governments Traffic Generators Study (the "SANDAG Study") are used because these findings were approved by the State Legislature as being a good representation of the average number of employees per acre of land area for commercial and industrial properties. As determined by the SANDAG Study, the average number of employees per acre for commercial and industrial property is 24.

In comparison, Census data shows that the average number of people residing in a single family home in the area is 2.55. Since the average lot size for a single family home in the

Improvement District is approximately one fifth of an acre, the average number of residents per acre of residential property is 12.75.

The employee density per acre is generally 1.9 times the population density of single family residential property per acre (24 employees per acre / 12.75 residents per acre). Therefore, the average employee density can be used as the basis for allocating benefit to commercial or industrial property since a commercial/industrial property with 1.9 employees receives generally similar special benefit to a residential property with 1 resident. This factor of equivalence of benefit between 1 resident to 1.9 employees is the basis for allocating commercial/industrial benefit. Commercial and industrial property will therefore be assigned 0.5 EDU per one-fifth acre or portion thereof.

### **VACANT/UNDEVELOPED PROPERTIES**

The Improvements will make the land in the Improvement District more desirable and useable. The benefit to undeveloped properties is determined to be proportional to the corresponding benefits for similar type developed properties, but at a lower rate due to the lack of improvements on the property. A measure of the benefits accruing to the underlying land is the average value of land in relation to Improvements for developed property. An analysis of the assessed valuation data from the County of Sacramento found that approximately 30% of the assessed value of improved properties is classified as the land value. It is reasonable to assume, therefore, that approximately 30% of the benefits are related to the underlying land and 70% are related to the improvements and the day-to-day use of the property. Using this ratio, the EDU factor for vacant/undeveloped parcels is 0.30 per parcel.

### **OTHER PROPERTIES**

Article XIID stipulates that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the Assessment.

All properties that are specially benefited are assessed. Other publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

Miscellaneous, small and other parcels such as roads, right-of-way parcels, and common areas typically do not generate significant numbers of employees, residents, customers or guests, who would have access to or use the Improvements. These miscellaneous parcels therefore receive no benefit from the Improvements and are assessed an EDU benefit factor of 0 EDUs.

### **ANNUAL COST INDEXING**

The maximum assessment rate within the Improvement District may increase annually based on the annual increase, if any, in the Northern California (San Francisco-Oakland-

Hayward) Consumer Price Index-All Urban Consumers (the "CPI") from February to February of each year.

### **APPEALS OF ASSESSMENTS LEVIED TO PROPERTY**

Any property owner who feels that the assessment levied on their property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Administrator or his or her designee. Any such appeal is limited to correction of an assessment during the then current Fiscal Year and applicable law. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Administrator or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

### **ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE IMPROVEMENT DISTRICT AREA**

The net available Assessment funds, after incidental, administrative, financing and other costs, shall be expended exclusively for Improvements within the boundaries of the Improvement District and appropriate incidental and administrative costs as defined in the Plans and Specifications section.

### **OVERSIGHT, ANNUAL REVIEW AND ACCOUNTABILITY**

The Assessment proceeds and expenditures will be annually audited by an independent auditing entity. The results of the audit will be publicly reviewed at a public meeting of the District. The Assessment proceeds and expenditures will also be reviewed and overseen by the District Board. In addition, the Assessment budget, Assessment rate, Assessment CPI increase, and Improvements will be reviewed at a noticed public hearing by the Board and public.

In general, the public review and accountability process is as follows: The Assessments will not automatically continue and will require specific actions, reports and procedures for continuation. In each subsequent year for which the Assessments will be levied, the Board must preliminarily approve at a public meeting a budget and costs for the upcoming Fiscal Year's Improvements, an updated annual Engineer's Report, and an updated Assessment roll listing all parcels and their Assessments. At this meeting, the Board will also call for the publication in a local newspaper of a legal notice of the intent to continue the Assessments for the next Fiscal Year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Board prior to the Board's decision on ordering the Improvements and the Assessments for the next Fiscal Year.

## ASSESSMENT

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**WHEREAS**, the Board of Directors of the Cosumnes Community Services District directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Improvement District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Improvement District;

**NOW, THEREFORE**, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution, and the order of the Board of the Cosumnes Community Services District, hereby makes the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Improvement District.

The amount to be paid for said Improvements and the expense incidental thereto, to be paid by the Improvement District for the Fiscal Year 2020-21 is generally as follows:

**Table 2 – Summary Cost Estimate for Park District Including Maintenance & Recreation Improvement District for Fiscal Year 2020-21**

Total for Installation, Maintenance and Servicing	\$21,733
Curb & Gutters, Storm Drain & Roads	\$10,882
Capital Improvement Reserve	\$43,244
Total	\$75,859
Less Contributions from Other Sources	-\$10,882
Net amount to assessments	\$64,977

As required by the Act, an Assessment Diagram showing the exterior boundaries of the Improvement District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the Improvement District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion the net amount of the cost and expenses of the Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within the Improvement District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The Assessment is made upon the parcels or lots of land within the Improvement District in proportion to the special benefits to be received by the parcels or lots of land, from the Improvements.

The Assessment is subject to an annual increase tied to the Consumer Price Index-All Urban Consumers for Northern California (San Francisco-Oakland-Hayward) as of February of each succeeding year (the "CPI").

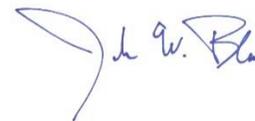
The change in the CPI from February 2019 to February 2020 was 2.906%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.906% which equates to \$101.30 per single family equivalent benefit unit in Benefit Zone A, \$111.44 in Benefit Zone B, and \$96.24 in Benefit Zone C. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$101.30 in Benefit Zone A \$111.44 in Benefit Zone B, and \$96.24 in Benefit Zone C, which is equal to the maximum authorized assessment rate.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as will be shown on the Assessor's Maps of the County of Sacramento for the Fiscal Year 2020-21. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County.

I hereby will place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the Fiscal Year 2020-21 for each parcel or lot of land within the Improvement District.

Dated: May 6, 2020

Engineer of Work



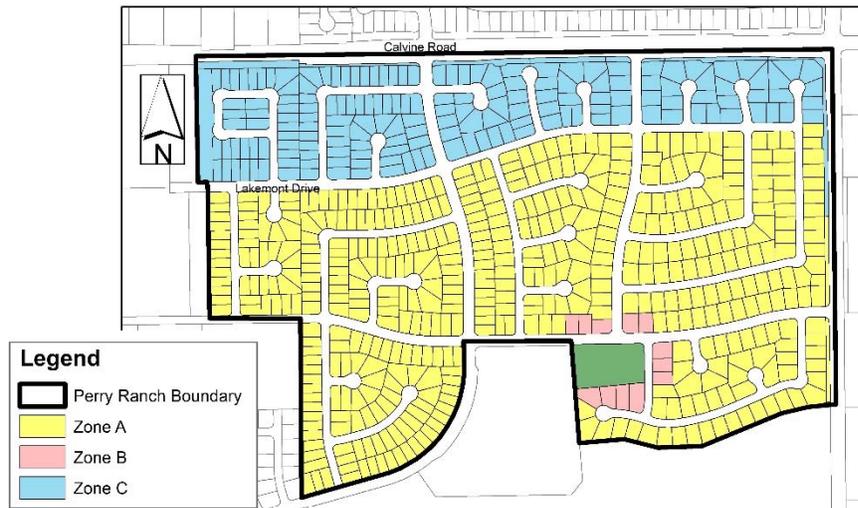
By \_\_\_\_\_

John W. Bliss, License No. C052091



# ASSESSMENT DIAGRAM

The Improvement District includes all properties within the Perry Ranch area, as displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for Fiscal Year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.



NOTE: REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SACRAMENTO FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

FILED AND RECORDED IN THE OFFICE OF THE SECRETARY OF THE BOARD OF THE COSUMNES COMMUNITY SERVICES DISTRICT, COUNTY OF SACRAMENTO, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SECRETARY OF THE BOARD

AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ FOR THE FISCAL YEAR 20\_\_-\_\_\_\_ AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF SACRAMENTO ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_. REFERENCE IS MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND.

SECRETARY OF THE BOARD

## Cosumnes Community Services District Perry Ranch Assessment District Assessment Diagram

Prepared by SCI Consulting Group  
4745 Mangata Blvd, Fairfield, CA 94534

## ASSESSMENT ROLL

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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



**COSUMNES COMMUNITY SERVICES  
DISTRICT**

**VISTA CREEK PARK ASSESSMENT DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2020-21  
MAY 2020

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

ENGINEER OF WORK:  
**SCIConsultingGroup**  
4745 MANGELS BOULEVARD  
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FAX: 707.430.4319  
WWW.SCI-CG.COM

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## **COSUMNES COMMUNITY SERVICES DISTRICT**

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### **BOARD OF DIRECTORS**

Orlando Fuentes, President

Jim Luttrell, Vice President

Gil Albiani, Director

Rod Brewer, Director

Jaclyn Moreno, Director

### **GENERAL MANAGER**

Joshua Green

### **ASSESSMENT ENGINEER**

SCI Consulting Group

Lead Assessment Engineer, John Bliss, M.Eng., P.E.

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**TABLE OF CONTENTS**

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**INTRODUCTION** ..... 5

**OVERVIEW** ..... 5

**PROPOSITION 218** ..... 6

**DESCRIPTION OF THE ASSESSMENT DISTRICT** ..... 9

**IMPROVEMENTS AND SERVICES WITHIN THE ASSESSMENT DISTRICT** ..... 9

**ESTIMATE OF COSTS AND BUDGET** ..... 11

**METHOD OF ASSESSMENT APPORTIONMENT** ..... 13

**METHOD OF APPORTIONMENT** ..... 13

**DISCUSSION OF BENEFIT** ..... 13

**BENEFIT FACTORS** ..... 14

**SPECIAL BENEFIT SUMMARY** ..... 15

**GENERAL VERSUS SPECIAL BENEFIT** ..... 16

**METHOD OF ASSESSMENT** ..... 20

**ASSESSMENT** ..... 24

**ASSESSMENT DIAGRAM** ..... 26

**ASSESSMENT ROLL FOR FISCAL YEAR 2020-21** ..... 28

**LIST OF TABLES**

---

TABLE 1 - ESTIMATE OF COSTS ..... 11

## INTRODUCTION

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### OVERVIEW

The Cosumnes Community Services District (“District”) formed the Vista Creek Park Assessment District (“Assessment District”) in order to provide funding for the maintenance and improvement of a neighborhood park, Vista Creek. This Assessment District consists of residential parcels in the Vista Creek Subdivision located in the upper northeast corner within the boundaries of the Cosumnes Community Services District. If approved, the assessments for this Assessment District will be levied annually, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the “Act”).

On January 29, 2009 a notice of assessment and assessment ballot was mailed to property owners with proposed assessments within the area of the Assessment District. Such notice included descriptions of the assessments and the improvements and services the assessments would fund as well as an explanation of the method of voting on the assessments. Each notice also included a ballot upon which the property owner could mark his or her approval or disapproval of the proposed assessments.

After the ballots were mailed to property owners in the Assessment District, a minimum 45-day time period was provided for the return of the assessment ballots. Following this 45-day time period, a public hearing was held for the purpose of allowing public testimony regarding the assessments. The Public Hearing was scheduled for March 18, 2009. At the Public Hearing, the public had the opportunity to speak on the issue, voice any concerns or protests, and obtain further information about the proposed assessments.

Tabulation began after the close of the public input portion of the Public Hearing. It was determined at the March 18, 2009 Board meeting that the assessment ballots submitted in opposition to the assessments did not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted).

As a result, the Board gained the authority to approve the levy of the assessments for fiscal year 2009-10 and future years. The Board took action, by a Resolution passed on March 18, 2009, to approve the first year levy of the assessments for fiscal year 2009-10. The authority granted by the ballot proceeding includes an annual adjustment in the assessment levies equal to the annual change in the Consumer Price Index for the San Francisco Bay Area.

The assessments may be continued in future years by a majority vote of the Board. This annual assessment continuation process requires the creation of a budget for the upcoming fiscal year, an updated assessment roll listing all parcels and their proposed assessments for the upcoming fiscal year, preparation of an updated Engineer’s Report, a noticed public meeting at which the Engineer’s Report would be preliminarily approved,

publication in a local newspaper of the Board's intent to continue the assessment, and a noticed public hearing prior to the Board's decision on continuing the assessments.

This Engineer's Report ("Report") describes the Assessment District, the Assessment District Boundaries, a description of the Improvements to be installed and maintained, and the assessments for fiscal year 2020-21. The assessments are based on the estimated cost to operate, maintain and service the Jordan Family Park (the "Improvements"). The assessments are also based on the direct and special benefit to properties within the Assessment District.

If the Board approves this Engineer's Report and the assessments by resolution, a notice of public hearing must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing is used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the continuation of the assessments. This hearing is currently scheduled for June 17, 2020. At this hearing, the Board will consider approval of a resolution confirming the assessments for fiscal year 2020-21. If the assessments are so confirmed and approved, the levies will be submitted to the County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2020-21.

## PROPOSITION 218

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

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

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

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA"). This ruling is the most current legal guidance clarifying the requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit
- The services and/or improvements funded by assessments must be clearly defined

- Special benefits are directly received by and provide a direct advantage to property in the assessment district

This Engineer's Report has been prepared to follow the guidance provided by the SVTA decision for complying with the requirements of Article XIIC and XIID of the California Constitution. Specifically, as described in this Engineer's Report the improvements to be funded are clearly defined; the benefiting property in the Assessment District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Assessment District and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. There have been a number of clarifications made to the analysis, findings and supporting text in this Report to ensure that this consistency is well communicated.

#### DAHMS V. DOWNTOWN POMONA PROPERTY

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

#### BONANDER V. TOWN OF TIBURON

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

#### BEUTZ V. COUNTY OF RIVERSIDE

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

#### COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the *SVTA* decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct

advantage to property in the Assessment District that would not be received in absence of the assessments.

#### GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

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

This Engineer's Report is consistent with *Beutz*, *Dahms* and *Greater Golden Hill* because the Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

## DESCRIPTION OF THE ASSESSMENT DISTRICT

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### IMPROVEMENTS AND SERVICES WITHIN THE ASSESSMENT DISTRICT

The existing and Improvements (“Improvements”) are generally described as the installation, maintenance and servicing of the Jordan Family Park and recreation facilities within Jordan Family Park, including but not limited to:

#### JORDAN FAMILY PARK:

Jordan Family Park is a 1.70 acre park constructed within the subdivision of Vista Creek on the corner of Jordan Ranch Road and Didorwill Court. Jordan Family Park Improvements to be installed, maintained and serviced throughout the Assessment District include:

- Picnic areas
- Security lighting
- Concrete pathways
- Play structure (Ages 2-5)
- Play structure (Ages 5-12)
- Meditation/stretching area
- Horseshoe court
- Adult fitness equipment
- Shade structure
- 4 picnic tables
- Park benches
- Drinking fountain
- Barbeque pit
- Landscaping
- Irrigation, sprinklers
- Park sign
- Interpretive signage
- 2 Oak trees preserved
- Trash receptacles

The Improvements to be maintained include all necessary service, operations, administration, and maintenance required to keep the above-mentioned Improvements in a healthy, vigorous condition.

“Installation” means the construction of recreational improvements, including, but not limited to, land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, and recreational facilities.

“Maintenance” means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any Improvement, including repair, removal or

replacement of all or any part of any Improvement; providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting, and painting of walls and other Improvements to remove or cover graffiti.

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

Any further plans and specifications for the Assessment District will be filed with the General Manager of the District and are incorporated herein by reference.

Incidental, extra or miscellaneous expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526). The Assessment proceeds will be exclusively used for Improvements within the Assessment District plus Incidental expenses.

**ESTIMATE OF COSTS AND BUDGET**

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**ESTIMATE OF COSTS**

The following Table displays the estimate of the cost of the Improvements that would be funded by the Assessment District in Fiscal Year 2020-21. The expenditures would be governed by the policies, criteria and requirements established within this Report, the Article and by the Act.

**TABLE 1 - ESTIMATE OF COSTS**

	Total Budget
Installation, Maintenance & Servicing Costs	
Improvements	
Park Construction Costs	\$66,048
Salaries and Wages	\$0
Services & supplies	\$695
Operating Transfers Out	\$6,904
Contingencies	\$0
Capital Impv Reserve	\$19,368
Totals for Installation, Maintenance and Servicing	<u>\$93,015</u>
Contribution from Other Sources <sup>1</sup>	(\$66,048)
Net Cost of Installation, Maintenance and Servicing to Assessment District	<u><u>\$26,967</u></u>
Other Revenue <sup>2</sup>	(\$1,378)
Total Park Maintenance and Recreation Improvement District Budget <sup>3</sup> (Net Amount to be Assessed)	<u><u>\$25,590</u></u>
Budget Allocation to Property	
Total Assessment Budget	25,590
Assessment Contribution	
Total number of benefit units	119
Assessment per Single Family Equivalent Unit	\$215.04
Total revenue from Assessments <sup>3</sup>	\$25,590

Notes to Estimate of Cost:

1. As determined in the following section, at least 51% of the cost of Improvements must be funded from sources other than the assessments to cover any general benefits from the Improvements. Therefore, out of the total cost of Improvements of \$93,015, the District must contribute at least \$47,437 from sources other than the assessments. The District constructed Jordan Family Park at an estimated cost of \$1,015,314. The cost of this park allocated over 30 years at a 5% rate of interest equals \$66,048 per year, which more than covers any general benefits from the Improvements.
2. This amount is the projected ending fund balance at the end of the fiscal year. The Fund Balance shown includes operating reserves and the Capital Improvement Reserve Fund.
3. The Act requires that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Improvement District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, July 1, must be carried over to the next fiscal year. The Park District may also establish a reserve fund for contingencies and special projects as well as a capital improvement fund for accumulating funds for larger capital improvement projects or capital renovation needs. Any remaining balance would either be placed in the reserve fund, the capital improvement fund, or would be used to reduce future years' assessments.

## METHOD OF ASSESSMENT APPORTIONMENT

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the special and general benefits to be derived by the installation, maintenance and servicing of the Improvements, and the methodology used to apportion the total assessment to properties within the Assessment District.

The Assessment District consists of all Assessor Parcels within the boundaries of the Vista Creek Park Assessment District within the Cosumnes Community Services District. The method used for apportioning the total assessment is based upon the proportional special benefits to be derived by the properties in the Assessment District over and above general benefits conferred on real property in the Assessment District or to the public at large. Special benefit is calculated for each parcel in the Assessment District using the following process:

1. Identification of all benefit factors derived from the Improvements
2. Calculation of the proportion of these benefits that are general
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type, property characteristics, improvements on property and other supporting attributes

### DISCUSSION OF BENEFIT

Assessments can only be levied based on the special benefit to property. This special benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the Cosumnes Community Services District's (District's) recreational facilities or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

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

*"The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."*

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

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

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A of the California Constitution.

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

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

Finally, Proposition 218 twice uses the phrase "over and above" general benefits in describing special benefit. (Art. XIID, sections 2(i) & 4(f).) The SVTA decision further clarifies that special benefits must provide a direct advantage to benefiting property and that proximity to a park is an example of a special benefit.

## BENEFIT FACTORS

The special benefits from the Improvements are listed below:

### ENHANCED PROXIMITY AND IMPROVED ACCESS TO PARKS AND RECREATIONAL FACILITIES

The assessments have created and now maintain a new local park and recreation facilities that are proximate and accessible to the benefiting parcels in the Assessment District. Jordan Family Park is located within the Assessment District and the Assessment District boundaries have been narrowly drawn so that all of the properties within the Assessment District enjoy close proximity and accessibility to the park, whereas other properties outside the Assessment District do not enjoy such proximity and access to the Improvements and, therefore, are not specially benefited or assessed.

In absence of the assessments these Improvements in the Assessment District would not be provided because the District does not have alternative funding for the maintenance of Jordan Family Park. Therefore, the assessments clearly and distinctly benefit properties in

the Assessment District by providing a clearly defined neighborhood park within the Assessment District that otherwise would not be provided.

#### IMPROVED MAINTENANCE AND PRESERVATION OF LOCAL PARKS AND RECREATION FACILITIES.

The assessments provide funding to maintain, improve and protect Jordan Family Park and thus will preserve the Improvements for the current and future special benefit of property within the Assessment District. For example, the assessments will provide funding to remove graffiti from Jordan Family Park, to keep the park grounds, and landscaping areas clean with consistent trash removal and to adequately maintain the grounds and facilities so that turf areas remain green and healthy and the grounds and facilities in Jordan Family Park do not fall into disrepair and are safe to use by the residents and employees of property in the Assessment District. This is a distinct special benefit to properties in the Assessment District because these parcels are the only ones that enjoy close proximity and good access to the Improvements.

#### IMPROVED AND PROTECTED VIEWS, SCENERY AND OTHER RESOURCES VALUE FOR BENEFITED PROPERTY IN THE ZONE OF BENEFIT.

Parks and recreation areas provide other specific and special benefits to property such as landscape buffers, scenic views as well as historic and cultural sites. These are special benefits to property within the Assessment District because the assessed properties in the Assessment District have good proximity and access to the Improvements and therefore benefit from the enhanced and improved views and resource values provided by the assessments.

#### ENHANCED ATTRACTIVENESS AND DESIRABILITY OF PROPERTY IN THE ASSESSMENT DISTRICT AND IMPROVED MARKETABILITY OF PROPERTY IN THE ASSESSMENT DISTRICT.

As noted, the assessments will provide funding to create, improve, maintain and preserve the Jordan Family Park, a neighborhood park that would not be provided in absence of the assessments. Such Improvements directly and tangibly enhance the overall appeal and desirability of properties within the Assessment District. The Improvements will also make the benefiting properties in the Assessment District more marketable and easier to sell. Other properties outside the Assessment District do not receive these special benefits because they do not enjoy similar access and proximity to the Improvements.

#### SPECIAL BENEFIT SUMMARY

In summary, in absence of the Assessment District, Jordan Family Park would not be constructed or maintained in the future. Property in the Assessment District currently does not have the advantage of a local neighborhood park located within the Vista Creek Village subdivision. Since the Assessment District was approved, a new neighborhood park was constructed and is being maintained within the Assessment District. Since the Assessment District was narrowly drawn to only include the properties that enjoy close proximity and access to Jordan Family Park, the properties in the Assessment District receive a direct advantage and special benefits from the Improvements.

## GENERAL VERSUS SPECIAL BENEFIT

The Cosumnes Community Services District is a Special District created pursuant to the laws of the State of California. There are many types of Special Districts that provide a variety of urban services. Special Districts, like the Cosumnes Community Services District, are created to provide a higher level of service within their boundaries than what would be provided in their service area in absence of the Special District. The Assessment District will allow the Cosumnes Community Services District to provide additional, tangible Improvements within the boundaries of the Assessment District at a much higher level than what otherwise would be provided in absence of the assessments. Moreover, in absence of the assessments, no other agency would provide the Improvements nor would the District because it does not have alternative available funds to provide the Improvements.

All of the assessment proceeds derived from the Assessment District will be utilized to fund the cost of providing a level of tangible “special benefits” in the form of a new neighborhood park and recreation facilities in Jordan Family Park, and other Improvements and costs incidental to providing the Improvements and collecting the assessments. The Assessment District boundaries have been narrowly drawn to include only those properties that enjoy good proximity and access to Jordan Family Park. Other properties that are outside the Assessment District are not specially benefited or assessed because they do not enjoy the proximity, access, views and other special benefit factors received by property within the Assessment District.

We therefore conclude that the park and recreation Improvements funded by this assessment are of special benefit to all benefiting properties located within the Assessment District and that the value of the special benefits from the Improvements to property in the Assessment District reasonably exceeds the amount of the assessments for every assessed parcel in the Assessment District.<sup>1</sup>

Although this determination of 100% special benefits from the Improvements is justified, a more conservative approach is to estimate a percentage of general benefits from the Improvements and establish a requirement for funding from other sources to cover any general benefits from the Improvements.

Article XIIC of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to “separate the general benefits from the special benefits conferred on a parcel.” The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

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<sup>1</sup> In other words, as required by Article XIID, we find that the reasonable cost of the proportional special benefit exceeds the amount of assessment for each assessed parcel in the Assessment District.

In other words:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not “particular and distinct” and are not “over and above” benefits received by other properties. The SVTA decision provides some clarification by indicating that general benefits provide “an indirect, derivative advantage” and are not necessarily proximate to the improvements.

In this Report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

The starting point for evaluating general and special benefits is the current, baseline level of service. The assessment will fund Improvements “over and above” this general, baseline level and the general benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

<b>General Benefit</b>	<b>=</b>	<b>Benefit to Real Property Outside the Assessment District</b>	<b>+</b>	<b>Benefit to Real Property Inside the Assessment District that is Indirect and Derivative</b>	<b>+</b>	<b>Benefit to the Public at Large</b>
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The SVTA decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this Assessment, as noted, properties in the Assessment District have close and unique proximity, views and access to the Improvements and uniquely improved desirability from the Improvements and other properties and the public at large do not receive significant benefits because they do not have proximity, access or views of the Improvements. Therefore, the overwhelming proportion of the benefits conferred to property is special, and is only minimally received by property outside the Assessment District or the public at large.

In the 2010 Beutz case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. The Assessments described and

justified in this Engineer's Report include a specific calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments for each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer's Report are consistent with the Beutz decision.

#### **BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT**

Properties within the Assessment District receive almost all of the special benefits from the Improvements because properties in the Assessment District enjoy unique close proximity and access to the Improvements that is not enjoyed by other properties or the public at large. However, certain properties within the proximity/access radius of the Improvements and outside of the boundaries of the Assessment District and not with a lack of proximity and access due to obstacles such as railroads or major roadways, may receive some benefit from the Improvements. Since this benefit is conferred to properties outside the Assessment District boundaries, it contributes to the overall general benefit calculation and will not be funded by the Assessments.

The properties outside the Assessment District and within the proximity radii for neighborhood parks in the Assessment District and without access obstructions such as railroads and major roadways may receive benefits from the Improvements. Since the properties outside the Assessment District but with proximity and access are not assessed for their benefits, this is a form of general benefit to the public at large and other property. A 50% reduction factor is applied to these properties because they are all geographically on only one side of the Improvements and are over twice the average distance from the Improvements compared to properties in the Assessment District. The general benefit to property outside of the Assessment District is calculated as follows with the parcel and data analysis performed by SCI Consulting Group.

##### **Criteria:**

556 parcels outside the district but within 0.5 miles of a park within the Assessment District

122 parcels in the Assessment District

50% relative benefit compared to property within the Assessment district

##### **Calculation**

General Benefit to Property Outside the Assessment District =

$$(556/(556+122))*0.5 = \mathbf{41.0\%}$$

Although it can reasonably be argued that Improvements inside, but near the Assessment District boundaries are offset by similar park and recreational improvements provided outside, but near the Assessment District's boundaries, we use the more conservative

approach of finding that 41% of the Improvements may be of general benefit to property outside the Assessment District.

#### **BENEFIT TO PROPERTY *INSIDE* THE DISTRICT THAT IS *INDIRECT AND DERIVATIVE***

The “indirect and derivative” benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Improvements are clearly “over and above” and “particular and distinct” when compared with the baseline level of service and the unique proximity, access and views of the Improvements enjoyed by benefiting properties in the Assessment District.

Nevertheless, the SVTA decision indicates there may be general benefit “conferred on real property located in the district”. A measure of the general benefits to property within the Assessment area is the percentage of land area within the Assessment District that is publicly owned and used for regional purposes such as major roads, rail lines and other regional facilities because such properties used for regional purposes could provide indirect benefits to the public at large. None of the land area in the Assessment District is used for such regional purposes.

#### **BENEFIT TO THE PUBLIC AT LARGE**

The general benefit to the public at large can be estimated by the proportionate amount of time that the Assessment District’s parks and recreational facilities are used and enjoyed by individuals who are not residents, employees, customers or property owners in the Assessment District. Based on surveys and research conducted by SCI, less than 5% of the use of similar parks and recreation areas is by the public at large. When people outside the Assessment district use parks, they diminish the availability of parks for people within the Assessment district. Therefore, another 5% of general benefits are allocated for people within the Assessment district. Combining these two measures of general benefits, we find that 10% of the benefits from the Improvements are general benefits to the public at large.

#### **TOTAL GENERAL BENEFITS**

Using a sum of these three measures of general benefit, we find that approximately 51% of the benefits conferred by the Improvements may be general in nature and should be funded by sources other than the assessment.

**General Benefit Calculation**

	<b>41.0%</b>	<b>(Outside the Assessment District)</b>
<b>+</b>	<b>0.0%</b>	<b>(Inside the Assessment District – indirect and derivative)</b>
<b>+</b>	<b>10.0%</b>	<b>(Public at Large)</b>
<b>=</b>	<b>51.0%</b>	<b>(Total General Benefit)</b>

This analysis finds that 51% of the assessment may provide general benefits, so the Assessment Engineer establishes a requirement for a minimum contribution from sources other than the assessments of 51%.

The Assessment District's total budget for maintenance and improvement of its parks and recreational facilities is \$93,015. Of this total budget amount, the District will contribute \$66,048 from sources other than the assessments for the construction of the park and recreation facility improvements. The estimated park construction cost of \$760,000 is allocated over a 30 year period at a rate of 5% interest, resulting in a general benefit of \$66,048 per year. This contribution by the District equates to approximately 71% of the total budget for maintenance and improvements and constitutes far more than the amount attributable to the general benefits from the Improvements.

In the 2010 Beutz case, the 4<sup>th</sup> Appellate Court rejected an assessment for parks in large part because the general benefits were not calculated and quantified. In its decision, the 4<sup>th</sup> Appellate Court suggests that the use of parks in an assessment district by people who live outside of the district likely is a general benefit. The Assessments described and justified in this Engineer's Report include a specific calculation of general benefits, as described below, that is based in part on such use by people outside of the Improvement District. Moreover, the proportionality of the Assessments for each parcel, based in large part on proximity is established as well. Therefore, the Assessments and this Engineer's Report are consistent with the Beutz decision.

#### **METHOD OF ASSESSMENT**

Pursuant to the Landscaping and Lighting Act of 1972 and Article XIII D of the Constitution of the State of California, all parcels that have special benefit conferred upon them as a result of the Improvements shall be identified and the proportionate special benefit derived by each identified parcel shall be determined in relationship to the entire cost of the Improvements. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received.

Each parcel's benefit is determined by the difference between the general and special benefits being conferred on the properties by the Improvements, the special benefits being

covered which are conferred only on the Assessment District, and the proportion of the special benefit conferred on the various land uses within the Assessment District.

In summary, the Assessment Engineer determined that the appropriate method of assessment should be based on the proximity of the property to the Improvements, type of property, the relative size of the property and the property's location. This method is further depicted below.

## EQUATION 1 – SPECIAL BENEFIT APPORTIONMENT FACTORS

<b>Special Benefit</b>	$\approx \Sigma$	<b>(Special Benefit apportionment factors including use property type, size, location, and proximity to Improvements)</b>
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The next step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a "benchmark" property, a single family detached dwelling on one parcel (one "Equivalent Dwelling Unit" or "EDU"). This EDU methodology is commonly used to distribute assessments in proportion to estimated special benefits and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. In this Engineer's Report, all properties are assigned an EDU value, which is each property's relative special benefit in relation to a single family home on one parcel (the benchmark parcel). The formula for this special benefit assignment is as follows:

## EQUATION 2 – RELATIVE SPECIAL BENEFIT (EDU)

<b>Relative Special Benefit</b>	$\approx$	<b><u>Special Benefit for a Specific Parcel</u> Special Benefit for the Benchmark Parcel</b>
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**RESIDENTIAL PROPERTIES**

All improved residential properties represent a single residential dwelling unit and are assigned 1.00 EDU per dwelling unit. Traditional houses, zero-lot line houses, and townhomes are included in this category.

**VACANT AND UNDEVELOPED PROPERTIES**

The relative special benefit for vacant properties was determined per Equation 1 to be 0.25 EDUs per parcel. This reduced level of benefit to vacant properties is based on the determination that most of the benefits from park and recreation facilities flow to the improved use of properties, instead of the underlying land.

**OTHER PROPERTIES**

Currently, there are no commercial or other improved types of properties in the Assessment District. In the unlikely event that commercial, industrial or other property types in the Assessment District are established at a later date, each such property will be assigned 1.00 EDU per one-fifth acre.

**CALCULATION OF ASSESSMENTS**

The assessment is determined by dividing the total cost of all the work to be performed by the total number of EDU's.

#### ANNUAL COST INDEXING

It should also be noted that, if the assessments are approved, the maximum assessment rate within the Assessment District may increase in future years by an amount equal to the annual change in the Bay Area Consumer Price Index.

#### APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Cosumnes Community Services District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Engineer or his or her designee shall be referred to the Board of Directors of the Cosumnes Community Services District, and the decision of the Board shall be final.

## ASSESSMENT

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WHEREAS, this Engineer's Report (the "Report") has been prepared pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act") and Article XIID of the California Constitution; and

WHEREAS, the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under the Act, Article XIID of the California Constitution and the order of the Board of the Cosumnes Community Services District, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

As required by the Act, an Assessment Diagram showing the exterior boundaries of said Assessment District is hereto attached and incorporated herein by reference. The distinctive number of each parcel or lot of land in the said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Estimate of Cost and Method of Assessment in the Report.

The assessment is subject to an annual adjustment tied to the amount equal to the annual change in the Bay Area Consumer Price Index.

The change in the CPI from February 2019 to February 2020 was 2.91%. Therefore, the maximum authorized assessment rate for fiscal year 2020-21 is increased by 2.91% which equates to \$215.04 per single family equivalent benefit unit. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2020-21 at the rate of \$215.04, which is equal to the maximum authorized assessment rate.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

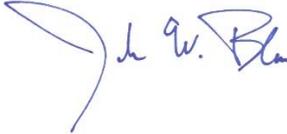
Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Sacramento for the fiscal year 2020-21. For a more particular description of said property, reference is hereby made to

the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2020-21 for each parcel or lot of land within the said Assessment District.

Dated May 6, 2020

Engineer of Work



By \_\_\_\_\_  
John W. Bliss, License No. C052091



## ASSESSMENT DIAGRAM

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The Assessment District includes all properties within the boundaries of Vista Creek Park Assessment District. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Sacramento, for fiscal year 2020-21, and are incorporated herein by reference, and made a part of this Diagram and this Report.



NOTE: REFERENCE IS HEREBY MADE TO THE MAPS AND DEEDS OF RECORD IN THE OFFICE OF THE ASSESSOR OF THE COUNTY OF SACRAMENTO FOR A DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF ANY PARCELS SHOWN HEREIN. THOSE MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH PARCELS. EACH PARCEL IS IDENTIFIED IN SAID MAPS BY ITS DISTINCTIVE ASSESSOR'S PARCEL NUMBER.

FILED AND RECORDED IN THE OFFICE OF THE SECRETARY OF THE BOARD OF THE COSUMNES COMMUNITY SERVICES DISTRICT, COUNTY OF SACRAMENTO, CALIFORNIA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

SECRETARY OF THE BOARD

AN ASSESSMENT WAS CONFIRMED AND LEVIED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT ON THE LOTS, PIECES AND PARCELS OF LAND ON THIS ASSESSMENT DIAGRAM ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ FOR THE FISCAL YEAR 20\_\_-\_\_ AND SAID ASSESSMENT DIAGRAM AND THE ASSESSMENT ROLL FOR SAID FISCAL YEAR WERE FILED IN THE OFFICE OF THE COUNTY AUDITOR OF THE COUNTY OF SACRAMENTO ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_. REFERENCE IS MADE TO SAID RECORDED ASSESSMENT ROLL FOR THE EXACT AMOUNT OF EACH ASSESSMENT LEVIED AGAINST EACH PARCEL OF LAND.

SECRETARY OF THE BOARD

**Cosumnes Community Services District  
Vista Creek Park Assessment District  
Assessment Diagram**

Prepared by SCI Consulting Group  
4745 Mangels Blvd, Fairfield, CA 94534

## ASSESSMENT ROLL FOR FISCAL YEAR 2020-21

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An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary of the Board and is, by reference, made part of this Report and is available for public inspection during normal office hours.

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

**RESOLUTION NO. 2020-18  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
COSUMNES COMMUNITY SERVICES DISTRICT**

**A RESOLUTION OF INTENTION TO LEVY ASSESSMENTS FOR THE FISCAL YEAR  
2020 - 2021, PRELIMINARILY APPROVING THE ENGINEER'S REPORT AND PROVIDING  
NOTICE OF HEARING**

**FOR THE**

**DISTRICT-WIDE LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT,  
CAMDEN PARK ASSESSMENT DISTRICT, CAMDEN ESTATES & CAMDEN POINTE  
IMPROVEMENT DISTRICT, FALLBROOK/PARK LANE/BRITSCHGI PARK ASSESSMENT  
DISTRICT, HAMPTON VILLAGE IMPROVEMENT DISTRICT, PERRY RANCH  
IMPROVEMENT DISTRICT, & VISTA CREEK PARK ASSESSMENT DISTRICT**

**RESOLVED** by the Governing Board of Directors ("Board") of the Cosumnes Community Services District (the "District"), County of Sacramento, State of California, that:

**WHEREAS**, the Cosumnes Community Services District is authorized, pursuant to the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof) and Article XIID of the California Constitution, to levy assessments for the District-Wide Landscape and Lighting Assessment District, the Camden Park Assessment District, the Camden Estates and Camden Pointe Improvement District, the Fallbrook/Park Lane/Britschgi Park Assessment District and the Hampton Village Improvement District, the Perry Ranch Improvement District, & the Vista Creek Park Assessment District (the "Assessment Districts"); and

**WHEREAS**, by Resolution No. 2020-09, the Board ordered the preparation of Engineer's Reports for the Assessment Districts for fiscal year 2020-2021; and

**WHEREAS**, said Engineer's Reports were filed with the Secretary of the Board of Directors and the Board of Directors has reviewed the Reports and wishes to take certain actions relative to said Reports.

**RESOLVED** by the Board of Directors of the Cosumnes Community Services District, County of Sacramento, State of California, that:

1. The Board hereby proposes to continue to levy the Assessment Districts benefit assessments pursuant to the Act and Article XIID of the California Constitution. The Board appoints SCI Consulting Group as the Engineer of Work and directs SCI Consulting Group to perform the professional services necessary to levy the benefit assessments for fiscal year 2020-2021.
2. SCI Consulting Group, the Engineer of Work, has prepared Engineer's Reports in accordance with Article XIID of the California Constitution and the Act ("Reports"). The Reports have been made, filed with the Secretary of the Board and duly considered by the Board and are hereby deemed sufficient and preliminarily approved. The Reports shall stand as the Engineer's Reports for all subsequent proceedings under and pursuant to the foregoing resolution.

3. It is the intention of this Board to levy and collect assessments within the Assessment Districts for fiscal year 2020-2021. Within the Assessment Districts, the existing and proposed improvements (the "Improvements") are generally described as the: installation, maintenance and servicing of public recreational facilities and improvements, including, but not limited to, turf and play areas, playground equipment, hard court surfaces, ground cover, shrubs and trees, irrigation and sprinkler systems, landscaping, park grounds and facilities, drainage systems, lighting, fencing, entry monuments, hardcourt recreation areas, landscape corridors, trails, other recreational facilities, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained within the boundaries of the Assessment Districts that participates with the Cosumnes Community Services District in any of the installation, maintenance and servicing described herein. Installation means the construction of recreational improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, recreational facilities and public restrooms. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of said improvements, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; and cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti. Servicing means the furnishing of electric current or energy for the operation or lighting of any improvements, and water for irrigation of any landscaping or the maintenance of any other improvements.
4. The Assessment Districts each consists of the lots and parcels shown on each of the assessment diagrams of the Assessment Districts on file with the Secretary of the Board, and reference is hereby made to such diagram for further particulars.
5. Reference is hereby made to the Reports for a full and detailed description of the Improvements, the boundaries of the Assessment Districts and the proposed assessments upon assessable lots and parcels of land within the Assessment Districts. The Reports identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed.
6. The Board of Directors does not intend to increase any assessment in any Benefit Zone or Assessment District beyond the prior approved cost of living adjusted maximum assessment rate and therefore does not intend to conduct a property owners balloting procedure pursuant to Section 4 of Proposition 218.
7. Notice is hereby given that on June 17, 2020, at the hour of 6:30 p.m. at the Cosumnes Community Services Administration Building, 8820 Elk Grove Boulevard, Elk Grove, California, the Board will hold a public hearing to consider the ordering of the Improvements, and the levy of the assessments for fiscal year 2020-2021. The Secretary of the Board is hereby authorized and directed to cause a notice of the hearing to be given by publishing a notice once, at least ten (10) days prior to the date of the hearing above specified, in a newspaper circulated in the District.

**PASSED and ADOPTED** by the Board of Directors of the Cosumnes Community Services District at a regular meeting held on May 20, 2020 by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Orlando Fuentes, President

ATTEST: \_\_\_\_\_  
Joshua Green, Secretary