

ORDINANCE NO. 95 - 2

**AN ORDINANCE OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT
AMENDING CHAPTER 8 OF THE COMMUNITY FACILITIES FEE CODE.**

BE IT ORDAINED by the Board of Directors of the Rancho Murieta Community Services District, Rancho Murieta, Sacramento County, California, as follows:

SECTION ONE:

Chapter 8 of the District Community Facilities Fee Code, Section 3.00 Fees is amended, in part, as follows:

- 3.03 a) **Capital Improvement Fee:** No Change.
- b) **A Community Park Fee** in the amount of One Thousand One Hundred Ninety Dollars and Sixty-Four Cents (\$1190.64) per single-family or multi family dwelling unit. This fee is to be paid upon issuance by the District of a water/sewer service permit.

Note: Pursuant to that certain Parks Agreement dated September 19, 1990, dwelling units designated by Rancho Murieta Association as participants in the Rancho Murieta Association Private Recreation Program will be given a credit in the amount of \$1190.64. Such dwelling units, as of the effective date of this ordinance, are those located on the following properties:

1. Rancho Murieta Unit 1 - except lots A and B
2. Rancho Murieta Unit 1A
3. Rancho Murieta Unit 2
4. Rancho Murieta Unit 3
5. Rancho Murieta Unit 3A
6. Rancho Murieta Unit 3B
7. Rancho Murieta Unit 4
8. Rancho Murieta South Unit 1A
9. Rancho Murieta South Unit 1B
10. Rancho Murieta South Unit 2A
11. Rancho Murieta South Unit 2B
12. Rancho Murieta South Unit 3
13. Rancho Murieta South Unit 4
14. Rancho Murieta South Proposed Unit 5
15. Rancho Murieta South Proposed Phase II
16. Rancho Murieta South Parcel 3
17. Rancho Murieta South Parcel 4
18. Rancho Murieta South Parcel 5
19. Rancho Murieta South Parcel 6

c. **A Water Supply Augmentation Fee:** No Change

SECTION TWO:

To the extent the terms and conditions of this Ordinance may be inconsistent or in conflict with the terms and provisions of any prior District ordinances, resolutions, rules, or regulations, the terms of this Ordinance shall prevail with respect to the terms and provisions thereof, and such inconsistent or conflicting terms and provisions of prior ordinances, resolutions, rules, and regulations are hereby repealed.

SECTION THREE:

This Ordinance shall be in full force and effect sixty (60) days after adoption and shall be published within 10 days of adoption in a newspaper of general circulation published within the District.

SECTION FOUR:

The establishment, modification, structure, restructuring and approval of the fees, rates, tolls, or other charges as set forth herein are for the purposes of continuing to meet the District's costs for operation and maintenance, supplies and equipment, financial reserves, and capital replacement needs, and are necessary to maintain service within the District's existing service area.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District, Sacramento County, California, at a meeting duly held on September 20, 1995, by the following roll call vote:

AYES: Directors Thurston, Sevier, Lensch, Menicucci


NOES:

ABSENT: Director Stevens

ABSTAIN:


President, Board of Directors

ATTEST:


District Secretary

NOTICE OF PUBLIC HEARING

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

The Board of Directors of the Rancho Murieta Community Services District will hold a public hearing on Wednesday, September 20, 1995 at 6:30 p.m. in the District meeting room, 15160 Jackson Road, Rancho Murieta, CA to consider possible amendments to fees in the District's Community Facilities Fee Codes. Following is a portion of the proposed ordinance:

Chapter 8 of the District Community Facilities Fee Code, Section 3.00 Fees is amended, in part, as follows:

- 3.03 a) Capital Improvement Fee:** No Change.
- b) A Community Park Fee** in the amount of One Thousand One Hundred Ninety Dollars and Sixty-Four Cents (\$1190.64) per single-family or multi family dwelling unit. This fee is to be paid upon issuance by the District of a water/sewer service permit.

Note: Pursuant to that certain Parks Agreement dated September 19, 1990, dwelling units designated by Rancho Murieta Association as participants in the Rancho Murieta Association Private Recreation Program will be given a credit in the amount of \$1190.64. Such dwelling units, as of the effective date of this ordinance, are those located on the following properties:

- c. A Water Supply Augmentation Fee:** No Change

A copy of the full and complete ordinance is available in the CSD office for your review. You are invited to appear to make your views known or send your comments to Marion Cravens, General Manager, R.M.C.S.D., P.O. Box 1050, Rancho Murieta, CA 95683, (916) 354-3700.

Any interested party may appear and be heard at that time regarding these proposed changes.

**RANCHO MURIETA COMMUNITY SERVICES DISTRICT
GOVERNMENT CODE 66000 COMPLIANCE REPORT
FOR
COMMUNITY PARK FEE**

JUNE 1,1995

This report sets forth the findings and background information required by Government Code 66000 for the 1995 update of the District's Community Park Fee. The amount of this Fee is \$1,190.64 per residential dwelling unit ("DU").

I. Purpose of Fee

The purpose of the Community Park Fee (the "Fee") is to fund the public component of a mixed public/private community parks program to serve the Rancho Murieta community. The public component of the mixed public/private community parks program is currently anticipated to consist of development of community park facilities on the District owned park site located on Stonehouse Road.

II. Use of Fee

The revenues generated by the Fee will be used to fund the public portion of the costs of building a community park on the District property located on Stonehouse Road in Rancho Murieta (the "Stonehouse Community Park"). The Stonehouse Community Park is currently anticipated to consist of ball fields, hard courts, a concession building, a pool and cabana, picnic areas, landscaping, and other miscellaneous park related improvements (the "Stonehouse Community Park Facilities"). A more complete listing of the Stonehouse Community Park Facilities is provided in the budget attached to this report as Exhibit "A" (the "Public Community Park Program Budget").

III. Relationship Between the Type of Development on which the Fee Is Imposed, the Fee's Use and the Need for the Facilities Being Funded Thereby

Residential development creates need and demand for community park and recreation facilities. Such facilities play a critical role in promoting and protecting the health, safety and general welfare of the residents of Rancho Murieta.

The park and recreational facilities required to serve the residents of the District are to be addressed through a mixed public/private community parks program that will include not only the publicly funded facilities on the Stonehouse site, but also privately funded facilities to include two community centers as well as park improvements for the Clementia Valley and Clementia Lakeside park sites. Whereas the public funds generated by this Fee will be administered by the District on behalf of all residents of the District, the private funds will be administered by the Rancho Murieta Association ("RMA") on behalf of its present and future members.

IV. Relationship Between the Amount of the Fee and the Cost of Providing Facilities to Address the Needs Attributable to the Development on which the Fees Are Imposed

A. Determination of Properties to be Served

The Community Park Facilities will be provided for the use of all present and future residents of the District and all present and future residents will contribute to the provision thereof. Those facilities funded with revenues generated by this Fee, or any other public resources, will be operated and maintained by the District. The total number of private dwelling units to be served by the Community Park Facilities is 4,962.¹

As of December 1990, of these 4,962 dwelling units, the lands then annexed to RMA north of the Cosumnes River included 1,534 dwelling units and/or vacant lots. RMA agreed to contribute \$1,500,000 towards the construction of private community park facilities within the District in behalf of these 1,534 DU and/or lots. This contribution represented a fair share allocation of the cost of the community's overall community park program for these 1,534 dwelling units and/or lots. Additionally, as explained below, of the 4,962 dwelling units, 78 dwelling units within Rancho Murieta South had previously met their community park obligation.

¹The Sacramento County approved Rancho Murieta Planned Development Ordinance (PD Ordinance) authorizes not more than 5,189 residential dwelling units within the existing boundaries of the District. In calculating the number of units to be served by the Community Park Facilities, however, two types of existing residential developments have been excluded. The existing mobile home park (189 dwelling units) has its own self-contained recreational facility. Also excluded will be the Rancho Murieta Country Club Lodge with 38 dwelling units used to provide temporary lodging to guests of its members. It has been determined by the District that the mobile home park and the Lodge will place negligible recreational demand on a community park. The total remaining properties to be served by the Community Parks Program is as follows:

Rancho Murieta PD Ordinance	5,189 DU
1. Mobile Home Park	< 189 DU >
2. RMCC Lodge	< 38 DU >
Total Properties To Be Served	4,962 DU

Accordingly, the remaining number of dwelling units subject to this fee is determined as follows:

Total Properties To Be Served:	4,962 DU
Less:	
(1) RMA Units/Lots	< 1,534 DU >
(2) Rancho Murieta South Lots	< 78 DU >
Properties Subject To Fee:	3,350 DU

B. Determination of the Community Parks Program Budget

The costs of building the Stonehouse Community Park Facilities are estimated to be \$4,056,500. A detailed breakdown of such costs is provided in the attached Exhibit A.

C. Relationship Between Public and Private Community Park Program and Funding Sources

The relationship between the public and private community parks and the source of funds to cover the costs of the Community Parks Program are explained as follows:

i. Community Park Program

In 1990 and 1991, RMA entered into a series of Park Development Agreements with the owners of all undeveloped land within the District that requires the owners of these lands to convey certain neighborhood and community park sites to RMA and to pay a per dwelling unit fee to RMA for the development of those park sites. In December 1990, under the theory that the District needed to create an enforcement mechanism to assure compliance of the parties to the Park Development Agreements, the District, also being a signatory to these agreements, adopted a Community Park Fee of a like amount to fund the development of a community park at the Stonehouse site.

The demand placed on the District for community park facilities will decrease over time pro-rata in direct relationship to the number of dwelling units that are annexed to RMA and pay RMA's community park development fee. As development of the community progresses, the District's contingent responsibility decreases pro-rata until all residential lands within the District are developed and annexed to RMA.

In the event that one or more of the parties to the private park program created by the agreements failed to meet their respective responsibilities, the District would collect fees from the then remaining undeveloped dwellings units thereby funding the construction of community park facilities on the Stonehouse site. The public community park facilities constructed through this process would fill the resulting void in the private community park facilities created by the failure of the private park program.

The proposed public community park budget is designed to yield a per dwelling unit fee equivalent to the current community park fee per dwelling unit (the "Contract Fee") then due under RMA's Park Development Agreements. Originally set at \$1,095 per dwelling unit in February 1991, these agreements included a provision that the Contract Fee would be adjusted annually pro-rata to the change in the Engineering News Record (ENR) Construction Cost Index for the San Francisco Region. Through February 1995, this Contract Fee had been adjusted to \$1,190.64 per residential dwelling unit.

Practically speaking, if, in the unlikely event that one or more of the parties default from their responsibilities under the agreements, the District would collect fees from the affected dwelling units, scale back the public community park budget accordingly and construct the needed community park facilities on the Stonehouse site. Over time, the District's "budget" for community park facilities will in effect dwindle in direct relationship to the ever declining number of yet to be developed residential dwelling units such that the resulting fee (reduced "budget" divided by the number of remaining undeveloped dwelling units) would continue to be equivalent to the amount of the per dwelling unit fee then due under the agreements.

ii. Private Funding Sources

1. RMA has agreed, on behalf of the owners of the 1,534 developed lots north of the Cosumnes River, that the Association, as of December 1990, would contribute One Million Five Hundred Thousand Dollars (\$1,500,000) towards the construction of private Community Park Facilities. (A complete listing of the properties covered by the RMA agreement is attached as Exhibit "B" to this Report.)

2. In addition, RMA has entered into a Park Development Agreement with the owners of 1142 of the 1220 undeveloped lots south of the Cosumnes River and a series of "sister" Park Development Agreements with the owners of all of the undeveloped residential land north of the Cosumnes River (estimated to be developed into 2,208 DU) pursuant to which the Landowners originally agreed to contribute \$1,095 per dwelling unit to the RMA administered private Community Parks Program. (A complete listing of the properties subject to these Park Development Agreements is attached as Exhibit "C" to this Report.) The District has agreed to grant a credit to these Landowners in the amount of each lot's contribution to the RMA Administered Private Community Parks Program.

iii. Public Funding Sources

1. Approximately 78 of the 1220 lots south of the Cosumnes River had already met their community park funding obligations (and therefore are not subject to the Park Development Agreement) prior to execution of the Park Development Agreements in 1990 by paying the District's Community Facilities Fee then in effect of which slightly over forty percent (40%) has been allocated to park funding.

D. Determination of Fee

The Public Community Park Fee is intended to fund the costs of the public community park facilities at the Stonehouse site. The Stonehouse Community Park is expected to cost \$4,056,500. The previously mentioned 78 lots south of the Cosumnes River that are not subject to the Park Development Agreements had paid approximately \$63,960 towards the cost of the Stonehouse Community Park facilities as of October 1990. Since that time, these funds have accrued approximately \$20,383 in interest from the District's account in the State of California's Local Agency Investment Fund. The remaining costs of the Stonehouse Community Park facilities, in the amount of \$3,972,157 will be funded through the Fee. A community park fee of \$1,190.64 per dwelling unit, when applied to the 3350 dwelling units, will yield sufficient revenues (\$3,988,664) to cover such remaining costs.

While the program budget is slightly lower than the CPI adjusted fee revenue budget, within a reasonable margin of error, there is no significant difference between the program budget and the adjusted CPI projected revenue budget. Accordingly, there is no justification at this time to adopt a fee amount less than the adjusted CPI fee.

E. Summary of Funding for Public Community Park Program

1.	Public Community Park Program Budget:	
a.	Stonehouse Community Park Facilities	\$4,056,500
2.	Funding Sources:	
a.	Public Sources of Funds Community Park Fee (3350 DU x \$1,190.64)	\$3,988,644
b.	Park Component of Community Facilities Fee for 78 Southside units not subject to Park Development Agreement (including interest earnings)	<u>\$ 84,343</u>
	Total Public Funds Available for Public Community Parks Program	\$4,072,987

V. Determination of Credits

At any time prior to payment of the Fee, the owner of an undeveloped lot subject to the Fee may choose to participate in a Park Development Agreement with RMA. Such participants shall receive a credit towards the Fee for any amounts paid to RMA pursuant to such a Park Development Agreement, provided that RMA agrees to utilize the revenue thereby collected to construct improvements substantially similar in type and purpose to those enumerated in Exhibit A.

VI. Collection of Fee

This fee will be collected at the time of issuance of a water/sewer service permit. This will be a one time per DU fee.

EXHIBIT A

PUBLIC COMMUNITY PARK PROGRAM BUDGET

June 1, 1995

STONEHOUSE COMMUNITY PARK

Fields & Lighting

A.	Ball Fields	\$	185,000
B.	Soccer Fields		105,000
C.	Ball Field Lighting		<u>255,000</u>

SubTotal \$ 545,000

Courts & Lighting

A.	Tennis	\$	65,000
B.	Basketball		50,000
C.	Lighting		<u>50,000</u>

SubTotal \$ 165,000

Bleachers & Benches	\$	50,000
Concession Building w/Restrooms (3,000 sf @ \$60/sf)		180,000
Playground & Picnic Areas		110,000
Trails & Walks		155,000
Landscape, Irrigation & Turf		210,000
Porta John Shelter		155,000
Pool & Cabana Facilities		980,000
Development Fee Administration Expense		10,000

Site Preparation & Improvements

A.	Clear, Grubb & Grading	\$	105,000
B.	Streets		105,000
C.	Parking		135,000
D.	Lighting		60,000
E.	Utilities & Drainage		130,000
F.	Misc.		<u>25,000</u>

Subtotal \$ 560,000

Subtotal \$ 3,120,000

Contingency (10%)		312,500
Architecural, Engineering, Inspection & Supervision (20%)		<u>624,000</u>

TOTAL COST FOR STONEHOUSE COMMUNITY PARK \$ 4,056,500

EXHIBIT B

PROPERTIES SUBJECT TO RMA AGREEMENT

Rancho Murieta Association's agreement to contribute One Million Five Hundred Thousand Dollars (\$1,500,000) towards construction of Community Park Facilities was made on behalf of the owners of the developed lots in the following existing subdivisions:

		Recording Information or <u>APN</u>
1.	Rancho Murieta Unit No. 1	95BM18
2.	Rancho Murieta Unit No. 1A	11BM23
3.	Rancho Murieta Unit No. 2	21BM8
4.	Rancho Murieta Unit No. 3	132BM14
5.	Rancho Murieta Unit No. 3A	163BM1
6.	Rancho Murieta Unit No. 3B	172BM17
7.	Rancho Murieta Unit No. 4	142BM9

EXHIBIT C

PROPERTIES SUBJECT TO THE PARK DEVELOPMENT AGREEMENT

The following properties are subject to the park Development Agreement:

	<u>Recording Information or APN</u>
1. Rancho Murieta South Unit No. 1A ²	202 BM 10
2. Rancho Murieta South Unit No. 1A ³	202 BM 11
3. Rancho Murieta South Unit No. 2A	207 BM 1
4. Rancho Murieta South Unit No. 2B	207 BM 2
5. Rancho Murieta South Unit No. 3	209 BM 4
6. Rancho Murieta South Unit No. 4	209 BM 5
7. Rancho Murieta South Unit No. 5	216 BM 11
8. Rancho Murieta South - "Phase II"	128-0080-089 & 128-0080-090
9. Rancho Murieta South - "The Crest" (Parcel 3)	123 PM 26
10. Rancho Murieta South - "The Greens" (Parcel 4)	123 PM 26
11. Rancho Murieta South - "Lakeview" (Parcel 5)	123 PM 26
12. Rancho Murieta South - "Riverview" (Parcel 6)	123 PM 26
13. Rancho Murieta North Hotel Site (Parcel A)	98 PM 23
14. Rancho Murieta North Unit No. 6	213 BM 6
15. The Villas Townhouse Site (Parcel 1)	92 PM 22
16. Rancho Murieta North Unit No. 5	073-0190-071 & 073-0190-047
17. Calero Residential (Parcel A)	801102 O.R. 842
18. Rancho Murieta North - School Site (Lot A)	95 BM 18
19. Rancho Murieta North Remainder (Parcel 7)	123 PM 26
20. Murieta "Ruins" Parcel (Parcel 12)	123 PM 26
21. Future Driving Range Site (Parcel 10)	123 PM 26

²Of the 57 recorded lots in Rancho Murieta South Unit No. 1A, only 12 lots are subject to the Park Development Agreement. The 12 lots that are subject to the Parks Development Agreement are Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 49 & 50.

³Of the 40 lots contained in Rancho Murieta South Unit No. 1B only 7 lots are subject to the Park Development Agreement. The 7 lots that are subject to the Park Development Agreement are Lots 51, 53, 58, 75, 80, 81, & 82.