



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 13-0594, **Version:** 1

Acting on behalf of County Service Area 10 - Laguna Seca Ranch Estates:

- a. Accept a report on the financial condition of County Service Area 10 - Laguna Seca Ranch Estates; and
- b. Authorize the Auditor-Controller to amend the budget for County Service Area 10 - Laguna Seca Ranch Estates, Fund 053, Appropriation Unit RMA049, Account 6312 for FY 2012-13 by increasing appropriations by \$10,000 (4/5th vote required).

RECOMMENDATIONS:

It is recommended that the Board of Supervisors, acting on behalf of County Service Area 10 - Laguna Seca Ranch Estates:

- a. Accept a report on the financial condition of County Service Area 10 - Laguna Seca Ranch Estates; and
- b. Authorize the Auditor-Controller to amend the budget for County Service Area 10 - Laguna Seca Ranch Estates, Fund 053, Appropriation Unit RMA049, Account 6312 for FY 2012-13 by increasing appropriations by \$10,000 (4/5th vote required).

SUMMARY/DISCUSSION:

County Service Area 10 - Laguna Seca Ranch Estates (CSA 10) was first established to provide the wastewater collection and treatment services for the Laguna Seca subdivision area. On October 26, 2004, the Board of Supervisors held a public hearing to (1) consider dissolution of CSA 10, (2) to adopt a resolution (Resolution No. 04-355) of application to LAFCO for the proposed dissolution of CSA 10, (3) to adopt a resolution (Resolution No. 04-356) approving a property tax reapportionment from CSA 10 to the General Fund, and (4) to approve distribution of remaining funds to non-delinquent parcel owners.

Dissolution of CSA 10 was effective on September 26, 2005 and a Certificate of Completion for said dissolution was filed with the County Recorder on July 24, 2006. On October 26, 2004 the Board of Supervisors approved Resolution No. 04-355. While preparing to implement Resolution No. 04-355 which provides for distribution of remaining funds to non-delinquent parcel owners, staff determined that Resolution No. 04-355 was inconsistent with California Government Code (CGC) Sections 57454 and 57457. CGC provides that property owners of a dissolved district are not entitled to any property of the dissolved district or refund by reason of any taxes, assessments, service charges, rentals, or rates collected prior to the effective date of dissolution and, that remaining assets of a dissolved district entirely within an unincorporated area are distributed to the County General Fund. On October 26, 2004 the Board of Supervisors approved Resolution No. 04-356. Resolution No. 04-356 is consistent with CGC Sections 57454 and 57457. Therefore, pursuant to CGC Sections 57454 and 57457, the assets of dissolved CSA 10 and all property tax revenues attributable to CSA 10 shall be transferred and allocated from CSA 10 to the Monterey County General Fund. Because the dissolution process with respect to the distribution of remaining CSA 10 funds was different than previously identified and without clear direction to an appropriate solution, the process was delayed. A plan for resolving the impasse was recently formulated, and efforts are being directed toward developing a proposal to present to the community.

In June 2012, the Board of Supervisors approved the Budget for the County of Monterey which included the FY 2012-13 Budget for Fund 053. That budget included \$700 for expenditures, which was equal to expected revenue from interest on the unappropriated fund balance. The requested appropriations from the undistributed fund balance remaining in Fund 053 is needed in FY 2012-13 to fund staff's development of the proposal to be presented to the community.

OTHER AGENCY INVOLVEMENT:

Local Agency Formation Commission (LAFCO) processed the dissolution of CSA 10 - Laguna Seca Ranch Estates. This item was presented to the Budget Committee on June 12, 2013.

FINANCING:

There is no impact to the General Fund. Currently, there is \$152,940 in the Unappropriated Fund Balance of CSA 10. The proposed Board action would reduce that amount to \$142,940. After meeting with the community, staff will bring a report to the Board of Supervisors to approve transfers and allocations from Fund 053 to the Monterey County General Fund.

Prepared by: Dirk J. Medema, P.E., Environmental Services Manager (831) 784-5647

Approved by:

Robert K. Murdoch, P.E., Director of Public Works

Benny J. Young, RMA Director

Dated: June 7, 2013

Attachment: Resolution No. 04-355; Resolution No. 04-356; Location Map