



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: JANUARY 24, 2006

January 11, 2006

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street
Santa Cruz, California 95060

SUBJECT: COUNTY SERVICE AREA NO. 13, HUTCHINSON ROAD, ZONE A
ANNEXATION (DISTRICT 5)

Members of the Board:

On August 31, 2005, the Local Agency Formation Commission (LAFCO) approved the application for amendment of the sphere of influence (LAFCO Resolution No. 899) and annexation of 18 parcels (LAFCO Resolution No. 899-A) into County Service Area (CSA) No. 13, Hutchinson Road, Zone A. These parcels were annexed by LAFCO into the CSA as the property owners access their properties via Hutchinson Road. The current benefit assessment rate for Zone A is \$500.00 per parcel per year, with no proposed increases for 2006/07.

The CSA representatives are now requesting that your Board take the necessary steps to complete the annexation. State Government Code Section 25210 et seq. requires that in order to annex parcels into the CSA, your Board must first adopt the attached resolution of intention to annex, set a public hearing and notice this hearing in a newspaper of general circulation. Additionally, concurrent with the annexation procedures, Public Works is requesting that your Board take necessary action to initiate the 2006/07 benefit assessment rate proceedings for these 18 parcels.

It is therefore recommended that the Board of Supervisors take the following action:

1. Adopt the attached resolution of intention to annex 18 parcels (LAFCO Resolution No. 899-A) into CSA No. 13, Hutchinson Road, Zone A, set March 14, 2006, at 9:00 a.m. or thereafter as the date and time for a public hearing on the annexation, and direct the Clerk of the Board to give notice of the hearing by mailing a copy of such notice to all landowners owning land within the territory proposed to be annexed, and by publishing notice thereof in at least one issue, not more than 30 nor less than 10 days prior to the hearing, in a newspaper of general circulation.

2. Accept and approve the engineer's report on the proposed assessments for the 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into CSA No. 13, Hutchinson Road, Zone A.
3. Adopt the attached resolution of intention to authorize and levy an assessment for road maintenance and operations on the 18 parcels proposed to be annexed into CSA No. 13, Hutchinson Road, Zone A, and set Tuesday, March 14, 2006, at 9:00 a.m. or thereafter as the date and time for the public hearing on the proposed benefit assessment rate, and direct the Clerk of the Board to publish a summary notice of the public hearing once 45 days prior to the hearing and then again once a week for two weeks prior to the hearing in a newspaper of general circulation.
4. Approve the attached notice of public hearing, ballot procedure, and ballot for the proposed assessments for the 18 parcels proposed to be annexed into CSA No. 13, Hutchinson Road, Zone A and direct the Department of Public Works to mail the ballots to the record owners of the parcels subject to the assessments.

Yours truly,

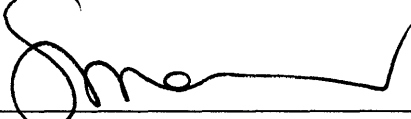


THOMAS L. BOLICH
Director of Public Works

TLB:NMH:mh

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Steve Heymann, CSA No. 13 Representative
Crisand Giles, Home Builders Association
Public Works

csa13annexmh.wpd

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION OF INTENTION TO ANNEX TERRITORY (LAFCO RESOLUTION
NO. 899-A) INTO COUNTY SERVICE AREA NO. 13, HUTCHINSON ROAD, ZONE A

WHEREAS, pursuant to County Service Area Law (commencing with Section 25210.1 of the Government Code of the State of California), the Local Agency Formation Commission (LAFCO) has approved an application for annexation into Hutchinson Road, County Service Area No. 13, Zone A (LAFCO Resolution No. 899-A).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors:

1. An amended sphere of influence and annexation is proposed under the terms of the Government Code, in the unincorporated area of Santa Cruz County. The boundary lines of the territories proposed for annexation in the area are indicated on Exhibit "A" and illustrated on Exhibit "B."
2. The name of the proposed annexation is no. 01-2005.
3. Sufficient funds are available to pay for such service from service charges collected pursuant to Government Code Section 25210.77a.
4. Any interested person desiring to make written protest against such annexation shall do so by written communication, containing the signature of the protestant and street address or some other identification of the property owned by the protestant, filed with the Clerk of the Board not later than the hour set for hearing.
5. On March 14, 2006, at 9:00 a.m. or thereafter, a public hearing will be held on the annexation of territory.
6. At such hearing, the testimony of all interested persons or taxpayers for or against the annexation of the area, the extent of the areas, or the furnishing of specified types of extended services will be heard.

BE IT FURTHER RESOLVED AND ORDERED that the Clerk of the Board shall give notice of the hearing by mailing a copy of such notice to all landowners owning land within the territory proposed to be annexed, and by publishing notice thereof in at least one issue, not more than 30 nor less than 10 days prior to the hearing, in a newspaper of general circulation.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,
State of California, this ____ day of _____, 2006, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:



Assistant County Counsel

Distribution: County Counsel
Public Works

csa13annexmh

ANNEXATION 01-2005 TO COUNTY SERVICE AREA NO. 13
HUTCHINSON ROAD

BEING A PORTION OF SECTIONS 29 AND 32, TOWNSHIP 9 SOUTH, RANGE 1 WEST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AREA "A"

BEGINNING AT A POINT ON THE EXISTING BOUNDARY OF COUNTY SERVICE AREA NO. 13, FROM WHICH THE SECTION CORNER COMMON TO SECTIONS 19, 20, 29, AND 30 BEARS NORTH 25°49' 51" WEST 3653.40 FEET; THENCE LEAVING SAID BOUNDARY THE FOLLOWING COURSES:

1. SOUTH 89° 31' 06" EAST, 297.96 FEET;
2. SOUTH 89° 00' 54" EAST, 594.04 FEET;
3. SOUTH 00° 17' 56" EAST, 198.14 FEET;
4. SOUTH 00° 21' 53" EAST, 474.95 FEET;
5. SOUTH 04° 50' 18" EAST, 1225.11 FEET;
6. SOUTH 00° 06' 42" EAST, 1243.50 FEET;
7. SOUTH 89° 35' 51" WEST, 2684.81 FEET;
8. NORTH 00° 21' 35" EAST, 1065.56 FEET;
9. NORTH 00° 21' 52" EAST, 222.56 FEET;
10. NORTH 02° 12' 59" EAST, 906.90 FEET, TO A POINT ON SAID EXISTING BOUNDARY;
11. ALONG SAID EXISTING BOUNDARY TO THE POINT OF BEGINNING.

CONTAINING 171 ACRES, MORE OR LESS.

AREA "B"

BEGINNING AT A POINT ON THE EXISTING BOUNDARY OF COUNTY SERVICE AREA NO. 13, FROM WHICH THE SECTION CORNER COMMON TO SECTIONS 19, 20, 29, AND 30 BEARS NORTH 89° 37' 24" WEST 2484.09 FEET; THENCE LEAVING SAID BOUNDARY THE FOLLOWING COURSES:

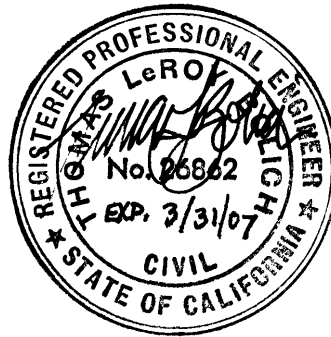
1. SOUTH 00° 18' 25" WEST, 978.75 FEET;
2. SOUTH 89° 57' 44" WEST, 450.04 FEET;
3. SOUTH 20° 20' 48" WEST, 82.87 FEET;
4. SOUTH 19° 24' 42" WEST, 96.14 FEET;
5. SOUTH 22° 24' 05" WEST, 102.32 FEET;
6. SOUTH 29° 20' 23" WEST, 70.71 FEET;
7. SOUTH 41° 07' 30" WEST, 84.57 FEET;
8. SOUTH 37° 17' 22" WEST, 63.60 FEET;
9. SOUTH 35° 51' 22" WEST, 71.03 FEET;
10. SOUTH 37° 28' 11" WEST, 80.00 FEET;
11. SOUTH 41° 58' 42" WEST, 55.97 FEET;
12. SOUTH 34° 03' 11" WEST, 67.12 FEET;
13. SOUTH 09° 47' 19" WEST, 68.88 FEET;
14. SOUTH 09° 45' 14" EAST, 105.72 FEET;
15. SOUTH 00° 32' 46" EAST, 50.01 FEET;
16. SOUTH 33° 08' 59" WEST, 111.52 FEET;
17. SOUTH 24° 06' 12" EAST, 110.07 FEET;
18. SOUTH 02° 53' 24" WEST, 50.04 FEET;

19. SOUTH 19°23' 01" EAST, 81.93 FEET;
20. SOUTH 08° 37' 37" WEST, 157.54 FEET;
21. SOUTH 21° 19' 22" EAST, 88.39 FEET;
22. SOUTH 34° 40' 37" WEST, 164.20 FEET;
23. SOUTH 00° 35' 58" WEST, 55.82 FEET, TO A POINT ON SAID EXISTING BOUNDARY;
24. ALONG SAID EXISTING BOUNDARY TO THE POINT OF BEGINNING.

CONTAINING 41 ACRES, MORE OR LESS.

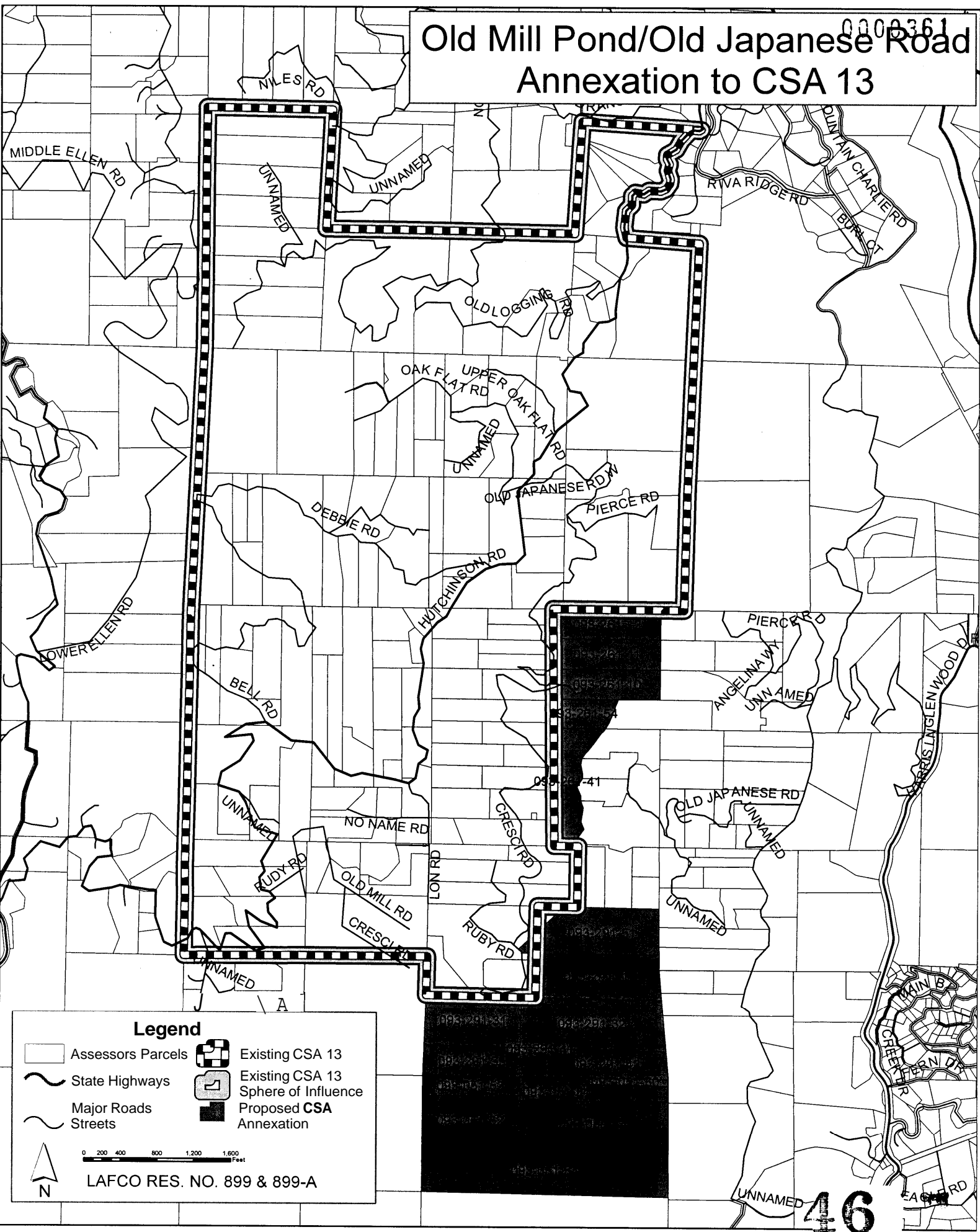
COURSE DATA ARE DERIVED FROM THE SANTA CRUZ COUNTY ASSESSOR'S PARCEL BASE, WHICH IS BASED ON NAD 83 CAZ3 COORDINATES.

PREPARED UNDER THE DIRECTION OF THE SANTA CRUZ COUNTY SURVEYOR.
THOMAS L. BOLICH, RCE 26862.



Old Mill Pond/Old Japanese Road Annexation to CSA 13

0000361



Legend

	Assessors Parcels		Existing CSA 13
	State Highways		Existing CSA 13 Sphere of Influence
	Major Roads		Proposed CSA 13 Annexation
	Streets		

0 200 400 800 1,200 1,600 Feet

N

LAFCO RES. NO. 899 & 899-A

46

Exhibit B

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0000362

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted:

RESOLUTION OF INTENTION TO AUTHORIZE AND LEVY AN ASSESSMENT FOR
ROAD MAINTENANCE AND OPERATIONS ON 18 PARCELS (LAFCO RESOLUTION
NO. 899-A) PROPOSED TO BE ANNEXED INTO COUNTY SERVICE AREA NO. 13,
HUTCHINSON ROAD, ZONE A

WHEREAS, this Board has caused to be prepared, and on this date has received for filing with the Clerk of this Board, the written Engineer's Report, a copy of which is attached and incorporated herein, prepared by a registered professional engineer certified by the State of California for a proposed assessment on 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A, pursuant to Article XIID, Section 4 of the Constitution; and,

WHEREAS, the Engineer's Report determines and specifies all of the following:

1. The schedule attached to the original engineer's report identifies and describes all parcels proposed to be annexed (LAFCO Resolution No. 899-A) which have a special benefit conferred on them and on which the assessment will be imposed, and sets forth the amount of the assessment for each parcel for the fiscal year 2006/07;
2. The proportionate special benefit derived by each identified parcel in relationship to the entirety of the cost of the services to be provided;
3. No assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on each parcel;
4. The only benefits assessed are special and the general benefits have been separated from the special benefits conferred on each parcel;
5. The duration of the assessment is specified;
6. The basis of the assessment is stated; and

WHEREAS, after considering the Engineer's Report, this Board finds it is in the best interest of the 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A, and its owners and inhabitants to declare the Board's intention to levy the proposed assessments each year in accordance with that report.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Supervisors of the County of Santa Cruz as follows:

1. Declaration of Intention. This Board declares its intention under the authority of County Service Area Law commencing with Government Code Section 25210.1 and Article XIID, Section 4 of the Constitution, to levy an assessment upon real property of 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A for the fiscal year 2006/07 and each year thereafter as follows:
 - A. \$500.00 per year per parcel

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health Regulations, and parcels with an assessed valuation of \$5,000.00 or less, will not be charged.
 - B. For each fiscal year after 2006/07, the assessment rate may be increased by a percentage which does not exceed the percentage increase in the Consumer Price Index, All Urban Consumers, for the San Francisco/Oakland Metropolitan Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics, (or in any price index which replaces that index in the future) for the prior calendar year. The assessment rate will be increased only when necessary to meet approved expenses, and would not increase automatically each year. If in any year the assessment rate is not increased, or is increased by an amount less than the increase in the Consumer Price Index, the difference between the rate of the increase in the assessment rate and the rate of increase in the Consumer Price Index will remain available for use in future years to raise the assessment rate as necessary to meet approved expenses.
 - C. The lien date shall be that prescribed by law.
 - D. The foregoing schedules and rates are based upon a flat fee. The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
2. Public Hearing. On March 14, 2006, at 9:00 a.m. or thereafter in the Meeting Chambers of this Board at 701 Ocean Street, Santa Cruz, California, this Board will hold a public hearing on the proposed County Service Area No. 13, Hutchinson Road, Zone A, assessments of 18 parcels proposed to be annexed (LAFCO Resolution No. 899-A), and will consider the ballots described in paragraph 5 and any protests described in paragraph 6.
3. Answering Inquiries. This Board designates the Director of Public Works or his authorized representative(s) as the person to answer inquiries regarding the protest proceedings.
4. Notice of Public Hearing. The Clerk of the Board is directed to give notice of the public information meeting and of the public protest hearing as follows:

Pursuant to Subsections (c) and (d) of Article XIID, Section 4 of the Constitution, the notice given pursuant to the preceding paragraph shall give the record owner of each identified parcel the amount of the proposed assessment, the total amount thereof chargeable to the 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A, the amount chargeable to the owner's particular parcel, the duration of such payment, the reason for such assessment, and the basis upon which the proposed assessment was calculated, together with the date, time and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return and tabulation of the ballots required, including a disclosure statement that the existence of a majority protest will result in the assessment not being imposed. Each such notice shall contain a ballot whereby each such owner may indicate his or her name, a reasonable identification of the parcel, and support or opposition to the proposed assessment.

5. The Property Owner Ballot Procedure. As required by Section 4 of Article XIID of the California Constitution, a Property Owner Ballot must be enclosed with the notice of the proposed assessment. This ballot may be used by the owner(s) of any parcel to express either support for or opposition to the proposed assessment. The ballot instructions will describe the alternative methods for submitting the ballot by mail or by personal delivery, either prior to or at the time of the public hearing of protests. Upon the close of the public hearing, the returned ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided that, in the event additional time is required to determine whether any ballot has been properly tabulated or to tabulate all the votes, the Board may continue the matter of announcing results to provide such additional time. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest," and the Board will be precluded from proceeding with the proposed assessment.
6. Protests. Any protest pertaining to the validity of the assessment or the regularity or sufficiency of the proceedings shall be in writing and shall clearly and specifically set forth the alleged irregularity or defect. Any grounds of protest not stated in a written protest filed prior to the close of the public hearing shall be deemed waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz,
State of California, the _____ day of _____, 2006, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

ABSTAIN: SUPERVISORS

Chairperson of said Board

Attest: _____
Clerk of said Board

Approved as to form:



Assistant County Counsel

Distribution: County Counsel
Public Works

**ENGINEER'S REPORT REGARDING PROPOSED BENEFIT ASSESSMENT
FOR 18 PARCELS (LAFCO RESOLUTION NO. 899-A) PROPOSED TO BE ANNEXED
INTO COUNTY SERVICE AREA NO. 13, HUTCHINSON ROAD, ZONE A**

The undersigned submits this written Engineer's Report to the Board of the Supervisors of the County of Santa Cruz as follows:

1. Engineer's Report. This Engineer's Report is for a new or increased benefit assessment set forth below.
2. Authorization. This Engineer's Report is submitted pursuant to Article XIID, Section 4 of the Constitution.
3. Purpose of the Assessment. The express purpose for which this benefit assessment is proposed is to provide a source of funding for County Service Area No. 13, Hutchinson Road, Zone A, road maintenance and operations.
4. Proposed Funding. The services in this County Service Area No. 13, Hutchinson Road, Zone A, are proposed to be funded by a benefit assessment levied under County Service Area law and in accordance with Article XIID of the Constitution.
5. Necessity for Engineer's Report. This Engineer's Report is required for this proposed assessment by the provisions of Article XIID, Section 4 of the Constitution.
6. Limitation upon Expending Assessment Proceeds. Any funds collected from the new or increased benefit assessment proposed herein shall be expended only for road maintenance and operations services to benefit the properties within County Service Area No. 13, Hutchinson Road, Zone A. Any unexpended funds raised by the assessment remaining at the end of the fiscal year shall be carried over for the same purpose in the next fiscal year.
7. Levy. A benefit assessment to raise revenue to fund services is hereby proposed to be levied upon 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A excepting any unbuildable parcels, common areas, and parcels with an assessed value of \$5,000.00 and less.
8. Assessment Rate. The rate of assessment for the fiscal year 2006/07 and the rate for each year following is proposed as follows:
 - A. \$500.00 per year per parcel

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health regulations, and parcels with an assessed valuation of \$5,000.00 or less, will not be charged.

 - B. For each fiscal year after 2006/07, the assessment rate may be increased by a percentage which does not exceed the percentage increase in the Consumer Price Index, All Urban Consumers, for the San Francisco/Oakland Metropolitan Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics, (or in any price index which replaces that index in the future) for the prior calendar year. The assessment rate will be increased only when

necessary to meet approved expenses, and would not increase automatically each year. If in any year the assessment rate is not increased, or is increased by an amount less than the increase in the Consumer Price Index, the difference between the rate of the increase in the assessment rate and the rate of increase in the Consumer Price Index will remain available for use in future years to raise the assessment rate as necessary to meet approved expenses.

C. The lien date shall be that prescribed by law.

D. The foregoing schedule and rate are based upon a flat fee for each parcel. The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

9. Collection. The collection of the proposed assessment shall be by the County of Santa Cruz on behalf of County Service Area No. 13, Hutchinson Road, Zone A in the same manner, and subject to the same penalties, as other fees, charges, and taxes fixed and collected by or on behalf of all County Service Areas. The County may deduct its reasonable costs incurred for that service before resubmittal of the balance to the account of County Service Area No. 13, Zone A.

10. Determinations of Engineer's Report. The determinations of this written Engineer's Report for the proposed assessment pursuant to Article XIID, Section 4 of the Constitution are as follows:

A. The attached schedule identifies and describes all parcels which have a special benefit conferred on them and on which the new or increased assessment will be imposed, and sets forth the amount of the assessment for each parcel for the initial fiscal year,

B. The proportionate special benefit derived by each identified parcel in relationship to the entirety of the cost of the road maintenance and operations service to be provided is as set forth on the attached schedule,

C. No assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel, and

D. The only benefits assessed are special and any general benefits have been separated from the special benefits conferred on each parcel.

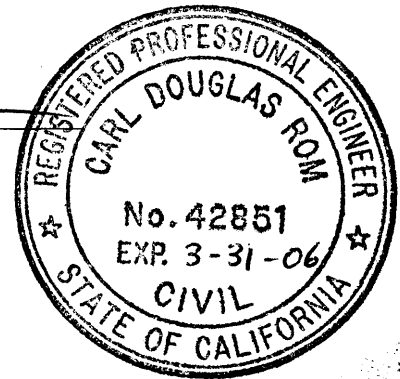
11. Ballot Procedure. As required by Section 4 of Article XIID of the California Constitution, a Property Owner Ballot must be enclosed with the notice of the proposed assessment. This ballot may be used by the owner(s) or by the tenant(s) who are directly liable for payment of the assessment in question of any parcel to express either support for or opposition to the proposed assessment. The ballot instructions will describe the alternative methods for submitting the ballot by mail or by personal delivery, either prior to or at the time of the public hearing of protests.

Upon the close of the public hearing, the returned ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided that, in the event additional time is required to determine whether any ballot has been properly tabulated or to tabulate all the votes, the Board may continue the matter of announcing results to provide such additional time. In the event that ballots in opposition exceed ballots in support, there will be a "majority protest," and the Board will be precluded from proceeding with the proposed assessment.

Based on the foregoing, the undersigned registered engineer submits this written Engineer's Report and recommends adoption of the proposed assessment.

Dated: DECEMBER 15, 2005
2006

Carl D. Rom
CARL D. ROM
R.C.E. 42851



CS# 13, HUTCHINSON ROAD

<u>PARCEL</u>	<u>ZON</u>	<u>USE</u>	<u>CODE</u>	<u>ASSES</u>	<u>ROLL</u>	<u>ROLL</u>	<u>UNITS</u>	<u>CHARGE</u>
<u>ID</u>	<u>AREA</u>	<u>CODE</u>	<u>NAME</u>	<u>IMP</u>	<u>IMP</u>	<u>UNITS</u>	<u>CHARGE</u>	<u>CHARGE</u>
093-051-4	02	94041	BEAUCHAMP CHRISTOPHER A & SORAH M TRUSTEES 885 OLD MILL POND RD LOS GATOS CA 95033	233,690	414,798	100	500.00	
093-051-50	050	94041	DELANEY THOMAS J & CHRISTINA HW CP 375 OLD MILL POND RD LOS GATOS CA 95033	6,488				unbuildable pw Planning
93-051-51	052	94041	CHRISTOFFERSON RANDALL JOSEPH & JUDITH K HW JT 805 OLD MILL POND RD LOS GATOS CA 95030	58,424		100	500.00	
93-051-52	062	94041	KULA THOMAS A & ALLYN E TRUSTEES 900 OLD MILL POND RD LOS GATOS CA 95033	197,100	384,175	100	500.00	
93-051-53	062	94041	ENNIS DAMON & LYNNE M HW CP 844 OLD MILL POND RD LOS GA S CA 95033	551,320	275,660	100	500.00	
93-051-54	053	94003	LIONSGATE ENTERPRISES INC 990 OLD MILL POND RD LOS GATOS CA 95033	199,632		100	500.00	
93-291w1	062	79033	FARRINGTON DAVID G & LESLIE FOX HW CP 610 OLD MILL POND RD LOS GATOS CA 95030	393,642	241,809	100	500.00	
93-291w2	063	79033	ZWEMKE DOUGLAS K & SANDRA E JT 700 OLD MILL POND RD LOS GATOS CA 95030	41,480	136,547	100	500.00	
93-291w3	062	79033	ARRÉGUY JAMES NICHOLAS HW CP ETAL 620 OLD MILL POND RD LOS GATOS CA 95033	405,227	467,570	100	500.00	
93-291w6	062	79033	PONOMARENKO OLEG M/M 399 OLD MILL POND RD LOS GATOS CA 95033	60,916	385,914	100	500.00	
93-291-41	061	79033	CHRISTOFFERSON RANDALL JOSEPH & JUDITH K HW JT 805 OLD MILL POND RD LOS GATOS CA 95030	245,373	321,323	100	500.00	

0000369

46

<u>PARCEL ID</u>	<u>ZONING ID</u>	<u>USE CODE</u>	<u>CODE AREA</u>	<u>ASSESSOR NAME</u>	<u>ROLL LAND</u>	<u>ROLL IMPR</u>	<u>UNITS</u>	<u>CHARGE</u>	
093-291-42	0	062	79033	DELANEY THOMAS J & CHRISTINA H/W CP 375 OLD MILL POND RD LOS GATOS CA 95033	71,788	1528.98	1.00	500.00	
093-291-51	0	062	79033	SOMERS RICHARD J TRUSTEE 333 OLD MILL POND RD LOS GATOS CA 95033	02,916	299,352	1.00	500.00	
093-26-110	0	062	79033	MC CLAUGHRY ROGER S & DIANE H H/W JT 15200 OLD JAPANESE RD LOS GATOS CA 95033	109,432	201,295	1.00	500.00	
093-26-11	0	062	79033	HUFFMAN WILLIAM A & SHARON R H/W CP RS 15300 OLD JAPANESE RD LOS GATOS CA 95033	45,632	291,747	1.00	500.00	
093-261-12	0	062	79033	SEPETOV NIKOLAI H/W ETAL JT 14800 OLD JAPANESE RD LOS GATOS CA 95033	416,198	40,572	1.00	500.00	
093-261-41	0	052	79033	MOORES WILLIAM M & TONA E H/W CP 3880 SLEEPY HOLLOW DR SANTA ROSA CA 95404	68,644		1.00	500.00	
093-261-4	0	062	79033	WHITNEY BERNARD J & SANDRA L H/W JT 15105 OLD JAPANESE RD LOS GATOS CA 95030	166,681	158,276	1.00	500.00	
TOTAL								17.00	8,500.00

COUNTY OF SANTA CRUZ



**NOTICE OF PUBLIC HEARING, BALLOT PROCEDURE,
AND BALLOT FOR AN ASSESSMENT TO PROVIDE FUNDING
FOR ROAD MAINTENANCE AND OPERATION SERVICES OF
18 PARCELS (LAFCO RESOLUTION NO. 899-A) PROPOSED TO
BE ANNEXED INTO COUNTY SERVICE AREA NO. 13
HUTCHINSON ROAD, ZONE A**

IMPORTANT NOTICE

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, March 14, 2006, which begins at 9:00a.m. or thereafter in the Board Chambers, 701 Ocean Street, Room 525, Santa Cruz, California, to consider the adoption of a proposed resolution authorizing and levying an assessment in compliance with Proposition 218 ("The Taxpayers Right to Vote Initiative") for the purpose of providing funding for road maintenance and operation services within County Service Area No. 13, Hutchinson Road, Zone A.

Proposition 218, which was approved by the voters at the November 1996 general election, includes provisions that a new or increased benefit assessment to provide road maintenance and operation services can only be charged under Proposition 218 if it is approved by at least half of the votes cast by the property owners (or tenants who are directly liable for paying the proposed assessments) with the votes weighted according to the amount of the proposed assessment of each parcel.

Enclosed is your Official Mailed Assessment Ballot for you to vote on whether to approve the proposed assessment to provide funding for Hutchinson Road, Zone A, road maintenance and operation services.

Please see "Assessment Ballot Instructions" printed on the next page.

ASSESSMENT BALLOT INSTRUCTIONS

HOW TO VOTE YOUR ASSESSMENT BALLOT

The enclosed ballot is to be used to express support for or opposition to the proposed assessment for road maintenance and operation services. In order to be counted, the Ballot Declaration must be completed and signed by the property owner, or by a tenant whose lease or other rental agreement expressly requires that the tenant directly pay assessments, and the Ballot returned in accordance with these instructions.

1. Use a pen to mark an "X" next to "Yes" or "No" to cast your vote.
2. Complete and sign the ballot declaration.

RETURNING YOUR ASSESSMENT BALLOT

1. Place the ballot in the ballot return envelope, and seal the envelope.
2. Deliver the ballot return envelope either by mail or in person as follows:

Mail Delivery: If by mail, mail with the required postage stamp no later than March 8, 2006. Mailing later than this deadline creates the risk that the ballot may not be received in time to be counted.

Personal Delivery: If in person, deliver to the Public Works Department at any time up to 9:00 a.m. on Tuesday, March 14, 2006, at 701 Ocean Street, Santa Cruz, California, Room 410, or at the hearing itself at 9:00 a.m. on that date at 701 Ocean Street, Santa Cruz, California, Board Chambers.

Regardless of which method of delivery is used, the ballot must be **received** in the ballot return envelope prior to the close of the public hearing on Tuesday, March 14, 2006, to be counted.

If you wrongly stamp, tear, or deface this ballot, write "spoiled" across the face of the ballot, and return it to the Santa Cruz County Public Works Department, 701 Ocean Street, Room 410, Santa Cruz, CA 95060 and another ballot will be issued to you. If you have any questions, please contact Public Works County Service Administration at (831) 454-2160.

The following pages contain additional information regarding the proposed assessment, assessment procedures, and protests.

CSA 13 Shall the County of Santa Cruz be authorized to collect assessments for parcels within proposed annexation no. 01-2005 to provide road maintenance and operation services within County Service Area No. 13, Hutchinson Road, Zone A by an annual assessment, with consumer price index increases (if necessary to pay approved expenditures) or decreases?

ASSESSMENT INFORMATION

1. Total Assessments within Service Area.

The total amount of the proposed assessments for road maintenance and operation services of 18 parcels (LAFCO Resolution No. 899-A) proposed to be annexed into County Service Area No. 13, Hutchinson Road, Zone A, for the 2006/07 fiscal year is \$8,500.00.

2. Amount of Assessment on Parcel.

The amount of the proposed assessment on your parcel for the 2006/07 fiscal year is stated on the enclosed Assessment Ballot.

3. Duration of Assessment. The proposed assessment is an annual fee and will continue indefinitely. The fee is being increased to build up reserves for annual road maintenance and repair of Hutchinson Road, Zone A.

4. Reason for Assessment. The express purpose for which this benefit assessment is levied is to provide a source of funding for County Service Area road maintenance and operations. Pursuant to Proposition 218, an assessment can be used to pay for special benefits conferred on real property by governmental facilities and services. However, a new or increased assessment is only permitted under Proposition 218 if ballots are mailed to all record owners subject to the proposed assessment and prior to the close of the public hearing set for the assessment at least as many ballots are submitted in favor of the assessment as are submitted in opposition to the assessment, with the ballots weighted according to the amount of the proposed assessment on each parcel. If the weighted ballots submitted in opposition to the assessment exceed the weighted ballots

submitted in favor of the assessment, a "majority protest" exists, and the proposed assessment cannot be charged.

5. Basis for Assessment. The following schedule and rate are based upon a flat fee per parcel. The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. The assessment rate schedule is proposed to be as follows:

a. Zone A - \$500.00 per year per parcel

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health regulations, and parcels with an assessed valuation of \$5,000 or less, will not be charged.

b. For each fiscal year after 2006/07 the assessment rate may be increased by a percentage which does not exceed the percentage increase in the Consumer Price Index, All Urban Consumers for the San Francisco/Oakland Metropolitan Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics, (or in any price index which replaces that index in the future) for the prior calendar year. The assessment rate will be increased only when necessary to meet approved expenses, and would not increase automatically each year. If in any year the assessment rate is not increased, or is increased by an amount less than the increase in the Consumer Price Index, the difference between the rate of the increase in the assessment rate and the rate of increase in the Consumer Price Index will remain available for use in future years to raise the assessment rate as necessary to meet approved expenses.

BALLOT PROCEDURES

I. Persons Entitled to Ballot.

a. Record Owners. The record owner of each parcel is as set forth on the Assessor's current master property record on the date the mailing list for the

with Article XIID, notice, including the ballot, in these proceedings shall be mailed to the record owner of each parcel as shown on the Assessor's master property record.

b. Tenants. A tenant who holds a tenancy of real property and whose lease or other rental agreement expressly requires that the tenant directly pay assessments, such as the proposed assessment, may submit a ballot for the parcel. When the authority of a tenant is established, the ballot of the tenant shall be counted in place of any ballot submitted by the owner. There is, however, no duty to seek out or give special notice to tenants.

2. One Ballot per Parcel. Only one ballot shall be counted for each parcel, even if there are co-owners or co-tenants. If more than one co-owner or co-tenant, respectively, should submit a ballot and the ballots are in agreement after considering withdrawals, then one ballot shall be counted for the parcel. If more than one co-owner or co-tenant, respectively, should submit a ballot and the ballots are in conflict after considering withdrawals, then no ballot shall be counted for that parcel.

PROTESTS

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

2. The Board of Supervisors retains authority otherwise conferred by law to make changes in the boundaries of the proposed assessment area, in the extent of the services to be provided, and in the amount of the assessment (including the amounts of any individual assessments) provided, however the assessment area shall not be expanded nor any assessment increased beyond that

specified by this notice without new notice and proceedings in compliance with all laws.

* * *

The County complies with the Americans with Disabilities Act. Questions regarding accommodation under the ADA should be directed to the Clerk of the Board at 454-2323.

A copy of the proposed Resolution, the Engineer's Report, and the Balloting Rules are available at the Office of the Clerk of the Board of Supervisors, 701 Ocean Street, Room 500, Santa Cruz, California.

Ballot for County Service Area No. 13, Hutchinson Road, Zone A
Road Maintenance and Operation Services Assessment
(LAFCO Annexation Resolution NO. 899-A)

APN:

ASSESSEE NAME:

ASSESSMENT AMOUNT: \$500.00

Ballot Question:

Shall the County of Santa Cruz be authorized to levy an assessment of \$500.00 to provide road maintenance and operation services within County Service Area No. 13, Hutchinson Road, Zone A, proposed annexation #01-2005 by an annual assessment, with consumer price index increases (if necessary to pay approved expenditures) or decreases?

Yes _____ No _____

Ballot Declaration:

I, the undersigned, declare that I am authorized to cast all the vote on the assessment for the parcel identified by the Tax Parcel Number set forth above as (1) sole owner, (2) an owner acting on behalf of a spouse who holds a community property interest, all joint tenants, or all tenants in common, (3) a general partner or legal representative of a corporate general partner, (4) a legal representative of a corporate landowner, trust, estate, or public agency, or (5) as a tenant of the parcel whose lease or other rental agreement expressly requires that the tenant directly pay assessments, such as the proposed assessment.

I declare under penalty of perjury that this declaration made this _____ day of _____, 2006, at _____, California, is true and correct.

Signature

Name (Printed)

NOTICE OF PUBLIC HEARING ON ASSESSMENT TO FUND ROAD MAINTENANCE AND
OPERATION SERVICES OF 18 PARCELS (LAFCO RESOLUTION NO. 899-A) PROPOSED TO
BE ANNEXED INTO COUNTY SERVICE AREA NO. 13, HUTCHINSON ROAD, ZONE A
(SUMMARY)

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, March 14, 2006, during the morning agenda (which begins at 9:00 a.m.), in the Board Chambers, 701 Ocean Street, Room 525, Santa Cruz, California, to consider the adoption of proposed resolutions authorizing and levying assessments in compliance with Proposition 218 ("The Taxpayers Right to Vote Initiative") for the purpose of providing funding for road maintenance and operation services within County Service Area No. 13, Hutchinson Road, Zone A, proposed annexation no. 01-2005.

Proposition 218, which was approved by the voters at the November 1996 general election, includes provisions that an increased benefit assessment to provide road maintenance and operation services can only be charged if it is approved by at least half of the votes cast by the property owners (or tenants who are directly liable for paying the proposed assessments) with the votes weighted according to the amount of the proposed assessment of each parcel. In accordance with Proposition 218, assessment ballots have been mailed to all record owners of parcels which would be subject to the proposed assessment. The Board of Supervisors will receive assessment ballots and any protests to the proposed assessment proceedings or assessments until the close of the public hearing on March 14, 2006.

A copy of the Notice of Public Hearing, Ballot Procedure, and Sample Ballot for an Assessment of 18 parcels proposed to be annexed (LAFCO No. 899-A) to Provide Funding for Road Maintenance and Operation Services within County Service Area No. 13, Hutchinson Road, Zone A, the Engineer's Report, and the Balloting Rules are available at the Office of the Clerk of the Board of Supervisors, 701 Ocean Street, Room 500, Santa Cruz, California.

Note: The public may attend the public hearing and/or comment on this matter. Testimony may be presented in person or submitted in written form prior to the hearing and made a part of the hearing record.

The County complies with the Americans with Disabilities Act (ADA). Questions regarding accommodation under the ADA should be directed to the Clerk of the Board at (831) 454-2323.

BY ORDER OF THE BOARD OF SUPERVISORS
By: Gail Borkowski, Chief Deputy Clerk

csa13annexmh