



DEPARTMENT OF PUBLIC WORKS

COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET, SANTA CRUZ, CALIFORNIA 95060-4070

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March 12, 1998

RES 88-98  
87-98

APPROVED AND FILED  
BOARD OF SUPERVISORS

DATE: MARCH 24, 1998

COUNTY OF SANTA CRUZ

SUSAN A. MAURIELLO

EX-OFFICIO CLERK OF THE BOARD

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street

Santa Cruz, California 95060

SUBJECT: COUNTY SERVICE AREA NO. 56, FELTON GROVE  
(5TH DISTRICT)

BY Julia Stuber DEPUTY

Members of the Board:

On February 4, 1998, the Local Agency Formation Commission (LAFCO) approved an application to establish Felton Grove County Service Area (CSA) No. 56. The property owners within the Felton Grove area are now requesting that your Board take the necessary steps to initiate the formation of a CSA for the purpose of road maintenance and operations. Section 252 10 of the State Government Code requires that in order to establish a County Service Area your Board must adopt the attached resolution of intention, set a public hearing and notice this hearing in a newspaper of general circulation. Additionally, concurrent with the formation procedures, Public Works is requesting that your Board also take necessary action to initiate the 1998/99 benefit assessment rate proceedings.

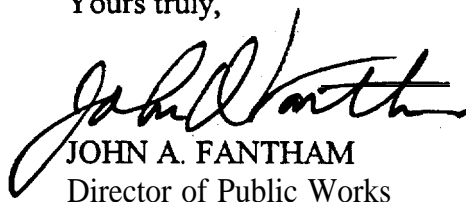
The boundary line of the proposed service area encompasses 12 acres and contains 59 parcels. Several parcels within the proposed boundary are either located in a floodway of the San Lorenzo River or do not qualify for septic systems and are therefore considered unbuildable. The proposed 1998/99 County Service Area rates are set at the specific level (\$250.00 per buildable parcel) proposed by the Felton Grove County Service Area representatives and include an allowance for rates to be increased each fiscal year based on the Consumer Price Index. An Engineers Report identifying CSA No. 56 parcels and proposed assessments has been prepared by a registered engineer. Along with this report, Board approval is also requested for the County Service Area No. 56 ballots, notice of hearing and various resolutions establishing the 1998/99 rate and setting a public hearing on the proposed rates.

All the above procedures are in accordance with Article XIID of the California Constitution as well as the Board established rules for conducting ballot proceedings for assessments.

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

1. Adopt the attached resolution of intention to establish County Service Area No. 56, **Felton Grove** and setting May 19, 1998, during the Board of Supervisors' morning agenda (which begins at 9:00 a.m.), as the date and time for a public hearing on the establishment of CSA No. 56; and direct the Clerk of the Board Supervisors to publish the resolution of intention as a notice of hearing in a newspaper of general circulation at least seven days prior to the hearing.
2. Accept and approve the Engineer's Report for proposed assessment rates for CSA No. 56, **Felton Grove**.
3. Adopt the attached resolution of intention to authorize and levy an assessment for road maintenance and operations **within** CSA No. 56, and setting May 19, 1998, during the Board of Supervisors' morning agenda (which begins at 9:00 a.m.) as the date and time for a public hearing on the proposed assessment rates; and direct the Clerk of the Board of Supervisors to notice the 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 and ballots for the proposed **1998/99** assessment for County Service Area No. 56, **Felton Grove**.
5. Direct the Department of Public Works to mail out ballots to the record owners of properties subject to the proposed assessments within County Service Area No. 56, **Felton Grove**.

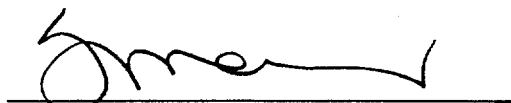
Yours truly,

  
JOHN A. FANTHAM  
Director of Public Works

SRL:rw

Attachments

RECOMMENDED FOR APPROVAL:

  
\_\_\_\_\_  
County Administrative Officer

Copy to: Public Works  
CSA56.DOC

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

RESOLUTION NO. \_\_\_\_\_

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

RESOLUTION ESTABLISHING **FELTON** GROVE COUNTY SERVICE AREA NO. 56

WHEREAS, this Board by its Resolution No. adopted March 24, 1998, declared its intention to establish a County Service Area in a certain area of the unincorporated territory of Santa Cruz County, and for the purpose fixed a time and place for public hearing on said Resolution; and,

WHEREAS, at this time and place fixed, no protests were received, and property owners affected urged the formation of said County Service Area.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of Santa Cruz County, State of California, that said Board of Supervisors does hereby so declare and determine that Felton Grove, County Service Area No. 56 be, and it is hereby established.

BE IT FURTHER RESOLVED AND ORDERED that the boundaries of Felton Grove, County Service Area No. 56 shall be set forth in Exhibit "A," attached hereto, and by this reference made a part hereof.

BE IT FURTHER RESOLVED AND ORDERED that the types of services to be performed in Felton Grove, County Service Area No. 56 shall include the following:

Miscellaneous extended services, to wit:

Road Maintenance and Operation

BE IT FURTHER RESOLVED AND ORDERED that the Local Agency Formation Commission is hereby authorized to file the necessary reports as required in Section 54900 of the Government Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this o day f \_\_\_\_\_ 1998, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

\_\_\_\_\_  
Chairperson of said Board

ATTEST: \_\_\_\_\_  
Clerk of said Board

Approved as to form:

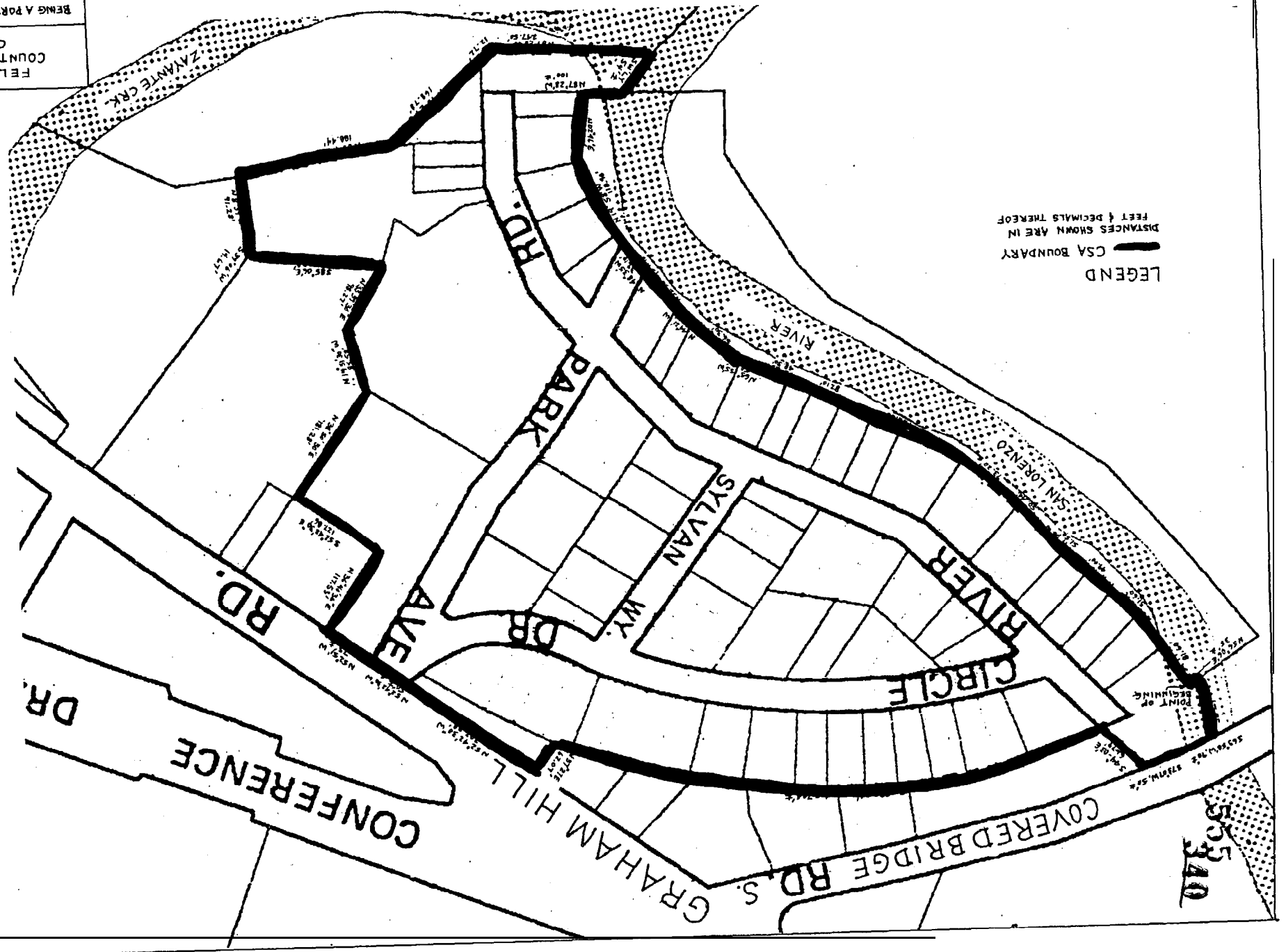
  
\_\_\_\_\_  
~~Chief Assistant~~ County Counsel

Distribution: County Counsel  
Public Works

ATTN 1 of 2

FELTON GROVE COUNTY SERVICE AREA CSA NO. 56 BEING A PORTION OF THE ZONING MAP T105, R.2W, M.D.B.1

LEGEND  
CSA BOUNDARY  
DISTANCES SHOWN ARE IN FEET & DECIMALS THEREOF



BEING THE FELTON GROVE COUNTY SERVICE AREA SITUATE IN THE COUNTY OF-SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

556

BEING A PORTION OF THE ZAYANTE RANCHO (LOCATED IN PROJECTED SECTION 22, T.10S., R.2W., M.D.B.&M.) AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS THE WESTERNMOST CORNER OF LOT 1 AND THE NORTHERNMOST CORNER OF LOT A OF THE FELTON GROVE SUBDIVISION NO. 1 AS SHOWN IN VOLUME 24 OF MAPS PAGE 31, RECORDED IN THE OFFICE OF THE SANTA CRUZ COUNTY RECORDER, OCTOBER 24, 1928. THENCE FROM SAID POINT OF BEGINNING, SOUTHEASTERLY ALONG THE NORTHEASTERLY BOUNDARY OF LOT A, THE FOLLOWING COURSES:

- 1) SOUTH 34°19' EAST, 81.6'
- 2) SOUTH 39°46' EAST, 51.6'
- 3) SOUTH 47°45' EAST, 99.0'
- 4) SOUTH 41°58' EAST, 51.5'
- 5) SOUTH 42°50' EAST, 50.4'
- 6) SOUTH 44°34' EAST, 73.2'
- 7) SOUTH 61°27' EAST, 152.2'
- 8) SOUTH 64°02' EAST, 87.1'
- 9) SOUTH 63°23' EAST, 48.3'
- 10) SOUTH 65°55' EAST, 50.2'
- 11) SOUTH 36°01' EAST, 56.3'
- 12) SOUTH 44°21' EAST, 38.1'
- 13) SOUTH 32°52' EAST, 54.4'
- 14) SOUTH 48°35' EAST, 39.1'
- 15) SOUTH 19°58' EAST, 118.9'
- 16) SOUTH 02°46' WEST, 89.0'

TO A POINT WHICH IS THE SOUTHEASTERNMOST CORNER OF LOT A AND THE SOUTHWESTERNMOST CORNER OF LOT 30 AS SHOWN ON SAID SUBDIVISION MAP: THENCE WESTERLY ALONG THE BOUNDARY OF THE LANDS OF BORDERS DESCRIBED IN THE DEED RECORDED AUGUST 7, 1989, IN VOLUME 4543, OFFICIAL RECORDS, PAGE 215, OFFICE OF THE SANTA CRUZ COUNTY RECORDER, THE FOLLOWING COURSES:

- 1) NORTH 87°28' WEST, 100' MORE OR LESS
- 2) SOUTHWESTERLY, 54' MORE OR LESS
- 3) SOUTH 87°28' EAST, 247.5'
- 4) NORTHEASTERLY, 12.72' TO THE SOUTHEASTERLYMOST CORNER OF SAID LANDS: THENCE ALONG THE EASTERN MOST BOUNDARY OF THE LANDS OF CRAIG DESCRIBED IN THE DEED RECORDED SEPTEMBER 17, 1975, IN VOLUME 2539, OFFICIAL RECORDS, PAGE 279, OFFICE OF THE SANTA CRUZ COUNTY RECORDER, NORTH 46°24' EAST, 168.78': THENCE EASTERLY ALONG THE BOUNDARY OF THE LANDS OF ROBBINS DESCRIBED IN THE DEED RECORDED SEPTEMBER 26, 1997, 1997-0044755, OFFICIAL RECORDS, OFFICE OF THE SANTA CRUZ COUNTY RECORDER, THE FOLLOWING COURSES:

- 1) NORTH 83°41' EAST, 188.44'
- 2) NORTH 08°39' WEST, 91.28'
- 3) NORTH 39°06' EAST, 14.67'
- 4) NORTH 85°06' WEST, 171.39' TO AN ANGLE POINT IN THE EASTERLY BOUNDARY OF THE LANDS OF SAN-BORN DESCRIBED IN THE DEED RECORDED NOVEMBER 17, 1986, IN VOLUME 4067, OFFICIAL RECORDS, PAGE 581, OFFICE OF THE SANTA CRUZ COUNTY RECORDER: THENCE FROM SAID POINT NORTH 33°39'30" EAST, 98.27' TO A POINT, THENCE NORTH 19°51'30" WEST, 85.58' TO A POINT WHICH IS ALSO THE SOUTHERNMOST CORNER OF THE LANDS OF MENDY DESCRIBED IN THE DEED RECORDED AUGUST 14, 1992, IN VOLUME 5088, OFFICIAL RECORDS, PAGE 497, OFFICE OF THE SANTA CRUZ COUNTY RECORDER: THENCE ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING COURSES:

- 1) NORTH 38°50'30" EAST, 181.28'
- 2) NORTH 52°42'30" WEST, 127.86'

3) NORTH 36°40'36" EAST, 117.53'  
4) NORTH 52°51' WEST, 75' MORE OR LESS, ALONG THE SOUTHWESTERLY  
LINE OF GRAHAM HILL ROAD TO THE NORTHERNMOST CORNER OF THE SAID  
LANDS OF MENDY: THENCE NORTH 52°42'30" WEST, 50' MORE OR LESS,  
ALONG THE SOUTHWESTERLY LINE OF GRAHAM HILL ROAD, ACROSS PARK  
AVENUE TO THE EASTERNMOST CORNER OF THE LANDS OF SANBORN  
DESCRIBED IN THE DEED RECORDED JULY 23, 1982, IN VOLUME 3466,  
OFFICIAL RECORDS, PAGE 177, OFFICE OF THE SANTA CRUZ COUNTY  
RECORDER: THENCE FROM SAID POINT NORTH 52°42'30" WEST, 203.88' TO  
THE NORTHERNMOST CORNER OF SAID LANDS OF SANBORN: THENCE LEAVING  
SAID SOUTHWESTERLY LINE OF GRAHAM HILL ROAD SOUTH 37°27' WEST,  
62.07' TO A POINT ON THE NORTHERN BOUNDARY OF SAID FELTON GROVE  
SUBDIVISION NO. 1, WHICH BEARS SOUTHEASTERLY, 11.77' FROM THE  
NORTHERNMOST CORNER OF LOT 83 OF SAID SUBDIVISION: THENCE FROM  
SAID POINT WESTERLY, 704' MORE OR LESS ON A CURVE WITH A RADIUS  
OF 930.04', ALONG THE NORTHERN BOUNDARY OF SAID SUBDIVISION TO  
THE WESTERNMOST CORNER OF LOT 67 OF SAID SUBDIVISION: THENCE  
LEAVING SAID SUBDIVISION BOUNDARY, ALONG THE EASTERLY BOUNDARY OF  
THE LANDS OF BORGMAN AS SHOWN ON VOLUME 19 OF PARCEL MAPS PAGE 2,  
NORTH 44°03" WEST 61.79' TO THE SOUTHERLY LINE OF COVERED BRIDGE  
ROAD SOUTH: THENCE ALONG SAID SOUTHERLY LINE SOUTH 73°07' WEST  
50' MORE OR LESS AND SOUTH 63°58' WEST, 90' MORE OR LESS TO THE  
SAN LORENZO RIVER: THENCE LEAVING SAID SOUTHERLY LINE OF COVERED  
BRIDGE ROAD SOUTH, SOUTHEASTERLY TO A POINT ON THE NORTHWESTERLY  
SIDE OF LOT A OF SAID FELTON GROVE SUBDIVISION NO. 1, WHICH BEARS  
SOUTH 56°06' WEST, 35' MORE OR LESS FROM THE POINT OF BEGINNING:  
THENCE NORTH 56°06' EAST, 35' MORE OR LESS TO THE POINT OF  
BEGINNING. THE AREA DESCRIBED IS APPROXIMATELY 13.7 ACRES.

COMPILED UNDER THE DIRECTION OF JOHN A. FANTHAM, SANTA CRUZ  
COUNTY SURVEYOR, R.C.E. NO. 17572 IN FEBRUARY 1998.

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

558 ~~353~~

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor \_\_\_\_\_  
Duly seconded by Supervisor \_\_\_\_\_  
The following resolution is adopted

**RESOLUTION AUTHORIZING AND LEVYING  
AN ASSESSMENT FOR ROAD MAINTENANCE AND OPERATIONS WITHIN  
COUNTY SERVICE AREA NO. 56, FELTON GROVE  
FOR 1998-99 AND EACH YEAR FOLLOWING**

The Board of Supervisors of the County of Santa Cruz makes the following recitals:

1. Basic Policy. This Board has heretofore conducted proceedings under the statutes authorizing the levying of Special Assessments and desires to bring its assessments for road maintenance and operations services into conformity with the provisions of Article XIID of the California Constitution for the Fiscal Year 1998-99 and each year following.

2. Engineer's Report. Article XIII. On March 24, 1998, this Board received for filing a written Engineer's Report supporting the proposed assessments prepared by a registered professional engineer certified by the State of California which pursuant to Article XIII, Section 4 of the Constitution contains all of the following:

- A. Identifies and describes all parcels which have a special benefit conferred on them and on which the assessment will be imposed;
- B. Determines 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;
- C. Determines that no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel; and
- D. Determines that the only benefits assessed are special and that the general benefits have been separated from the special benefits conferred on each parcel.

3. Resolution of Intention. Based on the Engineer's Report on March 24, 1998, this Board adopted its Resolutibn of Intention which,

- A. Set a public hearing and protest pursuant to Article XIID, Section 4 of the Constitution, and
- B. Directed the Clerk to give a notice of the filing of the report and the time and place of the hearing set by it by publication and to each property owner whose property would be subject to the assessment at least 45 days before the date set for the public hearings and specified the contents of the notice, all in the manner required by law.



4. Notice Clerk of this Board gave notice in the manner directed by this Board and as required by law.

5. Public Hearing. At the time and place set forth in the notice, this Board conducted the public hearing in the manner required by law and heard and considered all objections and protests to the report referred to in the notice, heard and determined all protests as required by law, and tabulated all ballots.

6. Protest Failed. The ballots submitted in opposition to the assessment did not exceed the ballots submitted in favor of the assessment, weighting the ballots according to the proportional financial obligation of the affected property.

7. Finding the interest of County Service Area No. 56, Felton Grove, its inhabitants, and its property owners to levy the assessment as proposed.

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

1. Finding of the foregoing recitals is true and correct.
2. Authorization. This Resolution and the benefit assessment authorized herein is adopted pursuant to Government Code Section 25210 and Article XIII, Section 4 of the Constitution.
3. Purpose of the 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.
4. Determination of Necessity. The level of road maintenance and operation services which can be provided is determined to be reasonably adequate to meet current needs,
5. Limitation upon Expending Assessment Proceeds. Any funds collected from the benefit assessment authorized by this Resolution shall be expended only for such road maintenance and operations services to benefit the County Service Area No. 56. 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.
6. Levy. A benefit assessment to raise revenue to fund road maintenance and operations services is hereby levied upon real property within the County Service Area No. 56, Felton Grove, excepting any common areas, unbuildable parcels, and parcels with an assessed value of \$5,000.00 or less.
7. Assessment Rate. For the fiscal year 1998-99 and each year thereafter the rate of assessment is as follows:

A. The assessment rate for 1998-99 for all parcels shall be:

\$250.00 per buildable 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 1998-99, 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 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.

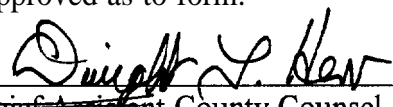
9. Collection. The collection of the assessment determined and levied by this Resolution shall be by the County of Santa Cruz on behalf of the County Service Area No.56, Felton Grove, in the same manner, and subject to the same penalties, as other fees, charges, and taxes fixed and collected by or on 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 the County Service Area No. 56.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this d a y o f \_\_\_\_\_, 1998, by the following vote:

AYES : SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chairperson, Board of Supervisors,  
County of Santa Cruz

ATTEST: \_\_\_\_\_  
Clerk of Said Board

Approved as to form:  
  
\_\_\_\_\_  
Chief Assistant County Counsel  
Distribution: Public Works  
County Counsel