



# County of Santa Cruz

## DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 950604070  
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

JOHN A. FANTHAM  
DIRECTOR OF PUBLIC WORKS

**AGENDA: AUGUST 10, 1999**

August 3, 1999

### SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street  
Santa Cruz, California 95060

**SUBJECT: CERTIFICATION OF BALLOTS FOR HIDDEN VALLEY CSA NO. 26  
ZONES B THROUGH G (1ST DISTRICT)**

Members of the Board:

On June 8, 1999, your Board approved the Engineer's Report for County Service Area (CSA) No. 26 Hidden Valley, Zones B through G, directed Public Works to begin ballot procedures, and set August 3, 1999, as the public hearing date to take testimony and accept ballots for the 1999/00 benefit assessments. At the close of the August 3, 1999, hearing your Board directed Public Works to count the ballots and return to your Board today with a tabulation of the election results.

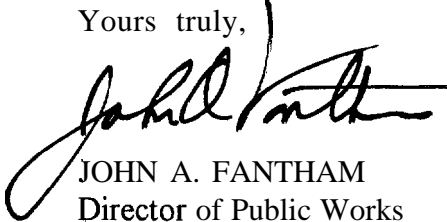
County Service Area No. 26, Hidden Valley contains a total of 90 parcels. Assessments are based on zones of benefit (A through G) and levied on all buildable parcels with an assessed value over \$5,000.00. The 1999/00 total increase of \$68,000 is needed to fund a retaining wall project. The repair directly benefits parcels in Zones B through G. Therefore the \$1,000.00 increase will be levied only against the 68 parcels located within the six zones. Assessment on the parcels within the six zones varies from \$1048.86 to \$1171 .01 . Ballots were mailed to 68 affected property owners in Zones B through G. Forty-six yes votes and three no votes were returned to Public Works.

As the tabulation results confirm that the majority of the property owners in CSA No. 26, Hidden Valley, Zones B through G agree to an increase in the assessment rates, it will now be necessary for your Board to certify the result of the election and approve the attached resolution authorizing and levying assessments.

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

1. Accept the certification of the results of the CSA No. 26, Hidden Valley, Zones B through G, balloting and direct the Director of Public Works to retain the ballots for at least six months following the certification.
2. Adopt resolution authorizing and levying an assessment for road maintenance and operations within CSA No. 26, Hidden Valley, Zones B through G for the 1999/00 year and following.

Yours truly,



JOHN A. FANTHAM  
Director of Public Works

SRL: bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

copy to: Public Works Department (CSA Administration)

2 2 9

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 AUTHORIZING AND LEVYING  
AN ASSESSMENT FOR ROAD MAINTENANCE AND OPERATIONS WITHIN  
COUNTY SERVICE AREA NO. 26, HIDDEN VALLEY, ZONES B THROUGH G  
FOR 1999-00 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 **XIIID** of the California Constitution for the Fiscal Year 1999-00 and each year following.

2. Engineer's Report. Article XIII. On June 8, 1999, 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 June 8, 1999, this Board adopted its Resolution of Intention which,

A. Set a public hearing to hear any protests pursuant to Article **XIIID**, 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. 26, Hidden Valley, Zones B through G, 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. Findings 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 **XI**IIID, 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. 26, Hidden Valley, Zones B through G. 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. 26, Hidden Valley, Zones B through G, 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 1999-00 and each year thereafter the rate of assessment is as follows:

A. The assessment rate for 1999-00 for all parcels shall be:

Zone B \$1,048.86 per parcel  
 Zone C \$1,073.29 per parcel  
 Zone D \$1,097.72 per parcel  
 Zone E \$1,122.15 per parcel  
 Zone F \$1,146.58 per parcel  
 Zone G \$1,171.01 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 1999-00, the assessment rate may be increased by a percentage which does not exceed the percentage increase in 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. 26, Hidden Valley, Zones B through G, 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. 26.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 1999, 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:

 7-3-99  
Chief Assistant County Counsel

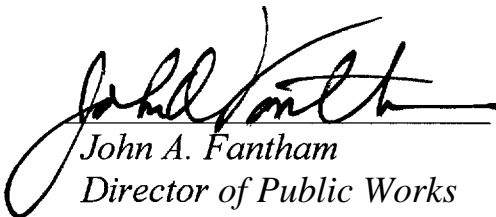
Distribution: Public Works  
County Counsel

# Certification Of The Votes Cast

*I, John A. Fantham, Director of Public Works of the County of Santa Cruz, do hereby certify that the following is a full, true and correct statement of the result of the official canvass of the returns of the August 3, 1999 benefit assessment ballot proceeding for County Service Area No. 26, Hidden Valley Road Zones B through G.*

Zones	AMOUNT	Yes Vote WEIGHTED	# of votes	No Vote WEIGHTED	# of votes
Zone B:	\$1048.86	\$ 9439.74	(9)	\$	0
Zone C:	1073.29	\$ 6439.74	(6)	\$	0
Zone D:	1097.72	\$15368.08	(14)	\$ 1097.72	(1)
Zone E:	1122.15	\$ 7855.05	(7)	\$	0
Zone F:	1146.58	\$ 5732.90	(5)	\$ 2293.16	(2)
Zone G:	1171.01	\$ 5855.05	(5)	\$	0
Total		\$50690.56 (94%)	(46)	\$ 3390.88 (6%)	(3)

*I hereby set my hand and seal this 3rd day of August, 1999.*

  
 John A. Fantham  
 Director of Public Works