



County of Santa Cruz ⁰⁶³³

DEPARTMENT OF PUBLIC WORKS

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JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

APPROVED AND FILED
BOARD OF SUPERVISORS

DATE: 4/4/00
COUNTY OF SANTA CRUZ
SUSAN A. MAURIELLO
EX-OFFICIO CLERK OF THE BOARD

AGENDA: APRIL 4, 2000

March 23, 2000

BY [Signature] DEPUTY

SANTA CRUZ COUNTY BOARD OF SUPERVISORS
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: 2000/2001 COUNTY SERVICE AREA BENEFIT ASSESSMENT RATES

Members of the Board:

Public Works has received notification from County Service Area (CSA) Nos. 24, Pineridge and 26, Hidden Valley Road that these CSAs wish to increase the benefit assessment rate for the 2000/2001 fiscal year. The proposed increases are as follows:

CSA No. 24 Pineridge

CSA No. 24 is currently collecting \$75.00 per parcel and is requesting an assessment increase to \$150.00 per year per parcel. Additionally, in order to address approximately \$50,000 in backlog repairs, the CSA is also proposing the collection of a one-time assessment of \$500.00 per parcel.

CSA No. 26. Hidden Valley. Zones "A" through "G"

In the 1999/2000 fiscal year CSA No. 26 assessments were increased by \$1,000 per parcel to provide \$68,000 for a retaining wall project along Hidden Valley Road. Additionally, the CSA obtained an \$8,000 construction loan. With the repair project now complete, the CSA representative is proposing that the benefit assessments for the year 2000/2001 and following, be decreased by the \$1,000 construction assessment but increased from the pre 1999/2000 assessment of \$24.43 per zone to \$48.86 per zone. This proposed increase is needed to pay off the remaining construction loan and to build up reserves for annual maintenance.

As County Service Area fees are considered benefit assessments, any increase in rates must comply with Proposition 218 procedures. These procedures require that an increase in the benefit assessment rate can only be charged if an election is held and the increase is approved by at least half of the votes cast by the property owners, with the votes weighted according to the amount of the proposed assessment of each parcel. Furthermore, a public hearing must be held to consider any protests to the proposed increase.

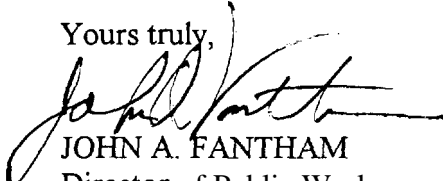
We have attached the Engineer's Reports, notice of public hearing, resolutions, and ballots for your Board's approval. The notice of public hearing sets the May 23, 2000, public hearing date on the proposed rates. These rates are set at the specific levels requested by service area representatives and include an allowance for rates to be increased each fiscal year based on the Consumer Price Index. The rates are identified in the attached Engineer's Reports. The ballots, notice of hearing, and resolutions are all in accordance with Board established rules for conducting ballot proceedings for assessments under Article XIID, Section 4 of the California State Constitution.

Actions related to County Service Areas with no increases or with increases based on previous elections for fiscal year 2000/2001 will be brought before your Board for consideration on May 23, 2000.

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

1. Accept and approve the Engineer's Reports for CSA Nos. 24, Pineridge, and 26, Hidden Valley, Zones "A" through "G."
2. Adopt the attached Resolutions of Intention to Authorize and Levy an Assessment for Road Maintenance and Operation within CSA Nos. 24, Pineridge, and 26, Hidden Valley, Zones "A" through "G."
3. Approve the attached notice of public hearing, ballot procedure, and ballots for the proposed increased 2000/2001 assessment for CSA Nos. 24, Pineridge, and 26, Hidden Valley, Zones "A" through "G."
4. Set Tuesday, May 23, 2000, at 9:00 a.m. or thereafter as the date and time for a public hearing on the proposed increased assessment rates for CSA Nos. 24, Pineridge, and 26, Hidden Valley, Zones "A" through "G" and direct the Clerk of the Board to publish a summary notice of the public hearing.
5. Direct the Department of Public Works to mail ballots to the record owners of properties subject to the proposed assessments within CSA Nos. 24, Pineridge, and 26, Hidden Valley, Zones "A" through "G."

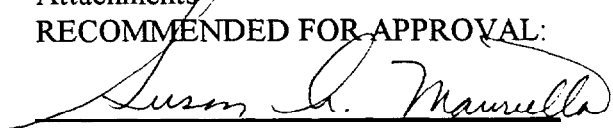
Yours truly,


JOHN A. FANTHAM
Director of Public Works

SRL:mg

Attachments

RECOMMENDED FOR APPROVAL:


County Administrative Officer
copy to: Public Works Department
PROP218.DOC

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

0635

RESOLUTION NO. _____

0585

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. 24, PINERIDGE
FOR 2000-01 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 2000-O 1 and each year following.

2. Engineer's Report. Article XIII. On April 4, 2000, 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 April 4, 2000, this Board adopted its Resolution of Intention which:

A. Set a public hearing to hear any protests 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 the Board 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. 0636

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. 0386

7. Finding. It is in the interest of County Service Area No. 24, Pineridge, 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 XIID, Section 4 of the Constitution.
3. Purnose 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 County Service Area No. 24, Pineridge. 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 County Service Area No. 24, Pineridge, 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 2000-01 and each year thereafter the rate of assessment is as follows:

A. The assessment rate for 2000-01 for all parcels shall be:

- 1) \$150 per year per parcel increase
- 2) Additional 2000/01 one time assessment of \$500 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 2000-01, 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.

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

0637

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.

8. Collection. The collection of the assessment determined and levied by this Resolution shall be by the County of Santa Cruz on behalf of County Service Area No. 24, Pineridge, 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. 24.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this d a y o f _____, **2000**, 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

0406

0638

**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 "A" THROUGH "G"
FOR 2000-01 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 2000-01 and each year following.

2. Engineer's Report. Article XIII. On April 4, 2000, 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 April 4, 2000, this Board adopted its Resolution of Intention which:

A. Set a public hearing to hear any protests 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 the Board 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 ⁰⁴⁰⁷hearings and specified the contents of the notice, all in the manner required by law. 0639

4. Notice. The 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. Findings the interest of County Service Area No. 26, Hidden Valley, Zones "A" 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. Each 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 XIID, 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 County Service Area No. 26, Hidden Valley, Zones "A" 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 County Service Area No. 26, Hidden Valley, Zones "A" 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 2000-01 and each year thereafter the rate of assessment is as follows:

0640

A. The assessment rate for 2000-01 for all parcels shall be:

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Zone "A" \$ 48.86 per parcel
Zone "B" \$ 97.72 per parcel
Zone "C" \$ 146.58 per parcel
Zone "D" \$ 195.44 per parcel
Zone "E" \$244.30 per parcel
Zone "F" \$293.16 per parcel
Zone "G" \$342.02 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 2000-01, 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 zones of benefit based on the length of road used to access the property. 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.

8. Collection. The collection of the assessment determined and levied by this Resolution shall be by the County of Santa Cruz on behalf of County Service Area No. 26, Hidden Valley, Zones "A" 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 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 _____, 2000, by the following vote:

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

~~0409~~

 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