



County of Santa Cruz

0461

DEPARTMENT OF PUBLIC WORKS

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JOHN A. FANTHAM
DIRECTOR OF PUBLIC WORKS

AGENDA: JUNE 13, 2000

June 1, 2000

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

SUBJECT: 2000/2001 COUNTY SERVICE AREA ELECTION RESULTS

Members of the Board:

On April 4, 2000, your Board approved the engineer's reports for County Service Areas (CSA) No. 24, Pineridge, and No. 26, Hidden Valley Zones A through G, directed Public Works to begin ballot procedures, and set May 23, 2000, as the public hearing date to take testimony and accept ballots for the 2000/2001 benefit assessment rates. At the close of the May 23, 2000, hearing your Board directed Public Works to count the ballots and return to your Board today with a tabulation of the election results for each service area.

County Service Area No. 24, Pineridge

The Pineridge service area contains a total of 97 parcels. Assessments are levied on buildable parcels with an assessed value of more than \$5,000.00. Rates are based on a flat fee of \$150.00 per parcel, plus a one-time assessment of \$500.00 per parcel. Ballots were mailed to 93 affected property owners. On the proposed flat fee of \$150.00, Public Works received 49 yes and 13 no votes. The proposed one-time assessment of \$500.00 received 43 yes votes and 19 no votes. One ballot returned by the United States Postal Service and two ballots received after the close of the public hearing are not included in today's tabulation.

County Service Area No. 26, Hidden Valley, Zones A through G

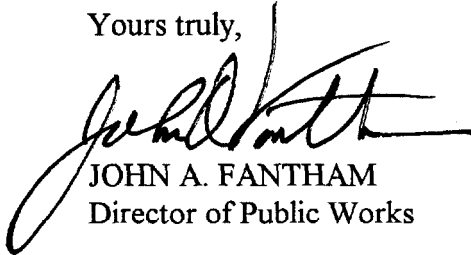
Ninety parcels are included in Hidden Valley Road, Zones A through G. Assessments are levied on buildable parcels with an assessed value of more than \$5,000.00. Rates are based on 7 zones of benefit and vary from \$48.86 to \$342.02. Ballots were mailed to 83 affected property owners; 32 yes votes, and four no votes (weighted votes: 85.93 percent yes, 14.07 percent no). One ballot was returned to Public Works without a vote indicated and therefore not included in tabulation of CSA No. 26 votes..

As the tabulation results for each service area confirm that the majority of the voting property owners within each service area agree to an increase in the assessment rates, it will now be necessary for your Board to certify the results of the CSA No. 24 and CSA No. 26 elections, and approve the attached resolutions authorizing and levying assessments for each service area.

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

1. Accept the certification of the results of CSA No. 24, Pineridge and CSA No. 26, Hidden Valley, Zones A through G elections and direct the Director of Public Works to retain the ballots for at least six months following the certification.
2. Adopt resolutions authorizing and levying an assessment for road maintenance and operations within CSA No. 24, Pineridge and CSA No. 26, Hidden Valley, Zones A through G for 2000/200 1 and each year following.

Yours truly,



JOHN A. FANTHAM
Director of Public Works

SRL:bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

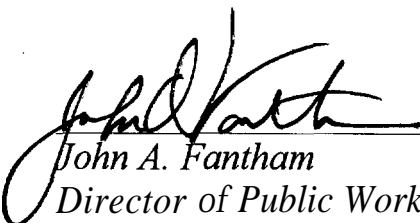
copy to: Public Works Department

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 May 23, 2000, benefit assessment ballot proceeding for County Service Area No. 24, Pineridge.*

ONE TIME ASSESSMENT	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	#of No Vote votes	No Vote Weighted
FLAT FEE PER PARCEL:	\$150.00	49	\$7,350.00	\$150.00	13	\$1,950.00
Total		49	\$7,350.00		13	\$1,950.00
			79.03%			20.97%

I hereby set my hand and seal this 1st day of June, 2000.

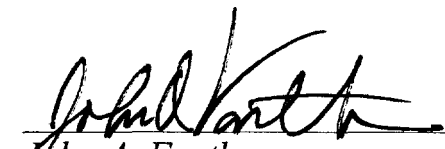

 John A. Fantham
 Director of Public Works

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 May 23, 2000, benefit assessment ballot proceeding for County Service Area No. 24, Pineridge.

ONE TIME ASSESSMENT	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of votes	No Vote Weighted
FLAT FEE PER PARCEL:	\$500.00	43	\$21,500.00	\$500.00	19	\$9,500.00
Total		43	\$21,500.00		19	\$9,500.00
			69.35%			30.65%

I hereby set my hand and seal this 1st day of June, 2000.


 John A. Fantham
 Director of Public Works

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 May 23, 2000, benefit assessment ballot proceeding for County Service Area No. 26, Hidden Valley, Zones A through G.

ZONES	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of No Vote votes	WEIGHTED
Zone A	\$48.86	4	\$195.44	\$48.86	1	\$48.86
Zone B	\$97.72	6	\$586.32	\$97.72	0	\$0.00
Zone C	\$146.58	4	\$586.32	\$146.58	0	\$0.00
Zone D	\$195.44	10	\$1,954.40	\$195.44	1	\$195.44
Zone E	\$244.30	3	\$732.90	\$244.30	0	\$0.00
Zone F	\$293.16	2	\$586.32	\$293.16	0	\$0.00
Zone G	\$342.02	3	\$1,026.06	\$342.02	2	\$684.04
Total		32	\$5,667.76		4	\$928.34
			85.93%			14.07%

I hereby set my hand and seal this 1st day of June, 2000.


 John A. Fantham
 Director of Public Works

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

RESOLUTION NO. _____

0466

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 2000-01 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 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.

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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. 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 252 10 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. 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.

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.

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 o day 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

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**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 hearings and specified the contents of the notice, all in the manner required by law.

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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. Funding 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:

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

- 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

Chairperson, Board of Supervisors
County of Santa Cruz

ATTEST: _____
Clerk of Said Board

Approved as to form:

 G-I- 00

Chief Assistant County Counsel

Distribution: Public Works
County Counsel