



# 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

THOMAS L. BOLICH  
DIRECTOR OF PUBLIC WORKS

AGENDA: FEBRUARY 27, 2001

FEBRUARY 14, 2001

SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street

Santa Cruz, California 95060

SUBJECT: COUNTY SERVICE AREA NO. 9A RESIDENTIAL LIGHTING  
ANNEXATION NO. 01-01 (MESA VERDE)

Members of the Board:

The Department of Public Works has received a petition requesting annexation to Zone "A" of County Service Area No. 9 (CSA No. 9A) residential street lighting for the purpose of including 26 parcels (Exhibit I). The parcels encompass a portion of the Mesa Village Subdivision, which adjoins CSA No. 9A lighting district boundary.

In order to annex the requested territory, it will be necessary for your Board to adopt the attached resolution of intention to annex territory designated as Annexation No. 01-01 (Mesa Verde) to Zone A of County Service Area No. 9 (Exhibit II), setting the date for a public hearing on the annexation, and notice the hearing in a newspaper of general circulation.

Concurrent with the annexation process, Public Works is requesting that your Board take the necessary action to initiate the 2001/2002 benefit assessment rate proceedings for the 26 parcels in the proposed annexation.


County Service Area No. 9A fees are considered benefit assessments, and therefore any new or increased rates must comply with Proposition 218 procedures. These procedures require that these fees be charged only if an election is held and the fees are approved by at least 50 percent of the votes cast weighted according to the amount of the proposed assessment of each parcel. Further, Proposition 218 requires that a public hearing be held to consider protests, if any, to the proposed assessment. An Engineer's Report identifying the 26 parcels and corresponding assessment in the proposed annexation has been prepared and included as Attachment A of the resolution establishing the 2001/2002 rates. It is necessary for your Board to approve the CSA No. 9A annexation No. 01-01 ballots, notice of hearing, and resolutions establishing the 2001/2002 rate and setting April 17, 2001, as the public hearing date on the proposed rates. These items are included as Exhibit III and are in accordance with Board established rules for conducting ballot proceedings for assessments under Article XIID, Section 4 of the California State Constitution.

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

1. Accept the petition requesting annexation to Zone A of County Service Area No. 9 (Exhibit I).
2. Adopt the attached resolution of intention to annex territory designated as Annexation No. 01-01 (Mesa Verde) and setting April 17, 2001, at 9:00 A.M. or thereafter as the date and time for a public hearing on the annexation (Exhibit 11); and direct the Clerk of the Board to publish the resolution of intention as a notice of public hearing in a newspaper of general circulation once at least seven days prior to the date of the public hearing.
3. Adopt the attached resolution of intention to authorize and levy an assessment for CSA No. 9A, Residential Lighting for territory designated as Annexation No. 01-01 (Mesa Verde) and setting April 17, 2001, at 9:00 A.M. or thereafter as the date and time for a public hearing on the proposed benefit assessment (Exhibit III); and direct the Clerk of the Board to publish a summary of notice of the public hearing once 45 days prior to the hearing and then again once a week for two weeks prior to the date of the public hearing in a newspaper of general circulation.
4. Approve the attached notice of public hearing ballot procedure and ballots for the proposed assessment for CSA No. 9A, Residential Lighting for territory designated as Annexation No. 01-01 (Mesa Verde) (Exhibit III).
5. Direct the Department of Public Works to mail out ballots to the record owners of properties subject to the proposed assessment within the territory designated as annexation No. 01-01 (Mesa Verde) of CSA No. 9A, Residential Lighting.

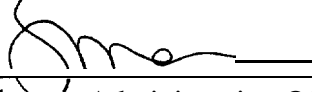
Yours truly,

  
 THOMAS L. BOLICH  
 Director of Public Works

SRL:mg

Attachments

RECOMMENDED FOR APPROVAL:

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

copy to: Public Works (CSA Administration)

CSAANNEX.DOC

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**EXHIBIT I**

**PETITION  
FOR ANNEXATION TO ZONE A  
OF COUNTY SERVICE AREA NO. 9**

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4

PETITION

FOR ANNEXATION TO ZONE A  
OF COUNTY SERVICE AREA No. 9

BOARD OF SUPERVISORS  
County of Santa Cruz  
Santa Cruz California

The undersigned, by their signatures hereon, DO HEREBY REPRESENT,  
PETITION; AND REQUEST as follows:

1. That proceedings be initiated pursuant to the provisions of Section 25210 of the Government Code for the annexation of lands to Zone A of County Service Area No. 9.
2. That the boundaries of said proposed annexation are shown upon the attached map.
3. That the extended services to be provided by annexation to Zone A of County Service Area No. 9 are:
  - (a) Street lighting service as provided throughout Zone A of said County Service Area.
4. That the undersigned are the owners of land within the boundaries of the area requesting annexation to County Service Area No. 9.
5. That the street lighting be installed as shown on the attached map.

Date	Signature and Residence Address	Assessor's Parcel Number
<u>10-21-2000</u>	<u>Paul Tehzalez</u> <u>124 Mesa Verde DR.</u>	<u>05136202</u>
<u>10/21/2000</u>	<u>Martha Eldredge</u> <u>135 Mesa Verde Dr.</u>	<u>05136103</u>
<u>10/21/00</u>	<u>Dan F. &amp; Sarah M. Chaunt</u> <u>147 Mesa Verde Drive</u>	<u>05136104</u>
<u>10/21/00</u>	<u>Ann Schwab-Figil</u> <u>163 Mesa Verde Dr.</u>	<u>05136105</u>
<u>10-21</u>	<u>Max Vandenberg</u> <u>233 Mesa Verde Dr.</u>	<u>05136110</u>
<u>10/21</u>	<u>244 MESA VERDE DRIVE</u> <u>Abdul Chaudhry</u>	<u>05136305</u>
<u>10-21</u>	<u>Michael Robert Lopez</u> <u>256 MESA VERDE DR</u>	<u>05136306</u>

Date	Signature and Residence Address	Assessor's Parcel Number
10/21-00	<del>Nikolaj Burda</del> 205 MESA VERDE DR	05136108
10-21-00	Joseph A. Feltz 186 mesa verde dr.	05136301
10-23-00	Carrie Zachman 121 Mesa Verde Dr Watserville, CA 95079	
10-22-00	Diana Sliter 140 mesa verde Dr.	05136203
10-22-00	Manuel Amador 200 MESA VERDE DR.	05136303
10/22/00	Gary F. Friesell 238 Mesa Verde Dr.	05136304
10/22/00	Allister Menden 245 MESA VERDE DR.	05136111
10-22-00	Mecenas Chang 270 Mesa Verde Dr.	05136307
10-22-00	Ray Lamont 177 Mesa Verde Dr.	05136106
10-22-00	Betty J. Kracl 217 Mesa Verde Dr.	0513109

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**EXHIBIT II**

**RESOLUTION OF INTENTION TO ANNEX TERRITORY DESIGNATED AS  
ANNEXATION NO. 01-01 (MESA VERDE) TO ZONE "A"  
(RESIDENTIAL LIGHTING) OF COUNTY SERVICE AREA NO. 9**

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

7

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

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

RESOLUTION OF INTENTION TO ANNEX TERRITORY DESIGNATED AS  
ANNEXATION NO. 01-01 (MESA VERDE) TO ZONE "A"  
(RESIDENTIAL LIGHTING) OF COUNTY SERVICE AREA NO. 9

WHEREAS, this Board intends to annex certain territory designated as Annexation No. 01-01 (Mesa Verde) in the Mesa Village subdivision to Zone "A" of County Service Area No. 9; and

WHEREAS, proceedings for the annexation of the hereinafter described territory have been initiated by petition of the Santa Cruz County Board of Supervisors; and

WHEREAS, annexations to zones of County Service Areas are not subject to review by the Local Agency Formation Commission;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that this Board declare, and it hereby does declare, its intention to annex to Zone "A" of County Service Area No. 9, the territory described and shown on Exhibit "A" attached hereto.

BE IT FURTHER RESOLVED AND ORDERED that the 17th day of April, 2001, at the hour of 9:00 a.m. or thereafter in the Board of Supervisors Chambers, Governmental Center, Santa Cruz, California, be and is hereby fixed as the time and place for the hearing on said annexation.

BE IT FURTHER RESOLVED AND ORDERED that the Clerk be and hereby is directed to post a copy of this resolution as notice of time and place of said hearing on said annexation in accordance with Section 25210.16 of the Government Code, and publish notice of the public hearing once at least 7 days prior to the hearing.

BE IT FURTHER RESOLVED AND ORDERED that at the time, date, and place hereby set for public hearing, all interested parties may appear and be heard on the proposed annexation. Persons desiring to make a written protest against said annexation shall do so by written communication filed with the Clerk of this Board not later than the hour set for hearing. A written protest by a landowner shall contain a description sufficient to identify land owned by the landowner, and a protest by a voter shall contain the residential address of such voter. The foregoing information shall be included in the notice of public hearing by the Clerk.

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

Page -2-

8

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this d a y o f \_\_\_\_\_ 2001 by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

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

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

Approved as to form:

D. Murae 2-13-01  
Chief Assistant County Counsel

Distribution: Pacific Gas & Electric  
County Administrative Office  
County Counsel  
Public Works

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ANNEXATION 01-01

9

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND BEING A PORTION OF THE RANCHO DE LOS CORRALITOS IN PROJECTED SECTIONS 16 AND 17, TOWNSHIP 11 SOUTH, RANGE 2 EAST, MOUNT DIABLO BASE AND MERIDIAN AND DESCRIBED AS FOLLOWS:

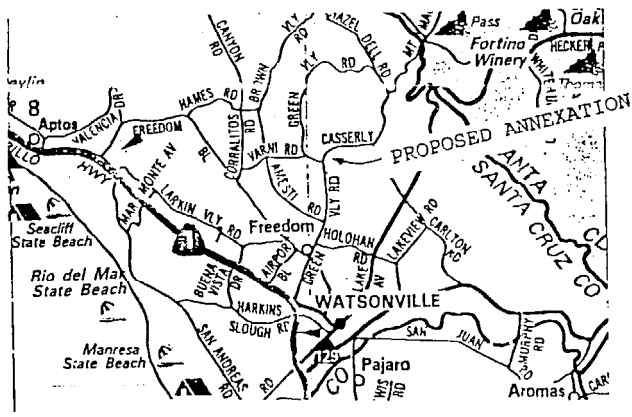
BEGINNING AT A POINT WHICH IS THE NORTHEASTERLY CORNER OF LOT 14 OF THE MESA VILLAGE SUBDIVISION NO.1, TRACT NO. 351, AS SHOWN IN VOLUME 40 OF MAPS PAGE 13, RECORDED IN THE OFFICE OF THE SANTA CRUZ COUNTY RECORDER, MAY 22, 1963. THENCE FROM SAID POINT OF BEGINNING, SOUTHWESTERLY ALONG THE EASTERLY BOUNDARY OF SAID LOT 14, THE FOLLOWING COURSES:

- 1) SOUTH 07°33'30" WEST, 100.16'
- 2) SOUTH 50°07'08" WEST, 115.34'
- 3) SOUTH 00°46'00" WEST, 111.57' TO THE SOUTHEASTERLY CORNER OF LOT 27 OF SAID SUBDIVISION, THENCE;
- 4) SOUTH 86°30'00" WEST, 140.00'
- 5) NORTH 80°00'00" WEST, 284.00'
- 6) SOUTH 89°39'30" WEST, 459.00' TO THE SOUTHWESTERLY CORNER OF LOT 37 OF SAID SUBDIVISION, THENCE;
- 7) NORTH 00°06'00" WEST, 84.33'
- 8) NORTH 09°26'30" WEST, 91.49'
- 9) NORTH 06°09'30" EAST, 173.13'
- 10) NORTH 01°43'30" EAST, 24.90'
- 11) DUE NORTH, 3.00' TO THE NORTHWESTERLY CORNER OF LOT 1 OF SAID SUBDIVISION, THENCE;
- 12) SOUTH 83°55'00" EAST, 256.00'
- 13) SOUTH 68°45'00" EAST, 99.00'
- 14) SOUTH 82°56'00" EAST, 137.88'
- 15) SOUTH 76°55'00" EAST, 241.32'
- 16) SOUTH 88°30'00" EAST, 258.80' TO THE POINT OF BEGINNING AT THE SAID NORTHEASTERLY CORNER OF LOT 14.

THE AREA DESCRIBED IS APPROXIMATELY 6.7 ACRES.

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EXHIBIT "A"



VICINITY MAP, N.T.S.

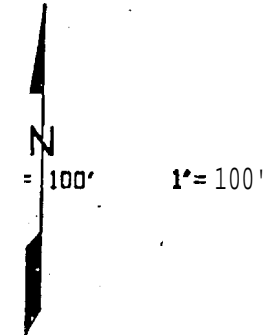
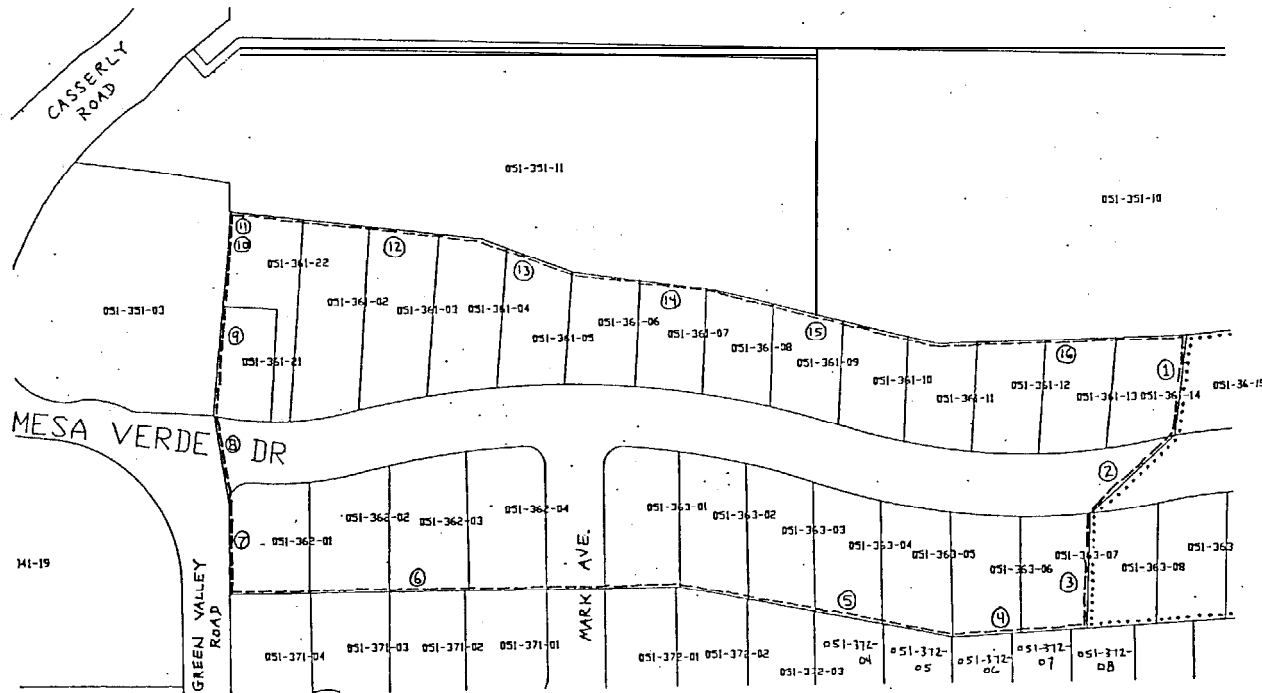
LINE TABLE

1	S 07°33'30" W,	100.16'
2	S 50°07'08" W,	115.34'
3	S 00°46'00" W,	111.57'
4	S 86°30'00" W,	140.00'
5	N 80°00'00" W,	284.00'
6	S 89°39'30" W,	459.00'
7	N 00°06'00" W,	84.33'
8	N 09°26'30" W,	91.49'
9	N 06°09'30" E,	173.13'
10	N 01°43'30" E,	24.90'
11	DUE NORTH	3.00'
12	S 83°55'00" E,	256.00'
13	S 68°45'00" E,	99.00'
14	S 82°56'00" E,	137.88'
15	S 76°55'00" E,	241.32'
16	N 98°30'00" E,	258.80'

COURSES COMMON TO EXISTING AND PROPOSED ANNEXATION  
 REMAINING COURSES OF PROPOSED ANNEXATION

LEGEND

- ..... EXISTING BOUNDARY
- ANNEXATION BOUNDARY



*6/15*

PROPOSED ANNEXATION TO  
 COUNTY' SERVICE AREA 9A  
 SANTA CRUZ COUNTY, CA

EXHIBIT "A"

11

**EXHIBIT HI**

**RESOLUTION OF INTENTION TO AUTHORIZE AND LEVY  
AN ASSESSMENT FOR RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
COUNTY SERVICE AREA NO. 9A, RESIDENTIAL LIGHTING  
FOR TERRITORY DESIGNATED AS ANNEXATION NO. 01-01 (MESA VERDE)  
FOR 2001/2002 AND EACH YEAR FOLLOWING**

**NOTICE OF PUBLIC HEARING, BALLOT PROCEDURE,  
AND BALLOT FOR AN ASSESSMENT TO PROVIDE  
FUNDING FOR RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE WITHIN  
COUNTY SERVICE AREA NO. 9A  
RESIDENTIAL LIGHTING DISTRICT  
ANNEXATION NO. 01-01 (MESA VERDE)**

**ASSESSMENT BALLOT INSTRUCTIONS**

**NOTICE OF PUBLIC HEARING ON PROPOSED ASSESSMENT TO  
FUND RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
WITHIN COUNTY SERVICE AREA NO. 9A**

**[SUMMARY]**

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12

**RESOLUTION OF INTENTION TO AUTHORIZE AND LEVY  
AN ASSESSMENT FOR RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
COUNTY SERVICE AREA NO. 9A, RESIDENTIAL LIGHTING  
FOR TERRITORY DESIGNATED AS ANNEXATION NO. 01-01 (MESA VERDE)  
FOR 2001/2002 AND EACH YEAR FOLLOWING**

54.2

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

13

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 RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
COUNTY SERVICE AREA NO. **9A**, RESIDENTIAL LIGHTING  
FOR TERRITORY DESIGNATED AS ANNEXATION NO. 01-01 (MESA VERDE)  
FOR 2001/2002 AND EACH YEAR FOLLOWING

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 as Attachment "A," prepared by a registered professional engineer certified by the State of California for a proposed assessment within territory designated as Annexation No. 01-01 (Mesa Verde) pursuant to Article XIII, Section 4 of the Constitution;

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 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 **2001/2002**;
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 that parcel;
4. The only benefits assessed are special and that the general benefits have been separated from the special benefits conferred on each parcel;
5. No parcel owned by an agency, the State of **California** or the United States within the territory designated as Annexation No. 01-01 (Mesa Verde) receives any special benefit from the proposed assessment;
6. The duration of the assessment is specified;
7. The basis of the assessment is stated; and
8. The schedule of the assessment is attached to the original Engineer's Report.

WHEREAS, after considering the Engineer's Report, this Board finds it is in the best interest of CSA No. **9A**, territory designated as Annexation No. 01-01 (Mesa Verde) and its owners and inhabitants to declare its intention to levy the proposed assessments each year in accordance with that Report.

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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 XIII, Section 4 of the Constitution, to levy an assessment upon real property within CSA No. 9, Zone A, Residential Lighting District, territory designated as Annexation No. 0 1-O 1 (Mesa Verde) for the fiscal year **2001/2002** County Service and each year thereafter at a maximum rate not to exceed the following:
  - A. The assessment rate for **2001/2002** shall be as follows:
    - \$2.35 per year per vacant parcel
    - \$4.70 per year per single family residence
    - \$2.82 per year per mobile home
    - \$4.70 per year per single unit commercial parcel
    - \$2.82 per year per unit, multi-unit parcels

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. The lien date shall be that prescribed by law.
  - C. 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.
2. Public Hearing. On April 17, 2001, during the morning agenda 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 CSA No. **9A**, Residential Lighting District, territory designated as Annexation No. 0 1-01 (Mesa Verde) assessments, and to 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.

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4. Notice of Public Hearing. The Clerk of this 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 XIII, 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 whole CSA No. 9A territory designated as Annexation No. 01-01 (Mesa Verde) the amount chargeable to the owner's particular parcel, the duration of such payments, the reason for such assessment, and the basis upon which the amount of 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 XIII of the California Constitution, a Property Owner Ballot must be enclosed with the notice. This ballot may be used by the owner or owners 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 on the date set for submission of ballots, 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 signed by an owner or authorized representative of any owner or to tabulate 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 of Supervisors 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.

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

Page -4-

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PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this d a y o f \_\_\_\_\_ 2001, by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

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

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

Approved as to form:

*DMRae 2-13-01*  
Chief Assistant County Counsel

Distribution: County Counsel  
Public Works

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11

**ENGINEER'S REPORT REGARDING PROPOSED  
BENEFIT ASSESSMENT FOR TERRITORY DESIGNATED AS  
ANNEXATION NO. 01-01 (MESA VERDE) TO  
COUNTY SERVICE AREA NO. 9A, RESIDENTIAL LIGHTING DISTRICT**

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

1. Engineer's Report. This Engineer's Report is for a 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 territory designated as Annexation No. 01-01 (Mesa Verde) to County Service Area No. **9A** residential lighting service and maintenance.
4. Proposed Funding. The services in this annexation to County Service Area No. **9A**, Residential Lighting District, 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 increased assessment by the provisions of Article XIID, Section 4 of the Constitution.
6. Limitation upon Expending Assessment Proceeds. Any **funds** collected from the benefit assessment proposed herein shall be expended only for residential lighting services and maintenance to benefit the properties within CSA No. 9A Residential Lighting District. 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 benefit assessment to raise revenue to fund services is hereby proposed to be levied upon real property within Annexation No. 01-01 (Mesa Verde) CSA No. **9A**, Residential Lighting District, excepting any unbuildable parcels, common areas, and parcels with an assessed value of **\$5,000.00** or less. It has been determined that no publicly owned property within Annexation No. 0 1-O 1 (Mesa Verde) receives a special benefit from this proposed assessment.

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18

8. Assessment Rate. The rate of assessment for the fiscal year 2001/2002 and the maximum rate for each year thereafter is proposed as follows:

A. The assessment rate for 2001/2002 shall be as follows:

- \$2.35 per year per vacant parcel
- \$4.70 per year per single family residence
- \$2.82 per year per mobile home
- \$4.70 per year per single unit commercial parcel
- \$2.82 per year per unit for multi-unit parcels

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. The lien date shall be that prescribed by law.

C. The foregoing schedules and rates are based upon a flat fee for each parcel based on Assessor's Use Code. 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 the County Service Area No. 9A Residential Lighting District 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. 9A, Residential Lighting District.

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 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 residential lighting maintenance and 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,

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

E. No parcel owned by any agency, the State of California or the United States receives any special benefit from the proposed assessment.

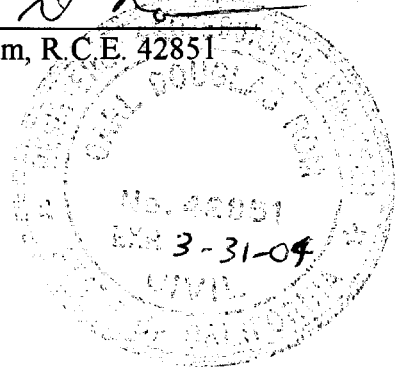
11. Ballot Procedure. As required by Section 4 of Article XIID of the California Constitution, a Property Owner Ballot must be enclosed with the notice of the proposed assessment. This ballot may be used by the owner(s) or by the tenant(s) who are directly liable for payment of the assessment in question 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.

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: FEBRUARY 13, 2001

Carl D. Rom  
Carl D. Rom, R.C.E. 42851



ENGREP.WPD/CSAANNEX.DOC

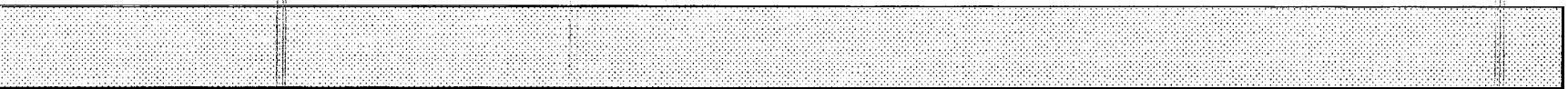
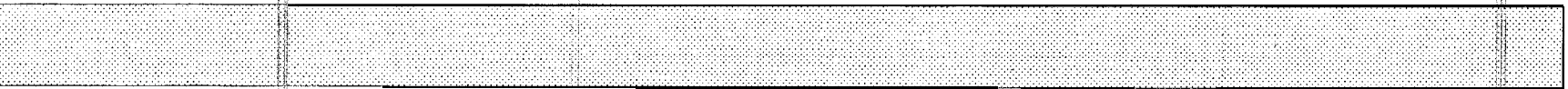
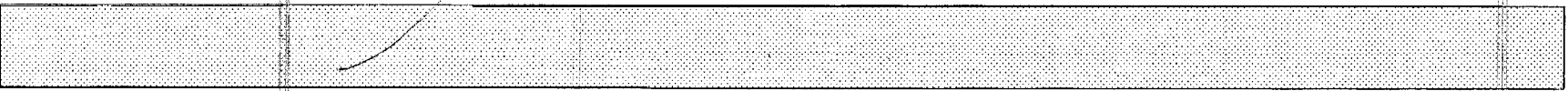
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PARCEL ID	ZN USE CODE	ASSESSEE NAME	ROLL ST	ROLL UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASH UN FL
460-31-002		COUNTY OF SANTA CRUZ							02/05/01		1
DPW ID: 00009A	COUNTY - RESIDENTIAL	SELECTED DPW ASSESSMENT DETAIL BY DPW ID							SPECIAL LEVY ID: 108875		
RPT ID: SRL	REQ: 009	ADDR: Y	LABL: Y	ROLL: W	AV:5001: Y	IMPV=: Y	CHRG=: Y	UNFL=: M: Y			
05136102	020 69256	ZACHMEIER CHRISTIAN & CAR 121 MESA VERDE DR	A	020	69256	148,257 WATSONVILLE	98,838	CA	1.000	95076	4.70
05136103	020 69256	ELDRIDGE MARTHA 135 MESA VERDE DR	A	020	69256	13,364 WATSONVILLE	47,825	CA	1.000	95076	4.70
05136104	020 69256	CHAUVEY DAN E & SARAH M T 147 MESA VERDE DR	A	020	69256	12,537 WATSONVILLE	58,893	CA	1.000	95076	4.70
05136105	020 69256	SANDOVAL-VIGIL LORRAINE R 163 MESA VERDE DR	A	020	69256	59,472 WATSONVILLE	96,478	CA	1.000	95076	4.70
05136106	020 69256	TANIMOTO RAY T & PEGGY A 177 MESA VERDE DR	A	020	69256	10,588 WATSONVILLE	44,796	CA	1.000	95076	4.70
05136107	020 69256	BYERS GEORGE R 191 MESA VERDE RD	A	020	69256	10,588 WATSONVILLE	38,823	CA	1.000	95076	4.70
05136108	020 69256	BARTON MICHAEL J & JUDY F 205 MESA VERDE DR	A	020	69256	26,340 WATSONVILLE	63,241	CA	1.000	95076	4.70
05136109	020 69256	KORAGH-NICKOLAS J JR AND 217 MESA VERDE DR	A	020	69256	10,588 WATSONVILLE	37,068	CA	1.000	95076	4.70
05136110	020 69256	VANDERVILLE KENNETH C & L 233 MESA VERDE DRIVE	A	020	69256	105,968 WATSONVILLE	101,730	CA	1.000	95076	4.70
05136111	020 69256	MENDES ALBERTO G & NATAL I 245 MESA VERDE DR	A	020	69256	10,562 WATSONVILLE	60,366	CA	1.000	95076	4.70
05136112	020 69256	MATTHEWS JOHN ROBERT & SU 261 MESA VERDE DR	A	020	69256	115,056 WATSONVILLE	102,974	CA	1.000	95076	4.70
05136113	020 69256	KOBA KENNETH T & SUSAN AN 275 MESA VERDE DR	A	020	69256	99,632 WATSONVILLE	119,556	CA	1.000	95076	4.70
05136114	020 69256	BECK SALLY ANN U/W JT ETAL 287 MESA VERDE	A	020	69256	112,798 WATSONVILLE	99,263	CA	1.000	95076	4.70
05136121	020 69256	ZUNIGA RAFAEL & ROCIO H/W 105 MESA VERDE DR	A	020	69256	182,000 WATSONVILLE	137,000	CA	1.000	95076	4.70
05136122	020 69256	STARK CLINTON A & BONNIE 115 MESA VERDE DR	A	020	69256	129,437 WATSONVILLE	94,920	CA	1.000	95076	4.70
05136501	020 69256	JIMENEZ JUAN H/W JT ETAL 110 MESA VERDE DR	A	020	69256	105,925 WATSONVILLE	105,925	CA	1.000	95076	4.70

20

542

PARCEL ID	ZN ID	USE CODE	CODE AREA	ASSESSEE NAME	ROLL ST	ROLL UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN	UN /FL
05136202	020	69256	GONZALEZ RAUL J & MARIA E	A	020	69256	76,217	107,976	1.000	4.70	M			
			124 MESA VERDE DR				WATSONVILLE		CA	95076				
05136203	020	69256	SLITER ROBERT A & DIANA M	A	020	69256	10,588	36,954	1.000	4.70	M			
			140 MESA VERDE DR				WATSONVILLE		CA	95076				
05136204	020	69256	GONZALES GUILLERMO G & JO	A	020	69256	18,616	188,386	1.000	4.70	M			
			156 MESA VERDE DR				WATSONVILLE		CA	95076				
05136301	020	69256	FLOREZ JOSEPH A & ROSIE J	A	020	69256	10,588	45,147	1.000	4.70	M			
			186 MESA VERDE				WATSONVILLE		CA	95076				
05136302	020	69256	HERRERA MANUEL J & DOREEN	A	020	69256	10,588	50,927	1.000	4.70	M			
			200 MESA VERDE DR				WATSONVILLE		CA	95076				
05136303	020	69256	KUNZ HILDA RUTH TRUSTEE	A	020	69256	10,588	45,147	1.000	4.70	M			
			214 MESA VERDE DR				WATSONVILLE		CA	95076				
05136304	020	69256	FRIESELL GARY F & MARGARE	A	020	69256	10,588	38,766	1.000	4.70	M			
			230 MESA VERDE DR				WATSONVILLE		CA	95076				
05136305	020	69256	CHAVEZ ABIGAIL G & SAUL W	A	020	69256	127,969	85,313	1.000	4.70	M			
			244 MESA VERDE DRIVE				WATSONVILLE		CA	95076				
05136306	020	69256	COLIMOTE FROILAN LOPEZ &	A	020	69256	133,520	89,013	1.000	4.70	M			
			256 MESA VERDE DR				WATSONVILLE		CA	95076				
05136307	020	69256	CHAVEZ MIGUEL A & MERCEDE	A	020	69256	117,357	100,927	1.000	4.70	M			
			270 MESA VERDE DR				WATSONVILLE		CA	95076				
SUB TOTAL:								26	26.000	122.20				



Page 9

EXHIBIT III  
ATTACHMENT 'A'

519

21

22

**NOTICE OF PUBLIC HEARING, BALLOT PROCEDURE,  
AND BALLOT FOR AN ASSESSMENT TO PROVIDE  
FUNDING FOR RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE WITHIN  
COUNTY SERVICE AREA NO. 9A  
RESIDENTIAL LIGHTING DISTRICT  
ANNEXATION NO. 01-01 (MESA VERDE)**

54.8

23

# COUNTY OF SANTA CRUZ



## **NOTICE OF PUBLIC HEARING, BALLOT PROCEDURE, AND BALLOT FOR AN ASSESSMENT TO PROVIDE FUNDING FOR RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE WITHIN COUNTY SERVICE AREA NO. 9A RESIDENTIAL LIGHTING DISTRICT ANNEXATION NO. 01-01 (MESA VERDE)**

### **IMPORTANT NOTICE**

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, April 17, 2001 during the morning agenda at 9:00 a.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 residential lighting service and maintenance within Annexation No. 01-01 (Mesa Verde), County Service Area No. 9A Residential Lighting District.

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 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 CSA No. 9A Residential Lighting service and maintenance within Annexation No. 01-01 (Mesa Verde).

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

54.2

**ASSESSMENT BALLOT INSTRUCTIONS**

54.2



24

## 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 April 10, 2001. 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, April 17, 2001, 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, April 17, 2001, 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 410H, Santa Cruz, CA 95060 and another ballot will be issued to you. If you have any questions, please contact the Public Works Department at 831-454-2302.

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

54.8

25

**Ballot for County Service Area No. 9A, Residential Lighting  
for Territory designated as annexation No. 01-01 (Mesa Verde)  
Residential Lighting Service and Maintenance**

**APN:**

**ASSESSEE NAME:**

**ASSESSMENT AMOUNT:**

**Zone: Mesa Verde Annexation No. 01-01**

**Ballot Question:**

**Shall the County of Santa Cruz be authorized to collect assessments to provide residential lighting service and maintenance within CSA No. 9A, Residential Lighting for territory designated as annexation No. 01-01 (Mesa Verde) by an annual assessment.**

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 \_\_\_\_\_, 2001, at \_\_\_\_\_, California, is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (Printed)

542

**CSA 9A** Shall the County of Santa Cruz be authorized to collect assessments to provide residential lighting service and maintenance within Annexation 0 1-O 1 (Mesa Verde) to County Service Area No. 9A Residential Lighting District by an annual assessment.

ASSESSMENT INFORMATION

1. Total Assessments within Service Area. The total amount of the proposed assessments for residential lighting maintenance and service within County Service Area No. 9A for the 2001/2002 fiscal year is \$106,013.35.

2. Amount of Assessment on Parcel. The amount of the proposed assessment on your parcel for the 2001/2002 fiscal year is stated on the enclosed Assessment Ballot.

3. Duration of Assessment. The proposed assessment is an annual fee and will continue indefinitely.

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 9A Residential Lighting service and maintenance. 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 assessment is only permitted under Proposition 2 18 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 foregoing schedules and rates are based upon a flat fee for each parcel based on assessor's use code. 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 as follows:

- \$2.35 per year per vacant parcel
- \$4.70 per year per single family residence
- \$2.82 per year per mobile home
- \$4.70 per year per single unit commercial parcel
- \$2.82 per year per unit for multi-unit parcels

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.

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BALLOT PROCEDURES

1. 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 assessment is generated. In accordance with Article XIII, 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 ADA Coordinator at 454-3 145.

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.

27

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28

**NOTICE OF PUBLIC HEARING ON PROPOSED ASSESSMENT TO  
FUND RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
WITHIN COUNTY SERVICE AREA NO. 9A**

**[SUMMARY**

54.2

**NOTICE OF PUBLIC HEARING ON PROPOSED ASSESSMENT TO  
FUND RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
WITHIN COUNTY SERVICE AREA NO. 9A**

29

**[SUMMARY]**

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, April 17, 2001, at 9 a.m. or thereafter, 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 residential lighting service and maintenance within County Service Area No. 9, Zone A for territory designated as Annexation No. 01-01 (Mesa Verde).

Proposition 218, which was approved by the voters at the November 1996 general election, includes provisions that a 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. 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 April 17, 2001.

A copy of the Notice of Public Hearing, Ballot Procedure, and Ballot for an Assessment to Provide Funding for residential lighting within County Service Area No. 9, Zone A for territory designated as Annexation No. 01-01 (Mesa Verde) for residential lighting service and maintenance, 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.

Notice 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. Questions regarding accommodation under the ADA should be directed to the ADA Coordinator at 454-3145.

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

54.2