



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

0165

DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060
(831) 454-2160 FAX (831) 454-2385 TDD (831) 454-2123

AGENDA: DECEMBER 4, 2001

November 20, 2001

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

SUBJECT: COUNTY SERVICE AREA NO. 9A RESIDENTIAL LIGHTING
ANNEXATION NO. 01-2002 (HEATHER TERRACE)

Members of the Board:

The Department of Public Works received a County Service Area (CSA) No. 9, Zone "A", residential lighting petition for the area known as the Heather Terrace Subdivision from the Watsonville Community Hospital. The subdivision consists of 64 parcels located on Heather Terrace, Tulip Lane and Poppy Drive in Aptos (Assessor's map no. 39-55) where street lights along these roads were installed by the developer as a condition of the subdivision.

In order to annex these 64 parcels into Zone "A" of CSA No. 9, it is necessary for your Board to adopt the attached resolution of intention to annex this territory designated as Annexation No. 01-2002 (Heather Terrace), set January 29, 2002, as 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 2002/2003 benefit assessment rate proceedings for the 64 parcels in the proposed annexation.

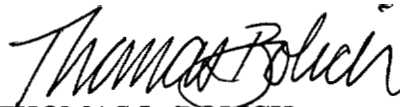
County Service Area No. 9A fees are considered benefit assessments, and therefore any new or increased rates must comply with Proposition 218 procedures. These procedures require that these fees be charged only if an election is held and the fees are approved by at least 50 percent of the votes cast 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 64 parcels and corresponding assessments in the proposed annexation has been prepared and is included with this item.

It is now necessary for your Board to approve CSA No. 9A Annexation No. 01-2002 ballots, notice of hearing, and resolutions establishing the 2002/2003 rate and setting January 29, 2002, as the public hearing date on the proposed rates. These items are in accordance with Board established rules for conducting ballot proceedings for assessments under Article XIID, Section 4 of the California State Constitution.

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

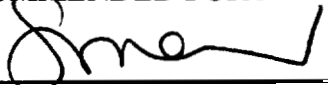
1. Adopt the attached resolution of intention to annex territory designated as Annexation No. 01-2002 (Heather Terrace) setting January 29, 2002, at 9:00 A.M. or thereafter as the date and time for a public hearing on the annexation; and direct the Clerk of the Board to publish the resolution of intention 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.
2. Accept and approve the Engineer's Report for proposed assessment rates for CSA No. 9A Residential Lighting Annexation No. 01-2002 (Heather Terrace).
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. 01-2002 (Heather Terrace) and setting January 29, 2002, at 9:00 A.M. or thereafter as the date and time for a public hearing on the proposed benefit assessment; 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. 01-2002 (Heather Terrace).
5. Direct the Department of Public Works to mail ballots to the record owners of properties subject to the proposed assessment within the territory designated as Annexation No. 01-2002 (Heather Terrace) of CSA No. 9A, Residential Lighting.

Yours truly,


THOMAS L. BOLICH
Director of Public Works

SRL:bbs
Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: Public Works Department

heatb.wpd

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

0167

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. 01-2002 (HEATHER TERRACE) TO ZONE "A"
(RESIDENTIAL LIGHTING) OF COUNTY SERVICE AREA NO. 9

WHEREAS, this Board intends to annex certain territory designated as Annexation No. 01-2002 (Heather Terrace) 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 29th day of January, 2002, 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 seven 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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____ 2001 by the following vote:

AYES: SUPERVISORS

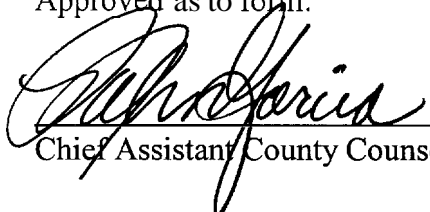
NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:



Chief Assistant County Counsel

Distribution: County Counsel
Public Works



0169

SOQUEL DR

LEDYARD WY

STATE PARK DR

TULIP LN
HEATHER TER.
POPPY WY

STATE HWY 1

PROPOSED ANNEXATION
01-2002 (HEATHER TERRACE)
TO CSA-9A

28

MAR VISTA DR

**ENGINEER'S REPORT REGARDING PROPOSED
BENEFIT ASSESSMENT FOR TERRITORY DESIGNATED AS
ANNEXATION NO. 01-2002 (HEATHER TERRACE) 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 residential lighting service and maintenance within the territory designated as Annexation No. 01-2002 (Heather Terrace) to County Service Area No. 9A.
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 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. A benefit assessment to raise revenue to fund services is hereby proposed to be levied upon real property within Annexation No. 01-2002 (Heather Terrace), 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. 01-2002 (Heather Terrace) receives a special benefit from this proposed assessment.

8. Assessment Rate. The rate of assessment for the fiscal year 2002/2003 and the maximum rate for each year thereafter is proposed as follows:

A. The assessment rate 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 or unit 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,

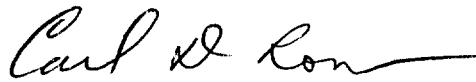
- D. The only benefits assessed are special and any general benefits have been separated from the special benefits conferred on each parcel, and
- E. No parcel owned by any agency, the State of California or the United States receives any special benefit from the proposed assessment.

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.

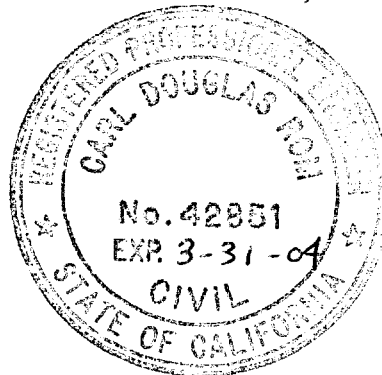
Upon the close of the public hearing, the returned ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and the results will be announced; provided that, in the event additional time is 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: NOVEMBER 19, 2001



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



ENGREP.WPD/heatb.wpd

460-31-002 COUNTY OF SANTA CRUZ 11/15/01 PAGE 1
 DPW ID: 00009A COUNTY - RESIDENTIAL SELECTED DPW ASSESSMENT DETAIL BY DPW ID SPECIAL LEVY ID: 108875
 RPT ID: TBS REQ#: 001 ADDR: Y LABL: N ROLL: R AV<5001: N IMPV=0: Y CHRG=0: Y UNFL=M: Y

PARCEL ID	ZN USE ID	CODE AREA	ASSESSEE NAME	ROLL ST	ROLL UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL
03955101	025	69273	DOAN LARRY C & CAROL SUSA	A	025	69273	102,000	107,646	CA	1.000	4.70	M
			315 POPPY WAY				APTOS					
03955102	020	69273	RIGOR PAUL C & KATHLEEN P	A	020	69273	193,800	201,450	CA	1.000	4.70	M
			325 POPPY WAY				APTOS					
03955103	020	69273	SNOW ERICH ALEXANDER & AL	A	020	69273	214,200	201,598	CA	1.000	4.70	M
			335 POPPY WAY				APTOS					
03955104	025	69273	KNIGHTS FRANK M/P SS	A	025	69273	102,000	97,648	CA	1.000	4.70	M
			387 POPPY WAY				APTOS					
03955105	020	69273	GOVINDACHAR SURESH S/P	A	020	69273	214,200	200,153	CA	1.000	4.70	M
			397 POPPY WAY				APTOS					
03955106	020	69273	HADREAS MICHAEL W & LINDA	A	020	69273	204,000	179,520	CA	1.000	4.70	M
			407 POPPY WAY				APTOS					
03955107	020	69273	MAACK LOUIS L & JANET L H	A	020	69273	218,484	205,860	CA	1.000	4.70	M
			417 POPPY WAY				APTOS					
03955108	020	69273	GRASSADONIA JOHN S & SHER A	020	69273		218,484	189,558	CA	1.000	4.70	M
			427 POPPY WAY				APTOS					
03955109	020	69273	HANNANA YOUSSEF & HAJALE	A	020	69273	218,484	162,823	CA	1.000	4.70	M
			437 POPPY WAY				APTOS					
03955110	020	69273	ZHENG JIAN MIN H/W ETAL J	A	020	69273	214,200	193,290	CA	1.000	4.70	M
			451 POPPY WAY				APTOS					
03955111	020	69273	SIEGEL HOWARD A & DIANE M	A	020	69273	214,200	174,930	CA	1.000	4.70	M
			461 POPPY WAY				APTOS					
03955112	020	69273	KANG SOON AE U/M	A	020	69273	204,000	199,920	CA	1.000	4.70	M
			415 TROUT GULCH RD				APTOS					
03955113	020	69273	MCCAULEY MICHAEL & KELLY	A	020	69273	208,080	203,398	CA	1.000	4.70	M
			481 POPPY WAY				APTOS					
03955114	020	69273	HOLSTEIN KENNETH W TRUSTE	A	020	69273	208,080	200,797	CA	1.000	4.70	M
			230 HEATHER TERRACE				APTOS					
03955115	020	69273	LO EDWARD MOON & HUI SUK	A	020	69273	204,000	185,130	CA	1.000	4.70	M
			224 HEATHER TERRACE				APTOS					
03955116	020	69273	COMDEN CHARLES BERT & JOS	A	020	69273	204,000	185,130	CA	1.000	4.70	M
			212 HEATHER TERRACE				APTOS					

COUNTY OF SANTA CRUZ										11/15/01		PAGE	
DPW ID: 00009A COUNTY - RESIDENTIAL SELECTED DPW ASSESSMENT DETAIL BY DPW ID										SPECIAL LEVY ID: 106875		2	
RPT ID: TBS REQ#: 001 ADDR: Y LABL: N ROLL: R AV<5001: N IMPV=0: Y CHRG=0: Y UNFL=M: Y													
PARCEL ID	ZN USE ID	CODE AREA	ASSESSEE NAME	ROLL ST	ROLL UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL	
03955117	020	69273	LABIAK CAROLYN J H/W SS P O BOX 16694	A	020	69273	214,200	220,331	CA	1.000	96151	4.70 M	
03955118	020	69273	THOMAS MICHAEL R & KATHY 194 HEATHER TERRACE	A	020	69273	214,200	213,646	CA	1.000	95003	4.70 M	
03955119	020	69273	FRIEDMAN FREDRICK S/M 182 HEATHER TERRACE	A	020	69273	214,200	192,774	CA	1.000	95003	4.70 M	
03955120	020	69273	BALL GEORGE D & YOANNA F P O BOX 2530	A	020	69273	204,000	176,460	CA	1.000	95001	4.70 M	
03955122	191	69273	J P APTOS PROPERTY LLC 2136 PIERCE STREET	A	191	69273	7,140,000	6,120,000	CA	1.000	94115	4.70	
03955201	025	69273	BORRESON KIM & SUZANNE H/ 270 HEATHER TERRACE	A	025	69273	102,000	97,920	CA	1.000	95003	4.70 M	
03955202	020	69273	HANLEY JOHN & AMY H/W JT 258 HEATHER TERRACE	A	020	69273	208,080	187,792	CA	1.000	95003	4.70 M	
03955203	020	69273	HANMANA SAMIR Y H/M SS 246 HEATHER TERRACE	A	020	69273	208,080	200,797	CA	1.000	95003	4.70 M	
03955204	020	69273	SAN MIGUEL SHAWN & CHRIST 123 TULIP LANE	A	020	69273	208,080	169,585	CA	1.000	95003	4.70 M	
03955205	020	69273	ARIAS-IA RHEIR JAMES & MO 133 TULIP LANE	A	020	69273	208,080	187,792	CA	1.000	95003	4.70 M	
03955206	020	69273	LEVIN MAX TRUSTEE 143 TULIO LANE	A	020	69273	118,946	1	OA	1.000	95003	4.70 M	
03955207	025	69273	KRAKAUER DANIEL EVAN & GR 521 POPPY WAY	A	025	69273	104,040	108,226	CA	1.000	95003	4.70 M	
03955208	020	69273	SLINGER EVELINE M TRUSTE 529 POPPY WAY	A	020	69273	208,080	166,984	CA	1.000	95003	4.70 M	
03955209	025	69273	WILSON CHRIS & TIFFANY H/ 533 POPPY WAY	A	025	69273	104,040	115,736	CA	1.000	95003	4.70 M	
03955210	020	69273	ARNOLD BRIAN R U/H ETAL A 4 DANA CT	A	020	69273	208,080	190,393	CA	1.000	95006	4.70 M	
03955211	020	69273	STRAWN STEPHEN E H/W CP E 544 POPPY WAY	A	020	69273	208,080	190,393	CA	1.000	95003	4.70 M	

COUNTY OF SANTA CRUZ													11/15/01		PAGE	
DPW ID: 00009A COUNTY - RESIDENTIAL SELECTED DPW ASSESSMENT DETAIL BY DPW ID													SPECIAL LEVY ID: 108875		3	
RPT ID: TBS REQ#: 001 ADDR: Y LABL: N ROLL: R AV<5001: N IMPV=0: Y CHRG=0: Y UNFL=M: Y																
PARCEL ID	ZN USE CODE	ASSEESSEE NAME	ROLL ST UC CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL							
03955212	020	HANSEN GWYNETH A U/W JT E	A 020	69273	214,200	210,926	CA	1.000	95003	4.70	M					
		536 POPPY WAY		APTOS												
03955213	020	JUNTADO ANNABELLE H U/W	A 020	69273	184,110	204,000	CA	1.000	95003	4.70	M					
		532 POPPY WAY		APTOS												
03955214	025	LEE RICHARD J & KATHLEEN	A 025	69273	104,040	116,858	CA	1.000	95003	4.70	M					
		524 POPPY WAY		APTOS												
03955215	020	HESSERSCHMIDT EUGENE H &	A 020	69273	208,080	166,984	CA	1.000	95003	4.70	M					
		514 POPPY WY		APTOS												
03955216	020	VALENTE RUDY P & AUDREY J	A 020	69273	208,080	204,439	CA	1.000	95003	4.70	M					
		504 POPPY WAY		APTOS												
03955217	020	AHO POLLY ANNE & JACK JR	A 020	69273	208,080	168,025	CA	1.000	95003	4.70	M					
		492 POPPY WAY		APTOS												
03955218	020	ELLIOTT DAVID R TRUSTEES	A 020	69273	218,484	205,479	CA	1.000	95003	4.70	M					
		482 POPPY WAY		APTOS												
03955219	020	STABLER LINDA LOUISE U/W	A 020	69273	218,484	171,555	CA	1.000	95003	4.70	M					
		472 POPPY WAY		APTOS												
03955220	020	O CONNELL KELLY P U/M	A 020	69273	208,080	215,363	CA	1.000	95003	4.70	M					
		462 POPPY WAY		APTOS												
03955221	020	WILKES PETER & NORAH A CO	A 020	69273	208,080	169,585	CA	1.000	95003	4.70	M					
		452 POPPY WAY		APTOS												
03955222	020	KANG SOON AE U/M	A 020	69273	218,484	202,878	CA	1.000	95003	4.70	M					
		415 TROUT GULCH RD		APTOS												
03955223	020	JUDSON BRIAN LOUIS & ELIZ	A 020	69273	218,484	201,317	CA	1.000	95003	4.70	M					
		434 POPPY WAY		APTOS												
03955224	020	BHOJMANI EILEEN TRUSTEE	A 020	69273	237,456	158,304	CA	1.000	95003	4.70	M					
		428 POPPY WAY		APTOS												
03955225	020	MOTANEDTUM SUPACHAI M/M S	A 020	69273	218,484	200,277	CA	1.000	95003	4.70	M					
		422 POPPY WAY		APTOS												
03955226	020	CUNNINGHAM JOHN H & DIANA	A 020	69273	204,000	178,500	CA	1.000	95003	4.70	M					
		412 POPPY WAY		APTOS												
03955227	020	MATASEVICH ROBERT N JR & A	020	69273	192,270	204,000	CA	1.000	95003	4.70	M					
		402 POPPY WAY		APTOS												

PARCEL ID	ZN USE CODE	ASSESSEE NAME	ROLL ST	ROLL UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL
03955228	020	69273 MICHELOZZI PETER TRUSTEE	A	020	69273	204,000	178,500	CA	1.000	95076	4.70 M
		130 ORCHARD HEIGHTS LANE				CORRALITOS					
03955229	025	69273 MOSELEY MAXIN J & SHANNON	A	025	69273	102,000	102,510	CA	1.000	95003	4.70 M
		380 POPPY WAY				APTOS					
03955230	020	60273 DVOSKEN LEV M/H SS	A	020	69273	215,750	214,200	CA	1.000	95003	4.70 M
		374 POPPY WAY				APTOS					
03955231	020	69273 TSUJI EUGENE & ROBIN H/H	A	020	69273	214,200	212,670	CA	1.000	95003	4.70 M
		370 POPPY WAY				APTOS					
03955232	025	69273 HUGHES TIMOTHY J & KATHLE	A	025	69273	102,000	102,343	CA	1.000	95003	4.70 M
		360 POPPY WAY				APTOS					
03955233	020	69273 BRASSFIELD MARGO JILLAINIE	A	020	69273	214,200	205,020	CA	1.000	95003	4.70 M
		350 POPPY WAY				APTOS					
03955234	020	69273 LO EDWARD MOON & HUI SUK	A	020	69273	214,200	181,050	CA	1.000	95003	4.70 M
		224 HEATHER TERRACE				APTOS					
03955235	020	69273 HERMAN DAVID P & NELLIE H	A	020	69273	214,200	215,220	CA	1.000	95003	4.70 M
		330 POPPY WAY				APTOS					
03955236	020	69273 KANG SOON AE U/W	A	020	69273	214,200	181,050	CA	1.000	95003	4.70 M
		415 TROUT GULCH RD				APTOS					
03955237	020	69273 ELLISON MARK N & JUN SCAR	A	020	69273	214,200	201,535	CA	1.000	95003	4.70 M
		310 POPPY WAY				APTOS					
03955238	025	69273 COCCHIA SU HUI S/P	A	025	69273	102,000	95,338	CA	1.000	95003	4.70 M
		300 POPPY WAY				APTOS					

64

277.30

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

0177

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. 01-2002 (HEATHER TERRACE)
FOR 2002/2003 **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. 01-2002 (Heather Terrace) 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 2002/2003;
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. 01-2002 (Heather Terrace) receives any special benefit from the proposed assessment;
6. The duration of the assessment is specified; and
7. The basis of the assessment is stated.

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. 01-2002 (Heather Terrace) and its owners and inhabitants to declare the Board's intention to levy the proposed assessments each year in accordance with that Report.

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. 01-2002 (Heather Terrace) for the fiscal year 2002/2003 and each year thereafter at a maximum rate not to exceed the following:
 - A. The assessment rate for 2002/2003 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 January 29, 2002, 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. 01-2002 (Heather Terrace) 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.

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 County Service Area No. 9A territory designated as Annexation No. 01-2002 (Heather Terrace), 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.

RESOLUTION NO. _____

Page -4-

PASSED **AND** ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____ 2001, by the following vote:

AYES: SUPERVISORS

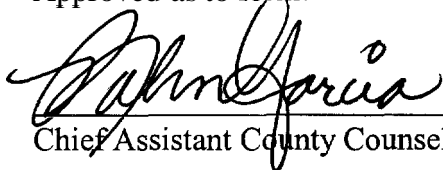
NOES: SUPERVISORS

ABSENT: SUPERVISORS

Chairperson of said Board

ATTEST: _____
Clerk of said Board

Approved as to form:


Chief Assistant County Counsel

Distribution: County Counsel
Public Works

**ENGINEER'S REPORT REGARDING PROPOSED
BENEFIT ASSESSMENT FOR TERRITORY DESIGNATED AS
ANNEXATION NO. 01-2002 (HEATHER TERRACE) 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 residential lighting service and maintenance within the territory designated as Annexation No. 01-2002 (Heather Terrace) to County Service Area No. 9A.
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 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. A benefit assessment to raise revenue to fund services is hereby proposed to be levied upon real property within Annexation No. 01-2002 (Heather Terrace), 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. 01-2002 (Heather Terrace) receives a special benefit from this proposed assessment.

6

8. Assessment Rate. The rate of assessment for the fiscal year 2002/2003 and the maximum rate for each year thereafter is proposed as follows:

- A. The assessment rate 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 or unit 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:

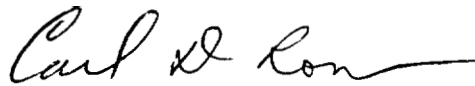
- A. The attached schedule identifies and describes all parcels which have a special benefit conferred on them and on which the assessment will be imposed, and sets forth the amount of the assessment for each parcel for the initial fiscal year,
- B. The proportionate special benefit derived by each identified 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,

- 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: NOVEMBER 19, 2001



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



ENGREP.WPD/heatb.wpd

460-31-002 COUNTY - RESIDENTIAL COUNTY OF SANTA CRUZ 11/15/01 PAGE 1										
DPW ID: 00009A REQ#: 001 ADDR: Y LABL: N ROLL: R AV<5001: N IMPV=0: Y CHRG=0: Y UNFL=N: Y SPECIAL LEVY ID: 108875										
PARCEL ID	ZN USE CODE	ASSESSEE NAME	ROLL ST UC	ROLL CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL
03955101	025 69273	DOAN LARRY C & CAROL SUSAN 315 POPPY WAY	A 025	69273	APTOS 102,000	107,646	CA	1.000	95003	4.70 M
03955102	020 69273	RIGOR PAUL C & KATHLEEN P 325 POPPY WAY	A 020	69273	APTOS 193,800	201,450	CA	1.000	95003	4.70 M
03955103	020 69273	SNOW ERICH ALEXANDER & AL 335 POPPY WAY	A 020	69273	APTOS 214,200	201,598	CA	1.000	95003	4.70 M
03955104	025 69273	KNIGHTS FRANK M/P SS 387 POPPY WAY	A 025	69273	APTOS 102,000	97,648	CA	1.000	95003	4.70 M
03955105	020 69273	GOVINDACHAR SURESH S/P 397 POPPY WAY	A 020	69273	APTOS 214,200	200,153	CA	1.000	95003	4.70 M
03955106	020 69273	HADREAS MICHAEL W & LINDA 407 POPPY WAY	A 020	69273	APTOS 204,000	179,520	CA	1.000	95003	4.70 M
03955107	020 69273	MAACK LOUIS L & JANET L H 417 POPPY WAY	A 020	69273	APTOS 218,484	205,860	CA	1.000	95003	4.70 M
03955108	020 69273	GRASSADONIA JOHN S & SHER 427 POPPY WAY	A 020	69273	APTOS 218,484	189,558	CA	1.000	95003	4.70 M
03955109	020 69273	HAMMANA YOUSSEF & HAJALE 437 POPPY WAY	A 020	69273	APTOS 218,484	162,823	CA	1.000	95003	4.70 M
03955110	020 69273	ZHENG JIAN MIN H/W ETAL J 451 POPPY WAY	A 020	69273	APTOS 214,200	193,290	CA	1.000	95003	4.70 M
03955111	020 69273	SIEGEL HOWARD A & DIANE M 461 POPPY WAY	A 020	69273	APTOS 214,200	174,930	CA	1.000	95003	4.70 M
03955112	020 69273	KANG SOON AF U/W 415 TROUT GULCH RD	A 020	69273	APTOS 206,000	199,920	CA	1.000	95003	4.70 M
03955113	020 69273	MCCAULEY MICHAEL & KELLY 481 POPPY WAY	A 020	69273	APTOS 208,080	203,398	CA	1.000	95003	4.70 M
03955114	020 69273	HOLSTEIN KENNETH W TRUSTE 230 HEATHER TERRACE	A 020	69273	APTOS 208,080	200,797	CA	1.000	95003	4.70 M
03955115	020 69273	LO EDWARD MOON & HUI SUK 224 HEATHER TERRACE	A 020	69273	APTOS 204,000	185,130	CA	1.000	95003	4.70 M
03955116	020 69273	COWDEN CHARLES BERT & JOS 212 HEATHER TERRACE	A 020	69273	APTOS 204,000	185,130	CA	1.000	95003	4.70 M

COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2
COUNTY OF SANTA CRUZ											11/15/01	PAGE 2

460-31-002 COUNTY - RESIDENTIAL COUNTY OF SANTA CRUZ 11/15/01 PAGE 3									
DPM ID: 00009A COUNTY - RESIDENTIAL SELECTED DPM ASSESSMENT DETAIL BY DPM ID SPECIAL LEVY ID: 108875									
RPT ID: TBS REQ# 001 ADDR: Y LABI: N ROLL: R AV<5001: N IMPV:0: Y CHRG=0: Y UNFL=M: Y									
PARCEL ID	ZN USE CODE	ASSESSEE NAME	ROLL ST UC CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL
03955212	020 69273	HANSEN GYNEETH A U/W JT E 536 POPPY WAY	A 020 69273	214,200 APTOS	210,926	CA	1.000	95003	4.70 M
03955213	020 69273	JUNTADO ANNABELLE M U/W 532 POPPY WAY	A 020 69273	184,110 APTOS	204,000	CA	1.000	95003	4.70 M
03955214	025 69273	LEE RICHARD J & KATHLEEN 524 POPPY WAY	A 025 69273	104,040 APTOS	116,858	CA	1.000	95003	4.70 M
03955215	020 69273	MESSERSCHMIDT EUGENE H & 514 POPPY WY	A 020 69273	208,080 APTOS	166,984	CA	1.000	95003	4.70 M
03955216	020 69273	VALENTE RUDY P & AUDREY J 504 POPPY WAY	A 020 69273	208,080 APTOS	204,439	CA	1.000	95003	4.70 M
03955217	020 69273	AHO POLLY ANNE & JACK JR 492 POPPY WAY	A 020 69273	208,080 APTOS	168,025	CA	1.000	95003	4.70 M
03955218	020 69273	ELLIOTT DAVID R TRUSTEES 482 POPPY WAY	A 020 69273	218,484 APTOS	205,479	CA	1.000	95003	4.70 M
03955219	020 69273	STABLER LINDA LOUISE U/W 472 POPPY WAY	A 020 69273	218,484 APTOS	171,555	CA	1.000	95003	4.70 M
03955220	020 69273	O CONNELL KELLY P U/W 462 POPPY WAY	A 020 69273	208,080 APTOS	215,363	CA	1.000	95003	4.70 M
03955221	020 69273	WILKES PETER & NORAH A CO 452 POPPY WAY	A 020 69273	208,080 APTOS	169,585	CA	1.000	95003	4.70 M
03955222	020 69273	KANG SOON AE U/W 415 TROUT GULCH RD	A 020 69273	218,484 APTOS	202,878	CA	1.000	95003	4.70 M
03955223	020 69273	JUDSON BRIAN LOUIS & ELIZ 434 POPPY WAY	A 020 69273	218,484 APTOS	201,317	CA	1.000	95003	4.70 M
03955224	020 69273	BHOJWANI EILEEN TRUSTEE 428 POPPY WAY	A 020 69273	237,456 APTOS	158,304	CA	1.000	95003	4.70 M
03955225	020 69273	WOTANEDTUM SUPACHAI M/M S 422 POPPY WAY	A 020 69273	218,484 APTOS	200,277	CA	1.000	95003	4.70 M
03955226	020 69273	CUNNINGHAM JOHN W & DIANA 412 POPPY WAY	A 020 69273	204,000 APTOS	178,500	CA	1.000	95003	4.70 M
03955227	020 69273	MATTIASEVICH ROBERT N JR & 402 POPPY WAY	A 020 69273	192,270 APTOS	204,000	CA	1.000	95003	4.70 M

460-31-002 COUNTY - RESIDENTIAL COUNTY OF SANTA CRUZ 11/15/01 PAGE 4									
DPW ID: 00009A COUNTY - RESIDENTIAL SELECTED DPW ASSESSMENT DETAIL BY DPW ID SPECIAL LEVY ID: 108875									
RPT ID: 1BS KEN#: 001 ADUK: Y LABL: N ROLL: R AV-500: N IMPV-0: Y CHRG-0: Y UNFL-0: Y									
PARCEL ID	ZN USE CODE	ASSESSEE NAME	ROLL ST UC CA	ROLL LAND	ROLL IMPR	CATG	UNITS	CHARGE	BASN UN FL
03955228	020 69273	MICHELOZZI PETER TRUSTEE 130 ORCHARD HEIGHTS LANE	A 020 69273	204,000	178,500	CA	1.000	95076	4.70 M
03955229	025 69273	MOSELEY MAXIN J & SHANNON 380 POPPY WAY	A 025 69273	102,000	102,510	CA	1.000	95003	4.70 M
03955230	020 69273	DVOSKIN LEV M/M SS 374 POPPY WAY	A 020 69273	215,730	214,200	CA	1.000	95003	4.70 M
03955231	020 69273	TSUJI EUGENE & ROBIN H/W 370 POPPY WAY	A 020 69273	214,200	212,670	CA	1.000	95003	4.70 M
03955232	025 69273	HUGHES TIMOTHY J & KATHLE 360 POPPY WAY	A 025 69273	102,000	102,343	CA	1.000	95003	4.70 M
03955233	020 69273	BRASSFIELD MARGO JILLIANE 350 POPPY WAY	A 020 69273	214,200	205,020	CA	1.000	95003	4.70 M
03955234	020 69273	LO EDWARD MOON & HUI SUK 224 HEATHER TERRACE	A 020 69273	214,200	181,050	CA	1.000	95003	4.70 M
03955235	020 69273	HERMAN DAVID P & NELLIE H 330 POPPY WAY	A 020 69273	214,200	215,220	CA	1.000	95003	4.70 M
03955236	020 69273	KANG SOON AE U/W 415 TROUT GULCH RD	A 020 69273	214,200	181,050	CA	1.000	95003	4.70 M
03955237	020 69273	ELLISON MARK W & JUN SCAR 310 POPPY WAY	A 020 69273	214,200	201,535	CA	1.000	95003	4.70 M
03955238	025 69273	COCCHIA SU HUI S/P 300 POPPY WAY	A 025 69273	102,000	95,338	CA	1.000	95003	4.70 M

64 277.30

**NOTICE OF PUBLIC HEARING ON PROPOSED ASSESSMENT TO
FUND RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE
WITHIN ANNEXATION NO. 01-2002 COUNTY SERVICE AREA NO. 9A**

0188

[SUMMARY]

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, January 29, 2002, 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. 01-2002 (Heather Terrace).

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 January 29, 2002.

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. 01-2002 (Heather Terrace) 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.

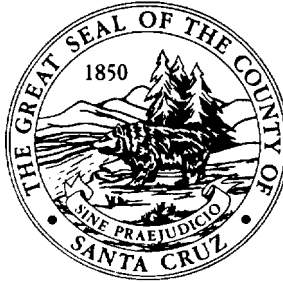
Note: The public may attend the public hearing and/or comment on this matter. Testimony may be presented in person or submitted in written form prior to the hearing and made a part of the hearing record.

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

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. 01-2002 (HEATHER TERRACE)**

IMPORTANT NOTICE

NOTICE IS HEREBY GIVEN that the Santa Cruz County Board of Supervisors has scheduled a public hearing for Tuesday, January 29, 2002, 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. 01-2002 (Heather Terrace), 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 County Service Area No. 9A Residential Lighting service and maintenance within Annexation No. 01-2002 (Heather Terrace).

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

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 residential lighting service and maintenance. 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 January 22, 2002. 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, January 29, 2002, 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, January 29, 2002, 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 410M, 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) 454-2160.

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

CSA 9A Shall the County of Santa Cruz be authorized to collect assessments to provide residential lighting service and maintenance within Annexation 01-2002 (Heather Terrace) 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 2002/2003 fiscal year is \$104,441.97, including \$277.30 from the area within Annexation No. 01-2002.
2. Amount of Assessment on Parcel. The amount of the proposed assessment on your parcel for the 2002/2003 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 218 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.

If the assessment proposed for Annexation No. 01-2002 (Heather Terrace), is not approved, the existing street light service will be discontinued.

5. Basis for Assessment. The foregoing schedules and rates are based upon a flat fee or unit 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.

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.

0192

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 454-3145.

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.

Ballot for County Service Area **No. 9A**, Residential Lighting
for Territory designated as annexation No. 01-02 (Heather Terrace)
Residential Lighting Service and Maintenance

0193

APN:
ASSESSEE NAME:
ASSESSMENT AMOUNT:
ZONE: Heather Terrace Annexation **No. 01-2002**

Ballot Question:

Shall the County of Santa Cruz be authorized to collect assessments to provide residential lighting within County Service Area **No 9A**, Residential Lighting for territory designated as Annexation No. 01-2002 (Heather Terrace) by an annual assessment?

Yes ____ **No** ____

(Please note that if the proposed assessment for annexation 01-2002 Heather Terrace is not approved, the existing street lighting services will be discontinued.)

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 _____, 2002, at _____, California, is true and correct.

Signature

Name (Printed)