



# County of Santa Cruz

## DEPARTMENT OF PUBLIC WORKS

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THOMAS L. BOLICH  
DIRECTOR OF PUBLIC WORKS

### AGENDA: FEBRUARY 12, 2002

January 31, 2002

#### SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street  
Santa Cruz, California 95060

SUBJECT: COUNTY SERVICE AREA NO. 9, ZONE A  
ANNEXATION NO. 01-2002 HEATHER TERRACE

#### Members of the Board:

On December 4, 2001, your Board approved the engineer's reports for County Service Area (CSA) No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace and directed Public Works to set January 29, 2002, as the public hearing date to take testimony and accept ballots for the 2002/2003 benefit assessment rates. At the close of the January 29, 2002, hearing your Board directed Public Works to count the ballots and return to your Board today with a tabulation of the election results for this service area.

The Heather Terrace Annexation 01-2002 contains a total of 64 parcels. Rates are based on Assessor's Use Code and range from \$2.35 to \$4.70 per unit. Ballots were mailed to 64 affected property owners. 18 yes votes and 2 no votes were received. (Weighted votes: 90 percent yes, 10 percent no).

As the tabulation results for CSA No. 9, Zone A Residential Lighting Annexation 01-2002 Heather Terrace confirm that the majority of the voting property owners within the service area agreed to the increased assessment, it will now be necessary for your Board to certify the results of the election and adopt the attached resolution authorizing and levying the assessment for the service area.

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

1. Accept the certification of the results of CSA No. **9**, Zone **A**, Residential Lighting Annexation 01-2002 Heather Terrace elections and direct the Director of Public Works to retain the ballots for at least six months following the certification.
2. Adopt the attached resolution authorizing and levying an assessment for residential lighting service and maintenance within CSA No. **9**, Zone A Residential Lighting Annexation 01-2002 Heather Terrace for the 2002/03 fiscal year and each year following.

Yours truly,

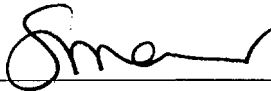


THOMAS L. BOLICH  
Director of Public Works

SRL:bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

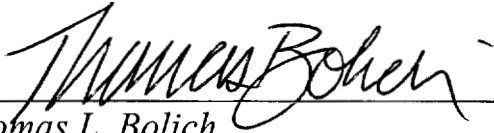
Copy to: Public Works Department

# Certification Of The Votes Cast<sup>0261</sup>

*I, Thomas L. Bolich, Director of Public Works of the County of Santa Cruz, do hereby certify that the following is a full, true and correct statement of the result of the official canvass of the returns of the January 29, 2002, benefit assessment ballot proceeding ~~for~~ County Service Area No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace.*

ONE TIME ASSESSMENT	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of votes	No Vote Weighted
SINGLE FAMILY RESIDENCE	\$4.70	18	\$84.60	\$4.70	2	\$9.40
Total		18	\$84.60		2	\$9.40
			90.00%			10.00%

*I hereby set my hand and seal this 31st day of January, 2002.*

  
Thomas L. Bolich  
Director of Public Works

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

0262

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

On the motion of Supervisor \_\_\_\_\_

Duly seconded by Supervisor \_\_\_\_\_

The following resolution is adopted

RESOLUTION AUTHORIZING AND LEVYING AN ASSESSMENT FOR  
RESIDENTIAL LIGHTING SERVICE AND MAINTENANCE  
WITHIN COUNTY SERVICE AREA NO. 9, ZONE A  
RESIDENTIAL LIGHTING ANNEXATION  
FOR 2002/2003 AND EACH YEAR FOLLOWING

The Board of Supervisors of the County of Santa Cruz makes the following recitals:

1. Basic Policy. This Board has heretofore conducted proceedings under the statutes authorizing the levying of Special Assessments and desires to bring its assessments for residential lighting service and maintenance into conformity with the provisions of Article XIID of the California Constitution for the Fiscal Year 2002/2003 and each year following.
2. Engineer's Report. Article XIII. On December 4, 2001, this Board received for filing a written Engineer's Report supporting the proposed assessments prepared by a registered professional engineer certified by the State of California which pursuant to Article XIII, Section 4 of the Constitution contains all of the following:
  - A. Identifies and describes all parcels which have a special benefit conferred on them and on which the assessment will be imposed,
  - B. Determines the proportionate special benefit derived by each identified parcel in relationship to the entirety of the cost of the road maintenance and operations to be provided,
  - C. Determines that no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel, and
  - D. Determines that the only benefits assessed are special and that the general benefits have been separated from the special benefits conferred on each parcel.
3. Resolution of Intention. Based on the Engineer's Report, on December 4, 2001, this Board adopted its Resolution of Intention which:
  - A. Set a public hearing to hear any protests pursuant to Article XIID, Section 4 of the Constitution, and
  - B. Directed the Clerk to give a notice of the filing of the report and the time and place of the hearing set by the Board by publication and to each property owner whose property would be subject to the assessment at least 45 days before the date set for the public hearings and specified the contents of the notice, all in the manner required by law.

4. Notice. The Clerk of this Board gave notice in the manner directed by this Board and as required by law.

5. Public Hearing. At the time and place set forth in the notice, this Board conducted the public hearing in the manner required by law and heard and considered all objections and protests to the report referred to in the notice, heard and determined all protests as required by law, and tabulated all ballots.

6. Protest Failed. The ballots submitted in opposition to the assessment did not exceed the ballots submitted in favor of the assessment, weighting the ballots according to the proportional financial obligation of the affected property.

7. Finding. It is in the interest of County Service Area No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace, its inhabitants, and its property owners to levy the assessment as proposed.

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND FOUND by the Board of Supervisors of the County of Santa Cruz as follows:

1. Findings. Each of the foregoing recitals is true and correct.
2. Authorization. This Resolution and the benefit assessment authorized herein is adopted pursuant to Government Code Section 25210 and Article XIID, Section 4 of the California Constitution.
3. Purpose of the Assessment. The express purpose for which this benefit assessment is levied is to provide a source of funding for County Service Area No. 9, Zone A residential lighting service and maintenance.
4. Determination of Necessity. The level of residential lighting service and maintenance which can be provided is determined to be reasonably adequate to meet current needs.
5. Limitation upon Expending Assessment Proceeds. Any funds collected from the benefit assessment authorized by this Resolution shall be expended only for such residential lighting service and maintenance to benefit County Service Area No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace. Any unexpended funds raised by the assessment remaining at the end of the fiscal year shall be carried over for the same purpose in the next fiscal year.
6. Levy. A benefit assessment to raise revenue to fund residential lighting service and maintenance is hereby levied upon real property within County Service Area No. 9, Zone A, Residential Lighting Annexation 01-2002 Heather Terrace excepting any common areas, unbuildable parcels, and parcels with an assessed value of \$5,000.00 or less.

7. Assessment Rate. For the fiscal year 2002/2003 and each year thereafter the rate of assessment is as follows:

A. The assessment rate for 2002/2003 for all parcels shall be:

\$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 zones of benefit. The assessment is proportional to the special benefit derived by each identified parcel in relationship to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel.

8. Collection. The collection of the assessment determined and levied by this Resolution shall be by the County of Santa Cruz on behalf of County Service Area No. 9, Zone A Residential Lighting Annexation 01-2002 Heather Terrace in the same manner, and subject to the same penalties, as other fees, charges, and taxes fixed and collected by or on behalf of all County Service Areas. The County may deduct its reasonable costs incurred for that service before resubmittal of the balance to the account of County Service Area No. 9, Zone A Residential Lighting Annexation 01-2002 Heather Terrace.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa **Cruz**, State of California, this \_\_\_\_ day of \_\_\_\_\_ 2002, 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