



# County of Santa Cruz

## DEPARTMENT OF PUBLIC WORKS

701 OCEAN STREET, ROOM 410, SANTA CRUZ, CA 95060  
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THOMAS L. BOLICH  
DIRECTOR OF PUBLIC WORKS

### AGENDA: MARCH 12, 2002

February 28, 2002

#### SANTA CRUZ COUNTY BOARD OF SUPERVISORS

701 Ocean Street  
Santa Cruz, California 95060

#### SUBJECT: COUNTY SERVICE AREA ELECTION RESULTS

Members of the Board:

On January 8, 2002, your Board approved the engineer's reports for County Service Area (CSA) No. 34, Larsen Road, and CSA No. 36, Forest Glen, King Road Zone and directed Public Works to begin ballot procedures, and set February 26, 2002, as the public hearing date to take testimony and accept ballots for the 2002/2003 benefit assessment rates. At the close of the February 26, 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 each service area.

#### COUNTY SERVICE AREA NO. 34, LARSEN ROAD

The service area contains a total of 34 buildable parcels. Assessments are levied on parcels with an assessed value over \$5,000 and rates are based on three zones of benefit. Ballots were mailed to all affected property owners within the CSA. 12 yes votes and 9 no votes were returned to Public Works. One ballot was received after the close of the public hearing and could not be counted. (Weighted votes: 56.68 percent Yes, 43.32 percent No)

#### COUNTY SERVICE AREA NO. 36, FOREST GLEN, KING ROAD ZONE

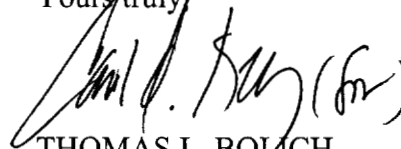
The service area contains a total of six parcels. Assessments are levied on parcels with an assessed value of \$5,000. Ballots were mailed to all affected property owners. 3 yes votes and 2 no votes were returned to Public Works. One of the yes votes was received in the form of a letter. Discussion with County Counsel indicated that this yes vote should be included in the tabulation. One ballot was received after the close of the public hearing and could not be counted. (Weighted votes: 50.62 percent Yes, 49.38 percent No)

As the tabulation results for each service area confirm that the majority of the property owners within each service area agree to an increase in the assessment rates, it will now be necessary for your Board to certify the results of the CSA No. 34, Larsen Road and CSA No. 36, Forest Glen King Road Zone elections, and adopt the attached resolution authorizing and levying assessments for each service area.

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

1. Accept the certification of the results of CSA No. 34, Larsen Road and CSA No. 36, Forest Glen, King Road Zone 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 road maintenance and operations within CSA No. 34, Larsen Road and CSA No. 36, Forest Glen, King Road Zone for the 2002/2003 fiscal year and each year following.

Yours truly,

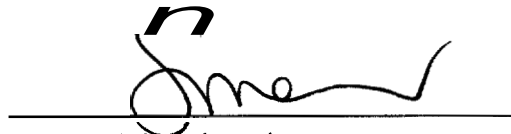


THOMAS L. BOLICH  
Director of Public Works

SRL:bbs

Attachments

RECOMMENDED FOR APPROVAL:



County Administrative Officer

Copy to: Public Works Department

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

0163

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

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

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

The following resolution is adopted

RESOLUTION AUTHORIZING AND LEVYING AN ASSESSMENT FOR  
ROAD MAINTENANCE AND OPERATIONS  
WITHIN COUNTY SERVICE AREA NO. 34, LARSEN ROAD AND  
COUNTY SERVICE AREA NO. 36, FOREST GLEN, KING ROAD ZONE  
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 road maintenance and operations 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 January 8, 2002, 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 January 8, 2002, 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. 34, Larsen Road, Zones "A" through "C" and County Service Area No. 36, Forest Glen, King Road Zone, 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. 34, Larsen Road and County Service Area No. 36, Forest Glen, King Road Zone road maintenance and operations.
4. Determination of Necessity. The level of road maintenance and operations which can be provided is determined to be reasonably adequate to meet current needs.
5. Limitation upon Expending Assessment Proceeds. Any funds collected from the benefit assessment authorized by this Resolution shall be expended only for such road maintenance and operations to benefit County Service Area No. 34, Larsen Road, Zones "A" through "C" and County Service Area No. 36, Forest Glen, King Road Zone. 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. Lew. A benefit assessment to raise revenue to fund road maintenance and operations is hereby levied upon real property within County Service Area No. 34, Larsen Road, Zones "A" through "C" and County Service Area No. 36, Forest Glen, King Road Zone excepting any common areas, unbuildable parcels, and parcels with an assessed value of \$5,000.00 or less.

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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:

1. County Service Area No. 34, Larsen Road, Zones "A" through "C"

Zone A: \$247.68 per year per improved parcel

Zone B: \$275.22 per year per improved parcel

Zone C: \$302.76 per year per improved parcel

2. County Service Area No. 36, Forest Glen, King Road Zone

\$500.00 per year per parcel

\$ 25.00 per year for parcel number 041-121-63  
(King Road emergency access)

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health regulations, and parcels with an assessed valuation of \$5,000 or less, will not be charged.

B. For each fiscal year after 2002/03, the assessment rate may be increased by a percentage which does not exceed the percentage increase in the Consumer Price Index, All Urban Consumers, for the San Francisco/Oakland Metropolitan Area, as published by the U. S. Department of Labor, Bureau of Labor Statistics, (or in any price index which replaces that index in the future) for the prior calendar year. The assessment rate will be increased only when necessary to meet approved expenses, and would not increase automatically each year. If in any year the assessment rate is not increased, or is increased by an amount less than the increase in the Consumer Price Index, the difference between the rate of the increase in the assessment rate and the rate of increase in the Consumer Price Index will remain available for use in future years to raise the assessment rate as necessary to meet approved expenses.

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

D. The foregoing schedules and rates are based upon zones of benefit. 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. 34, Larsen Road, Zones "A" through "C" and County Service Area No. 36, Forest Glen, King Road Zone, 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. 34, Larsen Road, Zones "A" through "C" and County Service Area No. 36, Forest Glen, King Road Zone.

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

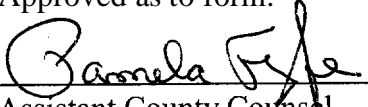
NOES: SUPERVISORS

ABSENT: SUPERVISORS

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

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

Approved as to form:

  
\_\_\_\_\_  
Assistant County Counsel

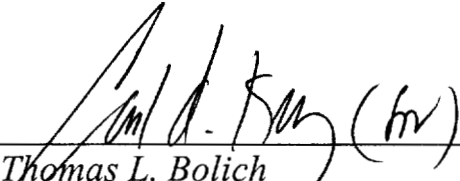
Distribution: County Counsel  
Public Works

# Certification Of The Votes Cast

*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 February 26, 2002, benefit assessment ballot proceeding for County Service Area No. 34, Larsen Road, Zones A-C.*

ZONE	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of votes	No Vote Weighted
Zone A:	\$247.68	1	\$247.68	\$247.68	1	\$247.68
Zone B:	\$275.22	7	\$1,926.54	\$275.22	3	\$825.66
Zone C:	\$302.76	4	\$1,211.04	\$302.76	5	\$1,513.80
TOTAL		12	\$3,385.26		9	\$2,587.14
PERCENT			56.68%			43.32%

*I hereby set my hand and seal this 28th day of February, 2002.*

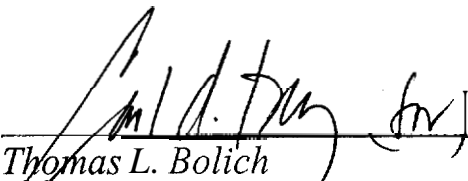
  
 Thomas L. Bolich  
 Director of Public Works

# Certification Of The Votes Cast

*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 February 26, 2002, benefit assessment ballot proceeding for County Service Area No. 36, Forest Glen, King Road Zone.*

ZONE	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of votes	No Vote Weighted
King Road:	\$500.00	2	\$1,000.00	\$500.00	2	\$1,000.00
King Road Emergency Access	\$25.00	1	\$25.00			\$0.00
Total		3	\$1,025.00		2	\$1,000.00
Percent			50.62%			49.38%

*I hereby set my hand and seal this 28th day of February, 2002.*

  
 Thomas L. Bolich  
 Director of Public Works