



THOMAS L. BOLICH
DIRECTOR OF PUBLIC WORKS

County of Santa Cruz

DEPARTMENT OF PUBLIC WORKS

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AGENDA: JUNE 18, 2002

June 6, 2002

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

SUBJECT: COUNTY SERVICE AREA NO. 58, RIDGE DRIVE ELECTION RESULTS
(5TH DISTRICT)

Members of the Board:

On April 16, 2002, your Board approved the Engineer's Reports for County Service Area (CSA) No. 58, Ridge Drive and directed Public Works to begin ballot procedures, and set June 4, 2002, as the public hearing date to take testimony and accept ballots for the 2002/2003 benefit assessment rates. At the close of the June 4, 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 the service area.

Ballots were mailed to 18 affected property owners within Ridge Drive. Of these 18 ballots, 14 were returned to Public Works with 13 yes votes and 1 no vote (Weighted votes: 92.86 percent, yes, 7.14 percent, no). As the tabulation of the election results confirm that the majority of the property owners within the service area agrees to the assessment rate, it will now be necessary for your Board to certify the results of the CSA No. 58, Ridge Drive election, and adopt the attached resolution authorizing and levying an assessment for CSA No. 58, Ridge Drive.

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

1. Accept the certification of the results of CSA No. 58, Ridge Drive 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. 58, Ridge Drive 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

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. 58, RIDGE DRIVE
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 April 16, 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 April 16, 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. 58, Ridge Drive, 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. 58, Ridge Drive 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. 58, Ridge Drive. Any unexpended funds raised by the assessment remaining at the end of the fiscal year shall be carried over for the same purpose in the next fiscal year.
6. Levy. A benefit assessment to raise revenue to fund road maintenance and operations is hereby levied upon real property within County Service Area No. 58, Ridge Drive 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 shall be:

\$555.56 per year per parcel

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health regulations, and parcels with an assessed valuation of \$5,000.00 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 on a flat fee. 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. 58, Ridge Drive, 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. 58, Ridge Drive.

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

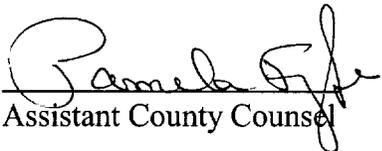
NOES: SUPERVISORS

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 June 4, 2002, benefit assessment ballot proceeding for County Service Area No. 58, Ridge Drive.

CSA No. 58	AMOUNT	# of votes	Yes Vote WEIGHTED	AMOUNT	# of votes	No Vote Weighted
	\$555.56	13	\$7,222.28	\$555.56	1	\$555.56
Total	\$555.56	13	\$7,222.28	\$555.56	1	\$555.56
Percent			92.86%			7.14%

I hereby set my hand and seal this 6h day of June 2002.


 Thomas L. Bolich
 Director of Public Works

