

**ORDINANCE NO. \_\_\_\_\_**  
**AN ORDINANCE AMENDING ORDINANCE NO. 3150, THE FLOOD  
CONTROL BENEFIT ASSESSMENT ORDINANCE, RELATING TO  
BENEFIT ASSESSMENTS FOR FLOOD CONTROL SERVICES**

Recitals: In November, 1980, the voters of each Zone of the District approved the levying of benefit assessments to help pay the cost of providing flood control services. The assessments were intended to provide funding at 72% to 80% of the pre-Proposition 13 level. It is proposed to continue the Benefit Assessment Program in Fiscal Year 2009-10 and subsequent years to the extent necessary to continue the current level of flood control services. The ordinance, which established the assessment program, provides for annual increases in assessment rates up to the percentage increase in the Consumer Price Index (CPI) for the preceding 12 months. It is proposed to maintain the current rates in the ten Flood Zones for Fiscal Year 2009-10 since the CPI did not increase during the preceding 12 months. The 2009-10 rates should generate a cumulative total of approximately \$2,894,255 for all Zones. [The existing ordinance establishes the procedures for levying flood control benefit assessments in the active zones of the District.] It also levies the assessments in accordance with the proposed assessment rates set forth in Section 2 of Article 29 of the proposed amendment to the ordinance.

The Board of Supervisors of the County of Santa Barbara, acting as the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, State of California, do ordain as follows:

**SECTION I.**

Article 29 is added to Ordinance 3150, as amended, the Flood Control Benefit Assessment Ordinance of the Santa Barbara County Flood Control and Water Conservation District, to read:

**Article 29. Benefit Assessments for the 2009-10 Fiscal Year.**

**Section 1. Voter Approval**

In special elections called by the Santa Barbara County Flood Control and Water Conservation District (hereinafter referred to as "**DISTRICT**") and ordered consolidated by the Board of Supervisors of the County of Santa Barbara with the general election held on November 4, 1980, the voters of each zone of the **DISTRICT** approved the proposition titled "CONTINUED FLOOD CONTROL BENEFIT ASSESSMENT" for each respective zone, thereby allowing the **DISTRICT** to continue to levy annual benefit assessments. The Board of Directors hereby finds that said voter approval occurred within one year after the effective date of Ordinance No. 3150, as required by former Government Code section 60406, now re-numbered as section 54717.

Additionally, on March 26, 1996, a measure to increase Benefit Assessments in nine of the 10 Flood Zones was put before the voters. In that election, only the South Coast Flood Zone measure passed, thus increasing the Benefit Assessments in that zone above the CPI for that year. The 1996 voter approved increase for the South Coast Flood Zone included provisions for subsequent annual CPI increases identical to the provisions of the 1980 approval.

**Section 2. Benefit Assessment**

A. A benefit assessment is levied for the fiscal year beginning July 1, 2009, for each parcel of real property in each active zone of the **DISTRICT** for the purposes stated in Ordinance No. 3150 and in the report for the 2009-10 Fiscal Year which is filed herewith pursuant to Section 54716 of the Government Code and pursuant to Article 3 of this Ordinance.

B. The benefit assessment rate for the 2009-10 Fiscal Year (commencing July 1, 2009, and ending June 30, 2010) on each parcel of real property in each active zone of the **DISTRICT** is, with respect to each land use category specified in Section 2 of Article 4, of Ordinance No. 3150, as follows:

**YEARLY ASSESSMENT RATES AND MINIMUM PARCEL ASSESSMENT  
APPLICABLE TO VARIOUS LAND USE CATEGORIES  
SPECIFIED IN  
SECTION 2, ARTICLE 29 OF ORDINANCE NO. 3150**

	Group A		Group B		Group C		Group D		Group E	
	FY 2009-2010		FY 2009-2010		FY 2009-2010		FY 2009-2010		FY 2009-2010	
	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac <sup>1</sup> (over 0.3 Ac only)	Min \$ Assmt	\$/Ac	Min \$ Assmt	\$/Ac	Min \$ Assmt
Bradley #3	37.57	11.27	28.17	8.45		5.67	1.40	0.42	0.13	0.04
Guadalupe #3	19.89	5.96	14.93	4.48		2.99	0.75	0.23	0.08	0.02
Lompoc City #2	83.92	25.18	62.93	18.88		12.59	3.15	0.94	0.30	0.09
Lompoc Valley #2	32.77	9.82	24.56	7.37		4.90	1.22	0.36	0.12	0.03
Los Alamos #1	41.67	12.50	31.26	9.37		6.25	1.56	0.46	0.15	0.04
Orcutt #3	24.97	7.50	18.73	5.62		3.75	0.93	0.28	0.10	0.03
Santa Maria #3	79.89	23.97	59.93	18.02		11.98	3.00	0.90	0.28	0.09
SMR Levee	21.56	6.47	16.16	4.85		3.24	0.80	0.25	0.09	0.02
SantaYnez #1	18.40	5.52	13.80	4.14		2.76	0.69	0.20	0.08	0.02
South Coast #2	140.25	42.07	105.18	31.55		21.03	5.26	1.58	0.51	0.15

GROUP A - Commercial Industrial.

GROUP B - Institutions and Apartments.

GROUP C - Single-family residential and small multiple (2 to 4 units), cemeteries.

GROUP D - Irrigated agriculture, golf courses.

GROUP E - Dry farmed agricultural, vacant ground.

Note: A \$1.00 per parcel assessment is added per Resolution No. 82-209 pursuant to Government Code Sections 29304 and 51800.

<sup>1</sup>Minimum assessment included up to 0.3-acre lot. Any single family "Group C" LOT AREA over 0.3 acres will be additionally charged in accordance with the schedule for "Group D."

C. The amount of each assessment levied on specific parcels of real property by and under this Amendment to Ordinance No. 3150 is further specified and shown in the written report for the 2009-10 Fiscal Year relating to proposed benefit assessments for flood control purposes previously filed with the Clerk of the Board, which assessments are hereby adopted. Reference is hereby made to said report for further particulars relating to the assessments levied hereunder. Copies of such reports are on file and available for review at the main office of the Flood Control District in the Engineering Building, Room 240, 123 E. Anapamu Street, Santa Barbara, California, and at the offices of the Santa Barbara County Clerk, located at 105 E. Anapamu Street, Santa Barbara, California; 511 E. Lakeside Parkway, Santa Maria, California; and 401 East Cypress, Lompoc, California.

### **Section 3. Collection of Benefit Assessment**

The benefit assessment for each parcel set forth in the final determination by the Board shall appear as a separate item on the tax bill. The confirmed benefit assessment shall be levied and collected at the same time and in the same manner as the general tax levy for County purposes, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes.

### **Section 4. Applicable Law**

All laws applicable to the levy, collection and enforcement of County ad valorem property taxes shall be applicable to such benefit assessment except as otherwise provided herein or in Government Code Section 54703 through 54718, inclusive.

### **Section 5. Deadlines**

Failure to meet the time limits set forth in this Ordinance for whatever reason shall not invalidate any benefit assessment levied hereunder.

### **Section 6.**

This ordinance shall take effect and be in force thirty (30) days from the date of its passage; and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, with the names of the members of the Board of Supervisors voting for and against the same in Santa Barbara New Press, a newspaper of general circulation published in the County of Santa Barbara.

**PASSED, APPROVED, AND ADOPTED**, 7<sup>th</sup> day of July 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Supervisor Joseph Centeno  
Chair, Board of Directors  
Santa Barbara County Flood Control  
& Water Conservation District

ATTEST:  
MICHAEL F. BROWN  
Clerk of the Santa Barbara County  
Flood Control and Water  
Conservation District

By: \_\_\_\_\_  
Deputy

Date: \_\_\_\_\_

APPROVED AS TO FORM:  
DENNIS MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT W. GEIS  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy

Date: \_\_\_\_\_