

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

A RESOLUTION OF THE BOARD OF)
SUPERVISORS OF THE COUNTY OF)
SANTA BARBARA ESTABLISHING STREET)
LIGHTING CHARGES FOR COUNTY SERVICE)
AREA 31 FOR FISCAL YEAR 2009-2010)

RESOLUTION NO. _____

WHEREAS, the California Government code provides that a County may collect charges within a County Service Area to pay in whole or in part for a particular authorized extended service furnished in the County Service Area; and

WHEREAS, the furnishing of highway lighting is an extended service authorized to be furnished within County Service Area No. 31 in accordance with, and to be collected with county ad valorem property taxes pursuant to the provision of § 28-81, subd. (e) of Chapter 28 of the Santa Barbara County Code; and

WHEREAS, pursuant to the provision of Government Code Sections 25210.77 (a) and 54710, et seq., the Board of Supervisors of the County of Santa Barbara has adopted in Chapter 28 of the Santa Barbara County Code provisions for making and collecting charges for the furnishing of said services; and

WHEREAS, the charge imposed for this service was previously set at \$12.93 per year in 1992-1993; and

WHEREAS, Government Code 53750(h)(2)(B) and the Right to Vote on Taxes Act (California Constitution Article XIII) allow a previously approved charge to be decreased and restored to the previously approved amount and methodology of calculation without voter approval; and

WHEREAS, the Board of Supervisors has satisfied the requirements and provisions of the Government Code and County Code to establish and benefit assessment charges for various types of properties within County Service Area No. 31 and has determined to establish charges accordingly for the Fiscal Year 2009-2010; and

WHEREAS, the Board of Supervisors finds that the benefit assessment charge set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code 21080, subd. (b) (8) (1) and (2) (14 CCR 15273), in that benefit assessment charges will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, § 28-81, subd. (d), of the County Code and § 54716, subd. (d), of the Government Code provide that at the hearing on the report to confirm the proposed benefit assessments, the Board of Supervisors shall hear and consider all objections or protests, if any, to the reports, and, at the conclusion of the hearing may adopt, revise, change, reduce or modify any charge and shall make its determination by resolution upon each charge as described in the report or as determined at the hearing:

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS;

The Board of Supervisors finds that the recitations above are true and correct, and that said charges are hereby adopted, made and assessed for County Service Area No. 31 as set forth in the attached Exhibit A, *County Service Area 31 Fixed Charges Fee Report 2009-2010* and incorporated herein by reference, to pay a part of the cost for furnishing streetlighting services, and said charges are to be collected at the same time and in the same manner as ordinary county ad valorem property taxes pursuant to the provision § 28-81, subd. (e), of Chapter 28 of the Santa Barbara County Code.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD
CLERK OF THE BOARD

SALUD CARBAJAL, Chair,
Board of Supervisors
County of Santa Barbara

Date: _____

By _____
Deputy

APPROVED AS THE FORM:
DENNIS A. MARSHALL
INTERIM COUNTY COUNSEL

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

By _____
Deputy Counsel

By _____
Deputy