



**BOARD OF SUPERVISORS**  
**AGENDA LETTER**  
**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**

**Department Name:** Public Works  
**Department No.:** 054  
**For Agenda Of:** May 1, 2018; to set  
Hearing for 60 minutes  
on June 19, 2018  
Departmental Agenda  
Administrative  
**Placement:**  
**Estimated Tme:**  
**Continued Item:**  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director: Scott D. McGolpin, Public Works Department, 568-3010  
Contact Info: Chris Sneddon, Deputy Director, Transportation, 568-3064  
**SUBJECT:** **County Service Area No. 41, Proposed Benefit Assessment for Road Related Repairs, Improvements and Maintenance in Fiscal Year 2018-19, Fourth Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors set a Hearing for June 19, 2018 (60 minutes) to:

- a) Consider recommendations regarding the County Service Area No. 41, Proposed Benefit Assessment for Road Related Repairs, Improvements and Maintenance in Fiscal Year 2018-19, Fourth Supervisorial District;
- b) Receive oral and written testimony and written protests that have been filed and consider such protests and testimony, if any;
- c) Tabulate written property owner ballots based on a weighting of the financial impact of the assessment for each parcel;
- d) If there is not a majority protest at the conclusion of the public hearing, adopt the attached Resolution entitled "Resolution of the Board of Supervisors of the County of Santa Barbara, State of California Imposing a 2018-19 Benefit Assessment within County Service Area No. 41";
- e) If there is a majority protest, maintain the previous 2017/18 assessment rates, and return the item to the Roads Committee for review and further recommendations, if any;
- f) Receive and file, upon approval of the assessment, the attached Report entitled "Engineer's Report Proposed 2018-19 Assessment for CSA 41 Area Road Maintenance and Capital Improvements" with the Clerk of the Board; and

- g) Find that the proposed action(s) is for the establishment, modification, structuring, restricting, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses and maintaining projects within existing service areas, that the project is therefore exempt from CEQA pursuant to 14 CCR 15273(a), and approve the filing of the attached Notice of Exemption on that basis and adopt the findings contained therein.

**Summary Text:**

This item is on the agenda to consider an increase to the benefit assessment for County Service Area No. 41 (CSA 41). CSA 41 was established in FY 1984/85 to assess property owners of 51 parcels to finance road related repair, maintenance and improvements on roads in the Rancho Santa Rita subdivision outside the City of Lompoc in the unincorporated area of Santa Barbara County. A Road Committee made up of 5 elected members was established to represent the 51 parcel owners. The Road Committee serves as a liaison between the landowners and the County in matters relating to the development and maintenance of roads within CSA 41.

The Road Committee determined the current annual assessment rates are no longer adequate to maintain satisfactory road conditions and asked the County to pursue an increase to the benefit assessment. In collaboration with Public Works staff, the Road Committee has drafted a 10-year plan of road related repair, maintenance and improvement projects. If approved, the increased assessment of \$46,000 would fund the 10-year plan of projects to repair, maintain and improve the roads within the CSA 41 area.

The process and recommendations in this action would allow an increase to the benefit assessment based on Proposition 218 “The Taxpayers’ Right to Vote on Taxes”, which was passed in 1996, and the 2003 Omnibus Implementation Act. A benefit assessment is a levy or charge by an agency on real property based upon the special benefit conferred upon the real property by an improvement or service, or by the maintenance and operation of the improvement. The Board of Supervisors must adopt the benefit assessment rates in order to assess them on the tax roll.

The attached “Engineer’s Report” describes the proposed assessment for road related repairs, improvements and maintenance for CSA 41. The proposed assessment would total \$46,000 from the 51 parcel owners within the Service Area, in Fiscal Year 2018-19 and range from about \$478 to \$983 per parcel. Property owners are assessed based on the proportionate benefit received by their property, which is allocated based on the use of the most heavily traveled segments of the road system near the entrance of CSA 41 and the distance of road used to access each property from the entrance.

If there is a “majority protest” against the imposition of an increased assessment, or the extension of an existing assessment, the County cannot impose the assessment. A “majority protest” exists if the assessment ballots submitted, and not withdrawn, in opposition to the proposed assessment exceed the assessment ballots submitted, and not withdrawn, in its favor. Individual property owners’ votes are weighted by the amount of the proposed assessment to be imposed upon the identified parcel for which each assessment ballot was submitted. In the absence of a “majority protest” the assessment may be imposed at the conclusion of the public hearing.

If the vote to approve the assessment is not successful, the assessment will remain the same as the 2017/18 tax year.

The Roads Committee considered the County’s engineering analysis of road conditions, recommendations, project costs, and the proposed assessment, and concluded the County should

implement an increased assessment. The CSA 41 Road Committee sent a letter dated March 25, 2018 requesting the County proceed with the formal assessment process needed for the road related repairs, improvements and maintenance as soon as possible. This letter has been included as Attachment G.

**Background:**

CSA 41 is in unincorporated County territory. It was established in FY 1984/85 to assess property owners for road related repairs, maintenance, and improvements in the Rancho Santa Rita subdivision, located outside the City of Lompoc. CSA 41 was established pursuant to Government Code § 25210, et seq.

Pursuant to Proposition 218 and the 2003 Omnibus Implementation Act, the County is required to hold a public hearing and put this assessment to a vote of the property owners. Staff will follow the procedures required by Proposition 218 and mail to each property owner, a ballot, notice of public hearing, and instructions to sign and mail or deliver the assessment ballot to the Clerk of the Board, or bring to the site of the public testimony to be included in the tabulation. Ballots will remain sealed until tabulation; however, property owners may submit, change, or withdraw his or her own assessment ballot at the hearing, prior to the conclusion of the public testimony on the proposed assessment. During and after the tabulation, the County will treat the assessment ballots as disclosable public records as defined in Section 6252 of the Government Code and equally available for inspection by the proponents and the opponents of the proposed assessment. Staff will follow these procedures to comply with California Government Code Section 25215.3, California Constitution Article XIII D, Section 4, California Government Code Section 53753, and California Streets and Highways Code Section 5101.6.

**Fiscal and Facilities Impacts:**

Budgeted: No

<b><u>Funding Source</u></b>	<b><u>2018/19</u></b>
Assessment	\$46,000

**Narrative:**

The Department will submit a Budget Revision once the CSA 41 property owners have approved the increased benefit assessment.

**Special Instructions:**

Prior to the Hearing:

1. Request the Clerk of the Board publish a Notice of Public Hearing in the Santa Barbara News Press and the Lompoc Record once per week for two successive weeks, no more than 30, and no less than 10 days prior to the hearing, in accordance with California Government Code Section 6066. Recommended publication dates are May 27 and June 3, 2018.
2. Request the Clerk of the Board accept ballots submitted by mail or in person prior to the conclusion of the public testimony and public hearing scheduled for June 19, 2018, and accept changed or withdrawn ballots by the pertinent property owner, if requested prior to the conclusion of the public testimony.

**After the Hearing:**

Original executed documents to be filed with the Clerk of the Board.

Please forward certified, stamped Minute Orders approving these recommendations and copies of the executed Resolution to the following:

- Gena Valentine Felix, Public Works, Transportation Admin, 123 E. Anapamu Street, ext. 3064
- Public Works Department, Transportation Division, Accounting Section, Attn: Julie Hagen
- Auditor-Controller Office, Attn: Theodore Fallati
- Treasurer – Tax Collector’s Office, Attn: Harry Hagen

**Attachments:**

Attachment A: Vicinity Map

Attachment B: CEQA Notice of Exemption

Attachment C: Resolution imposing a 2018-19 Benefit Assessment within County Service Area No. 41

Attachment D: Notice of Proposed Assessment and Ballot Procedures and Notice of Public Hearing concerning County Service Area No. 41 Levy of Assessment

Attachment E: Assessment Ballot (sample)

Attachment F: Engineer’s Report on Proposed 2018-19 Assessment for Road Related Repairs, Improvements and Maintenance for County Service Area No. 41

Attachment G: CSA 41 Road Committee Letter to Proceed request, dated March 25, 2018

**Authored by:**

Chris Sneddon, Public Works Department, Transportation Deputy Director, 568-3064