

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

**ESTABLISHING ASSESSMENTS FOR)
COUNTY SERVICE AREA 41 IN THE)
FOURTH SUPERVISORIAL DISTRICT)
FOR THE 2018-2019 FISCAL YEAR)**

RESOLUTION NO. _____

WHEREAS, Ordinance 3522, and Resolution 85-286 were adopted on July 1, 1985 by the Board of Supervisors, and Resolution No. 84-19 adopted on January 9, 1984, establishing County Service Area No. 41; and

WHEREAS, County Service Area No. 41 was established to pay for road related repairs, maintenance and improvements pursuant to California Government Code section 25210 et seq., which provides that for any county service area, a county may raise revenues to meet the costs of operating and maintaining the services and facilities that the county service area provides by levying benefit assessments for operations and maintenance; and

WHEREAS, the CSA 41 Roads Committee, which is comprised of CSA-41 residents, advised Public Works staff by letter dated March 25, 2018, that increased assessments for the road maintenance and improvements are needed, and requested that the Board of Supervisors proceed with increasing the assessments to support a ten-year road improvement plan; and

WHEREAS, Ordinance 3522 states charges shall be collected on the tax roll upon filing of a written report containing a description of each parcel of real property receiving the extended service, and the amount of charge for each parcel

WHEREAS, this Board has received and filed a written "Engineer's Report on the Proposed 2018-19 Assessment for CSA-41 Area Road Maintenance and Capital Improvements" (hereinafter referred to as "Report") calculating the cost of the improvements and setting annual benefit assessments in County Service Area 41, including for the 2018-19 fiscal year; and

WHEREAS, as noted in the Report, the amount of money necessary to cover the cost of road related repair, maintenance and improvements allocated to County Service Area 41 for 2018-19 as set forth in the 10-year plan would be \$46,000 per year, and

WHEREAS, the Clerk of this Board filed and recorded the Report, and fixed the 19th day of June, 2018 at or shortly after 9:00 a.m. in the Board's Hearing Room, 105 East Anapamu Street, Santa Barbara, California, as the time, date and place for a hearing upon such Report and the proposed increase in the benefit assessment for CSA 41; and

WHEREAS, the Clerk has caused notice of said hearing to be published pursuant to Section 6066 of the Government Code, and proof of such publication is on file with the Clerk; and

WHEREAS, the imposition of this assessment is subject to Article XIII D of the California Constitution, and the requirements of Government Code section 53753, and is therefore exempt from the notice, hearing and meeting requirements of Government Code Section 54954.6; and

WHEREAS, the owners of the parcels identified in the Report were provided more than 45 days written notice of the proposed assessment, the total amount thereof chargeable to the entire service area, the amount chargeable to the owners' particular parcels, the duration of payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of this public hearing on the proposed assessment. Each notice also included a summary of the procedures applicable to the completion, return, and tabulation of the ballots, including a disclosure statement that the existence of a majority protest, would result in the assessment not being imposed; and

WHEREAS, at the hearing this Board heard and considered all protests to the report, including protests with respect to the amount of the assessment to be levied, and then closed the public hearing; and

WHEREAS, at the conclusion of said hearing the Clerk of the Board tabulated the votes by weighting the ballots based on the amount of financial assessment for each parcel voting on the assessments; and

WHEREAS, the owners of the parcels voted affirmatively, and no majority protest was present, in the matter of the approval of the imposition of this assessment within County Service Area 41 and the owners assessment ballots are on file with the Clerk of the Board; and

WHEREAS, this action is taken under the authority of Article XIII D, Section 4 of the California Constitution, Government Code Section 53753, Government Code Section 25215.3, and Streets and Highways Code Section 5101.6.

NOW, THEREFORE, be it resolved by the Board of Supervisors of the County of Santa Barbara, as follows:

1. The "Engineer's Report on the Proposed 2018-19 Assessment for CSA-41 Area Road Maintenance and Capital Improvements" attached hereto as Exhibit "F" is incorporated into this Resolution by reference, and is hereby confirmed and the benefit assessments therein set forth shall be levied and collected at the same time and in the same manner as the general tax levy for County purposes, and when collected shall be paid into the County treasury to the credit of the fund of County Service Area 41 and shall be used for the payment of the expenses of County Service Area 41 as ordered by the Board.
2. The Clerk of this Board is directed to record forthwith in the Office of the Santa Barbara County Recorder a certified copy of this Resolution. The Clerk is further directed to file forthwith a certified copy of this Resolution with the Santa Barbara County Auditor-Controller.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County Santa Barbara, State of California, on this _____ day of _____, 2018 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

COUNTY OF SANTA BARBARA

By: _____
Deputy

By: _____
Das Williams, Chair
Board of Supervisor

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING:
THEODORE A. FALLATI, CPA
AUDITOR CONTROLLER

By: _____
Deputy County Counsel

By: _____
Deputy