

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE
GOVERNING BOARD OF THE SAN LUIS OBISPO COUNTY SERVICE AREA
(CSA) NOS. 1 (OLD GALAXY PARK AND TRACT 1690 - NIPOMO);
1-A (GALAXY PARK AND TRACT 1898 - NIPOMO); 1-F (NEW GALAXY - NIPOMO);
CSA 7-A (OAK SHORES), CSA 18 (SAN LUIS COUNTRY CLUB ESTATES; AND 21
(CAMBRIA, ROAD IMPROVEMENTS)
CONFIRMING REPORT AND DIRECTING THE COLLECTION OF
ANNUAL SERVICE CHARGES ON COUNTY TAX ROLL**

The following resolution is now offered and read:

WHEREAS, the Department of Public Works provides service to said County Service Areas as follows:

<u>CSA</u>	<u>Service Provided</u>	<u>CSA</u>	<u>Service Provided</u>
1	Sewer/Waste Disp/Drainage/Lighting	7-A	Sewer/Waste Disposal
1-A	Sewer/Waste Disp/Drainage/Lighting Parkway Facilities Maintenance	18	Sewer/Waste Disposal
1-F	Sewer/Waste Disposal	21	Road Improvements

WHEREAS, the California Government Code Section 25215.5 authorizes County Service Areas to impose property-related fees and charges; and

WHEREAS, the San Luis Obispo County Board of Supervisors previously established and fixed the annual property-related fees and charges for the County Service Areas noted above; and

WHEREAS, said Section 25215.5(b) provides for the collection and enforcement of those property-related fees and charges in the same manner that the County collects and enforces property-related fees and charges; and

WHEREAS, pursuant to Chapter 3.22 The County of San Luis Obispo County Code, the County collects certain property-related fees and charges on the tax roll; and

WHEREAS, Proposition 218, which was approved by California voters on November 5, 1996, added Articles XIIC and XIID to the Constitution of the State of California; and

WHEREAS, Section 6 of said Article XIID affect laws governing, property related charges; and

WHEREAS, Section 6(c) of said Article XIID provides that increases in property related fees and charges require property owner or voter approval; and

WHEREAS, this resolution continues the levy charges already existing on the effective date of said Article XIID, and the rate of those charges for fiscal year 2012-13 are not proposed to be increased at this time, and which charges therefore do not require said property owner or voter approval; and

WHEREAS, public notice has been given in accordance with Section 6066 of the Government Code of the public hearing concerning the collection of property-related fees and charges on the 2012-13 property tax bills within said County Service Areas; and

WHEREAS, written reports specifying each parcel receiving extended service and the amount of the charge for that service have been prepared by the County Director of Public Works and filed in a timely manner with the County Clerk; and

WHEREAS, said report containing such charges was duly received by said Board, said report being on the document attached hereto marked Exhibit "A" and incorporated herein by reference as though here fully set forth; and

WHEREAS, this is the time and place for the public hearing for the Board to confirm the reports for collection of service charges on the 2012-13 tax bills as specified in the attached reports and to give opportunity for filing objections and for presentation of testimony or other evidence concerning said report; and

WHEREAS, it is in the public interest that the owners of property in said County Service Areas pay the actual cost of said services therein.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth whereinabove are true, correct and valid.
2. That the following annual service charges for said services are hereby confirmed, as previously established and fixed.

<u>CSA</u>	<u>ANNUAL SERVICE CHARGE PER EXHIBIT "A"</u>
1	That amount/parcel set forth in Exhibit "A"
1-A	That amount/parcel set forth in Exhibit "A"
1-F	That amount/parcel set forth in Exhibit "A"
7-A	That amount/parcel set forth in Exhibit "A"
18	That amount/parcel set forth in Exhibit "A"
21	That amount/parcel set forth in Exhibit "A"

These charges are subject to the following terms and conditions:

Said annual charge shall be levied against the owner of each parcel of real property located within the respective County Service Area as shown on the last equalized assessment roll of the County.

3. That said service charges are directly proportionate to the benefit to each parcel from the services rendered.
4. That this Board hereby confirms the report containing such charges as set forth in said Exhibit "A," and that the charges as so confirmed shall appear as separate items on the tax bill of each parcel of real property listed in said report, and such charges shall be collected at the same time and in the same manner as ordinary County ad valorem taxes are collected, and are subject to the same penalties and the same procedures and sale in case of delinquency as provided for such taxes.
5. Direct the Clerk to file the certified copy of this Resolution and said approved and confirmed report of charges with the County Auditor no later than August 10, 2012.

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Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel



By: Patrick J. Foran
Deputy County Counsel

Dated: May 16, 2012

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STATE OF CALIFORNIA, }
County of San Luis Obispo, } ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 20 _____.

(SEAL)

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

By _____
Deputy Clerk.