

IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

_____ day _____, 20____

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION DIRECTING COUNTY SURVEYOR
TO PREPARE ASSESSMENT APPORTIONMENTS
UNDER STREETS AND HIGHWAYS CODE
SECTION 8730 THROUGH 8734 INCLUSIVE OF THE
IMPROVEMENT BOND ACT OF 1915**

SAN LUIS OBISPO COUNTY WASTEWATER ASSESSMENT DISTRICT NO. 1 (LOS OSOS)

SAN MIGUEL/SAN LAWRENCE TERRACE ASSESSMENT DISTRICT

SHERWOOD DRIVE UTILITY ASSESSMENT DISTRICT

The following Resolution is now offered and read:

WHEREAS, the County of San Luis Obispo may under Streets and Highways Code of Sections 8730 et seq. of the Improvement Bond Act of 1915 amend the assessments on real property which has been subdivided after the date of the original assessment; and

WHEREAS, prior to such amendment of the County Surveyor is required to:

1. Prepare the assessment reports, amend the assessments, prepare the necessary maps or plats for said amended assessments, and compute the costs and fees for preparing the same and the notice.
2. Notify the original parcel owner of said amended assessments and of the costs and fees.
3. File with the County Clerk said amended assessments, the reports, the maps or plats, and the costs and fees for making the same and the notice.
4. Collect the appropriate fees and costs for making said amended assessments, report, maps or plats, and notice, and deposit said fees and costs in the General Fund to the County Treasury; and

WHEREAS, prior to such amendment the Board of Supervisors is required to hold a public hearing regarding said amended assessments.

WHEREAS, Articles XIII C and XIII D of the Constitution of the State of California do not affect said requirements since the action to amend assessments pursuant to Streets and Highways Code Sections 8730 et seq. of the Improvement Bond Act of 1915 is not an action to establish a new or increased assessment; and

WHEREAS, Articles XIII C and XIII D of the constitution of the State of California do not affect the imposition of the fee for said action since said action to amend assessments is a condition of property development and exempt from the requirements of said Articles pursuant to Article XIII D, Section 1(c); and

WHEREAS, prior to such amendment the Board of Supervisors is required to hold a public hearing regarding said amended assessments.

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 hereinabove are true, correct and valid.
2. For the said assessment districts in which bonds were sold by said County under the Improvement Bond Act of 1915, the County Surveyor be and hereby is directed to prepare the report, maps or plats, and necessary amended assessments, under the procedures specified in the Streets and Highways Code Section 8730 through 8734 inclusive of the Improvement Bond Act of 1915 for the divided lot(s) or parcel(s) as set forth on the attached report marked "Exhibit A" which is hereby expressly incorporated herein by reference as though here fully set forth, and to file the same with the County Clerk.
3. That prior to making said division and prior to making amended assessments, the County Surveyor shall notify the owner of the original parcel assessed of the order of this Board of Supervisors fixing costs and fees for the County to prepare the report, maps or plats, amended assessments and notice of public hearing, and directing that said owner pay such costs and fees to the County Surveyor within 15 days of notification.
4. That the County Clerk be and hereby is authorized and directed to fix a time and place for a hearing upon the amended assessments and to give notice of the hearing as set forth in the Streets and Highways Code Section 8732, with there being one publication which shall be at least 15 days prior to the hearing.
5. That the costs and fees for the County to prepare said report, maps or plats, necessary amended assessments and notice are hereby fixed at the sum of \$234.00 per parcel assessment for apportionments of 9 or less, or \$31.00 per each new assessment of 10 or more apportionments.

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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: June 5, 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.