

# BEFORE THE BOARD OF SUPERVISORS

*of the*

## SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_

PRESENT: Supervisors

ABSENT:

### RESOLUTION NO. \_\_\_\_\_

#### RESOLUTION TO LEVY ASSESSMENTS FOR COSTS OF SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 4 (SANTA MARIA LEVEE)

The following resolution is hereby offered and read:

**WHEREAS**, said County Flood Control Zone 4 was established as a zone of benefit of the Santa Maria River levees; and

**WHEREAS**, on July 31, 1961, San Luis Obispo County Flood Control and Water Conservation District (hereinafter referred to as San Luis Obispo) did enter into a joint powers agreement with Santa Barbara County Flood Control and Water Conservation District (hereinabove referred to as Santa Barbara) for maintaining the Santa Maria River levees, whereby Santa Barbara performs all the maintenance work and San Luis Obispo pays a share of the costs to Santa Barbara; and

**WHEREAS**, Section 13 of the San Luis Obispo County Flood Control and Water Conservation District Act, provides that the Board has the authority:

"To levy ...assessments upon all taxable property in each or any of said zones, according to the special benefits derived or to be derived therein to pay the cost and expenses of carrying out any of the objects or purposes of this act of special benefit to such zones, including the constructing, maintaining, operating, extending, repairing, or otherwise improving any or all works of improvement established or to be established within or on behalf of said respective zones"; and

**WHEREAS**, by Resolution No. 87-280 the Board of Supervisors did establish an assessment on all taxable property in Zone 4 at the rate of 25¢ (twenty-five cents) per acre per year, with a minimum of \$5.00 (Five Dollars) per parcel per year.

**WHEREAS**, said Section 13 further provides that any such assessments shall be levied and collected together with taxes for County purposes and paid into the County Treasury to the credit of said zone to be expended for, and only for, the purposes of said zone; and

**WHEREAS**, the benefits to be derived by each property from said maintenance are in direct proportion to the area of each property; and

**WHEREAS**, Proposition 218, which was approved by California voters on November 5, 1996, added Articles XIII C and XIII D to the Constitution of the State of California; and

**WHEREAS**, Sections 4 and 5 of said Article XIII D affect laws governing, assessments; and

**WHEREAS**, Section 5 of said Article XIII D provides that certain assessments existing on the effective date of said Article XIII D are exempt from the procedures and approval process set forth in Section 4 of said Article XIII D; and

**WHEREAS**, this resolution is for the purpose of continuing to levy flood control and/or drainage system assessments that were already existing on the effective date of said Article XIII D, and the amounts of said assessments for fiscal year 2014-15 are not proposed to be increased; and

**WHEREAS**, since the assessments were imposed exclusively to finance the capital costs or maintenance and operation expenses for flood control and/or drainage systems, then pursuant to Section 6(a) of said Article XIII D, they are explicitly exempt from the procedures and approval process set forth in Section 4 of said Article XIII D although increases in such assessments shall be subject to the entirety of said Article XIII D; and

**WHEREAS**, it is in the public interest to levy said assessments for fiscal year 2014-15.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS** as follows:

1. That this Board hereby determines that every charge set forth on the attachment document marked Exhibit "A" is an accurate computation of said assessment (said Exhibit "A" being hereby expressly incorporated herein by reference as though here fully set forth); and the Board hereby confirms and adopts the report for 2014-15 containing such charges set forth in said Exhibit "A".
2. That pursuant to Section 13 of the San Luis Obispo County Flood Control and Water Conservation District Act, Act 7205 of Deering's California Codes, Water - Uncodified Acts, the said assessments, as set forth in Exhibit "A" hereto, shall be levied; and, the County Tax Collector/Treasurer shall collect same together with taxes levied for County purposes.

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 on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Chairperson of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

(SEAL)

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

Dated: May 7, 2014

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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 of the San Luis Obispo County Flood Control and Water Conservation District, 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 \_\_\_\_\_.

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

(SEAL)

By \_\_\_\_\_  
Deputy Clerk

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Service Charge 2014-15 - Flood Control Zone 4  
(Santa Maria River Levees Area )

26-Feb-14

**Exhibit A**

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<u>APN</u>	<u>AMOUNT</u>
090-301-013	\$6.24
090-301-035	\$5.00
090-301-039	\$5.00
090-301-040	\$5.00
090-301-054	\$5.00
090-301-057	\$5.00
090-301-058	\$5.00
090-301-065	\$5.00
090-301-067	\$5.00
090-302-004	\$5.00
090-302-005	\$5.00
090-302-006	\$5.00
090-302-017	\$5.00
090-302-026	\$5.00
090-302-031	\$5.00
090-302-034	\$5.00
090-302-035	\$5.00
090-302-038	\$5.00
090-302-041	\$5.00
090-304-004	\$7.24
090-304-005	\$5.00
090-304-006	\$5.00
090-304-007	\$5.00
090-304-008	\$5.00
090-305-012	\$5.00
090-305-013	\$5.00
090-305-014	\$5.00
090-305-015	\$5.00
090-305-016	\$5.00
090-305-017	\$5.00
090-305-018	\$5.00
090-305-019	\$5.00
090-305-023	\$5.00
090-305-024	\$5.00

Service Charge 2014-15 - FCZ 4, Exhibit A

1

<u>APN</u>	<u>AMOUNT</u>
090-305-025	\$5.00
090-305-026	\$5.00
090-305-027	\$5.00
090-305-028	\$5.90
090-305-029	\$5.00
090-305-030	\$5.00
090-305-031	\$5.00
090-305-032	\$5.00
090-305-033	\$5.00
090-305-034	\$5.00
090-305-035	\$5.00
090-305-036	\$5.00
090-305-037	\$5.00
090-305-038	\$5.00
090-305-039	\$5.00
090-305-040	\$5.00
090-305-041	\$5.00
090-306-002	\$5.00
090-306-003	\$5.00
090-306-004	\$5.00
090-306-005	\$5.00
090-306-006	\$5.00
090-306-007	\$5.00
090-306-008	\$5.00
090-306-009	\$5.00
090-306-010	\$5.00
090-306-011	\$5.00
090-306-012	\$5.00
090-306-013	\$5.00
090-306-014	\$5.00
090-306-015	\$5.00
090-306-016	\$5.00
090-306-017	\$5.00
090-306-018	\$5.00
090-306-019	\$5.00
090-306-020	\$5.00
090-306-021	\$5.00
090-306-022	\$5.00
090-306-023	\$5.00

Service Charge 2014-15 - FCZ 4, Exhibit A

2

<u>APN</u>	<u>AMOUNT</u>
090-306-024	\$5.00
090-306-025	\$5.00
090-306-026	\$5.00
090-307-002	\$5.00
090-307-003	\$5.00
090-307-004	\$5.00
090-307-005	\$5.00
090-331-001	\$5.00
090-331-004	\$6.50
090-331-005	\$7.00
090-331-006	\$5.00
090-331-008	\$5.00
090-331-011	\$35.50
090-331-013	\$26.50
090-341-019	\$10.00
090-341-033	\$74.24
090-341-046	\$5.00
092-011-004	\$44.74
092-011-009	\$55.74
092-011-015	\$5.00
092-011-017	\$20.50
092-011-019	\$32.00
092-021-004	\$25.74
092-021-005	\$100.74
092-021-006	\$5.00
092-021-009	\$20.00
092-021-013	\$31.00
092-021-020	\$20.00
092-021-023	\$34.50
092-021-025	\$24.74
092-021-026	\$5.00
092-021-027	\$7.24
092-021-028	\$36.74
092-021-030	\$29.24
092-021-033	\$23.44
092-021-034	\$7.54
092-021-035	\$9.00
092-021-038	\$27.00
092-021-039	\$35.00

Service Charge 2014-15 - FCZ 4, Exhibit A

3

<u>APN</u>	<u>AMOUNT</u>
092-021-040	\$20.24
092-021-041	\$5.00
092-021-043	\$27.50
092-021-044	\$70.00
092-021-046	\$5.00
092-021-047	\$48.74
092-021-048	\$5.00
092-031-004	\$11.50
092-031-005	\$15.24
092-031-006	\$18.50
092-031-007	\$20.00
092-031-008	\$14.74
092-031-009	\$13.74
092-031-010	\$11.50
092-031-011	\$20.00
092-031-012	\$16.00
092-031-013	\$25.24
092-031-018	\$5.50
092-031-019	\$32.44
092-031-020	\$54.00
092-031-021	\$22.24
092-031-022	\$14.00
092-031-023	\$13.74
092-032-001	\$15.58
092-032-002	\$5.00
092-032-003	\$5.00
092-032-004	\$5.00
092-032-005	\$5.00
092-041-007	\$5.00
092-041-009	\$44.00
092-041-010	\$9.00
092-051-006	\$82.24
092-051-007	\$53.74
092-051-010	\$16.50
092-051-012	\$71.50
092-051-016	\$5.00
092-051-018	\$74.74
092-051-019	\$6.74
092-051-020	\$77.00

Service Charge 2014-15 - FCZ 4, Exhibit A

<u>APN</u>	<u>AMOUNT</u>
092-051-022	\$5.00
092-051-023	\$10.00
092-051-024	\$17.74
092-051-025	\$140.04
092-051-026	\$78.08
092-061-001	\$80.24
092-061-002	\$25.00
092-061-003	\$36.74
092-061-004	\$11.24
092-061-005	\$11.00
092-061-006	\$5.24
092-061-008	\$140.00
092-191-001	\$31.24
092-191-002	\$15.00
092-191-003	\$30.74
092-202-001	\$33.74
092-202-002	\$5.00
092-211-001	\$5.00
092-211-002	\$7.50
092-211-003	\$5.00
092-211-006	\$35.74
092-211-007	\$10.74
092-211-008	\$22.00
092-211-009	\$13.74
092-211-010	\$5.00
092-211-011	\$5.00
092-211-012	\$9.94
092-211-013	\$12.96
092-221-002	\$31.00
092-221-003	\$32.24
092-221-004	\$15.34
092-221-005	\$15.00
092-221-006	\$13.42
092-221-007	\$15.00
092-231-001	\$39.00
092-231-002	\$13.74
092-231-011	\$5.00
092-231-014	\$50.50
092-231-016	\$5.00

Service Charge 2014-15 - FCZ 4, Exhibit A

<u>APN</u>	<u>AMOUNT</u>
092-231-018	\$5.00
092-231-019	\$5.00
092-371-001	\$5.00
092-371-005	\$5.00
092-371-007	\$5.00
092-371-009	\$5.00
092-371-012	\$5.00
092-371-013	\$5.00
092-371-014	\$5.00
092-371-015	\$20.00
092-371-016	\$37.74
092-371-017	\$36.00
092-401-008	\$5.00

**Grand Total:** \$3,342.56

**Tax Fund:** 1739 **No of APNs:**