



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

FORMATION OF THE CARSON CROSSING DRIVE DRAINAGE ZONE OF BENEFIT NO. 98310
WITHIN COUNTY SERVICE AREA NO. 9 TO PROVIDE DRAINAGE FACILITY MAINTENANCE
SERVICES

WHEREAS, The Board of Supervisors of the County of El Dorado has formed County Service Area No. 9 pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the California Government Code; and

WHEREAS, the Board may establish zones of benefit within any county service area to provide services including but not limited to drainage facility maintenance services; and

WHEREAS, the Board adopted the *County of El Dorado Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area*, as amended February 10, 2015; and

WHEREAS, a complete application was submitted requesting the formation of a zone of benefit to provide drainage facility maintenance services within the boundaries of County Service Area No. 9 consistent with the guidelines; and

WHEREAS, a Petition to Form a Zone of Benefit was signed by the requisite number of property owners within the proposed zone of benefit; and

WHEREAS, County staff has validated the information contained in the application; and

WHEREAS, a public hearing was held on February 23, 2016 at 11:00 a.m. and was noticed as required by Sections 6061 and 25217 of the Government Code; and

WHEREAS, on February 23, 2016, the Board determined that no majority protest was registered against the formation of the zone as described in Exhibit A and depicted on Exhibit B.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors determines as follows:

1. The formation of Carson Crossing Drive Drainage Zone of Benefit 98310 within County Service Area No. 9 is hereby made, contingent upon approval of a permanent financing mechanism.
2. That the services to be provided within the zone are drainage facility maintenance services.
3. That drainage facility maintenance services described in the application are the types of services a zone is authorized to provide, pursuant to County Service Area Law.
4. That Irrevocable Offers of Dedication of the facilities to be maintained with zone funds were made with Subdivision Final Maps for Carson Creek Unit 1, Phase A (TM04-1391-F3) and Carson Creek Unit 1, Phase B (TM04-1391-F-4), approved September 1, 2015.
5. That the extent of any protest against establishing the zone or the furnishing of a specified type or types of authorized services within the zone has been noted.

6. That the boundaries of the proposed zone have been determined and shall be as described in Exhibit A and as shown in Exhibit B hereto.
7. That the proposed boundaries of the zone include no land devoted primarily to agriculture or livestock uses and being used for the commercial production of agriculture or livestock products, which would be excluded from the zone pursuant to Section 25210.7(d) of the Act.
8. That an Advisory Committee will not be appointed for the zone.
9. That the estimated annual cost of the services within the zone for the first year is estimated to be \$1,010.82, and apportioned by parcel as described in the Engineer's Report submitted in support of the assessments.
10. Financing for the services is proposed through a benefit assessment subject to Section 25215.3 of the Government Code.
11. That the assessment ballot protest proceeding for the levy of the proposed benefit assessment will be considered under a separate resolution.
12. If the benefit assessment is not approved by a weighted majority of the property owners casting ballots in a protest ballot proceeding, the zone shall not be formed.
13. Under *Agreement for Carson Crossing Drive Drainage Zone of Benefit 98310, Formation between County and Developer (AGMT 15-54921)*, dated September 2, 2015, the applicant has placed on deposit with the County sufficient funds to cover all outstanding costs associated with the formation proceedings.

BE IT FURTHER RESOLVED that Carson Crossing Drive Drainage Zone of Benefit No. 98310 of County Service Area No. 9 shall be governed by and comply with the *County's Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area*, as may be amended from time to time; and

BE IT FURTHER RESOLVED that this Resolution be recorded and filed with the State Board of Equalization, contingent upon approval of the proposed benefit assessment.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest: _____
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chair, Board of Supervisors