



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ESTABLISHING THE ANNUAL BENEFIT ASSESSMENT FOR THE 2009/10 TAX YEAR FOR EMERALD MEADOWS ZONE OF BENEFIT #98580 WITHIN COUNTY SERVICE AREA #9

WHEREAS, the Board of Supervisors of the County of El Dorado has formed County Service Area #9 pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the California Government Code and within that County Service Area (CSA) established zones of benefit; and

WHEREAS, the Advisory Committees recommended to the Board that it continue to impose the established benefit assessments in the amounts shown on Exhibit A for the purpose of providing drainage facility, landscaping, sound wall, lighting and wetlands related services within the zone of benefit; and

WHEREAS, the Board of Supervisors of the County, acting as the governing Board of CSA #9 previously fixed benefit assessments pursuant to former Government Code §25210.77a, given continuing effect through Government Code §25210.3(d), to provide funding for county services in the zones; and

WHEREAS, the Board finds that the benefit assessments are in proportion to the estimated benefit derived from the special services provided within each zone; and

WHEREAS, election or majority protest ballot procedure pursuant to Article XIIIID of the California Constitution is not required as the benefit assessments are a continuation of previous benefit assessments in the same amounts and are therefore exempt; and

WHEREAS, a public hearing was scheduled on June 16, 2009 and was noticed as required by Government Code §25210.77a(b) and County Ordinance Code §3.30.030; and

WHEREAS, on June 16, 2009, after public hearing the Board determined that no majority protest was registered against establishing the proposed assessments within the zones of benefit.

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

1. The benefit assessments as shown on Exhibit A are hereby adopted for the fiscal year 2009/10.

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2. The benefit assessments shall be distributed in accordance with the final budgets for the zones, as approved by the Board of Supervisors during County budget hearings and amendments thereto.
3. The services to be provided are authorized county services as defined in County Service Area Law, Government Code §25213.
4. The benefit assessments levied and collected are apportioned according to the estimated benefit derived from the drainage facility, landscaping, sound wall, lighting and wetlands related services provided within each zone.
5. The benefit assessments are a continuation of the previous benefit assessments in the same amounts.
6. The levy and collection of the benefit assessments is exempt from election or majority protest ballot procedure under Article XIIID of the California Constitution.

BE IT FURTHER RESOLVED, that the assessments as adopted and confirmed shall appear as a separate item on the tax bill for each parcel and shall be levied and collected in the same manner as County ad valorem taxes are collected, as more specifically set forth and authorized by County Ordinance Code §3.30.040 and subdivision (d) of former §25210.77a of Government Code, as given continuing effect through subdivision (d) of § 25210.3 of Government Code.

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 _____, 200__, by the following vote of said Board:

Attest:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: _____

Attest: SUZANNE ALLEN DE SANCHEZ, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____