



## RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION OF INTENT TO LEVY A BENEFIT ASSESSMENT FOR THE GREEN VALLEY OAKS ROAD ZONE OF BENEFIT NO. 98169 WITHIN COUNTY SERVICE AREA NO. 9

**WHEREAS**, the Board of Supervisors of the County of El Dorado 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 formed Green Valley Oaks Road Zone of Benefit No. 98169 (the boundaries of which are described in Exhibit A and shown on Exhibit B hereto) on August 6, 1991 by Resolution 264-91 for the purpose of providing road maintenance services, and thereafter, established a benefit assessment to fund such services; and

**WHEREAS**, on July 21, 1998, Measure O was placed before the registered voters within Green Valley Oaks Road Zone of Benefit to consider a special tax to replace the benefit assessment, and received a majority approval; and

**WHEREAS**, the *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit within a County Service Area, Amended June 2, 1987*, require that the benefit assessment collected shall be in an amount sufficient to pay for the proposed services, including administrative and miscellaneous costs incurred in providing such services; and

**WHEREAS**, the existing special tax is not sufficient to fund Green Valley Oaks Road Zone of Benefit's administrative costs and operational road maintenance services at the level desired by the residents and property owners within the zone, and recommended by the zone of benefit advisory committee; and

**WHEREAS**, the Green Valley Oaks Road Zone of Benefit is authorized to levy and/or increase benefit assessments pursuant to California Government Code §§ 25217.4 and 25215.3, which allow zones of benefit to levy benefit assessments to finance operations and maintenance services consistent with the requirements of Article XIII D of the California Constitution, including benefit assessments levied pursuant to the Benefit Assessment Act of 1982 (Government Code §54703 et seq.); and

**WHEREAS**, in accordance with California law, the Board of Supervisors, as the governing Board of County Service Area No. 9, has caused to be prepared a written engineer's report determining the proportional special benefit to each property to be assessed in relation to the entirety of the cost of the services, a copy of which Engineer's Report, as amended December 12, 2013, is on file at the Office of the Clerk of the Board of Supervisors at 330 Fair Lane, Placerville, California; and

**WHEREAS**, in order for the benefit assessment to be levied, California Constitution Article XIII D and Government Code § 53750, et seq., require approval by the owners of property within a zone of benefit through an assessment ballot proceeding; and

**WHEREAS**, if no majority protest exists, the Board intends to levy the benefit assessments for the Green Valley Oaks Road Zone of Benefit in the amounts supported by the Engineer's Report, as amended December 12, 2013, commencing with tax year 2014/2015, to replace the existing special tax;

**NOW, THEREFORE, BE IT RESOLVED**

1. The Board has reviewed and hereby accepts the Engineer's Report, as amended December 12, 2013, supporting the proposed benefit assessment for the Green Valley Oaks Road Zone of Benefit;
2. The Board authorizes the commencement of an assessment ballot proceeding for the owners of property within the zone of benefit boundaries to consider levy of the benefit assessment for the Green Valley Oaks Road Zone of Benefit No. 98169;
3. The Board shall conduct a public hearing on June 10, 2014 at 10:00 a.m., at which the assessment ballots will be tabulated;
4. If no majority protest exists, the Board intends to levy the subject benefit assessment to replace the existing special tax.

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