

## RESOLUTION NO.

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION ESTABLISHING THE ANNUAL 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 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, road maintenance and improvement services are authorized county services pursuant to Government Code §25213; and

**WHEREAS,** the Board formed Green Valley Oaks Road Zone of Benefit No. 98169 on August 6, 1991, by Resolution 264-91 for the purpose of providing road maintenance services; 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,** the Board of Supervisors of the County acting as the governing Board of County Service Area No. 9 has caused to be prepared a written engineer's report determining the proportionate special benefit to each property to be assessed in relation to the entirety of the cost of the services, pursuant to the provisions of Article XIII D of the California Constitution, 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 accordance with California law, the Board of Supervisors finds that a benefit assessment based upon the reasonable cost of the proportional special benefit conferred upon each parcel within the Green Valley Oaks Road Zone of Benefit No. 98169 is the appropriate way to apportion the cost of providing road maintenance services; and

WHEREAS, all notices required by law have been duly given; and

**WHEREAS,** the Board of Supervisors of El Dorado County held assessment ballot proceedings, including a duly noticed public hearing on June 10, 2014, at 10:00 a.m., in accordance with Article XIII D of the California Constitution and Government Code § 53753; and

**WHEREAS,** after public hearing, the Board determined that no majority protest was registered against imposing a benefit assessment with in the Green Valley Oaks Road Zone of Benefit No. 98169 to replace the existing special tax;

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**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of the County of El Dorado determines as follows:

- 1. That the benefit assessments be levied on each and every parcel located within the boundaries of the Green Valley Oaks Road Zone of Benefit No. 98169 within County Service Area No. 9 (identified in Exhibit A hereto) in the amounts shown on Exhibit A, in accordance with the Benefit Assessment formula attached hereto and incorporated as Exhibit B.
- 2. The benefit assessment as shown on Exhibit A is hereby adopted commencing with fiscal year 2014-2015.
- 3. The funds generated by the benefit assessment shall be spent in accordance with the final budget for the Green Valley Oaks Road Zone of Benefit as approved by the Board of Supervisors during the County budget hearings and amendments thereto.

BE IT FURTHER RESOLVED, that the assessment 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 in subdivisions (d) of § 25215.3 of the Government Code.

Board, held the day of	, 20, by the following vote of said Board:
	Ayes:
Attest:	Noes:
James S. Mitrisin	Absent:
Clerk of the Board of Supervisors	
By:	
Deputy Clerk	Chair, Board of Supervisors
I CERTIFY THAT: THE FOREGOING INSTRUMENT IS A	CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
Attest: James S. Mitrisin, Clerk of the Box	ard of Supervisors of the County of El Dorado, State of California.
By:	Date:
Deputy Clerk	