



## RESOLUTION NO.

### OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO RESOLUTION ESTABLISHING THE ANNUAL BENEFIT ASSESSMENT FOR THE CARSON CROSSING DRIVE DRAINAGE ZONE OF BENEFIT NO. 98310 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**, drainage facility maintenance services are authorized county services pursuant to Government Code Section 25213; and

**WHEREAS**, the Board formed Carson Crossing Drive Drainage Zone of Benefit No. 98310 on February 23, 2016 by Resolution 033-2016 for the purpose of providing drainage facility maintenance services, contingent upon approval of the financing mechanism through the appropriate proceeding; and

**WHEREAS**, the Carson Crossing Drive Drainage Zone of Benefit is authorized to levy and/or increase benefit assessments pursuant to California Government Code Sections 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 XIID of the California Constitution, including benefit assessments levied pursuant to the Benefit Assessment Act of 1982 (Government Code Section 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 XIID of the California Constitution, a copy of which engineer's report 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 Carson Crossing Drive Drainage Zone of Benefit No. 98310 is the appropriate way to apportion the cost of providing drainage facility maintenance services; and

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

**WHEREAS**, the Board of Supervisors of El Dorado County held assessment ballot proceedings, including a duly noticed public hearing on March 8, 2016 at 11:00 a.m., in accordance with Article XIID of the California Constitution and Government Code Section 53753; and

**WHEREAS**, after public hearing, the Board determined that no majority protest was registered against imposing a benefit assessment within the Carson Crossing Drive Drainage Zone of Benefit No. 98310 to finance drainage facility maintenance services.

**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 Carson Crossing Drive Drainage Zone of Benefit No. 98310 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 2017/2018.
3. The funds generated by the benefit assessment shall be spent in accordance with the final budget for the Carson Crossing Drive Drainage 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 Section 25215.3 of the Government Code; and

BE IT FURTHER RESOLVED, that this Resolution be recorded and filed with the State Board of Equalization concurrently with Resolution 033-2016 to complete formation of the Carson Crossing Drive Zone of Benefit.

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