



# RESOLUTION No. 23-132

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION OF INTENT TO AMEND THE ASSESSMENTS FOR THE EXISTING COUNTY SERVICE AREA 22- 6B RANCH ESTATES, ZONE 1, AND CONDUCT AN ASSESSMENT BALLOT PROCEEDING – DISTRICT IV

WHEREAS, pursuant to the provisions of County Service Area (CSA) law, California Government Code Title 3, Chapter 2.5, the Board of Supervisors is authorized to establish a County Service Area as a method of providing road improvement and maintenance services by the County within the unincorporated area; and

WHEREAS, Nevada County Department of Public Works staff have worked with property owners of CSA 22-6B Ranch Estates, Zone 1, in which 30 of 37 members signed a petition to adjust their parcel charges on properties within the existing CSA pursuant to California Government Code Title 3 Chapter 2.5 to fund road maintenance services; and

WHEREAS, an Engineer's Report has been prepared to support the amended parcel charges as shown in Exhibit A, and has been prepared in conformance with the requirements of Article XIID, Section 4 of the California Constitution; and

WHEREAS, a map of the existing CSA is shown in Appendix C to Exhibit A, attached hereto and incorporated herein; and

WHEREAS, there are 37 parcels benefiting from services within the CSA that will be charged as shown in Appendix A to Exhibit A; and

WHEREAS, Government Code Section 25215 et al., the Board may raise revenues, including benefit assessments such as for CSA 22-6B.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Nevada County Board of Supervisors as follows:

1. The Board of Supervisors finds that the above recitals are true and correct.
2. It is the Board's intention to amend the existing parcel charge assessments within the existing CSA located within the boundaries described in the attached map (Exhibit A), which is attached hereto and incorporated herein by this reference.
3. The Board shall hold a public hearing regarding the proposed parcel charge amendments to CSA 22- 6B Ranch Estates, Zone 1 on May 23, 2023, at 11:00 a.m., in the Nevada County Board of Supervisors Chambers, Rood Administrative Center, 950 Maidu Avenue, Nevada City, California, which hearing shall be not less than 45 days after notice has been mailed to the record owner of each parcel. At the public hearing, the Board of Supervisors shall consider all objections and protests to amend the proposed CSA parcel charges, receive and tabulate written protests and assessment ballots, and determine whether to approve the proposed amended parcel charges for CSA 22- 6B Ranch Estates, Zone 1.

4. The Board hereby directs that an assessment ballot proceeding be conducted within CSA 22 – 6B Ranch Estates, Zone 1 area, to be held on May 23, 2023, at which time there shall be submitted a proposed measure to amend the existing parcel charges on the properties within the CSA 22 – 6B Ranch Estates Zone 1, as set forth in this Resolution, and directs that an assessment ballot be mailed on or before March 31, 2023, to the record owner of each of the affected parcels. The ballots shall state that they must be marked and sealed in a designated envelope, and that they must be received back by the Clerk of the Board of Supervisors no later than the close of the public hearing to be held on May 23, 2023. The ballots will be opened and counted at the Board of Supervisors regular meeting on May 23, 2023, after the close of the public hearing.
5. If a majority protest exists, the Board of Supervisors will not impose the proposed amended parcel charges. For purposes of the assessment ballot procedure, a majority protest exists if upon the conclusion of the public hearing, assessment ballots submitted in opposition to the proposed parcel charges, weighting those assessment ballots by the amount of the proposed assessment to be imposed, exceed assessment ballots submitted in favor of such proposed parcel charges.
6. Per California Constitution Article 13D, Section 4 (b), an Engineer’s Report has been prepared on the proposed Parcel Charges which identifies (a) the services to be funded by the parcel charges, (b) its estimated cost, the entire special benefit attributable to the service, (c) the lots which will receive a special benefit from the proposed services and (d) each identified parcel’s proportionate share of the cost of such services based upon that parcel’s special benefit from the service.
7. The question to be placed before the affected property owners shall read as follows:

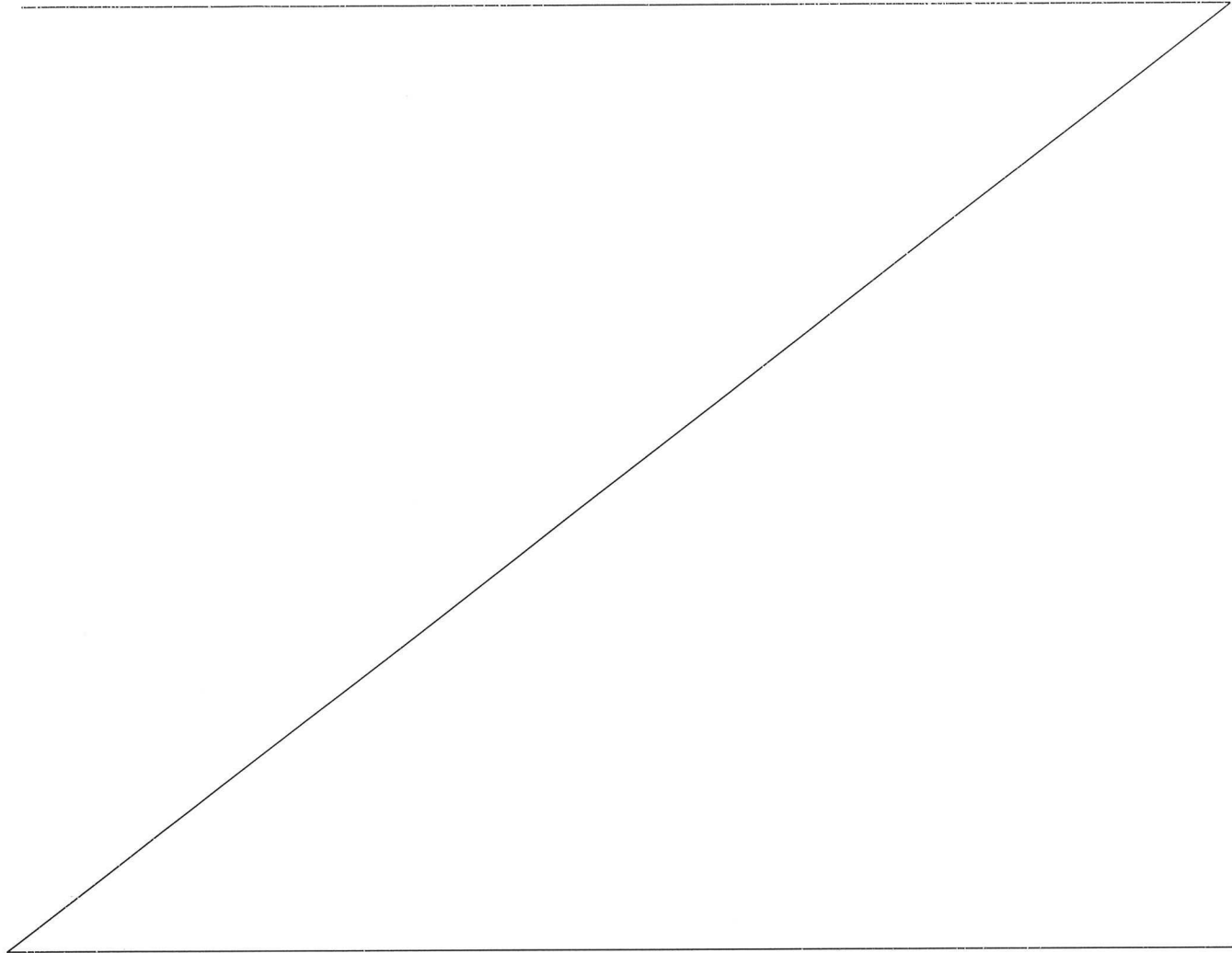
**QUESTION**

***Shall the Board of Supervisors of Nevada County be empowered and authorized to impose and levy an amended annual assessment for road maintenance for properties within CSA 22- 6B Ranch Estates Zone 1 as listed in the Engineer’s Report dated March 8, 2023 and to add a 5% per annum assessment increase, beginning in Fiscal Year 2024/25?***

***Parcel Charge – Yes***

***Parcel Charge – No***

8. If there is not a majority protest by the property owners, with ballots weighted according to the proportional financial obligation, the Board of Supervisors may approve the amended parcel charges starting in Fiscal Year 2023/24, and each year thereafter, to be amended on the assessment roll and billed and collected in the same manner as County property taxes.
9. The Clerk of the Board shall publish the Petition and the notice of public hearing for the proposed amended CSA and imposition of the proposed parcel charges and shall provide timely mailed notice of the same to the record owner of each parcel within the proposed CSA, in accordance with Article XIID, Section 4 of the California Constitution.
10. The parcel charges proposed by this Resolution shall be retained in the CSA 22- 6B Ranch Estates, Zone 1 road maintenance fund, to be used only for the purpose of providing road maintenance services within CSA 22-6B Ranch Estates Zone 1 as approved by the voters.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of March, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,  
Susan Hoek and Hardy Bullock.  
Noes: None.  
Absent: None.  
Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Edward C. Scofield, Chair

3/28/2023 cc: DPW\*  
AC\*