



# **RESOLUTION NO. \_\_\_\_\_**

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

### **RESOLUTION TO AMEND THE PARCEL CHARGES FOR COUNTY SERVICE AREA 22-6B RANCH ESTATES, ZONE 1 – DISTRICT 4**

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 has 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 XIII D, 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 currently benefiting from services within the CSA that will be charged as shown in Appendix A to Exhibit A; and

WHEREAS, Streets and Highways Code Section 1162.6 provides that parcel charges shall be deemed to be assessments within the meaning of Article XIII D of the California Constitution, and that proceedings to form a County Service Area may be consolidated with an assessment ballot proceeding to adopt a parcel charge pursuant to Government Code Section 53753; and

WHEREAS, on March 28, 2023, the Board adopted Resolution 23-132, a Resolution of Intent to amend the assessments for the existing CSA 22 Zone 1 and conduct an assessment ballot proceeding; and

WHEREAS, the Clerk of the Board published the notice of public hearing for the proposed amendments to the CSA 22 Zone 1 parcel charges and provided timely mailed notice of the same to the record owner of each parcel within the CSA, in accordance with Streets & Highways Code Sections 1164 and 1196; and

WHEREAS, the Department of Public Works posted a minimum of three (3) notices of public hearing for the proposed amendments to the CSA 22 Zone 1 parcel charges where the CSA is located a minimum of three (3) weeks in advance of the public hearing on May 23, 2023; and

WHEREAS, the Board held a public hearing and Proposition 218 election regarding the proposed amendments to the CSA 22 Zone 1 parcel charges on May 23, 2023, at which a majority protest was not presented; and

WHEREAS, on May 23, 2023, the Board directed the Clerk of the Board of Supervisors to open and count ballots received for the assessment ballot proceedings and a majority of the property owners voted in favor of the proposed parcel charge.

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. Approves the amendments to the County Service Area 22 6B Ranch Estates Zone 1 parcel charges as described in the attached Exhibit A.
3. Authorizes the approved parcel charges for road maintenance of \$285 per year for unimproved parcel and \$350 per year for improved parcels for Tax Year 2023/24.
4. Authorizes the parcel charges to be adjusted by a 5% inflation factor annually beginning in Fiscal Year 2024/25 and ending after 20 years in Fiscal Year 2044/45.
5. Authorizes the collection of \$333.32 in Fiscal Year 2023/24, \$333.32 in Fiscal Year 2024/25, and \$333.36 in Fiscal Year 2025/26 in addition to the base parcel charge regardless of development status to recuperate depleted reserves.