



**RESOLUTION No. \_\_\_\_\_**  
**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**  
**CREATION OF THE HIGGINS WOODRIDGE PERMANENT**  
**ROAD DIVISION AND AUTHORIZATION OF COLLECTION**  
**OF PARCEL CHARGES FOR ROAD MAINTENANCE**  
**SERVICES - DISTRICT 2**

WHEREAS, pursuant to the provisions of Permanent Road Division (PRD) law (Streets & Highways Code section 1160, et seq), the Board of Supervisors is authorized to establish a Permanent Road Division as a method of providing road improvement and maintenance services by the County within the unincorporated area; and

WHEREAS, the Board of Supervisors has received a petition requesting creation of the Higgins Woodridge PRD and imposition of a Parcel Charge pursuant to the Streets and Highways Code, Section 1160, et seq. to fund road maintenance services; and

WHEREAS, the legal description and map for the PRD is shown in Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the petition (Exhibit B) has been signed by a majority of landowners within the PRD and meets all other requirements of Streets and Highways Code Sections 1162 and 1163; and

WHEREAS, the proposed services to be provided within the PRD include road and storm drainage maintenance; and

WHEREAS, Streets and Highways Code Section 1162.6 provides that parcel charges shall be deemed to be assessments within the meaning of Article XIID of the California Constitution, and that proceedings to form a PRD may be consolidated with an assessment ballot proceeding to amend parcel charges pursuant to Government Code Section 53753; and

WHEREAS, a detailed Engineer's Report has been prepared in conformance with the requirements of Article XIID, Section 4 of the California Constitution; and

WHEREAS, a copy of the Engineer's Report is on file with the Department of Public Works; and

WHEREAS, on October 23, 2018, the Board adopted Resolution 18-510, a Resolution of Intent to create the Higgins Woodridge PRD and conduct an assessment ballot proceeding; and

WHEREAS, the Clerk of the Board published the Petition and notice of public hearing for the proposed formation of the Higgins Woodridge PRD and imposition of the proposed parcel charge and provided timely mailed notice of the same to the record owner of each parcel within the proposed PRD, 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 formation of the Higgins Woodridge PRD and imposition of the proposed parcel charge on the streets where the PRD will be formed a minimum of three (3) weeks in advance of the public hearing on December 11, 2018; and

WHEREAS, the Board held a public hearing regarding the creation of the Higgins Woodridge PRD on December 11, 2018, at which a majority protest was not presented; and

WHEREAS, the Board held a Proposition 218 election proposing the creation of the Higgins Woodridge PRD on December 11, 2018, at which a majority protest was not presented; and

WHEREAS, on December 11, 2018, 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 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 creation of the Higgins Woodridge PRD as described in the attached Exhibit A and shown on the attached Exhibit B.
3. Authorizes the Clerk Record to record the map depicting the boundary thereof.
4. Authorizes the approved "Parcel Charge" to be levied annually at the rate of \$1,428.94 per acre per fiscal year, beginning in Fiscal Year 2019/20, and continuing indefinitely for each fiscal year thereafter. The Parcel Charge shall be adjusted annually based on the Consumer Price Index, as set forth in the San Francisco/Oakland/San Jose Metropolitan Area Consumer Price Index for all Urban Customers as of January 1st each calendar year, not to exceed five percent (5%) in any one year.
5. Directs the "Parcel Charge" to be collected each year in the same manner and at the same time as the general property taxes, and deposited into a fund for payment of road maintenance services within the boundaries of the Higgins Woodridge PRD.