



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO AMEND THE PARCEL CHARGES FOR THE EXISTING SKI TOWN II PERMANENT ROAD DIVISION - DISTRICT 5

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, Nevada County Department of Public Works staff has held a meeting with the property owners of the Ski Town II PRD in which there was a verbal consensus to amend parcel charges on properties within the existing Ski Town II PRD pursuant to the Streets and Highways Code, Section 1160, et seq. 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;

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

WHEREAS, there are 43 parcels benefiting from services within the PRD 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 XIID of the California Constitution, and that proceedings to form a Permanent Road Division may be consolidated with an assessment ballot proceeding to adopt a parcel charge pursuant to Government Code Section 53753.

WHEREAS, on March 24, 2020, the Board adopted Resolution 20-090, a Resolution of Intent to amend the assessments for the existing Ski Town II 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 amendments to the Ski Town II PRD parcel charges 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 amendments to the Ski Town II PRD parcel charges where the PRD is located a minimum of three (3) weeks in advance of the public hearing on May 12, 2020; and

WHEREAS, the Board held a public hearing regarding the proposed amendments to the Ski Town II PRD on May 12, 2020, at which a majority protest was not presented; and

WHEREAS, the Board held a Proposition 218 election proposing amendments to the parcel charges for the Ski Town PRD on May 12, 2020, at which a majority protest was not presented; and

WHEREAS, on May 12, 2020, 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 special tax.

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 Ski Town II PRD parcel charges as described in the attached Exhibit A.
3. Authorizes the Clerk Recorder to record the map depicting the boundary thereof.
4. Authorizes the approved parcel charges for snow removal to be levied annually at the rate of \$437 per parcel per fiscal year, beginning in Fiscal Year 2020/21, and continuing indefinitely for each fiscal year thereafter, with annual adjustments beginning in Fiscal Year 2021/22 as set forth in the San Francisco Area Consumer Price Index, as of January 1st of each calendar year, not to exceed 5% per annum.
5. Authorizes an annual adjustment to the road maintenance charges beginning in Fiscal Year 2020/21 and continuing indefinitely for each fiscal year thereafter as set forth in the San Francisco Area Consumer Price Index, as of January 1st of each calendar year, not to exceed 5% per annum.
6. Directs the parcel charges 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 Ski Town PRD.