

WEDNESDAY, SEPTEMBER 17, 1980

RESOLUTION DECLARING PORTION OF
JOHNSON LAKE ROAD
 A PUBLIC ROAD, DECLARING SAID
 PORTION NOT A COUNTY HIGHWAY AND
 NOT ACCEPTED INTO COUNTY MAINTAINED
 ROAD SYSTEM

On motion of Supervisor Eckert, seconded by
 Supervisor Hamilton, the following resolution is
 adopted:

WHEREAS, the Board of Supervisors of the County of
 San Diego has received evidence (Board Document No. 27)
 that Johnson Lake Road,
 for a distance of 0.89 miles

located in County Service Area No. 101 - Johnson Lake
Road as said road lies on the ground
 this date, has been used by the public as a road for a period
 of more than five (5) years, with full knowledge of the owners,
 without asking or receiving permission to do so and without
 objection being made by anyone; and

WHEREAS, it is necessary and desirable that said portion
 of Johnson Lake Road
 be declared a public road so as to permit the County Service
 Area to expend County Service Area funds for the improvement
 and continuing maintenance of said road; NOW THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED as follows:

1. The Board of Supervisors of the County of San Diego
 hereby finds that Johnson Lake Road
, for a distance of 0.89 miles

located in County Service Area No. 101 - Johnson Lake
Road, as said road lies on the ground
 this date, has been used by the public as a road for a period
 of more than five (5) years, with full knowledge of the owners,
 without asking or receiving permission to do so and without
 objection being made by anyone.

2. The Board of Supervisors hereby declares that said
 portion of Johnson Lake Road
 is a Public Road.

3. The Board of Supervisors further declares that said
 portion of Johnson Lake Road
 is not a County highway, is not accepted into the County
 Maintained Road System and the County of San Diego is not
 obligated to maintain such road unless at some future time
 it is accepted by this Board as a County highway.

4. County Service Area No. 101 shall assume responsibility for maintenance of said portion of Johnson Lake Road only if a sufficient service charge is established for the service area to provide this maintenance.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 17th day of September, 1980, by the following vote:

AYES: Supervisors Hamilton, Hedgecock, Bates, and Eckert
NOES: Supervisors None
ABSENT: Supervisor Moore

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STATE OF CALIFORNIA)
County of San Diego)^{ss}

I, PORTER D. CREMANS, Clerk of the Board of Supervisors of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution passed and adopted by said Board, at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is now on file in my office; that the same contains a full, true and correct transcript therefrom and of the whole thereof.

Witness my hand and the seal of said Board of Supervisors, this 17th day of September, 1980 (27).

PORTER D. CREMANS
Clerk of the Board of Supervisors

Maria A. Tiscareno
By Maria A. Tiscareno Deputy

(SEAL)

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY William D. Jewell
DEPUTY

7/21/80

ORDINANCE NO. 6360 (NEW SERIES)

AN ORDINANCE PROVIDING A PROCEDURE FOR
FIXING AND COLLECTING CHARGES ON THE TAX
ROLL FOR MISCELLANEOUS EXTENDED SERVICES
PROVIDED BY COUNTY SERVICE AREA NO. 101
JOHNSON LAKE ROAD

The Board of Supervisors of the County of San Diego, acting on behalf of
County Service Area No. 101 - Johnson Lake Road do ordain
as follows:

Section 1. Purpose. County Service Area No. 101 - Johnson Lake Road
is authorized to provide the miscellaneous extended services of
road improvement and maintenance

Government Code Section 25210.77a authorizes this Board to fix and collect charges
for miscellaneous extended services provided by a county service area to pay, in
whole or in part, for the cost thereof. Section 25210.77a further authorizes
this Board to collect such charges on the tax roll by adopting an ordinance
providing a procedure therefor. This ordinance shall provide that procedure
for County Service Area No. 101 - Johnson Lake Road.

Section 2. Fixing of Charges. For the miscellaneous extended services
relating to road improvement and maintenance

there is hereby fixed an annual charge of \$ 300.00 for each "unit" deter-
mined under Section 3 of this ordinance. Any charges established by this
ordinance may be modified or amended by resolution of the Board of Supervisors.
Such charges shall be reviewed by staff annually and shall be fixed by sub-
stantially the following procedure:

(a) A budget shall be proposed for the fiscal year specifying
the amounts required to provide the required level of those miscellaneous
extended services proposed to be funded by charges in lieu of, or supple-
mental to, revenue obtained by the levy of taxes.

(b) The fund balance, revenues to be obtained by the levy of taxes
and other revenues available to support the budget shall be deducted from
the amount of the proposed budget.

(c) The balance remaining shall be divided by the total number of
units, as calculated under Section 3 of this ordinance. The amount
obtained from that calculation shall be the charge fixed for each unit.

(d) The charge per unit shall then be fixed by resolution adopted
by the Board of Supervisors.

Section 3. Number of Units Determined. Units shall be assigned to each parcel in proportion to the estimated benefit received by that parcel and shall be calculated as follows:

(a) Parcels not benefiting from the service shall not be assigned units of benefit.

(b) Each parcel of land shall be assigned one unit of benefit.

(c) Each improved parcel according to Assessor's records shall be assigned one additional unit of benefit.

Section 4. Preparation of Report, Hearing and Transmission to Auditor.

(a) Once a year the Board of Supervisors shall cause to be prepared a written report which shall contain a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel for such year computed in conformity with the procedure set forth in this ordinance authorizing collection of such charges on the tax roll. Such report shall be filed with the Clerk of the Board of Supervisors.

(b) Upon the filing of such report, the Clerk shall fix a time, date, and place for hearing thereon and for filing objections or protests thereto. The Clerk shall publish notice of such hearing as provided in Government Code Section 6066, prior to the date set for hearing, in a newspaper of general circulation printed and published in the County.

(c) At the time, date and place stated in the notice, the Board of Supervisors shall hear and consider all objections or protests, if any, to the report and may continue the hearing from time to time. Upon conclusion of the hearing, the Board of Supervisors may adopt, review, change, reduce or modify any charge and shall make its determination upon each charge as described in the report and thereafter, by resolution, shall confirm the report. The report shall be transmitted to the Auditor not later than August 10 of the fiscal year in which the charges shall apply.

(d) The charges set forth in the report, as confirmed, shall appear as a separate item on the tax bill. The charge may be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of County ad valorem property taxes shall be applicable to such charge, except that if the real property to which such charge relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the charge confirmed pursuant to this section shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.

Section 5. Effective date. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the San Diego Daily Transcript a newspaper of general circulation published in the County of San Diego. A certified copy of the full text of this ordinance shall be posted at the office of the Clerk of the Board of Supervisors, 1600 Pacific Highway, Room 402, San Diego, California 92101 with the names of those Supervisors voting for and against the ordinance.

PASSED, APPROVED, AND ADOPTED this 1st day of June, 1982.

JIM BATES

Chairman of the Board of Supervisors of the County of San Diego, State of California.

The above ordinance was adopted by the following vote:

Supervisor Thomas D. Hamilton, Jr.	voting "Aye"
Supervisor Paul W. Fordem	voting "Aye"
Supervisor Roger Hedgecock	voting "Aye"
Supervisor Jim Bates	voting "Aye"
Supervisor Paul Eckert	voting "Aye"

ATTEST my hand and the seal of the Board of Supervisors this 1st day of June, 1982.

PORTER D. CREMANS
Clerk of the Board of Supervisors

By Gala E. Diaz
Deputy

(SEAL)

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY Leid P. Zollinger
DEPUTY 5/17/82

Minute Item: 10
Ref. No.: SI85-42

**RESOLUTION OF THE SAN DIEGO
LOCAL AGENCY FORMATION COMMISSION
ADOPTING A COTERMINOUS SPHERE OF INFLUENCE FOR
COUNTY SERVICE AREA NO. 101
(JOHNSON LAKE ROAD)**

On motion of Commissioner Hersom, seconded by Commissioner Loscher, the following resolution is adopted:

WHEREAS, pursuant to Government Code Section 56425, the San Diego Local Agency Formation Commission is required to develop and determine a sphere of influence for each local governmental agency within the County; and

WHEREAS, said Section 56425 further provides that a sphere of influence, after adoption, shall be used by the Commission as a factor in making regular decisions over which it has jurisdiction; and

WHEREAS, the Commission's Sphere of Influence Guidelines provide that the sphere boundary establishes the limits beyond which a local governmental agency may not annex territory without revision of the sphere; and

WHEREAS, the Executive Officer of this Commission has filed her report relative to the sphere of influence for County Service Area No. 101 (Johnson Lake Road), which report has been reviewed and considered by this Commission;

NOW THEREFORE, BE IT RESOLVED that this Commission hereby finds, determines and orders that:

(1) The Commission held a public hearing on the date set therefore for the purpose of adopting a coterminous sphere of influence for County Service Area No. 101 (Johnson Lake Road) as required by Government Code Section 56427.

(2) The Commission has considered the factors enumerated in Section 56425 prior to adopting the coterminous sphere of influence for County Service Area No. 101 (Johnson Lake Road).

(3) The Commission finds, pursuant to Section 15320 of the State CEQA Guidelines, that adoption of this sphere of influence is not subject to the environmental impact evaluation process because the proposal consists of a change in organization of government agencies which does not change the area in which previously existing powers are exercised.

(4) The Commission adopts the coterminous sphere of influence for County Service Area No. 101 (Johnson Lake Road) as that territory shown on the map in Exhibit A and adopts the Statement of Determinations as provided in Exhibit B pursuant to Section 56425 of the Government Code.

(5) The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Section 56853 of the Government Code.

Passed and adopted by the Local Agency Formation Commission of the County of San Diego this 2nd day of November, 1987, by the following vote:

AYES: Commissioners Bilbray, MacDonald, Dorman, Loscher, Gotch, Hersom, Mahr, and Hostler

NOES: None


ABSENT: Commissioner Nagel

ABSTAINING: None

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO) SS

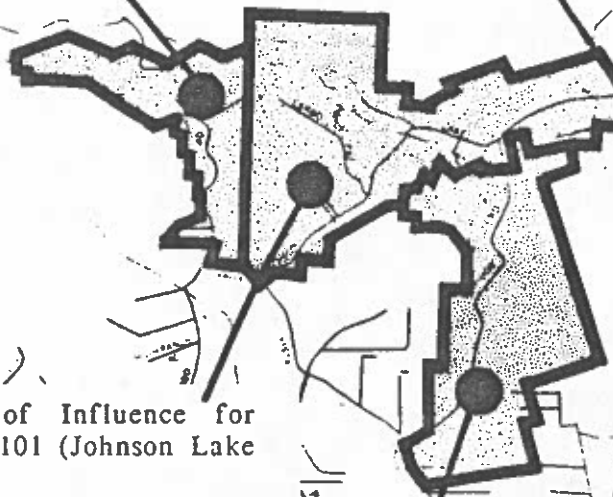
I, JANE P. MERRILL, Executive Officer of the Local Agency Formation Commission of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original resolution adopted by said Commission at its regular meeting on November 2, 1987, which original resolution is now on file in my office; and that same contains a full, true, and correct transcript therefrom and of the whole thereof.

Witness my hand this 4th day of December, 1987.



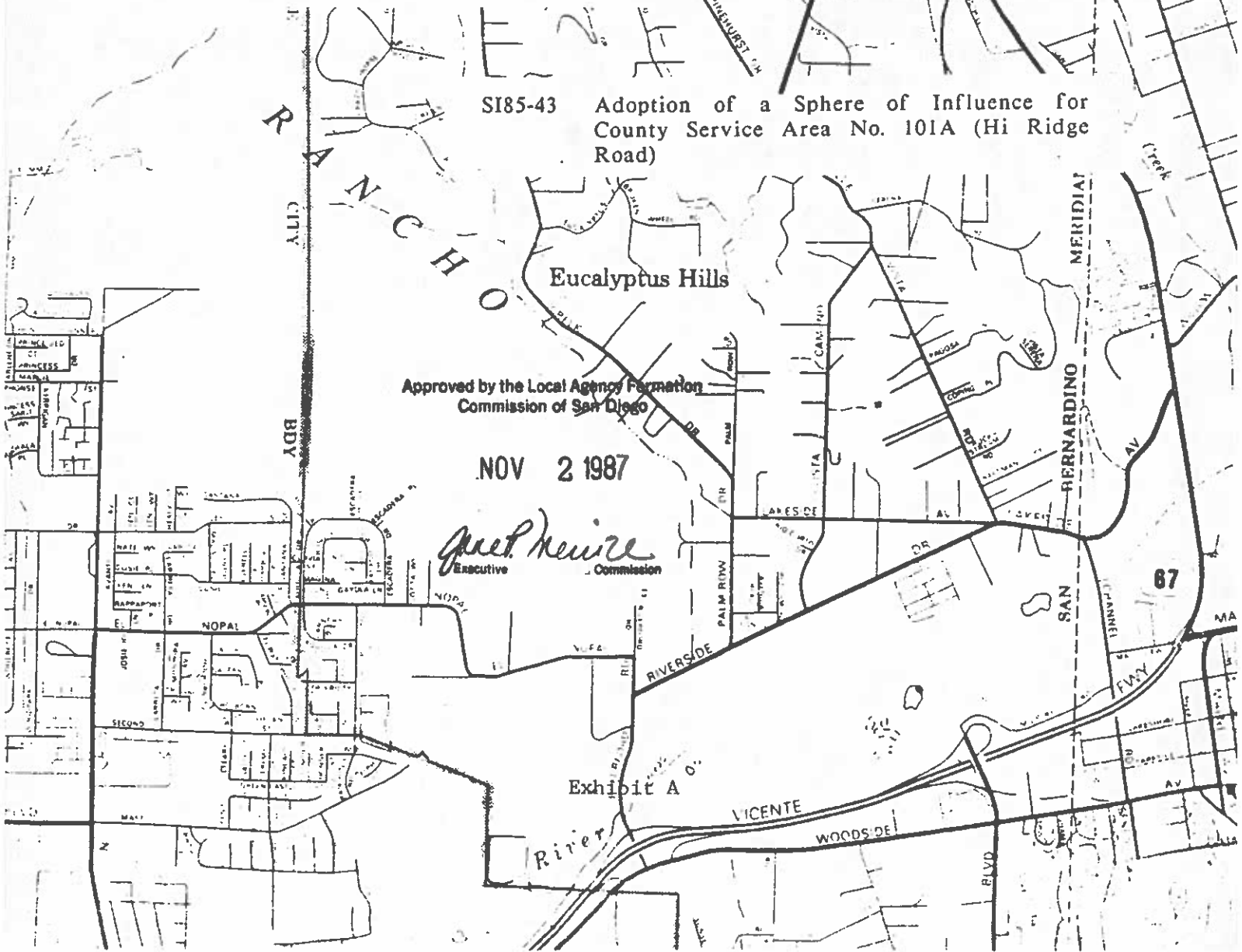
JANE P. MERRILL
Executive Officer
San Diego County Local Agency
Formation Commission

SI85-23 Adoption of a Sphere of Influence for
County Service Area No. 46 (Rocoso Road)



SI85-42 Adoption of a Sphere of Influence for
County Service Area No. 101 (Johnson Lake
Road)

SI85-43 Adoption of a Sphere of Influence for
County Service Area No. 101A (Hi Ridge
Road)



Approved by the Local Agency Formation
Commission of San Diego

NOV 2 1987

Greg Krivice
Executive Commission

Exhibit A

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RECOMMENDED STATEMENT OF DETERMINATIONS
PROPOSED COTERMINOUS SPHERE OF INFLUENCE FOR
COUNTY SERVICE AREA NO. 101
(JOHNSON LAKE ROAD)

The following statement of determinations is prepared pursuant to Section 56425 of the Government Code for designation of the area shown on the attached map as the sphere of influence for County Service Area No. 101 (Johnson Lake Road).

- (1) The present and planned land uses in the area, including agricultural and open space lands.

This county service area is located in the unincorporated community of Lakeside. Present land use includes low density residential development. The Lakeside Community Plan designates the area primarily for multi-rural use (1 du/4, 8, 20 & 40 acres), impact sensitive (1 du/4, 8, 20 & 40 acres), and estate (1 du/2 & 4 acres).

- (2) The present and probable need for public facilities and services in the area.

Refer to (3).

- (3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

CSA 101 was formed to provide improvement and continued maintenance services for 0.9 mile of road. Funding is provided by benefit fees. The current level of service is adequate and there is no anticipated need for service outside the existing boundary of the CSA.

- (4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

Social or economic communities of interest are not relevant in determining the sphere of influence for this CSA.

Approved by the Local Agency Formation
Commission of San Diego

NOV 2 1987


Executive Commission

Exhibit B