

ORDINANCE NO. 9218 (NEW SERIES)

AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 125 – WRIGHTWOOD ROAD

RECEIVED  
COUNTY SAN DIEGO  
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SPECIAL DISTRICT

The Board of Supervisors of the County of San Diego, acting on behalf of San Diego Countywide Permanent Road Division No. 1000, Zone No. 125 – Wrightwood Road, ordains as follows:

Section 1. Purpose. San Diego Countywide Permanent Road Division No. 1000, Zone No. 125 – Wrightwood Road is authorized to provide services of road improvement and maintenance. It is the successor in interest to County Service Area No. 125 – Wrightwood Road. Streets and Highways Code Sections 1179 and 1162.6 and Government Code Section 25210.77a authorize the Board to fix and collect charges for services provided by a Permanent Road Division Zone to pay, in whole or in part, for the cost thereof. These sections further authorize the Board to collect such charges on the tax roll by adopting an Ordinance providing a procedure therefor. This Ordinance replaces the prior Ordinance No. 7804 approved by the Board on August 14, 1990, that provided the procedure for County Service Area No. 125 – Wrightwood Road.

Section 2. Fixing of Charges. For services related to road improvement and maintenance, there is hereby continued in effect an annual maximum charge of up to \$487.00 for each "unit" determined under Section 3 of this Ordinance. Any charges established by this Ordinance may be modified or amended by Resolution of the Board of Supervisors subject to provisions of Article XIII of the California Constitution. Such charges shall be reviewed by staff annually and shall be fixed by substantially the following procedure:

(a) A budget shall be proposed for the fiscal year specifying amounts required to provide the required level of those services proposed to be funded by charges in lieu of, or supplemental 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 proposed budget.

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

6/21/00 (18)

Assessment rate maximum for this district is the rate in effect in Fiscal Year 1996-97. Any rate higher than that must have been approved by a weighted majority approval under Proposition 218.

(d) The charge per unit shall 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 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 containing less than 4 acres of land shall be assigned one unit of benefit.
- (c) Each parcel containing over 4 acres shall be assigned 2 units of benefit.
- (d) Commercial parcels shall be assigned 3 additional units of benefit.
- (e) Multi-residential parcels shall be assigned 2 additional units of benefit.
- (f) Each parcel, which, according to assessor's records, has been improved 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 service and 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 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. Any change that increases the levy to property owners beyond that existing on July 1, 1996, or as subsequently approved pursuant to Article XIID of the California Constitution

shall be submitted to property owners for approval in accordance with Article XIID of the California Constitution. Upon approval, the increased charge may be implemented. The report shall be transmitted to the Auditor no later than August 10 of the fiscal year in which charges shall apply.

(d) 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 names of the members voting for and against the same in the same newspaper of general circulation published in the County of San Diego.

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APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY William E. Smith  
SENIOR DEPUTY 5/25/00

PASSED, APPROVED and ADOPTED this 21<sup>ST</sup> day of June, 2000.

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DIANNE JACOB

Chairwoman of the Board of Supervisors of the  
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 3rd day of July, 2000.

THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors

By Marion Egan  
Marion Egan, Deputy



Ordinance No. 9218 (New Series)  
6/21/00 (18)

No. 37

TUESDAY, JULY 3, 1990

*As per Oliver*  
*0346*  
*Ricky*  
*Yolanda*  
RECEIVED  
COUNTY SAN DIEGO  
90 JUL 20 PM 3:07  
SPECIAL DISTRICT

RESOLUTION OF INTENTION TO ESTABLISH  
COUNTY SERVICE AREA NO. 125 - WRIGHTWOOD ROAD

ON MOTION of Supervisor Bailey, seconded by Supervisor Bilbray, the following resolution is adopted:

WHEREAS, pursuant to the provisions of the County Service Area Law (Chapter 2.2 [commencing with Section 25210.1] of Part 2, Division 2 of Title 3 of the Government Code), this Board is authorized to establish a County Service Area as a method for providing governmental services by the County within the unincorporated area thereof; and

WHEREAS, application for approval of a proposal for initiation of proceedings for the formation of a County Service Area to be known as County Service Area No. 125 - Wrightwood Road was filed with the Local Agency Formation Commission (Local Agency Formation Commission Reference No. DF 90-1) as provided by Government Code Section 56828 and that said application for approval specified road improvement as the governmental service to be performed within the said service area; and

WHEREAS, the Local Agency Formation Commission of the County of San Diego has heretofore reviewed and approved the establishment of a County Service Area to include the proposed territory described in the application, the description of which has been modified pursuant to the directions of the Local Agency Formation Commission, for the purpose of providing road improvement and maintenance therein; NOW THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED that it is the intention of this Board to establish a County Service Area as provided in Government Code Section 25210.15, as follows:

1. A County Service Area is proposed to be established under the terms of Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3 of the Government Code in the unincorporated area of the County described on Exhibit A, attached hereto and incorporated herein, as the territory proposed for inclusion in the area.
2. The name proposed for such County Service Area is County Service Area No. 125 - Wrightwood Road.
3. The type(s) of extended County service(s) proposed to be provided within the area pursuant to said Chapter 2.2 of the Government Code are road improvement and maintenance services.
4. The time and place for the public hearing on the establishment of the area, which shall be not less than 30 nor more than 60 days after the adoption of this resolution, shall be August 7, 1990, at 9 a.m., in Room 310, County Administration Center, 1600 Pacific Highway, San Diego, CA.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 3rd day of July, 1990, by the following vote:

AYES: Supervisors Bilbray, Bailey, Golding, Williams, and MacDonald

NOES: Supervisors None

ABSENT: Supervisors None

STATE OF CALIFORNIA )  
County of San Diego )<sup>ss.</sup>

I, KATHRYN A. NELSON, 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 herein 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 19th day of July, 1990.

(SEAL)

KATHRYN A. NELSON  
Clerk of the Board of Supervisors  
By Maria A. Tiscareno  
Deputy

2-011

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

BY William J. Hunt  
DEPUTY

6-20-9

"WRIGHTWOOD ROAD"-  
C.S.A. FORMATION

ALL THAT PORTION OF SECTIONS 21 AND 28, TOWNSHIP 10 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARIES:

1. BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 21, BEING ALSO THE SOUTHWEST CORNER OF RECORD OF SURVEY MAY NO. 5415, FILED IN THE COUNTY RECORDER'S OFFICE OF SAID COUNTY, MARCH 30, 1960;
2. THENCE NORTH  $0^{\circ}53'10''$  EAST, 1323.50 FEET ALONG THE WEST LINE OF SAID QUARTER-QUARTER TO THE NORTH LINE THEREOF;
3. THENCE SOUTH  $89^{\circ}49'21''$  EAST, 1349.69 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 21;
3. THENCE NORTH  $0^{\circ}43'20''$  EAST, 1322.88 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF SAID QUARTER-QUARTER;
4. THENCE SOUTH  $89^{\circ}47'50''$  EAST, 673.66 FEET ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;
5. THENCE NORTH  $0^{\circ}03'50''$  WEST, 188.48 FEET (RECORD-NORTH  $0^{\circ}13'48''$  WEST, 186.50 FEET) ALONG THE EAST LINE OF SAID WEST HALF TO THE CENTER LINE OF WEST LILAC ROAD (COUNTY ROAD B-4), AS SHOWN ON PARCEL MAP NO. 14152, FILED IN THE COUNTY RECORDER'S OFFICE OF SAID COUNTY, FEBRUARY 4, 1986;
6. THENCE NORTH  $79^{\circ}45'20''$  EAST, 98.78 FEET ALONG SAID CENTER LINE;
7. THENCE NORTH  $63^{\circ}56'20''$  EAST, 231.56 FEET;
8. THENCE LEAVING SAID CENTER LINE, SOUTHWESTERLY IN A STRAIGHT LINE TO THE NORTHWEST CORNER OF PARCEL 1 OF SAID RECORD OF SURVEY NO. 5415;
9. THENCE NORTH  $63^{\circ}56'38''$  EAST, 82.45 FEET ALONG THE NORTHERLY BOUNDARY OF SAID PARCEL 1 TO A TANGENT 570.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY;
10. THENCE EASTERLY, 362.22 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $36^{\circ}24'37''$  TO THE EAST LINE OF SAID PARCEL 1;
11. THENCE SOUTH  $0^{\circ}21'52''$  EAST, 329.77 FEET ALONG SAID EAST LINE TO THE EAST QUARTER CORNER OF SAID SECTION 21;

12. THENCE SOUTH  $0^{\circ}40'23''$  WEST, 1322.23 FEET ALONG THE EAST LINE OF SAID SECTION 21 AND ALONG THE EAST LINE OF SAID RECORD OF SURVEY NO. 5415 TO THE SOUTH LINE OF PARCEL 7 THEREOF;
13. THENCE NORTH  $89^{\circ}43'15''$  WEST, 304.42 FEET ALONG SAID SOUTH LINE TO THE MOST NORTHEASTERLY CORNER OF PARCEL 2 OF PARCEL MAP NO. 12399, FILED IN THE COUNTY RECORDER'S OFFICE OF SAID COUNTY, OCTOBER 28, 1982;
14. THENCE ALONG THE BOUNDARY OF SAID PARCEL 2 THE FOLLOWING COURSES:
  - A. SOUTH  $29^{\circ}19'28''$  WEST, 381.46 FEET;
  - B. SOUTH  $57^{\circ}31'04''$  EAST, 195.44 FEET;
  - C. SOUTH  $88^{\circ}33'04''$  EAST, 70.28 FEET;
  - D. SOUTH  $0^{\circ}43'21''$  WEST, 222.01 FEET;
  - E. NORTH  $89^{\circ}47'16''$  WEST, 425.85 FEET TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST OF SAID SECTION 21;
15. THENCE SOUTHERLY, 661.26 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF SAID SECTION 28;
16. THENCE SOUTH  $89^{\circ}51'20''$  EAST, 207.51 FEET, MORE OR LESS, ALONG SAID NORTH LINE TO A POINT 883.57 FEET FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28, BEING ALSO THE NORTHEASTERLY CORNER OF THE LAND TO GARY L. GAMBS, ET UX, BY FILE PAGE 661963, RECORDED DECEMBER 1, 1987, IN OFFICIAL RECORDS OF SAID COUNTY;
17. THENCE ALONG THE SOUTHEASTERLY BOUNDARY OF SAID GAMBS LAND THE FOLLOWING COURSES:
  - A. SOUTH  $54^{\circ}33'50''$  WEST, 312.99 FEET;
  - B. SOUTH  $17^{\circ}09'20''$  WEST, 73.00 FEET TO A NON-TANGENT 85.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY, A RADIAL TO SAID POINT BEARS NORTH  $17^{\circ}09'20''$  EAST;
  - C. WESTERLY AND SOUTHWESTERLY, 90.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $61^{\circ}06'10''$ ;
  - D. TANGENT TO SAID CURVE, SOUTH  $46^{\circ}03'10''$  WEST, 118.05 FEET TO A TANGENT 250.00 FOOT RADIUS CURVE CONCAVE NORTHWESTERLY;
  - E. SOUTHWESTERLY, 79.51 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $18^{\circ}13'20''$ ;
  - F. TANGENT TO SAID CURVE, SOUTH  $64^{\circ}16'30''$  WEST, 53.14 FEET TO A TANGENT 30.00 FOOT RADIUS CURVE CONCAVE NORTHERLY;
  - G. WESTERLY, 27.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  $51^{\circ}51'00''$ ;
  - H. SOUTH  $17^{\circ}31'20''$  WEST, 65.77 FEET;
  - I. SOUTH  $1^{\circ}00'40''$  WEST, 51.60 FEET;
  - J. SOUTH  $37^{\circ}22'00''$  WEST, 485.11 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28 DISTANT THEREON 407.86 FEET NORTHERLY FROM THE SOUTHWEST CORNER THEREOF;

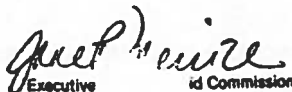


18. THENCE SOUTH 1°00'40" WEST ALONG SAID WEST LINE TO A POINT ON THE CENTER LINE OF ROAD SURVEY NO. 106 (CAMINO DEL REY), FILED IN THE COUNTY ENGINEER'S OFFICE OF SAID COUNTY, SAID POINT BEING ON THE ARC OF A 150.00 FOOT RADIUS CURVE CONCAVE SOUTHERLY, A RADIAL TO SAID POINT BEARS NORTH 9 39'55" EAST;
19. THENCE WESTERLY, 32.17 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°17'15";
20. THENCE SOUTH 87°22'40" WEST, 218.27 FEET;
21. THENCE NORTH 87°31'40" WEST, 80.12 FEET TO A LINE WHICH IS 330.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;
22. THENCE NORTH 1°00'40" EAST, 1183.34 FEET ALONG SAID PARALLEL LINE TO THE NORTH LINE OF SAID QUARTER-QUARTER;
23. THENCE NORTH 89°51'20" WEST ALONG SAID NORTH LINE TO THE POINT OF BEGINNING.

EXHIBIT "A"  
Page 3 of 3

Approved by the Local Agency Formation  
Commission of San Diego

MAY - 7 1990

  
Executive      id Commission

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