

COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
TUESDAY, JANUARY 4, 1994

MINUTE ORDER NO. 14

SUBJECT: Administrative Item:
Continued Noticed Public Hearing:
Second Consideration and Adoption of Ordinance
Formation of County Service Area No. 133 - Ranch Creek
Road in the Valley Center Area
(Carryover Item from 12/14/93, Agenda No. 38)

FISCAL IMPACT:

The funding source is the County Service Area Revolving Fund. If approved, this request will result in \$10,200 current year cost, no annual cost, and will require no additional staff years. If the Board does not take the recommended action, the formation work to date will represent a net County cost of approximately \$7,200.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER:
Adopt Ordinance entitled:

AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR MISCELLANEOUS EXTENDED SERVICES PROVIDED BY THE COUNTY SERVICE AREA NO. 133 - RANCH CREEK ROAD.

ACTION:

Evidence being on file that due and proper notice of the hearing has been given as required by law, ON MOTION of Supervisor Jacob, seconded by Supervisor Williams, the Board of Supervisors closed the hearing; and took action as recommended, on Consent, adopting Ordinance No. 8341 (New Series), entitled: AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR MISCELLANEOUS EXTENDED SERVICES PROVIDED BY COUNTY SERVICE AREA NO. 133 - RANCH CREEK ROAD.

AYES: Bilbray, Jacob, Slater, Williams, MacDonald
- - -

State of California)
County of San Diego) ^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.



THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By *Susan Morgan*
Susan Morgan, Deputy

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1/4/94 - sm
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01305

AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING
AND COLLECTING CHARGES ON THE TAX ROLL FOR MISCELLANEOUS
EXTENDED SERVICES PROVIDED BY COUNTY SERVICE
AREA NO. 133 - RANCH CREEK ROAD

The Board of Supervisors of the County of San Diego, acting on behalf of County Service Area No. 133 - Ranch Creek Road ordains as follows:

Section 1. Purpose. County Service Area No. 133 - Ranch Creek Road is authorized to provide the miscellaneous extended services of road 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. 133 - Ranch Creek Road.

Section 2. Fixing of Charges. For the miscellaneous extended services relating to road maintenance, there is hereby fixed an annual charge of \$225 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. 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 the amounts required to provide the required level of those miscellaneous extended 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 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 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:

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- (a) Parcels not benefiting from the service shall not be assigned units of benefit.
- (b) Each parcel with 6.99 acres or less shall be assigned one (1) benefit unit.
- (c) Each parcel with 7 acres and greater shall be assigned two benefit units.
- (d) Each improved parcel shall be assigned one (1) additional benefit unit.

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 no 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

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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 S.D. Daily Trap, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED this 4th day of January, 1994

Pamela Slater
PAMELA SLATER
Chairwoman of the Board of Supervisors of the County of San Diego, State of California

The above ordinance was adopted by the following vote:

Supervisor Brian P. Bilbray	Aye
Supervisor Dianne Jacob	Aye
Supervisor Pam Slater	Aye
Supervisor Leon L. Williams	Aye
Supervisor John MacDonald	Aye

ATTEST my hand and the seal of the Board of Supervisors this 4th day of January, 1994.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors



By Susan Morgan
Susan Morgan, Deputy

wp/scm/00114

Ordinance No. 8341
1/4/94 (14) SM

OFFICE OF THE CLERK AND LEGAL COUNSEL
BY John Funder
DEPUTY
10-27-97

TUESDAY, DECEMBER 14, 1993

RESOLUTION ESTABLISHING COUNTY SERVICE
AREA NO. 133 - RANCH CREEK ROAD

ON MOTION of Supervisor Williams, seconded by Supervisor Slater, the following Resolution is adopted:

WHEREAS, on November 9, 1993, this Board adopted its Resolution of Intention to form County Service Area No. 133 - Ranch Creek Road, 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 to provide the type or types of extended County services herein described within the hereinafter described unincorporated territory, and ordered that a public hearing on the establishment of said proposed County Service Area be held in the Chamber of this Board on December 14, 1993, at 9 a.m.; and

WHEREAS, notice of said hearing was given, as required by law, as shown by the affidavit of publication of file herein (Document No. 758189); and

WHEREAS, said hearing was held at said time and place; all interested persons or taxpayers were heard for and against the establishment of the proposed County Service Area, the extent of the area and the furnishing of the proposed types of services; all written protests were considered; and evidence was received that the services proposed to be provided are extended County services; and

WHEREAS, the Local Agency Formation Commission of San Diego County (pursuant to Government Code Section 56000, et seq.) has reviewed and approved the establishment of the County Service Area to include the territory herein described for the purpose of providing the extended services herein proposed; and

WHEREAS, in the judgment of this Board it is advisable to establish the proposed County Service Area without an election in order to expedite the formation process and permit the provision of the extended services herein proposed at the earliest possible date; NOW THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED as follows:

1. The services described in said Resolution of Intention, as hereinafter set forth, are extended County services.

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2. Written protests against the establishment of the area or the furnishing of any of the specified types of extended services within the proposed area were not received from 50 percent or more of the registered voters residing within the territory proposed to be included in the area or from the owners of one-half or more of the value of the land and improvements in the territory to be included in the area, as shown by the last equalized assessment roll, as described in Government Code Section 25210.17a.

3. All protests made orally or in writing against the establishment of the area, the extent of the area or the furnishing of specified types of extended services are denied.

4. The type of extended County services to be performed within the boundaries of said County Service Area pursuant to said Chapter 2.2 of the Government Code is maintenance.

5. The Board determined that the project was categorically exempt from the California Environmental Quality Act according to Section 15301(c) of the State of California Environmental Quality Act Guidelines.

6. The proceedings for the formation of said proposed County Service Area are valid and in conformity with the requirements of the aforementioned County Service Area Law.

7. The following described territory is declared established without an election as a County Service Area and shall be designated County Service Area No. 133 - Ranch Creek Road, pursuant to Government Code Section 25210.18.

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IT IS FURTHER ORDERED that the Clerk of this Board immediately transmit a certified copy of this Resolution along with a remittance to cover the fees required by Government Code Section 54902.5 to the Executive Officer of the Local Agency Formation Commission of San Diego County, so that the Executive Officer may make the filings required by Government Code Section 57200 and by Chapter 8 (commencing with Section 54900), Part 1, Division 2, Title 5 of the Government Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 14th day of December, 1993, by the following vote:

AYES: Bilbray, Jacob, Slater, Williams, MacDonald

NOES: None

ABSENT: None

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

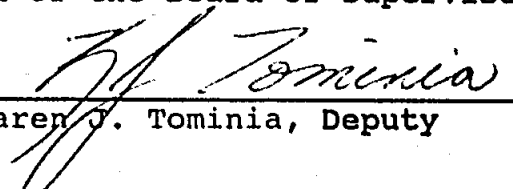
I, THOMAS J. PASTUSZKA, Clerk of the Board of Supervisors of the County of San Diego, State of California, hereby certify that I have compared the foregoing copy with the original Resolution passed and adopted by said Board, at a regular meeting thereof, at the time and by the vote herein stated, which 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 14th day of December, 1993.

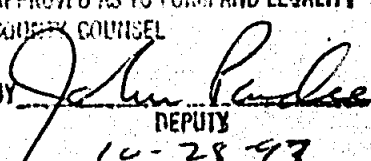
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

(SEAL)

By


Karen J. Tominia, Deputy

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY 
DEPUTY

10-28-93

wp/scm/00114

Resolution No. 93-505

12/14/93 (38)

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TUESDAY, DECEMBER 14, 1993

RESOLUTION DECLARING RANCH CREEK ROAD,
RANCH CREEK LANE, AND OAK CREEK TO BE PUBLIC ROADS,
DECLARING SAID ROADS NOT COUNTY
HIGHWAYS AND NOT ACCEPTED INTO
THE COUNTY MAINTAINED ROAD SYSTEM

ON MOTION of Supervisor Williams, seconded by Supervisor
Slater, the following Resolution is adopted:

WHEREAS, the Board of Supervisors of the County of San Diego has received evidence (Board Document No. 758190) that Ranch Creek Road, Ranch Creek Lane, and Oak Creek located in County Service Area No. 133 - Ranch Creek Road as said roads lie on the ground this date, have been used by the public as roads 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 roads be declared public roads so as to permit the County Service Area to expend County Service Area funds for the maintenance of said roads;
NOW THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED as follows:

1. The Board of Supervisors of the County of San Diego hereby finds that Ranch Creek Road from Cool Valley Road to Ranch Creek Lane, .20 mile of Ranch Creek Lane from Ranch Creek Road, and .08 mile of Oak Creek from Ranch Creek Road, three roads located in County Service Area No. 133 - Ranch Creek Road as said roads lie on the ground this date, have been used by the public as roads 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 roads are Public Roads.

3. The Board of Supervisors hereby declares that said roads are not accepted into the County Maintained Road System and the County of San Diego is not obligated to maintain such roads unless at some future time they are accepted by this Board into the County Maintained Road System.

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4. County Service Area No. 133 - Ranch Creek Road shall assume responsibility for maintenance of said roads 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 14th day of December, 1993, by the following vote:

AYES: Bilbray, Jacob, Slater, Williams, MacDonald
NOES: None
ABSENT: None

STATE OF CALIFORNIA)
County of San Diego)SS.

I, THOMAS J. PASTUSZKA, 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 14th day of December, 1993.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

(SEAL)

By [Signature]
Karen J. Tominia, Deputy

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL
BY [Signature]
DEPUTY
10-28-93

wp/scm/00114

Resolution No. 93-506
12/14/93 (38) kjt
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County of
San Diego

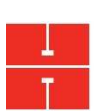


ENGINEER'S REPORT

**SAN DIEGO COUNTYWIDE
PERMANENT ROAD DIVISION NO. 1000
ZONE NO. 133, RANCH CREEK ROAD**

San Diego County, California

Prepared March 2018 by:



Harris & Associates

600 B Street, Suite 2000, San Diego, CA 92101

COUNTY OF SAN DIEGO

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Special Districts Administration

Jason Forga, Acting Manager

Clerk of the Board of Supervisors

David Hall

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Appendices

A Assessment Diagram

B Property Owner Petition

Preamble

Pursuant to provisions of the County of San Diego Code of Administrative Ordinances (specifically, Article XXVI – Department of Public Works §455 et seq.), provisions of the “Permanent Road Division Law” (California Streets & Highways Code §1160 et seq.), and in accordance with applicable provisions of “Proposition 218” (Articles XIIIID of the California Constitution) (the aforementioned provisions are hereinafter referred to collectively as “applicable law”) in connection with the proceedings for establishment of a special assessment on properties located in SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 133 – RANCH CREEK ROAD (hereinafter referred to as “PRD Zone 133” or the “PRD Zone”). Harris & Associates, as assessment engineer for these proceedings, respectfully submits herewith this Engineer’s Report for PRD Zone 133.

DATED: March 15, 2018



BY: K. Dennis Klingelhofer, P.E.
R.C.E. No. 50255



PRELIMINARY APPROVAL BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ON THE 9TH DAY OF MAY, 2018.

By _____
David Hall
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

FINAL APPROVAL BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ON THE 27TH DAY OF JUNE, 2018.

By _____
David Hall
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

Background and History

On January 4, 1994 (14), the Board of Supervisors of the County of San Diego (County) approved and adopted Ordinance No. 8341, establishing County Service Area No. 133 – Ranch Creek Road (CSA 133), located in the Valley Center community, and authorizing the levy of fixed charges to fund road improvements and maintenance.

On February 17, 1998 (20), the County Board of Supervisors approved the use of permanent road divisions as a means for unincorporated area property owners to improve and maintain their roads. On August 30, 1999, Senate Bill 614 (Morrow) was signed into law. The new law, effective January 1, 2000, allowed for the formation of a single permanent road division (PRD) for the entire unincorporated area.

On February 9, 2000, by Resolution No. 00-39, the County Board of Supervisors established San Diego Countywide Permanent Road Division No. 1000 (PRD 1000). PRD 1000 includes the entire unincorporated area of San Diego County, and provides a mechanism whereby property owners can collectively and voluntarily petition for the establishment of a zone to fund improvement and maintenance of roads within the zone. Over the years, the County has facilitated the formation and establishment of numerous zones on behalf of property owners. Each zone has a volunteer chairperson and Citizen's Committee that serve as the liaison between the property owners and County staff.

On June 21, 2000 (18), the County Board of Supervisors adopted Ordinance No. 9224, establishing San Diego Countywide Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road (PRD Zone 133), the successor interest of CSA 133. Appendix A shows the current boundary of PRD Zone 133, parcels included, and general extent of the roads maintained. Under Ordinance No. 9224, the maximum allowable charge is \$225.00 per benefit unit. Due to inflation and other cost of service increases, existing revenues are no longer sufficient to fund the necessary on-going maintenance of the specified roads within PRD Zone 133. In order to adequately fund existing and future road repairs and maintenance, the permissible charge would need to be increased.

Property Owner Petition for Assessments

Property owners located within PRD Zone 133 have petitioned the County Board of Supervisors to repeal Ordinance No. 9224 that authorizes the current fixed charges (assessments), and instead impose an assessment on the parcels within PRD Zone 133 in an amount sufficient to provide for the on-going repair and maintenance of identified roads. The proposed assessment would replace (not supplement) the existing assessments levied on parcels within PRD Zone 133. A copy of the petition is included as Appendix B.

In conformity with applicable provisions of the Permanent Road Division Law (specifically, California Streets & Highways Code §1170 et seq), the petition stated and petitioners agreed to the following:

- a) The petitioners request that the County perform maintenance work on roads within the PRD Zone using materials and in a manner substantially similar to the manner in which public streets within the County maintained road system are maintained by the County.
- b) The probable expense of the maintenance work to be performed by the County is estimated to include initial repair costs of at least \$296,650 with additional one-time re-assessment cost of \$30,000, and an estimated annual administration cost of \$5,000 a year.

- c) Petitioners do not request that the County appropriate any funds from the Road Fund for the maintenance of roads within the PRD Zone.
- d) Petitioners request that the County appropriate all sums currently in the fund maintained by the County for the PRD Zone and such additional funds as may become available in the future from the collection of assessments on parcels within the PRD Zone as may be necessary to allow the County to perform the requested maintenance.
- e) Petitioners request that an assessment rate per equivalent benefit unit of approximately \$1,417 be imposed for nine years to fully fund ongoing maintenance by the County, reimbursement of County reassessment costs, and initial restoration of the roads and culverts in the PRD Zone. Thereafter, petitioners request that the assessment be imposed in the amount estimated at \$600 per equivalent benefit unit as adjusted for inflation to provide for on-going maintenance of roads within the PRD Zone by the County.
- f) Petitioners request that the assessment be imposed annually in perpetuity in an amount sufficient to provide for on-going maintenance by the County of roads within the PRD Zone up to the maximum approved by the property owners until such time as the PRD Zone is dissolved at the request of the property owners or by the County on its own initiative. Petitioners request the assessment replace the assessments currently imposed in the PRD Zone pursuant to Ordinance No. 9224 adopted by the County on June 21, 2000.

Project Description

The project to be funded by the proposed assessment is the on-going repair and maintenance of certain identified road improvements to Ranch Creek Lane and Ranch Creek Road located within PRD Zone 133. Table 1 below summarizes the identified road segments and provides additional detail as to the estimated project limits.

TABLE 1: Summary of PRD 133 Roads

Road Name	Segment Limits		Approximate Road Area (L x W)
	From	To	
Oak Creek	Ranch Creek Road	End of Road	422' x 17'
Ranch Creek Lane	Ranch Creek Road	End of Road	704' x 20'
Ranch Creek Road	Cool Valley Road	Ranch Creek Lane	668' x 20'
Ranch Creek Road	Cool Valley Road	Ranch Creek Lane	1960' x 20'
Ranch Creek Road Spur 1 *	Ranch Creek Road	End of Road	581' x 13'
Ranch Creek Road Spur 2*	Ranch Creek Road	End of Road	366' x 13'

* Indicates new road segment intended to be included as part of these assessment proceedings.

Repair and maintenance work will be performed using materials and in a manner substantially similar to that used on public streets within the County maintained road system.

Estimate of Project Costs

An estimate of project costs, prepared by the County in coordination with the PRD Zone 133 Citizen's Committee, is summarized in Table 2 below.

TABLE 2: Estimate of Project Costs for Initial Nine-Year Period

Budget Item	Project Cost ⁽¹⁾	Comment
Road Repair	\$296,650	Initial condition assessment, prioritization, maintenance
Reassessment Costs ⁽²⁾	\$30,000	Petition, assessment report, election services
District Administration	\$45,000	Budgeted at \$5,000 annually
Contingency	\$10,800	Budgeted at \$1,200 annually
Total Project Cost	\$382,450	

⁽¹⁾ Estimated total project costs for initial nine-year period. Costs shown in March 2018 dollars (ENR LACCI = 11,935.82)

⁽²⁾ Indicates a one-time, non-recurring expense to be collected in the first fiscal year

Annual Funding Requirement

Table 3 below summarizes the annual funding requirement for the initial nine-year period. The amount reflects 2018 (Year 1) dollars:

TABLE 3: Annual Funding Requirement for Initial Nine-Year Period

Item	Estimated Cost
Total Project Costs	\$382,450
Term of Payment in Years	9
Annual Funding Requirement	\$42,495

Method of Apportionment of Assessments

All of the parcels of real property located within PRD Zone 133 shall be assessed for the purpose of funding on-going repair and maintenance of the identified roads located within PRD Zone 133. The assessment imposed is a special assessment that is required to be apportioned on the basis of benefit to property. The project, on-going maintenance of identified roads, is intended to provide reliable all-weather access to all of the properties located within PRD Zone 133. The benefits are wholly special benefit to the properties with PRD Zone 133 since only properties within PRD Zone 133 are served by the roads and the roads are not part of a larger road network that serves parcels not within PRD Zone 133, nor the public at large.

Equivalent Benefit Units

Equivalent benefit units ("EBUs") are assigned to each parcel in PRD Zone 133 in proportion to the special benefit it receives. EBUs are assigned to parcels based upon the use of the maintained roadways and the special benefit they receive, as described below:

- Each parcel within the boundaries of the PRD Zone that must travel along the main backbone portion of Ranch Creek Road south of the bend and south of the additional roadway segment to be added to the northern part of Ranch Creek Road for ingress/egress to their property is assigned 1 EBU.
- Each parcel within the boundaries of the PRD Zone that gains ingress/egress to or from their property using Ranch Creek Road, plus an additional stretch of roadway that is either existing or proposed to be added along Ranch Creek Road or other, and is adjacent or perpendicular to Ranch Creek Road is assigned 1.25 EBUs.
- For any parcel within the boundaries of the PRD Zone that's primary point of ingress/egress does not require the passage over the culvert on Ranch Creek Road receives a 50% reduction in its EBU assignment.

There are a total of 30 EBUs for PRD Zone 133 as shown in Table 5 below. The assessment rate per EBU is determined by dividing the annual funding requirement by the total number of EBUs.

TABLE 5: Equivalent Benefit Units

APN	Primary Point of Ingress/Egress	EBUs
133-311-11	Northeast of Ranch Creek Road Split	1.25
133-311-12	Northeast of Ranch Creek Road Split	1.25
133-311-18	Northeast of Ranch Creek Road Split	1.25
133-311-19	Northeast of Ranch Creek Road Split	1.25
133-311-20	Northeast of Ranch Creek Road Split	1.25
133-311-21	Northeast of Ranch Creek Road Split	1.25
133-311-22	Northeast of Ranch Creek Road Split	1.25
133-311-23	Northeast of Ranch Creek Road Split	1.25
133-311-24	Northeast of Ranch Creek Road Split	1.25
133-311-25	Northeast of Ranch Creek Road Split	1.25
133-370-03	Ranch Creek Road, East of Split	1.25
133-370-04	Ranch Creek Road, North of Culvert and South of Split	1.00
133-370-05	Ranch Creek Road, North of Culvert and South of Split	1.25
133-370-06	Ranch Creek Road, North of Culvert and South of Split	1.25
133-370-07	Private Road Proposed to be Added	1.25
133-370-08	Oak Creek	1.25
133-370-09	Oak Creek	1.25
133-370-10	Ranch Creek Road, North of Culvert and South of Split	1.00
133-370-11	Ranch Creek Road, South of Culvert	0.50
133-370-13	Ranch Creek Road, East of Split	1.25
133-370-14	Ranch Creek Road, East of Split	1.25
133-370-15	Private Road Proposed to be Added	1.25
133-370-16	Ranch Creek Road, North of Culvert and South of Split	1.25
133-370-17	Ranch Creek Road, East of Split	1.25
133-370-18	Oak Creek	1.25
Total EBUs		30.00

Assessments

Table 6 below summarizes the assessment rate per EBU necessary to fund the annual funding requirement for the initial nine-year period. All figures are shown in 2018 (Year 1) dollars.

TABLE 6: Assessment Rate for Initial Nine-Year Period

Item	Estimated Cost ⁽¹⁾
Annual Funding Requirement	\$42,495
Total EBUs in PRD Zone 133	30
Assessment Rate Per EBU (rounded) ⁽²⁾	\$1,417

⁽¹⁾ Cost shown in March 2018 dollars (ENR LACCI = 11,935.82).

⁽²⁾ Subject to increase based on annual cost-indexing provisions.

Table 7 below summarizes the assessment rate per EBU necessary to fund annual maintenance after the initial nine-year period.

TABLE 7: Assessment Rate for Maintenance Beginning Year Ten

Item	Estimated Cost ⁽¹⁾
Estimated Annual Maintenance Expense	\$18,000
Total EBUs	30
Assessment Rate per EBU ⁽²⁾	\$600.00

⁽¹⁾ Cost shown in February 2018 dollars (ENR LACCI = 11,935.82).

⁽²⁾ Subject to increase based on annual cost-indexing provisions.

Annual Cost-Indexing

The assessments identified in this Report may be increased each year based on the annual change in the “Los Angeles Construction Cost Index” (LACCI) as published by Engineering News Record. Indexing the proposed assessments will allow for increases in normal repair, maintenance and operating costs, without triggering the need for additional election proceedings required by Proposition 218. Any significant change initiated by an increase in service provided or beyond the cost-indexed assessment levels would still require Proposition 218 proceedings and future voter approval.

Assessment Diagram

This Report and the associated proceedings are intended to authorize the collection of an assessment in lieu of the assessment currently being levied on parcels within PRD Zone 133. The boundaries of PRD Zone 133 remain unchanged.

Appendix A provides a copy of the Assessment Diagram.

Assessment Roll

The Assessment set forth for each parcel is shown in Table 8, the Assessment Roll for the PRD Zone. The Assessment Roll lists all parcels within the boundaries of PRD Zone 133as shown on the Assessment Diagram, and on the last equalized roll of the Assessor of the County of San Diego, which is by reference made part of this Report.

TABLE 8: Assessment Roll

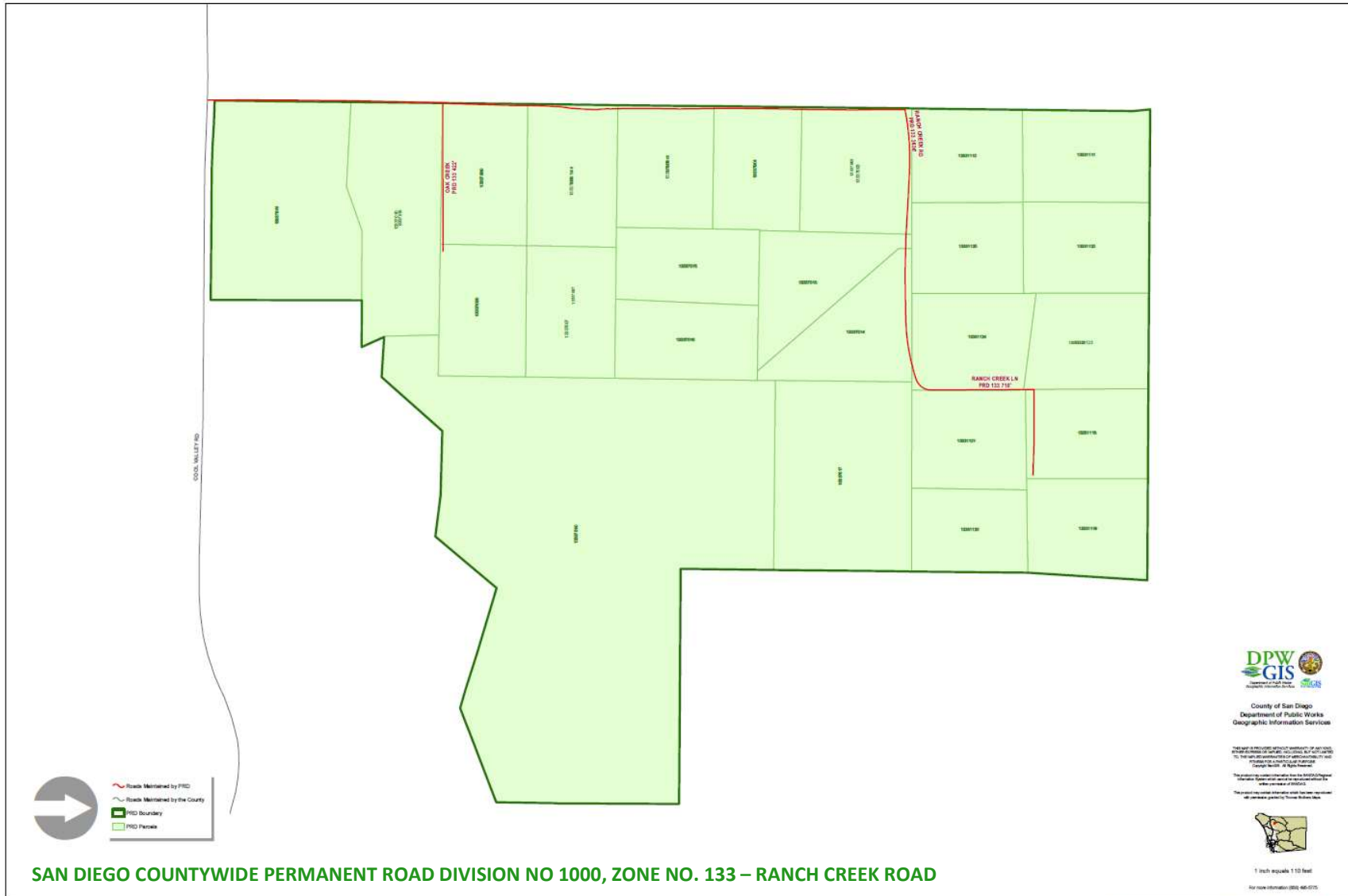
APN	Primary Point of Ingress/Egress	EBU ⁽¹⁾	Annual Assessment Amount	
			Years 1 - 9 ⁽²⁾	Years 10+ ⁽³⁾
133-311-11	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-12	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-18	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-19	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-20	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-21	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-22	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-23	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-24	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-311-25	Northeast of Ranch Creek Rd Split	1.25	\$1,771	\$750
133-370-03	Ranch Creek Rd East of Split	1.25	\$1,771	\$750
133-370-04	Ranch Creek Rd North of Culvert and South of Split	1.00	\$1,417	\$600
133-370-05	Ranch Creek Rd North of Culvert and South of Split	1.25	\$1,771	\$750
133-370-06	Ranch Creek Rd North of Culvert and South of Split	1.25	\$1,771	\$750
133-370-07	Private Rd Proposed to be Added	1.25	\$1,771	\$750
133-370-08	Oak Creek	1.25	\$1,771	\$750
133-370-09	Oak Creek	1.25	\$1,771	\$750
133-370-10	Ranch Creek Rd North of Culvert and South of Split	1.00	\$1,417	\$600
133-370-11	Ranch Creek Road South of Culvert	0.50	\$708	\$300
133-370-13	Ranch Creek Rd East of Split	1.25	\$1,771	\$750
133-370-14	Ranch Creek Rd East of Split	1.25	\$1,771	\$750
133-370-15	Private Rd Proposed to be Added	1.25	\$1,771	\$750
133-370-16	Ranch Creek Rd North of Culvert and South of Split	1.25	\$1,771	\$750
133-370-17	Ranch Creek Rd East of Split	1.25	\$1,771	\$750
133-370-18	Oak Creek	1.25	\$1,771	\$750
Totals		30.00	\$42,495	\$18,000

⁽¹⁾ Equivalent Benefit Units.

⁽²⁾ Figures are rounded to dollars.

⁽³⁾ Subject to annual increase based on cost-indexing provisions.

Appendix A - Assessment Diagram



This map (DPW43586-01/specia_Districts/PRD/mid/map_series.mxd) was produced on 11/14/2008

Appendix B - Property Owner Petition
(provided on the following pages)

Resolution No.: _____

Meeting Date: 5/9/2018

ATTACHMENT D

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACCEPTING THE ENGINEER'S REPORT, SETTING A PUBLIC HEARING AND CALLING FOR A SPECIAL LANDOWNER ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 133 – RANCH CREEK ROAD FOR THE PURPOSE OF IMPOSITION OF AN ASSESSMENT FOR ROAD MAINTENANCE SERVICES

WHEREAS, the Board of Supervisors (the “Board”) of the County of San Diego (the “County”), on January 4, 1994 (14), adopted Ordinance No. 8341 establishing County Service Area No. 133 – Ranch Creek Road (“CSA 133”) pursuant to the provisions of County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2, Division 2 of Title 3 of the Government Code; and

WHEREAS, on June 21, 2000 (18), the Board adopted a resolution ordering the dissolution of County Service Areas and Established Permanent Road Division Zone of Benefit and transferred responsibilities of CSA 133 to Countywide Permanent Road Division No. 1000 (a successor agency); and

WHEREAS, by ORDINANCE NO. 9224 (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. 133 – RANCH CREEK ROAD (PRD Zone) the Board established a maximum assessment to be collected in the PRD Zone; and

WHEREAS, the assessments currently collected in the PRD Zone are insufficient to fund continued road maintenance and a petition was received by the Department of Public Works (DPW) on January 9, 2018 requesting an assessment election within the PRD Zone to increase the assessment and provide for additional road maintenance; and

WHEREAS, DPW reviewed the petition and determined that it complies with the Streets and Highways Code sections 1169 and 1170, and Board Policy J-16 so that the Board may now fix and collect parcel charges pursuant to Streets and Highways Code section 1179.5 in accordance with Article XIID, Section 4, of the California Constitution and Section 53753 of the Government Code; and

WHEREAS, DPW has caused to be prepared a detailed Engineer’s Report addressing the maintenance and improvement work requested in the petition that provides a general description of the proposed improvements, the estimated costs of the improvements and incidental expenses in connection with the improvements, a diagram showing the boundaries of the land to be assessed and proposed maximum annual assessment on each parcel of land; and

Resolution No.: _____

Meeting Date: 5/9/2018

ATTACHMENT D

WHEREAS, the Board of Supervisors desires to submit to the property owners of Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road for their approval by at least a weighted majority vote the question of whether an assessment for road improvement and maintenance consistent with the Engineer’s Report shall be approved and levied within the PRD Zone.

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of San Diego County as follows:

Section 1. The above recitals are true and correct, and the Board so finds and determines.

Section 2. The Board proposes to levy parcel charges within the PRD Zone pursuant to Streets and Highways Code Sections 1179.5 and Government Code Section 53753. These charges constitute assessments within the meaning of Article XIII D, Section 4, of the California Constitution.

Section 3. The services proposed to be provided within the PRD Zone are road maintenance and improvement or construction work necessary for ongoing maintenance or any one or combination thereof.

Section 4. The Board accepts the Engineer’s Report and directs that the report be made available for public inspection during regular business hours by the Department of Public Works at the Department’s offices located at 5510 Overland Avenue, San Diego, California, and online at www.sandiegocounty.gov in a conspicuous location.

Section 5. A public hearing on the proposed assessment shall be held on June 27, 2018, at 9:00 a.m. in Room 310 of the County Administration Center, 1600 Pacific Highway, San Diego, California.

Section 6. An election of the landowners within Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road shall be conducted as required by Article XIII D of the Constitution of the State of California and ballots will be tabulated by, or on behalf of, the Clerk of the Board at the conclusion of the public hearing.

Section 7. This resolution shall take effect immediately upon its passage.

Section 8. The Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Resolution No.: _____

Meeting Date: 5/9/2018

ATTACHMENT D

APPROVED AS TO FORM AND LEGALITY

Thomas L. Bosworth, Sr. Deputy

PASSED, APPROVED AND ADOPTED this 9th day of May, 2018.

AN ORDINANCE PROVIDING A PROCEDURE FOR FIXING AND
COLLECTING CHARGES ON THE TAX ROLL FOR PERMANENT
ROAD DIVISION NO. 1000, ZONE NO. 133 – RANCH CREEK ROAD

The Board of Supervisors of the County of San Diego, acting on behalf of San Diego Countywide Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road, ordains as follows: **Section 1. Purpose.** San Diego Countywide Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road (PRD 1333) is authorized to provide services of road improvement and maintenance. These sections further authorize the Board to collect such charges on the tax roll by adopting the procedure set forth herein. The above recitals, and each of them, are true and correct.

Section 2. Fixing of Charges. There is hereby established an annual maximum assessment on each parcel of taxable property within PRD 133 of up to \$1,417 per equivalent benefit unit (“EBU”) for the first nine years; and, thereafter, in an amount of up to \$600 per year per EBU with all assessments subject to adjustment for annual increases in the cost of living based on the annual increase, if any, in the Los Angeles Construction Cost Index (“LACCI”) as published in the Engineering News Record, or any comparable index for the Southern California area should the LACCI cease to be available. Such charges shall be reviewed by staff annually and shall be fixed by the following procedure:

- (a) A budget shall be proposed for the fiscal year specifying amounts required to provide the required level of services proposed to be funded and the required level of services proposed to be funded by the assessments.
- (b) The fund balance and any revenues to be obtained from a source other than the assessment established by this Ordinance, shall be deducted from the amount of the proposed budget.
- (c) The balance remaining shall be apportioned to the total number of units subject to assessment in accordance with the rate and method of apportionment set forth in the Engineer’s Report dated March 2018 on file with the County of San Diego.

Section 3. 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 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 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 by 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 or extends the

levy beyond the date or amounts approved by the property owners, shall be subject to approval in accordance with Article XIID of the California Constitution. Upon approval, the increased or extended 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 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 4. 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 a newspaper of general circulation published in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY

Thomas L. Bosworth, Sr. Deputy

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 27th day of June, 2018.

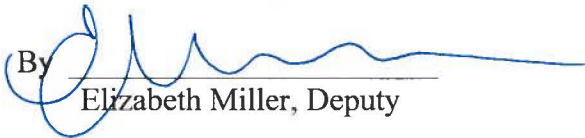

KRISTIN GASPAR
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 27th day of June, 2018.

DAVID HALL
Clerk of the Board of Supervisors

By 
Elizabeth Miller, Deputy



Ordinance No.: 10546 (N.S.)

06/27/18 (1)

ORDINANCE NO. 9224 (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. 133 – RANCH CREEK ROAD

The Board of Supervisors of the County of San Diego, acting on behalf of San Diego Countywide Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road, ordains as follows:

Section 1. Purpose. San Diego Countywide Permanent Road Division No. 1000, Zone No. 133 – Ranch Creek Road is authorized to provide services of road improvement and maintenance. It is the successor in interest to County Service Area No. 133 – Ranch Creek 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. 8341 approved by the Board on January 4, 1994, that provided the procedure for County Service Area No. 133 – Ranch Creek 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 \$225.00 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.

(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 7 acres of land shall be assigned one unit of benefit.
- (c) Each parcel containing over 7 acres shall be assigned 2 units of benefit.
- (d) 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.

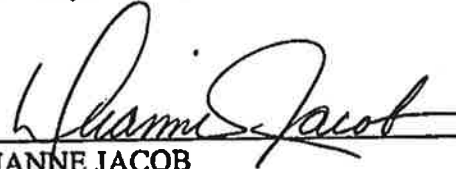
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APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

BY William D. Smith
SENIOR DEPUTY

5/25/10

PASSED, APPROVED and ADOPTED this 21ST day of June, 2000.



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, Deputy



Ordinance No. 9224 (New Series)
6/21/00 (18)