

ORDINANCE NO. 0204 (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. 95 – VALLE DEL SOL

The Board of Supervisors of the County of San Diego, acting on behalf of San Diego Countywide Permanent Road Division No. 1000, Zone No. 95 – Valle Del Sol, ordains as follows:

Section 1. Purpose. San Diego Countywide Permanent Road Division No. 1000, Zone No. 95 – Valle Del Sol is authorized to provide the miscellaneous extended services of road improvement and maintenance. It is the successor in interest to County Service Area No. 95 – Valle Del Sol. 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. 6355 approved by the Board on June 1, 1982, that provided the procedure for County Service Area No. 95 – Valle Del Sol.

Section 2. Fixing of Charges. For the miscellaneous extended services related to road improvement and maintenance, there is hereby continued in effect an annual maximum charge of up to \$75 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 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 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 service shall not be assigned units of benefit.
- (b) Each parcel containing not more than 4.99 acres of land shall be assigned one (1) unit of benefit.
- (c) Each parcel containing at least 5.00 acres of land but not more than 9.99 acres of land shall be assigned two (2) units of benefit.
- (d) Each parcel containing at least 10.00 acres of land but not more than 19.99 acres of land shall be assigned three (3) units of benefit.
- (e) Each parcel containing at least 20.00 acres or more of land shall be assigned four (4) units of benefit.
- (f) Each parcel having direct access to Valle Del Sol shall be assigned one (1) additional unit of benefit.
- (g) Each improved parcel according to Assessor's records 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 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.

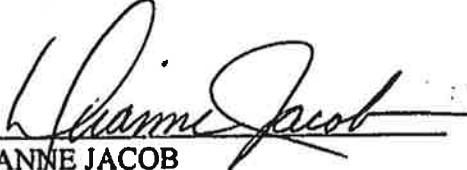
(c) At the time, date, and place stated in the notice, the Board of Supervisors shall hear and consider all objections or protests, if any, to the report and may continue the hearing from time to time. Upon conclusion of the hearing,

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 San Diego Commerce newspaper of general circulation published in the County of San Diego.

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

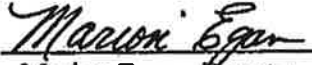
  
DIANNE JACOB  
Chairwoman of the Board of Supervisors of the  
County of San Diego, State of California

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. 9204 (New Series)  
6/21/00 (18)

RESOLUTION ESTABLISHING  
COUNTY SERVICE AREA NO. 95 - VALLE DEL SOL  
WITHOUT AN ELECTION AND ORDERING  
MAXIMUM PROPERTY TAX RATE ELECTION

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

WHEREAS, on July 5, 1977, this Board adopted  
its resolution of intention to form County Service Area  
No. 95 - Valle Del Sol  
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 des-  
cribed 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 August 17, 1977  
at 2:00 P .m.; and

WHEREAS, notice of said hearing was given, as required by  
law, as shown by the affidavit of publication on file herein  
(Document No. 545353); 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 54773, 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 pro-  
vision of the extended services herein proposed at the earliest  
possible date; and

WHEREAS, in the judgment of this Board it is advisable to  
call an election and submit to the electors of said county  
service area the question to establish the maximum property tax  
rate of said county service area; NOW THEREFORE

IT IS RESOLVED, ORDERED AND DETERMINED as follows:

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1. The services described in said resolution of intention, as hereinafter set forth, are extended county services.

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% 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 types 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 are road improvement and maintenance

5. The Board certifies, in accordance with Section 15064 of the State Guidelines for Implementation of the California Environmental Quality Act of 1970 (Div. 6, Title 14, Cal. Admin. Code, commencing at § 15000), that it has reviewed and considered the information contained in the Negative Declaration prepared by the Local Agency Formation Commission.

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. Except where funds are otherwise available from service charges collected pursuant to Section 25210.77a of the Government Code, a tax sufficient to pay for all such services which are furnished on an extended basis will be annually levied upon all taxable property within such county service area at a rate not to exceed the maximum property tax rate authorized by Chapter 3 (commencing with § 2201), Part 4 of Division 1 of the Revenue and Taxation Code.

8. The following described territory is declared established without an election as a county service area and shall be designated County Service Area No. 95 - Valle Del Sol

pursuant to Government Code Section 25210.18:

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*3 Aug 77*

All that portion of the South Half of Section 24, Township 10 South, Range 4 West, and the West Half of Section 19, 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 boundary:

Beginning at the southwest corner of said Section 24;

1. Thence along the West line of said Section North  $0^{\circ}04'$  East 1311.41 feet to the northwest corner of the southwest Quarter of the southwest Quarter of said Section 24;
2. Thence along the North line of said Quarter-Quarter and the North line of the southeast Quarter of said southwest Quarter, South  $89^{\circ}24'53''$  East 2354.29 feet;
3. Thence leaving said North line North  $26^{\circ}05'$  West 136.71 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 500 feet;
4. Thence northwesterly along said curve 167.92 feet;
5. Thence tangent to said curve North  $45^{\circ}19'30''$  West 124.98 feet;
6. Thence South  $89^{\circ}21'30''$  East 566.73 feet to a point on the West line of Parcel Map 1361 filed in the office of the Recorder of said County;
7. Thence North  $5^{\circ}00'00''$  West to a point on the West line of the northwest Quarter of the southeast Quarter of said Section, distance thereon South 499.64 feet from the center of said Section 24;
8. Thence continuing North  $5^{\circ}00'00''$  West 23.36 feet;
9. Thence East 1019.04 feet to the southeast corner of Parcel Map 2821 filed in said Recorder's office;
10. Thence North  $5^{\circ}02'52''$  West 462 feet (Record North  $5^{\circ}00'00''$  West 461.53 feet to Point "A");
11. Thence North  $89^{\circ}57'40''$  East 955.17 feet; as provided by the Local Agency Formation Commission of San Diego

JUN 6 1977

*Robert J. Casman*  
Secretary of said Commission

- 12. Thence South 0°18'19" West 75.09 feet;
- 13. Thence South 24°50'42" East 146.12 feet;
- 14. Thence South 87°59'40" East 34.77 feet;
- 15. Thence North 28°39'41" East 34.56 feet;
- 16. Thence North 54°21'59" East 85.99 feet;
- 17. Thence North 24°31'00" East 140.85 feet;
- 18. Thence North 89°57'40" East to an angle point in the southerly boundary of land described in Deed to Samuel S. Schier, recorded October 15, 1951 in Book 4262 Page 209 of Official Records on file in the Recorder's office of said San Diego County being distant North 89°57'40" East, 1325.39 feet from said Point "A";
- 19. Thence South 4°56'30" East 420.40 feet;
- 20. Thence North 55°47'20" East 395.22 feet;
- 21. Thence North 23°18'30" East 132.93 feet to a point on the arc of a non-tangent 280 foot radius curve, concave, northerly a radial line bearing North 23°18'30" East from said Point;
- 22. Thence easterly along the arc of said curve 340.47 feet through a central angle of 69°40'10";
- 23. Thence tangent to said curve North 43°38'20" East 387.86 feet to the center line of Road Survey No. 123, on file in the office of the County Engineer of said County of San Diego;
- 24. Thence southeasterly and southerly along said center line of Road Survey No. 123 to the North line of Lot 4 (southwest Quarter of the southwest Quarter) of said Section 19;
- 25. Thence leaving said North line, South 1°36'50" East 0.19 feet to the beginning of a tangent curve concave westerly having a radius of 1000 feet;
- 26. Thence southerly along the arc of said curve through a central angle of 12°01'50" a distance of 209.97 feet;
- 27. Thence tangent to said curve South 10°25' West 47.25 feet to the beginning of a tangent curve concave northwesterly, and having a radius of 200 feet;

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*Robert A. Carmichael*  
Secretary of said Commission



- 28. Thence southwesterly along the arc of said curve through a central angle of 55°48'40" a distance of 194.82 feet;
- 29. Thence tangent to said curve South 66°13'40" West 166.83 feet to the beginning of a tangent curve concave southeasterly and having a radius of 120 feet;
- 30. Thence southwesterly along the arc of said curve through a central angle of 45°04'50" a distance of 94.42 feet;
- 31. Thence tangent to said curve South 21°08'50" West 149.16 feet to the beginning of a tangent curve concave northwesterly and having a radius of 270 feet;
- 32. Thence southwesterly along the arc of said curve through a central angle of 50°45'10" a distance of 239.17 feet;
- 33. Thence tangent to said curve South 71°54' West 54.88 feet to the beginning of a tangent curve concave southeasterly and having a radius of 70 feet;
- 34. Thence southwesterly along the arc of said curve through a central angle of 55°37'40" a distance of 67.96 feet;
- 35. Thence tangent to said curve South 16°16'20" West 64.96 feet to the beginning of a tangent curve concave northwesterly and having a radius of 500 feet;
- 36. Thence southerly along the arc of said curve through a central angle of 13°15'50" a distance of 115.75 feet;
- 37. Thence North 59°02' West 12.11 feet;
- 38. Thence South 29°08' West 110.22 feet to a point on the West line of said Lot 4, Section 19, distance thereon 190.09 feet northerly from the southwest corner thereof;
- 39. Thence along said West line to the southeasterly line of said Road Survey No. 123;
- 40. Thence southwesterly along said southeasterly line of Road Survey No. 123 to the South line of said Section 24;
- 41. Thence westerly along said South line to the point of beginning.

Approved by the Local Agency Formation Commission of San Diego

JUN 6 1977

*Robert C. ...*  
Secretary of said Commission

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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 54797.2 and by Chapter 8 (commencing with § 54900), Part 1, Division 2, Title 5 of the Government Code.

IT IS FURTHER RESOLVED, ORDERED AND DETERMINED as follows:

1. An election will be called and held on Tuesday, November 15, 1977 within the boundaries of County Service Area No. 95 - Valle Del Sol at which election there shall be submitted to the qualified electors of said county service area the following question as authorized by Section 2265 and Article 6 (commencing with Section 2285), Chapter 3, Part 4, of Division 1 of the Revenue and Taxation Code:

"Shall the maximum property tax rate of County Service Area No. 95 - Valle Del Sol be established at \$0.71 per \$100 of assessed valuation, the revenues of which will be used for road improvement and maintenance and for such other purposes as the county service area may lawfully expend money?"

2. Pursuant to Revenue and Taxation Code Section 2287, this election shall be by mailed ballots because the use of mailed ballots for this election is less costly than other election procedures. This election shall not be consolidated with other elections as required by Revenue and Taxation Code Section 2289 because the election will be by mailed ballots.

3. Notice, in substantially the form hereinafter set forth, shall be published by the Registrar of Voters pursuant to Elections Code Section 2554 and Government Code Section 6061 in a newspaper of general circulation circulating within said county service area:

NOTICE OF ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of County Service Area No. 95 - Valle Del Sol of San Diego County that an election will be held on Tuesday, November 15, 1977 at which election there will be submitted to the qualified electors of said area the following question:

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*3 Aug 77*  
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"Shall the maximum property tax rate of County Service Area 95 - Valle Del Sol be established at \$0.71 per \$100 of assessed valuation of property, the revenues of which will be used for road improvement and maintenance and for such other purposes as the county service area may lawfully expend money."

Pursuant to Revenue and Taxation Code Section 2288(a) and (e), the election shall be by mailed ballots.

BY ORDER OF THE BOARD OF SUPERVISORS of the County of San Diego dated August 17, 1977.

R. T. DENNY  
Registrar of Voters

By \_\_\_\_\_

4. The notice hereinabove set forth and published as provided herein shall constitute the notice of this election and no other publication or posting shall be required.

5. Written arguments for and against the question, not to exceed 300 words in length, may be filed with the Registrar of Voters no later than September 23, 1977, in accordance with Elections Code Section 3714.

6. Pursuant to Elections Code Section 3787, rebuttal arguments, not exceeding 250 words, shall be permitted. Rebuttal arguments must be filed with the Registrar of Voters not more than 10 days after the final date for filing direct arguments.

7. This election shall be governed by Article 6 (commencing with Section 2285), Chapter 3, Part 4 of Division 1 of the Revenue and Taxation Code.

8. The Registrar of Voters shall render all necessary and appropriate services in connection with the calling, holding and conducting of this election.

9. County Service Area No. 95 - Valle Del Sol shall reimburse the County of San Diego in full for the services performed by the Registrar of Voters upon presentation of a bill for such services to said county service area, as required by Revenue and Taxation Code Section 2288(d).

10. The Clerk of this Board shall immediately transmit a copy of this resolution to the Registrar of Voters of the County of San Diego.

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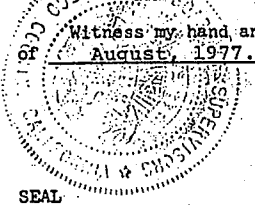
PASSED AND ADOPTED by the Board of Supervisors of the County of San Diego, State of California, this 17th day of August, 1977, by the following vote:

- AYES: Supervisors Hamilton, Moore and Taylor
- NOES: Supervisors None
- ABSENT: Supervisors Hedgecock and Bates

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STATE OF CALIFORNIA ) ss.  
County of San Diego )

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.

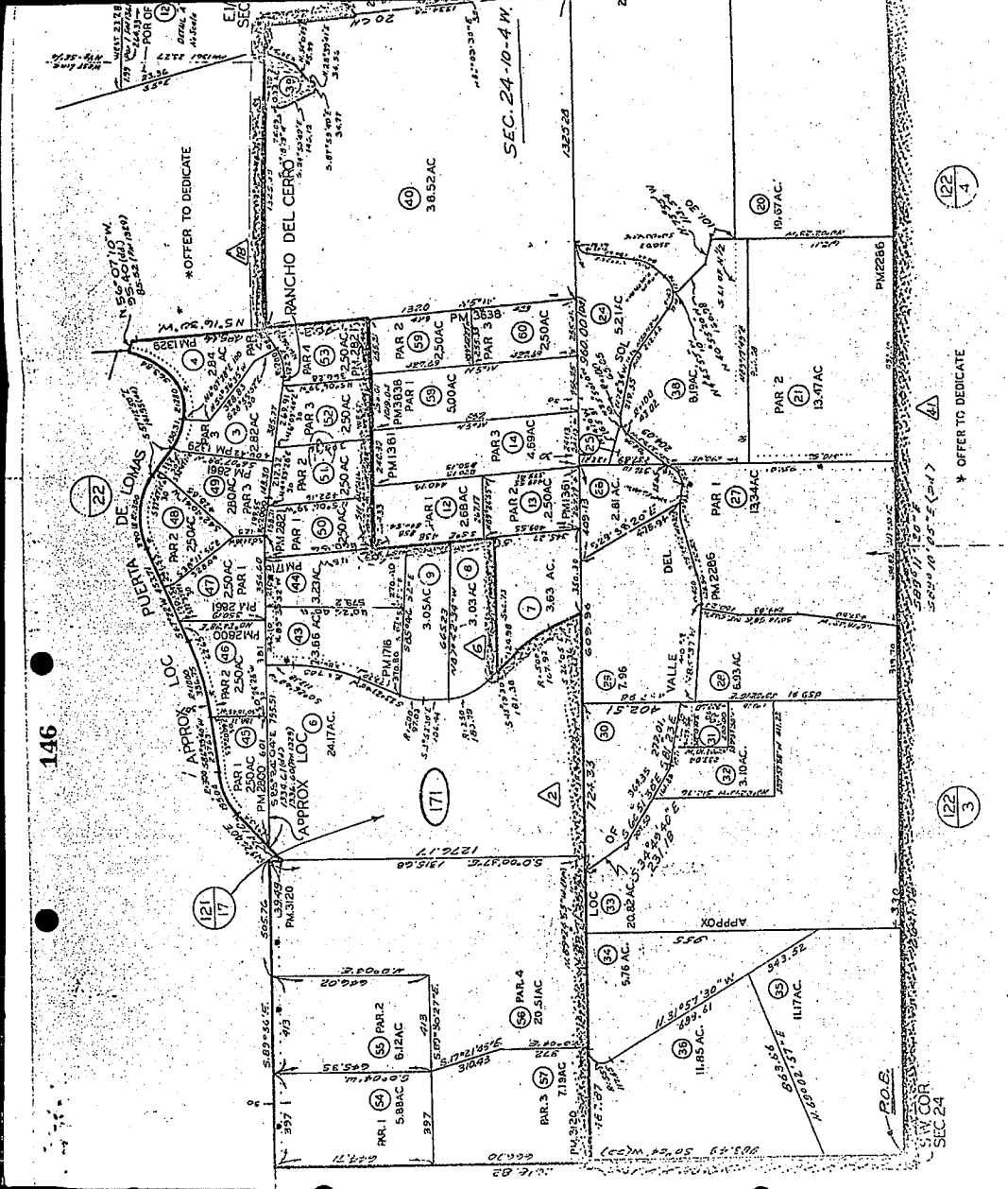


Witness my hand and the seal of said Board of Supervisors, this 17th day of August, 1977.

PORTER D. CREMANS  
Clerk of the Board of Supervisors  
By Beatrice Mitchell  
Deputy

DF77-1

PTQ SEC 24 - T10S-R4W - MISC MAP



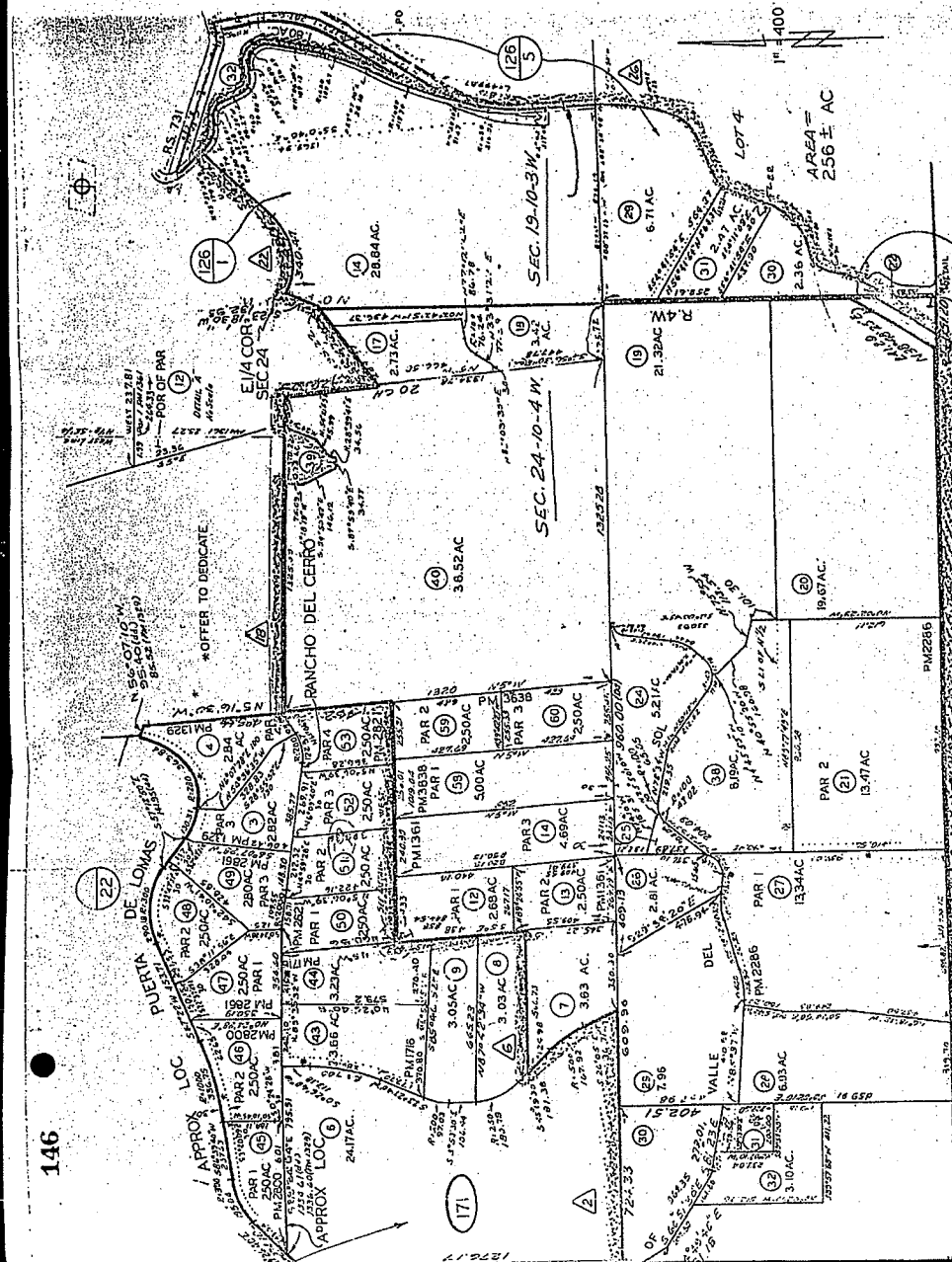
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FOR ANY PURPOSES ONLY

PTQ SEC 24 - T10S-R4W -



PROPOSED CSA FOR  
VALLE DEL SOL IN  
THE BONSALE AREA

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PCR SEC 24 - T10S-R4W - MISC. MAP

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\* OFFER TO DEDICATE

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