

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor:
Duly seconded by Supervisor:

The following resolution is adopted:

RESOLUTION OF INTENTION TO AUTHORIZE AND LEVY AN INCREASED ASSESSMENT FOR ROAD MEDIAN MAINTENANCE, STREET UTILITY MAINTENANCE, DRAINAGE FACILITY MAINTENANCE, AND BEACH WALKWAY AND STAIRWAY MAINTENANCE, PATROL, AND LITTER CONTROL SERVICES FOR THE BEACH AREA BELOW VIA PALO ALTO AND EXTENDING SOUTH TO THE RESORT, ALL WITHIN COUNTY SERVICE AREA NO. 3, APTOS SEASCAPE

WHEREAS, this Board has caused to be prepared, and on this date has received for filing with the Clerk of this Board, the written Engineer's Report, a copy of which is attached and incorporated herein, prepared by a registered professional engineer certified by the State of California for a proposed increased assessment within County Service Area No. 3, Aptos Seascapes, pursuant to Article XIID, Section 4 of the Constitution; and,

WHEREAS, the Engineer's Report determines and specifies all the following:

1. The schedule attached to the original Engineer's Report identifies and describes all parcels which have a special benefit conferred on them and on which the assessment will be imposed, and sets forth the amount of the assessment for each parcel for the fiscal year 2025-26;
2. The proportionate special benefit derived by each identified parcel in relation to the entirety of the cost of the services to be provided;
3. No assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on each parcel;
4. The only benefits assessed are special and the general benefits have been separated from the special benefits

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conferred on each parcel;

- 5. The duration of the assessment is specified;
- 6. The basis of the assessment is stated; and

WHEREAS, after considering the Engineer’s Report, this Board finds it is in the best interest of County Service Area No. 3, Aptos Seascape, and its owners and inhabitants to declare its intention to levy the proposed assessments each year in accordance with that report.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz resolves and orders as follows:

- 1. Declaration of Intention. This Board declares its intention under the authority of County Service Area Law commencing with Government Code Section 25210 and Article XIII D, Section 4 of the Constitution, to levy an increased assessment upon real property within County Service Area No. 3, Aptos Seascape for the fiscal year 2025-26, and each year thereafter as follows:

- A. \$100.00 per year per residential, vacant parcel
 \$200.00 per year per duplex parcel
 \$300.00 per year per 3 units condo parcel
 \$400.00 per year per fourplex, retirement home parcel
 \$800.00 per year per minor commercial, affordable housing, hotel, swim/tennis club parcel

Common areas, parcels which have been determined to be unbuildable by the Planning Department or Environmental Health Regulations, and parcels with an assessed valuation of \$5,000.00 or less, will not be charged.

- B. For each fiscal year after 2025-26, the assessment rate may be increased by a percentage which does not exceed the percentage increase in the Consumer Price Index, All Urban Consumers, for the San Francisco-Oakland-San Jose Metropolitan Area, as published by the U.S. Department of Labor, Bureau of Labor Statistics, (or in any price index which replaces that index in the future) for the prior calendar year. The assessment rate will be increased only when necessary to meet approved expenses and would not automatically increase each year. If in any year the assessment rate is

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not increased or is increased by an amount less than the increase in the Consumer Price Index, the difference between the rate of the increase in the assessment rate and the rate of increase in the Consumer Price Index will remain available for use in future years to raise the assessment rate as necessary to meet approved expenses.

- C. The lien date shall be that prescribed by law.
 - D. The foregoing schedule and rate is based upon a flat fee for each parcel. The assessment is proportional to the special benefit derived by each identified parcel in relation to the entirety of the cost of the property related service being provided. No assessment exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
2. Public Hearing. On April 29, 2025, at 9:00 a.m. or thereafter this Board will hold a public hearing on the proposed County Service Area No. 3, Aptos Seascapes assessments, and will consider the ballots described in paragraph 5 and any protests described in paragraph 6.
 3. Answering Inquiries. This Board designates the Director of Public Works or his authorized representative(s) as the person to answer inquiries regarding the protest proceedings.
 4. Notice of Public Hearing. The Clerk of this Board is directed to give notice of the public information meeting and of the public protest hearing as follows:

Pursuant to Subsections (c) and (d) of Article XIID, Section 4 of the Constitution, the notice given pursuant to the preceding paragraph shall give the record owner of each identified parcel the amount of the proposed assessment, the total amount thereof chargeable to the whole County Service Area No. 3, Aptos Seascapes, the amount chargeable to the owner's particular parcel, the duration of such payment, the reason for such assessment, and the basis upon which the proposed assessment was calculated, together with the date, time and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of the procedures applicable to the completion, return and tabulation of the ballots required, including a disclosure

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statement that the existence of a majority protest will result in the increased assessment not being imposed. Each such notice shall contain a ballot whereby each such owner may indicate his or her name, a reasonable identification of the parcel, and support or opposition to the proposed assessment.

- 5. The Property Owner Ballot Procedure. As required by Section 4 of Article XIID of the California Constitution, a Property Owner Ballot must be enclosed with the notice of the proposed assessment. This ballot may be used by the owner(s) of any parcel to express either support for or opposition to the proposed assessment. The ballot instructions will describe the alternative methods for submitting the ballot by mail or by personal delivery, either prior to or at the time of the public hearing of protests. Upon the close of the public hearing, the returned ballots will be tabulated, both in support of and in opposition to the assessment, with ballots being weighted in accordance with the amount of the proposed assessment, and considering the returned ballots only, the results will be announced; provided that, in the event additional time is required to determine whether any ballot has been properly tabulated or to tabulate all the votes, the Board may continue the matter of announcing results to provide such additional time.

If ballots in opposition exceed ballots in support, there will be a "majority protest," and the Board will be precluded from proceeding with the proposed assessment.

- 6. Protests. Any protest pertaining to the validity of the assessment or the regularity or sufficiency of the proceedings shall be in writing and shall clearly and specifically set forth the alleged irregularity or defect. Any grounds of protest not stated in a written protest filed prior to the close of the public hearing shall be deemed waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this ____ day of _____, 20 ____, by the following vote:

AYES:
NOES:

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ABSENT:
ABSTAIN:

Chair of the Board of Supervisors

ATTEST: _____

Clerk of the Board

Approved as to Form:

Signed by:

Natalie Kirkish 1/7/2025

Office of the County Counsel

Certificate Of Completion

Envelope Id: 6245B104-B7E6-41B5-BC2C-2E1E79407219

Status: Completed

Subject: Complete with Docusign: CSA 3 FY25-26 Resolution of Intention FINAL.docx, CSA 3 FY25-26 Resolut...

Source Envelope:

Document Pages: 7

Signatures: 2

Envelope Originator:

Certificate Pages: 5

Initials: 0

Christine Hicks

AutoNav: Enabled

701 Ocean Street

Envelopeld Stamping: Enabled

Santa Cruz, CA 95060

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Christine.Hicks@santacruzcountyca.gov

IP Address: 63.194.190.100

Record Tracking

Status: Original

Holder: Christine Hicks

Location: DocuSign

1/7/2025 10:30:56 AM

Christine.Hicks@santacruzcountyca.gov

Security Appliance Status: Connected

Pool: FedRamp

Storage Appliance Status: Connected

Pool: County of Santa Cruz

Location: DocuSign

Signer Events

Natalie Kirkish

Natalie.Kirkish@santacruzcountyca.gov

Security Level: Email, Account Authentication (None)

Signature

Signed by:

D52DC6AA0E74498...

Signature Adoption: Pre-selected Style

Using IP Address: 63.194.190.100

Timestamp

Sent: 1/7/2025 10:46:30 AM

Viewed: 1/7/2025 11:35:39 AM

Signed: 1/7/2025 11:45:16 AM

Electronic Record and Signature Disclosure:

Accepted: 8/1/2024 2:49:37 PM

ID: b763e46b-8c75-436f-b147-3f5717480ab2

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Christine Hicks

christine.hicks@santacruzcountyca.gov

Security Level: Email, Account Authentication (None)

COPIED

Sent: 1/7/2025 11:45:17 AM

Electronic Record and Signature Disclosure:

Accepted: 7/7/2023 3:16:19 PM

ID: d4c2a378-3961-4df6-ae0d-de789fc71462

DPW CSA

dpwcsa@santacruzcountyca.gov

Security Level: Email, Account Authentication (None)

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Sent: 1/7/2025 11:45:17 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Witness Events

Signature

Timestamp

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Envelope Sent	Hashed/Encrypted	1/7/2025 10:46:30 AM
Certified Delivered	Security Checked	1/7/2025 11:35:39 AM
Signing Complete	Security Checked	1/7/2025 11:45:16 AM
Completed	Security Checked	1/7/2025 11:45:17 AM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, County of Santa Cruz (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact County of Santa Cruz:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: nada.algharib@santacruzcounty.us

To advise County of Santa Cruz of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at nada.algharib@santacruzcounty.us and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from County of Santa Cruz

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with County of Santa Cruz

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to nada.algharib@santacruzcounty.us and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify County of Santa Cruz as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by County of Santa Cruz during the course of your relationship with County of Santa Cruz.