

10. Hold continued public hearing to consider certification of the vote results for County Service Area 3, Aptos Seascapes, and take related actions ()



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: Community Development and Infrastructure

Subject: CSA No. 3, Aptos Seascapes Benefit Assessment Rates for Fiscal Year 2025-26

Meeting Date: June 24, 2025

Formal Title: Hold continued public hearing to consider certification of the vote results for County Service Area 3, Aptos Seascapes, and take related actions

Recommended Actions

1. Accept certification of the vote results for County Service Area (CSA) No. 3, Aptos Seascapes, and direct the Deputy CEO/Director of Community Development and Infrastructure to retain the ballots for at least six months following the certification; and
2. Adopt a resolution authorizing and levying an assessment for services within CSA No. 3 Aptos Seascapes for the 2025-26 fiscal year and each year following.

Executive Summary

Ballots were mailed out to the affected property owners within CSA No. 3, Aptos Seascapes. The tabulated results confirm the property owners within the service area agree to increase the assessment rates.

Discussion

On February 11, 2025, the Board approved the Engineer's Reports for CSA No. 3, Aptos Seascapes, directed Community Development and Infrastructure (CDI) to begin the ballot procedure, and set April 29, 2025, as the public hearing date to take testimony and accept ballots for the 2025-26 benefit assessments. At the close of the public testimony portion of the April 29, 2025, public hearing, the Board then continued the public hearing to today's date and directed CDI to return with a tabulation of the election results for the CSA.

Ballots were mailed to the 1500 affected property owners within CSA No. 3, Aptos Seascapes in Aptos. Of these 1500 ballots, 778 valid ballots were returned to CDI with 426 yes votes and 352 no votes, (weighted votes: 53.08 percent, yes; 46.92 percent, no).

The Board will now need to certify the vote results of CSA No. 3, Aptos Seascapes and adopt the resolution authorizing and levying assessments for services within the CSA for the 2025-26 fiscal year and each year thereafter.

Financial Impact

Benefit assessment or service charge revenue for Fiscal Year 2025-26 fund road median maintenance, street utility maintenance, drainage facility maintenance, and walkway and stairway maintenance, patrol, and litter control services for the beach area below Via Palo Alto and extending south to the resort, all services within County Service Area No. 3. The increase provides for an additional \$80,900 in assessment revenue for 2025-26 and each year thereafter, for a total CSA 3 annual assessment of \$161,800. Funds are held in Fund 22100, GL Key 622100 GL Object 42024. The CSA is self-

funded by assessments. CSAs are classified as self-sustaining special revenue funds and do not impact the County General Fund.

Strategic Initiatives

Operational Plan - Reliable Transportation

Submitted By:

Matt Machado, Deputy CEO / Director of Community Development and Infrastructure

Recommended By:

Carlos J. Palacios, County Executive Officer

Artificial Intelligence Acknowledgment:

Artificial Intelligence (AI) did not significantly contribute to the development of this agenda item.

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 AUTHORIZING AND LEVYING
AN ASSESSMENT FOR ROAD MEDIAN MAINTENANCE, STREET UTILITY
FACILITIES, AND BEACH ACCESS 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 heretofore conducted proceedings under the statutes authorizing the levying of Special Assessments and desires to bring its assessments for road median maintenance and other services into conformity with the provisions of Article XIID of the California Constitution for the fiscal year 2025-26,

WHEREAS, on February 11, 2025, this Board received for filing a written Engineer's Report supporting the proposed assessments, prepared by a registered professional engineer certified by the State of California, which pursuant to Article XIID, Section 4 of the Constitution contains all of the following:

- A. Identifies and describes all parcels which have a special benefit conferred on them and on which the assessment will be imposed.
- B. Determines the proportionate special benefit derived by each identified parcel in relationship to the entirety of the cost of the services to be provided, being road median maintenance, street utility maintenance, drainage facility maintenance, walkway and stairway maintenance, patrol, and litter control services for the beach area below Via Palo Alto and extending south to the resort.
- C. Determines that no assessment is imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.
- D. Determines that the only benefits assessed are special and that the general benefits have been separated from the special benefits

Resolution _____

conferred on each parcel.

WHEREAS, after considering the Engineer's Report, the Board found it is in the best interest of County Service Area 3, Aptos Seascapes and its owners and inhabitants to declare its intention to levy the proposed assessments each year in accordance with that report, the Board set a public hearing to hear any protest pursuant to Article XIID, Section 4 of the Constitution, and directed the Clerk to give a notice of the filing of the report and the time and place of the hearing set by the Board by publication, and directed Community Development and Infrastructure – Public Works Division to give notice to each property owner whose property would be subject to the assessment at least 45 days before the date set for the public hearings and specified the contents of the notice, all in the manner required by law.

WHEREAS, the Clerk of this Board and the Community Development and Infrastructure – Public Works Division gave notice in the manner directed by this Board and as required by law.

WHEREAS, at the time and place set forth in the notice, this Board conducted the public hearing in the manner required by law and heard and considered all objections and protests to the report referred to in the notice, heard and determined all protests as required by law, and tabulated all ballots.

WHEREAS, the ballots submitted in opposition to the assessment did not exceed the ballots submitted in favor of the assessment, weighting the ballots according to the proportional financial obligation of the affected property.

WHEREAS, it is in the interest of County Service Area No. 3, Aptos Seascapes and its inhabitants, and its property owners to levy the assessment as proposed.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz resolves, orders, and finds that:

1. Findings. Each of the foregoing recitals is true and correct.
2. Authorization. This Resolution and the benefit assessment authorized herein is adopted pursuant to Government Code Section 25215 and Article XIID, Section 4 of the California Constitution.
3. Purpose of the Assessment. The express purpose for which this benefit assessment is levied is to provide a source of funding for County Service Area No. 3 Aptos Seascapes road median maintenance, street utility maintenance, drainage facility maintenance, walkway and stairway maintenance, patrol, and litter control services for the beach area below

Resolution _____

Via Palo Alto and extending south to the resort.

4. Determination of Necessity. The level of services which can be provided is determined to be reasonably adequate to meet current needs.
5. Limitation upon Expending Assessment Proceeds. Any funds collected from the benefit assessment authorized by this Resolution shall be expended only for such services as benefit County Service Area No. 3 Aptos Seascap. Any unexpended funds raised by the assessment remaining at the end of the fiscal year shall be carried over for the same purpose in the next fiscal year.
6. Levy. A benefit assessment to raise revenue to fund road maintenance and operations is hereby levied upon real property within the County Service No. 3 Aptos Seascap, excepting any common areas, unbuildable parcels, and parcels with an assessed value of \$5,000 or less.
7. Assessment Rate.

A. For the fiscal year 2025-26 and each year thereafter, the parcels shall be assessed as follows:

<u>Parcel</u>	<u>Assessment</u>
Residential, Vacant	\$100.00
Duplex	\$200.00
3 Units Condo	\$300.00
Fourplex, Retirement Home	\$400.00
Minor Comm., Aff. Housing, Hotel, Swim/Tennis Club	\$800.00

Unimproved parcels in 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 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-Hayward 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 will not increase automatically each year. If in any year the assessment rate is not increased or is increased by an amount less than the increase in the Consumer Price Index, the

Resolution _____

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 schedules and rates are based upon a zone of benefit fee for each parcel. The assessment is proportional to the special benefit derived by each identified parcel in relationship 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.

8. Collection. The collection of the assessment determined and levied by this Resolution shall be by the County of Santa Cruz on behalf of County Service Area No. 3 Aptos Seascap., in the same manner, and subject to the same penalties, as other fees, charges, and taxes fixed and collected by or on behalf of all County Service Areas. The County may deduct its reasonable costs incurred for that service before resubmittal of the balance to the account of County Service Area No. 3 Aptos Seascap.

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:
ABSENT:
ABSTAIN:

Chair of the Board of Supervisors

ATTEST: _____

Clerk of the Board

Approved as to Form:

Resolution _____

Signed by:
Michael de Smidt 5/15/2025
77B7BAAA5B324F0...

Office of the County Counsel

Certificate Of Completion

Envelope Id: D1C3F6EF-ADDF-42C3-B5CB-285D0A2755A4
 Subject: Complete with Docusign: CSA 3 FY25-26 Resolution to Levy.docx
 Source Envelope:
 Document Pages: 5
 Certificate Pages: 5
 AutoNav: Enabled
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 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed
 Envelope Originator:
 Christine Hicks
 701 Ocean Street
 Santa Cruz, CA 95060
 Christine.Hicks@santacruzcountyca.gov
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Michael de Smidt
 michael.desmidt@santacruzcountyca.gov
 Approved as to Form by District Counsel
 Santa Cruz County Sanitation District
 Security Level: Email, Account Authentication (None)

Signature

Signed by:

 77B7BAAA5B324F0...
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 Signed: 5/15/2025 3:34:07 PM

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In Person Signer Events

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Editor Delivery Events

Status

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Agent Delivery Events

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Intermediary Delivery Events

Status

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Witness Events

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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	5/15/2025 3:34:08 PM

Payment Events	Status	Timestamps
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Certification of the Votes Cast

I, Matt Machado, Deputy CAO Director of Community Development and Infrastructure of the County of Santa Cruz, do hereby certify that the following is a full, true and correct statement of the result of the official canvass of the returns of the February 11, 2025, benefit assessment ballot proceeding for County Service Area No. 3, Aptos Seascap.

CSA 3 Aptos Seascap FY25-26 Increase in Benefit Assessment Election Ballot Certification						
Parcel Type	Yes Votes	Yes Weighted	No Votes	No Weighted	Total Votes	Total
Residential/Vacant	412	\$ 20,600.00	327	\$ 16,350.00	739	\$ 36,950.00
Duplex	11	\$ 1,100.00	17	\$ 1,700.00	28	\$ 2,800.00
3 unit condo	2	\$ 300.00	5	\$ 750.00	7	\$ 1,050.00
Fourplex, Retirement home	0	\$ -	1	\$ 200.00	1	\$ 200.00
Commerical, Afford, Hotel, Swim/Tennis Club	1	\$ 400.00	2	\$ 800.00	3	\$ 1,200.00
Totals	426	\$ 22,400.00	352	\$ 19,800.00	778	\$ 42,200.00
		53.08%		46.92%		100.00%
		YES		NO		

I hereby set my hand and seal on this day, 5/15/2025.

DocuSigned by:


50EBAC64454C48C...
Matt Machado
 Deputy CAO, Director of Community
 Development and Infrastructure

Certificate Of Completion

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Status: Completed

Subject: Complete with Docusign: CSA 3 Votes Certification FY25-26.docx

Source Envelope:

Document Pages: 1

Signatures: 1

Envelope Originator:

Certificate Pages: 5

Initials: 0

Christine Hicks

AutoNav: Enabled

701 Ocean Street

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Santa Cruz, CA 95060

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

Christine.Hicks@santacruzcountyca.gov

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Matt Machado

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Matt.Machado@santacruzcountyca.gov

Viewed: 5/15/2025 10:52:30 AM

Director of Community Development & Infrastructure

County of Santa Cruz

Signature Adoption: Pre-selected Style

Security Level: Email, Account Authentication (None)

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Electronic Record and Signature Disclosure:

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In Person Signer Events

Signature

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Editor Delivery Events

Status

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Agent Delivery Events

Status

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Intermediary Delivery Events

Status

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Envelope Summary Events

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5/14/2025 3:44:33 PM

Certified Delivered

Security Checked

5/15/2025 10:52:30 AM

Signing Complete

Security Checked

5/15/2025 10:52:38 AM

Completed

Security Checked

5/15/2025 10:52:39 AM

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