

RESOLUTION NO. 2014-05

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
SETTING ASSESSMENTS FOR SERVICES AT BAYRIDGE ESTATES AND DIRECTING
THEIR COLLECTION BY THE COUNTY IN THE FY 2014/2015 TAX ROLL**

WHEREAS, the Los Osos Community Services District ("LOCSD") is a community services district organized under California Law under Govt. Code § 61000 et. seq.; and

WHEREAS, pursuant to Govt. Code § 61100(g) LOCSD has the power to acquire, construct, improve, maintain and operate street lighting and landscaping on public property, public rights-of-way and public easements; and

WHEREAS, the Los Osos Community Services District ("District") became effective on January 1, 1999, pursuant to an election and Resolution No. 98-239 of the Board of Supervisors of the County of San Luis Obispo; and

WHEREAS, by said Resolution and the resulting election, the Los Osos Community Services District is authorized to exercise all of the powers, with all of the authority and responsibilities, that County Service Area No. 9 exercised prior to January 1, 1999, except the Cooperative Road Program and Fire and Emergency Medical for Zone I; and

WHEREAS, the San Luis Obispo County Board of Supervisors previously established and fixed annual service charge for central septic and street lighting within the Los Osos Community Services District within this subdivision named Bayridge Estates which is a part of Los Osos Community Services District; and

WHEREAS, Community Services Districts are authorized under Government Code §61110 et seq. to have the charges for the purpose the collection, treatment, or disposal of sewage and waste generated within the District's boundary; and

WHEREAS, Government Code § 61115(b) provides for the manner of collection of assessments and provides that those assessments can be collected on the County tax rolls; and

WHEREAS, the Los Osos Community Services District has determined in prior years that the procedure for collection of annual service charges on the County tax roll for costs of certain services is the most advantageous procedure for the District to use and such determination is hereby affirmed; and

WHEREAS, this resolution is for the purpose of continuing to levy charges for central septic services and street lighting in the Bayridge Estates subdivision; and

WHEREAS, the Board held a public hearing in its special meeting on June 20, 2013 at the time and place for which notice was given, which concluded a Prop 218 process that asked voters to vote on a proposed increase of \$172 per parcel per year and at which meeting, votes showed that the proposed increase was passed by majority vote; and

WHEREAS, the Board of Directors hereby determines that the levy for service charges as listed are fair and necessary to the continued provision of services in Bayridge Estates.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE LOS OSOS COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the findings and recitals in Paragraphs 1 through 11 are true and correct; and
2. That the Board of Directors hereby confirms and levies each individual service charge of \$373.00 per parcel for Fiscal Year 2014/2015 on all properties within Bayridge Estates for the purpose of funding central septic operations and street lighting within Bayridge Estates; and
3. That this service charge on the parcels of real property within Bayridge Estates shall be established, imposed and levied in the amounts as listed in EXHIBIT A and as so confirmed shall appear as separate items on the Fiscal Year 2014/2015 tax bill of each parcel of property so listed; and
4. That the levy of the charge shall be collected at the same time and in the same manner as general taxes levied for collection by the County.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

Ayes: _____
Noes: _____
Absent: _____
Conflicts: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 7th day of August, 2014.

R. Michael Wright
Vice President, Board of Directors
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

Kathy A. Kivley
General Manager and Secretary to the Board

Michael W. Seitz
District Legal Counsel