

RESOLUTION NO. 20 - _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA 70, ZONE R-22 (TWIN PEAKS), AUTHORIZING A PROPERTY OWNER MAILED BALLOT ELECTION REGARDING A PROPOSED INCREASE TO THE PROPERTY RELATED SERVICE CHARGE FOR ROAD PAVING, MAINTENANCE, AND SNOW REMOVAL SERVICES

On Tuesday _____, 20____, on motion of Supervisor _____, duly seconded by Supervisor _____ and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

SECTION 1. The Board of Supervisors of San Bernardino County, acting in its capacity as the governing body of County Service Area 70, R-22 (Twin Peaks) hereby finds and determines:

- a) That County Service Area 70 Zone R-22 (Twin Peaks) was formed on August 21, 1989, for the purpose and reasons of providing road maintenance and snow removal services in the unincorporated area of San Bernardino County.
- b) That this Board desires to authorize a property owner election, pursuant to Proposition 218 and Article XIII D, Section 6 of the California Constitution, to establish an increased property related service charge from \$100.00 per parcel, as initially set in 1989, to \$816.60 per parcel (consisting of \$548.18 to provide necessary funding for a 10-year loan and \$268.42 for an operation and maintenance program, with an annual inflationary increase of up to 3%), effective Fiscal Year 2023-24, for road paving, ongoing operation and maintenance costs, and to provide road maintenance and snow removal services.
- c) The parcels upon which the proposed increases to the property related service charge proposed for imposition are identified and set forth in Exhibit "A," attached hereto.
- d) Written notice of the proposed increased property related service charge was provided on January 27, 2023, by mail, to the record owner of each identified parcel upon which the increased fee or charge is proposed for imposition, the amount of the fee or charge proposed to be imposed upon each, the basis upon which the amount of the proposed fee or charge was calculated, the reason for the fee or charge, together with the date, time, and location of a public hearing on the proposed fee or charge.
- e) A public hearing was conducted on March 14, 2023, in which the Board considered all protests against the proposed increased property related service charge and to determine if written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels.
- f) At the conclusion of the public hearing it was determined that no majority protest exists regarding the proposed property related fee or charge.
- g) Proposition 218 requires any increase to a property related service charge, except for sewer, water, and refuse collection services, be submitted for voter approval by a majority vote of the property owners of the property subject to the increased fee or charge. The election for such increased property related service charge shall be conducted not less than 45 days after the public hearing.
- h) That this Board desires to authorize a mailed ballot election of property owners to establish said increased service charge revision with a proposed FY 2023-24 service charge of \$816.60 per parcel. The proposed service charge revision includes \$548.18 per parcel for a 10-year loan to

pulverize and repave the existing roadways and operation and maintenance costs of \$268.42 per parcel with an annual inflationary increase of up to 3%.

SECTION 2. The Board of Supervisors of San Bernardino County, acting in its capacity as the governing body of County Service Area 70, therefore, hereby resolves and orders:

- a) That this Board herby authorizes an election to propose an increased property related service charge of \$816.60 per parcel, with an annual inflationary increase of up to 3%, effective Fiscal Year 2023-24, and upon California State Board of Equalization approval, for road paving, ongoing operation and maintenance costs, and to provide road maintenance and snow removal services.
- b) That this Board authorizes an election to be voted on by property owners within CSA 70, R-22 through a mailed ballot election conducted by an independent election service provider.
- c) That the election date for the proposed ballot is May 9, 2023, or any day thereafter.
- d) That the Auditor-Controller/Treasurer/Tax Collector place the service charge of \$816.60 on the next property tax roll if the election is successful.

PASSED AND ADOPTED by the Board of Supervisors of San Bernardino County, State of California, by the following vote:

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

* * * * *

STATE OF CALIFORNIA)
) ss.
SAN BERNARDINO COUNTY)

I, **LYNNA MONELL**, Clerk of the Board of Supervisors of San Bernardino County, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of _____, 20 .

LYNNA MONELL
Clerk of the Board of Supervisors

By _____
Deputy