

RESOLUTION NO. 2016-19

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SCOTIA COMMUNITY SERVICES DISTRICT ACCEPTING THE PROPOSITION 218 RESULTS FOR A STORM DRAINAGE ASSESSMENT

WHEREAS, the Board of Directors (“Board”) of the Scotia Community Services District (“District”) has by previous resolutions initiated a protest ballot proceeding and declared its intention to levy a special benefit assessment (“Assessment”) for storm drainage services pursuant to the Benefit Assessment Act of 1982 (commencing with Section 54703), Chapter 6.4 of Part 1 of Division 2 of Title 5 of the Government Code, commencing fiscal year 2016-17; and

WHEREAS, an Engineer’s Report was prepared for the proposed Assessment, and the Board accepted the Report by motion at the April 21, 2016 Board meeting; and

WHEREAS, in accordance with the provisions of Article XIID of the California Constitution and Article 4.6 of the California Government Code, the Board conducted a property owner protest ballot proceeding for the proposed Assessment to be levied on properties within the District; and

WHEREAS, the notice and ballot mailed to each property owner of record clearly identified the reason for the proposed assessment, the total assessment amount for the entire district, the basis upon which the proposed assessment was calculated, and the proportional annual amount for each property, commencing fiscal year 2016-17; and

WHEREAS, on June 16, 2016, the Board conducted a properly noticed public hearing regarding the proposed Assessment, and considered any oral and written statements, protests and communications made or filed by interested persons regarding these matters; and

WHEREAS, all ballots submitted prior to the close of the public hearing, weighted according to the proportional financial obligation of the affected properties, were tabulated by the Board Clerk; and

WHEREAS, the weighted value of the votes cast in favor and against the special assessment were **\$21,691** and **\$28,684**, respectively.

NOW, THEREFORE, BE IT RESOLVED that a majority protest exists and therefore the proposed Storm Drainage Assessment shall not be imposed by the Board of Directors of the Scotia Community Services District.

BE IT FURTHER RESOLVED that the ballots shall be treated as public records and shall be preserved for a minimum of two years, after which they may be destroyed as provided in Government Code Sections 26202, 34090, and 60201.

PASSED, APPROVED AND ADOPTED on the 23rd day of June, 2016, by the following vote of the governing body:

APPROVED:



Rick Walsh, Board President, Scotia CSD

ATTEST:


Board Clerk, Scotia CSD

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of Resolution No. 2016-19, passed and adopted at a special meeting of the Board of Directors of the Scotia Community Service District, County of Humboldt, State of California, held on the 23rd day of June, 2016, by the following vote:

AYES: Bristol, Mcknight, Newmaker, Pryor, Walsh.

NOES: \emptyset

ABSENT: \emptyset

ABSTENTIONS: \emptyset


Board Clerk, Scotia CSD