

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF YOLO APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING OF CONTINUED ESPARTO PARK MAINTENANCE AND OPERATIONS DISTRICT FOR FISCAL YEAR 2024-25

WHEREAS, by its Resolution 15-58 approved on May 19, 2015, the Yolo County Board of Supervisors (“Board”) ordered the formation of and levied the first assessment within the Esparto Park Maintenance and Operations Assessment District (“Assessment District”) pursuant to the provisions of the Article XIID of the California Constitution, and the Landscaping and Lighting Act 1972 (the “Act”), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof); and

WHEREAS, an Engineer’s Report has been prepared by SCI Consulting Group, registered professional engineers, and submitted to the Board, in which an assessment is proposed to fund the cost of the maintenance and operations of the Esparto Community Park and Aquatics Center (Tuli Mem Park) which is within the Assessment District boundaries; and

WHEREAS, the Engineer’s Report is available for review at the Clerk of the Board office located at 625 Court Street, Room 204, Woodland, CA; and

WHEREAS, June 25, 2024, at 9:00 a.m. or as soon thereafter as the matter could be heard by the Board, was appointed as the time and place for a hearing by this Board on the question of the levy of the continued assessment, notice of which hearing was given as required by the law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy of the continued assessments were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, and this Board thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Yolo that:

1. The public interest, convenience and necessity require that the levy of the continued assessments be made for the fiscal year 2024-25 pursuant to the Act and Article XIID of the California Constitution.
2. The Assessment District benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the Clerk of the Board, which map is made a part hereof by reference thereto.

3. The assessment is levied without regard to property valuation.
4. The Engineer's Report is approved and confirmed; specifically:
 - a. the engineer's estimate of the itemized and total cost and expenses of maintaining the improvements and the incidental expenses in connection therewith; and
 - b. the diagram showing the Assessment District, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Assessment District; and
 - c. the assessment of the total amount of the cost and expenses of the proposed maintenance of the improvements upon the several lots and parcels of the land in the Assessment District in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto.

5. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, adopted or made by this Board.

6. The continued assessment to pay the costs and expenses of the maintenance of the improvements for fiscal year 2024-25 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Report.

7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Board expressly finds and determines (a) that each of the included lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

8. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the Clerk of the Board shall file a copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Yolo. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, after collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Assessment District.

9. The moneys representing assessments collected by the County shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Assessment District. Moneys in the improvement fund shall be expended only for bond expenses, maintenance, servicing, construction or installation of the improvements.

10. The Board of Supervisors hereby certifies that the assessments to be placed on the fiscal year 2024-25 property tax bills meet the requirements of Proposition 218 that added Articles XIII C and XIII D to the California Constitution.

PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 25th day of June 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lucas Frerichs, Chair
Yolo County Board of Supervisors

Attest: Julie Dachtler, Senior Deputy Clerk
Yolo County Board of Supervisors

Approved as to Form:

By _____
Deputy (Seal)

By:  _____
Philip J. Pogledich, County Counsel