

2-2010

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Tuesday, June 22, 2010

PRESENT: Supervisors Bruce S. Gibson, Adam Hill, K.H. 'Katcho' Achadjian, James R. Patterson
and Chairperson Frank Mechem

ABSENT: None

RESOLUTION NO. 2010-203

**MAIL-BALLOT ELECTION - COUNTY SERVICE AREA NO. 21,
ROAD IMPROVEMENT ZONE – BRADFORD ROAD**

**A RESOLUTION CALLING FOR A SPECIAL ELECTION IN THE ROAD
IMPROVEMENT ZONE – BRADFORD ROAD OF COUNTY SERVICE AREA NO. 21
OF SAN LUIS OBISPO COUNTY FOR THE PURPOSE OF SUBMITTING TO THE
VOTERS OF THE ZONE A MEASURE FOR IMPOSITION OF A SPECIAL TAX
FOR ROAD IMPROVEMENT SERVICES**

RECITALS:

The following resolution is now offered and read:

WHEREAS, Section 25215.2 of the Government Code authorizes the Board of Supervisors to levy and collect a special tax within a zone of a county service area; and

WHEREAS, the Road Improvement Zone – Bradford Road of County Service Area No. 21 (hereafter, also "Zone") has been duly established by resolution of the Board of Supervisors; and

WHEREAS, this Resolution is pursuant to the authority of Section 50077 of the California Government Code and is in accordance with the procedures for the adoption of a special tax by a County under Article XIII A of the California Constitution; and

WHEREAS, Section 2 of Article XIII C of the California Constitution requires the voters within the Road Improvement Zone – Bradford Road of County Service Area No. 21, of San Luis Obispo County to approve by a two-thirds vote any special tax before the special tax may be imposed, extended or increased within said Zone; and

WHEREAS, Section 4000 of the California Elections Code provides that any local, special, or consolidated election authorized by Article XIII C of the California Constitution may be conducted wholly by mail; and

WHEREAS, the Board of Supervisors desires to submit to the voters of Road Improvement Zone – Bradford Road of County Service Area No. 21, the question of whether a special tax for road improvements shall be imposed and approved within said Zone; and

WHEREAS, the Board of Supervisors intends to impose the special taxes authorized by this ballot measure only in the event that two-thirds (2/3) of the qualified voters within the Road Improvement Zone – Bradford Road, voting on said special tax ballot measure for road improvements, approve said measure.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. The recitals set forth herein above are true, correct and valid.

2. An election to be conducted wholly by mail is hereby called and ordered and will be held in the Road Improvement Zone – Bradford Road of County Service Area No. 21, of San Luis Obispo County on September 21, 2010, at which election there shall be submitted to the registered voters of said Zone the following question:

BALLOT MEASURE: Shall the County of San Luis Obispo, commencing Fiscal Year 2011/2012, and annually thereafter, impose, levy and collect a special tax on real property within Road Improvement Zone – Bradford Road of County Service Area No. 21, to provide road improvements within said Zone, with the special tax to be at an initial rate not exceeding \$2,165.00 per parcel having a separate County Assessor’s Parcel Number and increasing not more than two percent per year thereafter?

3. Said election will be conducted by the office of the County Clerk-Recorder. Said office will be reimbursed for all costs associated with conducting said election.

Upon motion of Supervisor Gibson, seconded by Supervisor Patterson, and on the following roll call vote, to wit:

AYES: Supervisors Gibson, Patterson, Hill, Achadjian, Chairperson Mecham

NOES: None

ABSENT: None

ABSTAINING: None

the foregoing Resolution is hereby adopted.

Frank Mecham

Chairperson of the Board of Supervisors

ATTEST:

JULIE L. RODEWALD
Clerk of the Board of Supervisors

By: *Shirley Conway*
Deputy Clerk Recorder

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

WARREN R. JENSEN
County Counsel

By: /s/ Patrick J. Foran
Deputy County Counsel

Dated: June 9, 2010

STATE OF CALIFORNIA)
 ss
COUNTY OF SAN LUIS OBISPO)
I, JULIE L. RODEWALD, County Clerk of the above
entitled County, and Ex-Officio Clerk of the Board of
Supervisors thereof, do hereby certify the foregoing
to be a full, true and correct copy of an order entered
in the minutes of said Board of Supervisors, and now
remaining of record in my office.
Witness, my hand and seal of said Board of
Supervisors this June 22, 2010.

JULIE L. RODEWALD
County Clerk and Ex-Officio Clerk of the Board of
Supervisors
By: *Shirley Conway*
Deputy Clerk