



STATE OF CALIFORNIA, COUNTY OF SIERRA
SERVICE AREA BOARD OF DIRECTORS
AGENDA
SPECIAL MEETING

Lee Adams, District 1

P.O. Box 1 - Downieville, CA 95936 - 530-289-3506 - supervisor1@sierracounty.ca.gov

Peter W. Huebner, District 2

P.O. Box 349 - Sierra City, CA 96125 - 530-565-6055 - phuebner@sierracounty.ca.gov

Paul Roen, Vice-Chair, District 3

P.O. Box 43 - Calpine, CA - 530-565-6048 - supervisor3@sierracounty.ca.gov

Jim Beard, District 4

P.O. Box 1140 - Loyalton, CA 96118 - 530-565-6092 - jbeard@sierracounty.ca.gov

Scott A. Schlefstein, Chair, District 5

P.O. Box 192 - Loyalton, CA 96118 - 530-913-9218 - supervisor5@sierracounty.ca.gov

The Sierra County Service Area Board of Directors will meet in special session commencing at **6:00 p.m. on November 15, 2018 at the Sierra Brooks Lodge, 510 Longhorn Drive, Loyalton, CA.** This meeting will be recorded for posting on the Board of Supervisors' website at www.sierracounty.ca.gov.

NOTICE

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Clerk of the Board for further information. In addition, a person with a disability who requires a modification or accommodation, in order to participate in a public meeting should telephone or otherwise contact the Clerk of the Board as soon as possible and at least 48 hours prior to the meeting. The Clerk of the Board may be reached at 530-289-3295 or at the following addresses:

Clerk of the Board of Supervisors
County of Sierra
100 Courthouse Square, Room 11
P.O. Drawer D
Downieville, CA 95936
clerk-recorder@sierracounty.ca.gov

All items posted on the agenda, including under correspondence, may be acted upon by the Board of Supervisors. However, matters under committee reports and department manager's reports may be briefly addressed by the Board or Staff but no action or discussion shall be undertaken on any item not appearing on the posted agenda. (GC 54954.2)

REGULAR AGENDA

1. STANDING ORDERS

- Call to Order
- Pledge of Allegiance
- Roll Call
- Approval of Regular Agenda

2. 6:00 P.M. PUBLIC HEARING - SIERRA BROOKS WATER SYSTEM PROPOSED ASSESSMENT

- 2.A. 1) Conduct public hearing on proposed assessments for the Sierra Brooks Water System for County Service Area 5, Assessment District No. 2015-01; 2) conduct the tabulation of assessment ballots received following the conclusion of the public hearing; and 3) discussion/direction regarding resolution confirming assessments for Assessment District No. 2015-01, ordering proposed improvements to be made, providing for notice of recording of assessment and designating the County Treasurer-Tax Collector to collect and receive money.

Documents:

[Public Hearing Sierra Brooks Water System.pdf](#)

ADJOURN

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: November 15, 2018	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input checked="" type="checkbox"/> Timed <input type="checkbox"/> Consent
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DEPARTMENT: Sierra County CSA Board of Directors, CSA 5 APPROVING PARTY: Heather Foster, Clerk of the Board PHONE NUMBER: 530-289-3295

AGENDA ITEM: 1) Conduct public hearing on proposed assessments for the Sierra Brooks Water System for County Service Area 5, Assessment District No. 2015-01; 2) conduct the tabulation of assessment ballots received following the conclusion of the public hearing; and 3) discussion/direction regarding resolution confirming assessments for Assessment District No. 2015-01, ordering proposed improvements to be made, providing for notice of recording of assessment and designating the County Treasurer-Tax Collector to collect and receive money.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other
Notice of public hearing and ballot and proposed resolution

BACKGROUND INFORMATION:

FUNDING SOURCE: GENERAL FUND
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$ N/A

ARE ADDITIONAL PERSONNEL REQUIRED?

Yes, -- --
No

IS THIS ITEM ALLOCATED IN THE BUDGET? Yes No

IS A BUDGET TRANSFER REQUIRED? Yes No

SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2018- _____ Agreement 2018- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

Notice of Public Hearing

County Service Area 5, County of Sierra
Assessment District No. 2015-01
(Sierra Brooks Water System)
Ballot Proceeding

The purpose of this notice is to provide you with information about the assessment ballot proceeding being conducted by County Service Area 5 of the County of Sierra and its effect on real property that you own.

At 6:00 p.m. (or as soon thereafter as circumstances permit) on Thursday, November 15, 2018, at the Sierra Brooks Lodge, 510 Longhorn Drive, Loyalton, California, the Board of Supervisors of the County of Sierra acting as the governing authority of County Service Area 5 will hold a public hearing on proposed assessments for County Service Area 5 Assessment District No. 2015-01 (the "Assessment District").

The proposed assessments are for improvements to the Sierra Brooks Water System, including site acquisition and construction of a water storage tank and well, construction of a booster pump station, construction of new transmission and distribution pipelines and service laterals, installation of fire hydrants and main line valves and water meters, and acquisition of standby generators and related incidental costs.

The total amount proposed to be levied in the Assessment District is \$2,125,000. The amount of the assessment proposed for your individual parcel is **\$5606.86**.

The total assessment amount was based upon the Engineer's estimate of the costs of land and construction, administration and legal expenses, right-of-ways, appraisals, engineering fees, project inspection and construction management fees, equipment, and environmental studies. The amount assessed to each parcel was based on the relative amount of water expected to be consumed by the parcel, using the amount used by a typical single family residence, an "equivalent dwelling unit" or EDU, as the unit of measure. The Engineer's Report concludes that each EDU within the Assessment District is equally benefitted by the improvements; therefore, an equal proportion of the total cost of financing the improvements was allocated to each EDU.

Each single family residence in the Assessment District was assigned one EDU. The Sierra Brooks Lodge was assigned two EDUs, the fire station one-half EDU, the campground is one-half EDU, the electric utility substation is one EDU, and the three water system wells are each one-third EDU. The total cost was divided by the total number of equivalent dwelling units in the Assessment District to produce the assessment amount per EDU of \$5,606.86.

If you do not pay the entire assessment amount upfront, it is payable in semiannual installments plus interest over 39 years collected on the Sierra County tax bill, payable by December 10 and April 10 each year. If the assessment amount is paid over time in installments, an annual administrative assessment starting at \$11.92 per EDU and increasing by one percent each year will be added, and a reserve assessment of ten percent of the annual installment amount will be added during the first ten years.

Enclosed is a ballot for you to indicate your support for or opposition to the proposed assessments. To complete your ballot, mark an “X” in the square before the word “Yes” or “No.” After marking the ballot and signing the declaration of ownership, enclose it in the envelope that is marked “Assessment Ballot Enclosed.” Seal the envelope and return it to County Service Area 5 of the County of Sierra. You may return your ballot in the following ways:

1. Mail your ballot to the address shown on the enclosed return envelope.
2. Deliver your ballot to the Clerk of the Board of Supervisors, 100 Courthouse Square, Downieville, California.
3. Deliver your ballot at the public hearing.

The declaration of ownership may be signed as follows:

1. If the property is owned by an individual, the individual may sign.
2. If a property is held by a husband and wife, either may sign for both.
3. If the property is owned by two or more persons as tenants-in-common or joint tenants, any one tenant-in-common or joint tenant may sign for all.
4. If the property is owned by a corporation, the declaration may be signed by any officer authorized to make contracts for the corporation or an officer authorized to sign the declaration by resolution of the corporation's board of directors.
5. If the property is owned by another legal entity, any person authorized by law to make contracts for the entity may sign on behalf of the entity.
6. If the property is owned by a public agency, the ballot may be signed by any person authorized to make contracts for the agency or a person authorized to sign the declaration by resolution of the agency's governing board.

The marked ballot, sealed in the envelope, **must be received** by the Clerk of the Board of Supervisors no later than the conclusion of the public hearing. Any ballot received after the conclusion of the hearing will not be counted. Postmarks are not acceptable. Any ballot sent to another location will not be accepted as a valid ballot. Unsigned ballots will not be counted. The ballots will be date stamped on arrival and, on the last day, the time will be noted on the envelope and will remain sealed until tabulation at the close of the public hearing.

At the conclusion of the public hearing, the Clerk of the Board of Supervisors will tabulate the ballots received, including those received during the public hearing.

County Service Area 5 will not impose the assessments if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. Ballots will be weighted by the amount of EDUs per each affected property.

Dated: September 28, 2018

/s/ Heather Foster
Clerk of the Board of Supervisors

Enclosures: Return Envelope (**postage must be added by user**)
Official Ballot

Official Ballot

County Service Area 5
County of Sierra
Assessment District No. 2015-01
(Sierra Brooks Water System)

Assessor's Parcel Number:

Name(s) of Property Owner(s):

Property Owner's Address:

Parcel Assessment Amount: \$5606.86

Instructions For Completing and Delivering This Ballot

- To express your view on the proposed assessments, check the square before the word "Yes" or "No," then sign and date the ballot.
- After completing your ballot, seal it in an envelope and send it to the Clerk of the Board of Supervisors, by mail to P.O. Drawer D, Downieville, CA 95936, or by delivery to 100 Courthouse Square, Downieville, CA 95936. You may also deliver your sealed ballot to the Clerk at the public hearing.
- Ballots may be sent or delivered to the Clerk of the Board of Supervisors at any time, but MUST be received not later than the conclusion of the public hearing on the proposed assessments set for 6:00 p.m. Thursday, November 15, 2018, at the Sierra Brooks Lodge, 510 Longhorn Drive, Loyalton, California.

PLEASE EXPRESS YOUR VIEW BY MARKING AND SIGNING BELOW

- Yes, I/we approve the proposed assessments described in the notice of public hearing for the parcel identified in this ballot.
- No, I/we do not approve the proposed assessments described in the notice of public hearing for the parcel identified in this ballot.

I/we hereby declare under penalty of perjury that I am/we are the record owner(s) of the parcel listed above.

Signature of Record Owner

Date

Signature of Record Owner

Date

**COUNTY SERVICE AREA 5
COUNTY OF SIERRA**

RESOLUTION

**CONFIRMING ASSESSMENTS FOR ASSESSMENT DISTRICT
NO 2015-1, ORDERING PROPOSED IMPROVEMENTS TO BE MADE,
PROVIDING FOR NOTICE OF RECORDING OF ASSESSMENT, AND
DESIGNATING THE COUNTY TREASURER-TAX COLLECTOR TO
COLLECT AND RECEIVE MONEY**

RESOLUTION NO. 2018-__ CSA

WHEREAS, the Board of Supervisors of the County of Sierra acting as the governing authority of County Service Area 5 (the “Board”) adopted its Resolution of Intention No. 2015-003 CSA to acquire and construct improvements (the “Improvements”) in and for County Service Area 5 Assessment District No. 2015-01 (the “Assessment District”) as described in Exhibit A to the Resolution of Intention;

WHEREAS, the Board referred the proposed improvements to Sauers Engineering (the “Engineer of Work”), and directed the Engineer of Work to make and file in writing a report (the “Engineer’s Report”) containing the matters specified in Section 10204 of the Streets and Highways Code and prepared in accordance with Article XIII D, section 4, of the California Constitution;

WHEREAS, the Engineer of Work filed its Engineer’s Report with the Secretary of the Board on September 25, 2018, and the Board preliminarily approved the Engineer’s Report by Resolution No. 2018-009 CSA on September 28, 2018;

WHEREAS, the Board fixed Thursday, November 15, 2018, at 6:00 p.m. (or as soon thereafter as the matter may be heard), at the Sierra Brooks Lodge, 510 Longhorn Drive, Loyalton, California, as the time and place for hearing protests to the proposed assessments and mailed notice of the hearing and a ballot to each owner of property proposed to be assessed;

WHEREAS, a notice of the time and place for the public hearing was mailed to the record owner of each identified parcel proposed to be assessed in the time, form, and manner required by law;

WHEREAS, at the time and place for which notice was given, the Board conducted a public hearing and gave every interested person an opportunity to object to the proposed improvement, the extent of the assessment district, or the proposed assessment;

WHEREAS, following the hearing, the Clerk of the Board tabulated the ballots received;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Sierra acting as the governing authority of County Service Area 5 as follows:

Section 1. Recitals. The foregoing recitals are true and correct and the Board so finds and determines.

Section 2. No Majority Protest. The Board ratifies, confirms, and approves the tabulation of the ballots as shown by the Statement of Ballot Results attached hereto as Exhibit A. The Board determines that, at the time of the close of the public hearing, the ballots (all ballots weighted according to the proportional financial obligation of each affected property) submitted in opposition to the proposed assessment did not exceed the ballots submitted in favor of the assessment. Therefore, in accordance with Article XIII D, section 4(e), of the California Constitution, a majority protest does not exist.

Section 3. Final Approval of Engineer's Report. The Board approves the Engineer's Report, as now on file with it. The Board finds and determines that the assessment included in the Engineer's Report assesses all assessable lots or parcels described therein in proportion to the benefits to be received by each affected parcel, respectively, from the Improvements.

Section 4. Confirmation of Assessment. The Board confirms and levies each individual assessment as described in the Engineer's Report.

Section 5. Order of Improvement. The Board orders the Improvement described in the Resolution of Intention and as detailed in the Engineer's Report to be made.

Section 6. Directive to Record and File Documents. The Board directs the Clerk of the Board of Supervisors to record the assessment diagram and the assessment roll in the office of the Sierra County Surveyor and to file the assessment diagram and record the notice of assessment (in the form attached hereto as Exhibit B) in the office of the Sierra County Recorder.

Section 7. Designation of Officer to Collect Assessments. Pursuant to Section 10603 of the Streets and Highways Code, the Board designates the Sierra County Treasurer/Tax Collector to collect and receive payment of the assessments.

Section 8. Notice of Recordation of Assessment. The Board directs the Clerk of the Board of Supervisors to mail and publish the notice of recordation of assessment, in the respective forms attached hereto as Exhibits C and D.

Section 9. Effective Date. This resolution shall take effect from and after the date of its passage.

PASSED AND ADOPTED on [November/December] __, 2018, by the following vote:

AYES:

NOES:

ABSENT:

Scott A. Schlefstein
Chairman of the Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

Heather Foster, Clerk of the Board

David Prentice, County Counsel

EXHIBIT A

STATEMENT OF BALLOT RESULTS

I, Heather Foster, Clerk of the Board, hereby certify that:

1. On November 15, 2018, at [Loyalton/Downieville], California, following the close of the public hearing concerning the proposed assessment for the County Service Area 5 Assessment District No. 2015-01 (the "Assessment District"), I tabulated the ballots submitted by the property owners.

2. The total weighted value of the ballots eligible to be submitted, actually submitted, determined to be invalid, and validly submitted for and against the assessment are set forth below. The totals as shown are true and correct. At the time of the close of the public hearing, the ballots (all ballots weighted according to the proportional financial obligation of each affected property) submitted in opposition to the proposed assessment did not exceed the ballots submitted in favor of the assessment.

Eligible	Submitted	Invalid	YES	NO

Dated: November __, 2018

Heather Foster, Clerk of the Board

EXHIBIT B

[form of notice for recording]

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Clerk of the Board of Supervisors
County of Sierra
P.O. Box D
Downieville, CA 95936

NOTICE OF ASSESSMENT

Pursuant to the requirements of Section 3114 of the Streets and Highways Code of the State of California, the undersigned Clerk of the Board of Supervisors the County of Sierra, which is the governing authority of County Service Area 5, hereby gives notice that a diagram and assessment were recorded in the office of the County Surveyor as provided in Section 3114 and relating to the following described property:

The lots, pieces and parcels of land as shown on the Assessment Diagram of County of Sierra, County Service Area 5, Assessment District No. 2015-01, Sierra County, California, which was filed in the office of the County Recorder of the County of Sierra on [November/December] __, 2018, in Book _____ of Maps of Assessment and Community Facilities Districts at Page _____ thereof.

Pursuant to the requirement of Government Code section 27288.1(a), a list of the names of the assessed owners as they appear on the latest secured assessment roll is attached hereto.

Notice is further given that, upon the recording of this notice in the office of the County Recorder, the several assessments assessed upon the lots, pieces and parcels shown on the filed assessment diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the assessment diagram and the assessment roll recorded in the office of the County Surveyor.

Dated:

Clerk of the Board of Supervisors
County of Sierra

ATTACHMENT
NAMES OF OWNERS

[attach list]

EXHIBIT C

[form of notice for mailing]

Treasurer/Tax Collector, County of Sierra
P.O. Box _____
Downieville, California 95936
Ref: CSA 5, Assessment District No. 2015-01

ASSESSMENT NOTICE
SIERRA COUNTY
COUNTY SERVICE AREA 5
Assessment District No. 2015-01

Name of Owner:

Street Address:

City, State, Zip Code:

Assessment No.

Assessor Parcel No.

Confirmed Assessment: \$

1. Assessment Levied and Recorded. On [November/December] __, 2018, the Board of Supervisors of the County of Sierra acting as the governing authority of County Service Area 5 (“CSA 5”) levied assessments within Assessment District No. 2015-01 to pay for improvements to the Sierra Brooks Water System. The assessments were recorded in the office of the County Surveyor on [November/December] __, 2018. Your property’s confirmed assessment is set forth above.

2. Cash Payment Option. On or before [December __, 2018/January __, 2019], you may pay all or a part of the assessment to CSA 5 at the address shown at the top of this Notice.

If you want to pay now, your payment must be received by that date. Cash payment is entirely optional. You may either pay the assessment in part or in full now, or finance the all or part of the assessment over time using bonds (see Section 4, “Bonds Option,” below).

3. Making Cash Payment. If you pay, cut off the top of this page and send it with your payment. If you wish to pay all of the assessment before [December __, 2018/January __, 2019], your payment amount should be the “Confirmed Assessment” amount shown above.

4. Bonds Option. If you do not pay the assessment in full by [December __, 2018/January __, 2019], bonds will be issued to represent the unpaid portion of your assessment and all other unpaid assessments in the district. The bonds will be issued under the Improvement Bond Act of 1915.

During the term of the bonds, your assessment will be collected in installments on your property tax bill to pay a portion of the debt service on the bonds through their expected maturity in 2058. Each semi-annual assessment installment on the tax bill will include a portion of the confirmed assessment amount shown above, plus interest on the unpaid assessment balance at the rate on the bonds (2.125%), plus a debt service reserve fund installment, plus an amount levied to pay the annual costs of administering the assessment district.

The unpaid assessment is an obligation of your property and may be transferred with it; it is not your personal obligation. However, if you wish, after bonds are issued, the remaining amount may be paid off, but with interest at the rate on the bonds to the next interest payment date, and administrative costs.

5. Information. If you have questions about this notice, please contact the official shown at the top of this Notice.

Dated: [November/December] __, 2018

Clerk of the Board of Supervisors
County of Sierra

EXHIBIT D

[form of notice for publication]

NOTICE OF RECORDATION OF ASSESSMENT

**COUNTY OF SIERRA
COUNTY SERVICE AREA 5
ASSESSMENT DISTRICT NO. 2015-01**

On [November/December] __, 2018, special assessments on the land within the boundaries of the above-named assessment district were recorded in the office of the Sierra County Recorder. All sums assessed therein are due and payable immediately.

The payment of the assessment is to be made to the Treasurer/Tax Collector of Sierra County by [December __, 2018/January __, 2019], which date is thirty (30) days after the date of recordation.

If assessments are not paid in full within the 30-day period described above, bonds will be issued to represent the unpaid portion of the assessments. The bonds will be issued under the Improvement Bond Act of 1915 and will bear interest at the rate of 2.125% per annum. The unpaid assessments will be collected in installments on the property tax roll to pay the debt service on the bonds through their expected maturity in 2058. In addition, County Service Area 5 will levy an annual assessment to pay for the costs of administering the assessment district and to fund a debt service reserve fund.

Dated:

Clerk of the Board of Supervisors
County of Sierra