

RESOLUTION 22/23-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT FIXING AN ASSESSMENT FOR ROAD MAINTENANCE WITHIN AN ESTABLISHED ZONE OF BENEFIT FOR FISCAL YEAR 2022/23

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. Findings. The Board finds as follows:

- A. The Bear Valley Community Services District is authorized by the Community Services District Law (commencing at Government Code section 61000, and in particular Section 61100) to construct, improve, and maintain streets, roads, and rights-of-way.
- B. Government Code sections 61140 and 61144, respectively, authorize the establishment of a zone of benefit for certain services and the fixing and levying of an assessment to support such services within the boundaries of the zone.
- C. The District has established such a zone in order to levy an assessment within such zone for the purposes of road maintenance and improvements.
- D. The proposed assessment fully complies with Article XIII D of the California Constitution (Proposition 218), which allows assessments to finance the maintenance and improvement of roads to continue without undergoing a new assessment procedure and approval process until the amount of the assessment is increased.
- E. The proposed assessment of three hundred and forty dollars (\$340.00) per parcel/per year does not exceed the maximum assessment that was previously established, and as such does not constitute an increase in the assessment under Government Code section 53750 (which is part of the Proposition 218 Omnibus Implementation Act).
- F. The proposed assessment does not exceed the estimated reasonable cost of providing the road maintenance services and improvements for which the assessment is imposed.

Section 2. Levy of Road Maintenance Assessment. The Board hereby levies an assessment for Fiscal Year 2022/23 to be imposed on the parcels within the zone of benefit identified in Exhibit A, which list is on file in the District office, for the purposes of road maintenance and improvements.

Section 3. Collection of Assessment. The road maintenance assessment imposed by this Resolution will be collected on the tax roll at the same time and in the same manner as the collection of general taxes levied and collected by the County of Kern.

Section 4. Effective Date. This Resolution is effective for the District's fiscal year beginning July 1, 2022.

Section 5. Transmittal to County. The District Secretary is directed to transmit certified copies of this Resolution to the Clerk of the Board of Supervisors of Kern County and to the County Auditor-Controller-County Clerk

PASSED, APPROVED AND ADOPTED on July 14, 2022 by the following vote:

AYES: Grace, Jensen, Quinn, Hahn
NOES: None
ABSENT: None
ABSTAIN: None



Gregory Hahn, President
Bear Valley Community Services District

ATTEST:

I hereby certify that the above Resolution No. 22/23-05 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on July 14, 2022.



Kristy McEwen
Secretary of the Board of Directors