

RESOLUTION NO. 10-01-24

RESOLUTION OF THE BOARD OF DIRECTORS OF THE PAJARO/SUNNY MESA COMMUNITY SERVICES DISTRICT, RATIFYING THE ANNUAL LEVY OF THE PAJARO STREET LIGHTING ASSESSMENT FOR FISCAL YEAR 2024-2025

WHEREAS, Pajaro/Sunny Mesa Community Services District ("District") is a Community Services District created pursuant to Government Code Section 61000;

WHEREAS, the District Board of Directors ("Board"), adopted Ordinance No. 1 establishing the collection of assessments to defray the cost of maintaining the street lighting in designated areas to provide security and safety for persons and property inside the Pajaro Lighting Assessment District, which includes the Pajaro/Hudson Landing/Struve Road areas;

WHEREAS, a written budget and report ("Report") for the lighting assessment for Fiscal Year 2024-2025 has been filed with the District containing a description of the street lighting expenses, services and facilities from the District and the amount of the assessment to be collected on the County tax roll for said fiscal year, a copy of which is attached as Exhibit A;

WHEREAS, there are 213 lights in the Pajaro Lighting Assessment District, benefiting 792 residential, commercial, and industrial parcels. The proposed total estimated assessment is \$48,750.51, and \$34.72 per equivalent dwelling unit, as set forth in Exhibit B, and will be collected on the 2024-2025 property tax statement;

WHEREAS, on August 8, 2024, the District mailed a notice of a public hearing concerning the proposed lighting assessment to all property owners of property served by the District;

WHEREAS, on September 26, 2024, the Board held a public hearing on the proposed lighting assessment, at which time any and all interested parties had the ability to discuss the report and the proposed assessment, and had the opportunity to offer evidence;

WHEREAS, at the close of the public hearing, the District received a total of two (2) written protests to the assessment. This represents approximately .0051% of the 397 protests needed for a majority protest to the levy. As there was not a majority protest, the Board approved the lighting assessment on a unanimous vote of all five Directors;

WHEREAS, the Board, after considering all of the public testimony, the evidence presented in the Report, staff presentations, and other documents, determined to continue to levy the annual assessments for the 2024-2025 fiscal year pursuant to the Landscaping and Lighting Act of 1972, Proposition 218, Ordinance No. 1;

WHEREAS, the Board desires to adopt this Resolution memorializing and ratifying the annual levying of the lighting assessment for Fiscal year 2024-2025, which the Board approved at its regular meeting on September 26, 2024; and

WHEREAS, the District has determined that the proposed action is not a project as defined by the California Environmental Quality Act ("CEQA"), CCR, Title 14, Chapter 3 (CEQA Guidelines), Article 20, Section 15378. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities that have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed action has no potential to cause any effect on the environment, and because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines Section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project.

NOW, THEREFORE BE IT RESOLVED by the Pajaro/Sunny Mesa Community Services District Board of Directors as follows:

1. The Board hereby finds and determines that the foregoing recitals are severally ratified, confirmed, approved, and adopted in all respects.
2. Said Report contains a description of the real property parcels subject to the lighting assessment and the amount of said assessment for Fiscal Year 2024-2025 to be imposed thereon, and the Report is therefore approved and adopted.
3. Objections to and protests against such Report and levy were not made by a majority of owners of the separate parcels of property described in the Report;
4. The Report for the Fiscal Year 2024-2025 shall be forwarded to the Monterey County Auditor/Controller, and the assessment contained therein shall be collected on the tax roll in the same manner, by the same person, and at the same time, together with and not separate from the general taxes.
5. If any section, subsection, subdivision, sentence, clause, or phrase in this Resolution, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The Board hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.
6. The General Manager or designee is hereby authorized to take all actions necessary to implement this Resolution.
7. This Resolution shall take effective immediately.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Pajaro/Sunny Mesa Community Services District duly held on the 24nd day of October 2024, by the following vote:

AYES: D. Olsen; S. Coplin; P. Anderson; C. Miller; D. Chesterman

NOES: None

ABSENT: None

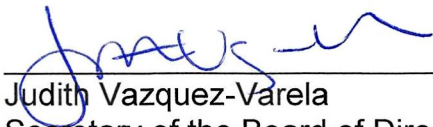
ABSTAIN: None



Donald Olsen, President of the Board of Directors

CERTIFICATE OF SECRETARY

I, Judith Vazquez-Varela, as the duly elected Secretary of the Board of Directors of the Pajaro/Sunny Mesa Community Services District, Monterey County, California, do hereby certify that the above resolution is a full, true, and correct copy of said Resolution passed and adopted by the Board of Directors at a meeting held on the 24th of October 2024, and that said Resolution is now spread upon the minutes of said Board.



Judith Vazquez-Varela
Secretary of the Board of Directors

Exhibit A

PAJARO STREET LIGHTING ASSESSMENT
Final Budget
2024-2025

	2024-2025
REVENUE	
Parcel Assessments	48,750.00
EXPENSE	
Utilities (PG&E)	34,000.00
Maintenance & Administration	13,650.00
Professional Services (Legal & Accounting)	<u>1,100.00</u>
	48,750.00
REVENUE	48,750.00
EXPENSE	<u>48,750.00</u>
	0

Exhibit B

LIGHTING ASSESSMENT YEARLY COST COMPARISON

2024-2025	2023-2024	2022-2023	2021-2022	2020-2021	2019-2020	2018-2019
\$ 34.72	\$ 29.46	\$ 29.46	\$ 29.46	\$ 29.46	\$ 29.46	\$ 31.62
69.46	58.92	58.92	58.92	58.92	58.92	63.24
138.90	117.84	117.84	117.84	117.84	117.84	126.48
173.62	147.30	147.30	147.30	147.30	147.30	158.10
208.34	176.76	176.76	176.76	176.76	176.76	189.72
277.78	235.68	235.68	235.68	235.68	235.68	252.96
347.20	294.60	294.60	294.60	294.60		

<u>2024-2025</u>		
Assessment	Parcels	Total
\$ 34.72	608	\$ 21,109.76
\$ 69.46	64	\$ 4,445.44
\$ 138.90	22	\$ 3,055.80
\$ 173.62	62	\$ 10,764.44
\$ 208.34	11	\$ 2,291.74
\$ 277.78	23	\$ 6,388.94
\$ 347.20	2	\$ 694.40
	792	\$ 48,750.52

\$34.72 per EDU (Equivalent Dwelling Units)