MARIPOSA COUNTY RESOLUTION NO. 77-123

WHEREAS, the Board of Supervisors of Mariposa County has heretofore established Lake Don Pedro Service Area 1-M Sewer Zone by Resolution No. 73-7 dated January 23, 1973; and

WHEREAS, the Lake Don Pedro Service Area 1-M Sewer Zone was formed between the period of January 1, 1972, and August 31, 1973, and Revenue & Taxation Code Section 2263.1 sets cut the procedure for establishing the maximum tax rate for service areas established during this period; and

WHEREAS, no maximum tax rate has been set for this service area; and

WHEREAS, Revenue & Taxation Code Section 2263.1(b) sets out the following procedures for the establishment of a maximum tax rate:

1. The Board of Supervisors by resolution would apply to the Local Agency Formation Commission to determine the maximum tax rate.

2. Upon receipt of such a resolution, the Local Agency Formation Commission shall hold a hearing and shall determine the maximum tax rate for the district. Such rate must be sufficient to permit the service area to provide the programs and services for which it was formed. The Local Agency Formation Commission shall follow the procedures provided in the District Reorganization Act (Government Code Section 5600 et seq.) for hearing and determination by a local agency formation commission. These hearing procedures include the following:

a. Upon receipt of the resolution, LAFCo shall hold a hearing and shall determine the maximum tax rate for the district. Such tax rate shall be sufficient to permit the district to provide the programs and services for which it was formed. (The word "district" includes "service area".) (Revenue & Taxation Code Section 2263.1[b])

b. LAFCo shall schedule a public hearing within 90 days of receipt of the resolution. (Government Code Section 56262)
c. Notice of public hearing shall be published once a week for two successive weeks, and the first publication shall be commenced at least 15 days prior to the date of the hearing. (Government Code Sections 56083 and 56084)

d. Notice of the hearing shall also be posted on or near the doors of the meeting room of LAFCo or upon any official bulletin board used for the posting of public notices. (Government Code Section 56085)

e. At the hearing the Commission shall hear and receive any oral or written protests, objections, or evidence which shall be made, presented, or filed. (Government Code Section 56267)

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Mariposa County hereby applies to the Local Agency Formation Commission of Mariposa County to determine the maximum tax rate for Lake Don Pedro Service Area 1-M Sewer Zone pursuant to the provisions of Revenue & Taxation Code Section 2263.1 et seq.

PASSED AND ADOPTED this 11th day of August, 1977, by the Board of Supervisors of the County of Mariposa by the following vote:

AYES: Clark, Dalton, Long, Walton.

NOES: None

NOT VOTING: None

ABSENT: Owings

[Signature]

FRANK L. LONG, JR., CHAIRMAN
BOARD OF SUPERVISORS

ATTEST:

[Signature]

ELLEN BRONSON, COUNTY CLERK AND EX OFFICIO CLERK OF THE BOARD