

RESOLUTION NO. 24-086

RESOLUTION OF INTENTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ESTABLISH A NEW SPECIAL BENEFIT ASSESSMENT FOR THE MAINTENANCE, DRAINAGE, AND FLOOD CONTROL OF THE "WILLITS CREEK AND FIRCO EMERGENCY ACCESS ROUTES"

WHEREAS, Government Code, §§ 54703, et seq. creates a means for Counties to raise funds to finance property-related services through the imposition of an assessment upon the property that specially benefits from those services; and

WHEREAS, Government Code section 54715 permit the County to propose a special benefit assessment upon properties that will receive special road maintenance and drainage services where residents are willing to pay for those property-related services; and

WHEREAS, the area commonly referred to as "Sherwood Firewise Communities (SFC)," contains approximately 3,700 residents and some 6,500 parcels within portions of Brooktrails, Spring Creek, Sylvandale, and Gates Subdivisions and is only regularly accessible by two main public roads; and

WHEREAS, SFC is an area at a high risk of wildfire emergency, most recently the Oak Fire in September 2020, which required the evacuation of nearly all SFC residents and destroyed fifty-six structures; and

WHEREAS, maintaining emergency service roads to be used by emergency service vehicles and maintaining and operating drainage and flood control for those roads are essential components to providing emergency and ambulance services because emergency evacuation procedures on the established vehicle routes inhibit effective access to wildfire areas by emergency service vehicles; and

WHEREAS, certain emergency access routes in SFC, commonly referred to as the "FirCo Haul Road" and the "Willits Creek Trail," require regular maintenance of their road surfaces, drainage, and vegetation to be reliably accessible as emergency service routes; and

WHEREAS, residents of SFC have indicated a wish to receive the services and be subject to the special benefit assessment; and

WHEREAS, the Board now considers it necessary and desirable to propose a special benefit assessment to enable the property owners within SFC to contribute toward a special benefit assessment for the maintenance of the emergency service roads and the operation and maintenance of drainage and flood control for the emergency service roads and to allow the ability to collect benefit assessments in the future to be utilized solely such services.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors, County of Mendocino, State of California, that it finds, determines and hereby declares that:

1. That the recitals hereinabove are adopted as true and correct; and
2. The Board proposes to adopt a special benefit assessment pursuant to Government Code section 54715; and
3. The reason for levying the special benefit assessment is to maintain access road alternatives for ingress/egress of equipment and resources during emergency events (primarily dry

weather access during wildfires) and to operate and maintain drainage and flood control for such alternative access roads; and

4. The special benefit assessment will provide enhanced access road alternatives for ingress/egress of equipment and resources by establishing regular operation and maintenance of designated road surfaces, drainage, flood control, and vegetation on the FirCo Haul Road and the Willits Creek Trail routes so that they may be used by emergency service vehicles in case of an emergency to have greater access to the SFC area; and
5. The Board adopts the Engineer's Report attached and incorporated by reference herein as Exhibit B that supports the proposed special benefit assessment; and
6. The Board approves the draft Notice of Public Hearing, Ballot Procedure, & Sample Ballot attached and incorporated by reference herein as Exhibit C and provides County staff the authority to revise such documents as needed; and
7. The Board will hold a public hearing on the proposed special benefit assessment on July 23, 2024 at 9 a.m. located at 501 Low Gap Rd, Ukiah, CA 95482.

BE IT FURTHER RESOLVED AND ORDERED that the Clerk of the Board file and publish this resolution and the Engineer's Report in accordance with Government Code section 54716 subsections (a) and (b).

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Williams, and carried this 21st day of May, 2024, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

MAUREEN MULHEREN, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
JAMES R. ROSS
Interim County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy

Exhibit A: Assessment Roll and Map

Exhibit B: Engineer's Report

Exhibit C: Notice of Public Hearing, Ballot Procedure, & Sample Ballot