

**EL DORADO COUNTY BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL  
Meeting of August 29, 2006**

**AGENDA TITLE:** West Valley Village Road and Drainage Zone of Benefit #98612 within County Service Area #9 – Ratify Election Results and Set Special Tax


**DEPARTMENT:** Transportation

**DEPT SIGNOFF:** 

**CAO USE ONLY:**

**CONTACT:** Richard W. Shepard, P.E.

**DATE:** August 21, 2006 **PHONE:** X 5981

 8/22/06

**DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:**

The El Dorado County Department of Transportation recommends that the Board of Supervisors adopt and authorize the Chair to sign the attached Resolution:

1. ratifying the results of the mailed ballot landowner election held on August 18, 2006 to consider a measure to establish a special tax for the West Valley Village Road and Drainage Zone of Benefit #98612 within County Service Area #9; and
2. setting the annual special tax upon each parcel of real property within the boundaries of the zone in an amount of \$141.00 commencing fiscal year 2007/2008, with annual adjustments tied to the Engineering News Report Construction Index.

**CAO RECOMMENDATIONS:** *Recommend approval Laura A Hill 8/22/06*

Financial impact?  Yes ( ) No

Funding Source: ( ) Gen Fund  Other  
Other: Zone of Benefit Special Tax

**BUDGET SUMMARY:**

Total Est. Cost	_____
<b>Funding</b>	
Budgeted	_____
New Funding	_____
Savings	_____
Other	_____
Total Funding	_____
<b>Change in Net County Cost</b>	\$0.00

**CAO Office Use Only:**

4/5's Vote Required ( ) Yes  No  
 Change in Policy ( ) Yes  No  
 New Personnel ( ) Yes  No

**CONCURRENCES:**

Risk Management N/A  
 County Counsel   
 Other \_\_\_\_\_

\***Explain** Actual fiscal impact unknown; minimal staff time to be paid from first year tax receipts.

**BOARD ACTIONS:**

**Vote:** Unanimous \_\_\_\_\_ Or

**Ayes:**

**Noes:**

**Abstentions:**

**Absent:**

Rev. 04/05

**I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors**

**Date:** \_\_\_\_\_

**Attest: Cindy Keck, Board of Supervisors Clerk**

**By:** \_\_\_\_\_

# COUNTY OF EL DORADO

# DEPARTMENT OF TRANSPORTATION

**MAINTENANCE DIVISION:**  
2441 Headington Road  
Placerville CA 95667  
Phone: (530) 642-4909  
Fax: (530) 642-9238

RICHARD W. SHEPARD, P.E.  
Director of Transportation  
  
**Internet Web Site:**  
<http://co.el-dorado.ca.us/dot>

**MAIN OFFICE:**  
2850 Fairlane Court  
Placerville CA 95667  
Phone: (530) 621-5900  
Fax: (530) 626-0387



August 18, 2006

Board of Supervisors  
330 Fair Lane  
Placerville, California 95667

**Title:** West Valley Village Road and Drainage Zone of Benefit #98612 within County Service Area #9 – Ratify Election Results and Set Special Tax.

**Meeting Date:** August 22, 2006

**District/Supervisor:** District II, Supervisor Helen Baumann

Dear Members of the Board:

**Recommendations:**

The El Dorado County Department of Transportation recommends that the Board of Supervisors adopt and authorize the Chair to sign the attached Resolution:

1. ratifying the results of the mailed ballot landowner election held on August 18, 2006 to consider a measure to establish a special tax for the West Valley Village Road and Drainage Zone of Benefit #98612 within County Service Area #9; and
2. setting the annual special tax upon each parcel of real property within the boundaries of the zone in an amount of \$141.00 commencing fiscal year 2007/2008, with annual adjustments tied to the Engineering News Report Construction Index.

**Reasons for Recommendations:**

A condition of approval was placed on the West Valley Village tentative subdivision map TM 99-1359 to form a county service area zone of benefit to provide a funding mechanism for the ongoing maintenance and eventual replacement of the primary collector roads, specifically portions of Valley View Parkway, Blackstone Parkway, Cornerstone Drive, Royal Oaks Drive and the entrance to the subdivision from Latrobe Road to Blackstone Parkway, and related drainage infrastructure within the subdivision. Your Board formed the West Valley Village Road and Drainage Zone of Benefit #98612 on July 18, 2006 by Resolution 233-2006. The Engineer's Report prepared and

submitted with the zone formation application resulted in a recommended first year annual special tax of \$141.00 per parcel.

California State law requires approval by two-thirds vote of qualified electors to establish a special tax; however the Elections Department has determined that there are no registered voters within the boundaries of the aforementioned zone. County Counsel opined that a landowner election would satisfy the voting requirement.

On July 18, 2006 your Board approved and adopted Resolution 228-2006 calling for a mailed ballot landowner election for West Valley Village Road and Drainage Zone of Benefit #98612. The mailed ballot election was held on August 18, 2006. The ballots were received and certified by the Director of Transportation. The measure has been approved by a two-thirds majority of the qualified voters in the election.

**Fiscal Impact:**

Any staff time associated with ratifying the election results or setting of the special tax will be paid from the first year's receipts. Staff time will be minimal.

**Action to be Taken Following Approval:**

1. The Clerk of the Board will have the Resolution signed by the Chair, and will provide two certified copies of the Resolution to the Department of Transportation.
2. The Department of Transportation will provide the Auditor/Controller's office with a copy of the Resolution.

Sincerely,  


Richard W. Shepard, P. E.  
Director of Transportation

RWS: esz  
Attachment

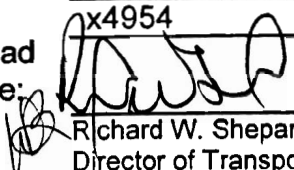
Sent to CoCo w/o CSU Review

Resolution#: 06-763  
Agenda Log # 06-2042

Resolution to Ratify Election & Set Special Tax

# CONTRACT ROUTING SHEET

### PROCESSING DEPARTMENT:

Department: Transportation Name: West Valley Village ZOB #98612  
 Dept. Contact: Elizabeth Zangari Ratify Election, Set Special Tax  
 Phone: x4954 Address: \_\_\_\_\_  
 Department Head \_\_\_\_\_ Phone: \_\_\_\_\_  
 Signature:  Phone: \_\_\_\_\_  
 Richard W. Shepard  
 Director of Transportation

### CONTRACTING DEPARTMENT: Transportation

Compliance with Human Resources requirements? Yes: N/A No: \_\_\_\_\_  
 Compliance verified by: N/A - Resolution

### COUNTY COUNSEL: (must approve all contracts and MOUs)

Approved:  Disapproved: \_\_\_\_\_ Date: 7/28/06 By: D. Livingston DM  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

\* SEE CHANGE NOTES W/ 800-17 NOTE.

Changes made as requested 7/28/06 ag

ASSIGNMENT

7/21/06  
 DATE  
 ATTORNEY DATE  
 DEPT INDEX NO.  
 [Handwritten initials and marks]

EL DORADO COUNTY COUNSEL  
 2006 JUL 19 PM 4:11  
 [Handwritten initials]

Please Return Directly to DOT.

Index Code: Special Districts - No Charge User Code: \_\_\_\_\_

### RISK MANAGEMENT: (All contracts and MOUs except boilerplate grant funding agreements)

Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

Risk Management Review Not Required

### OTHER APPROVAL (Specify department(s) participating or directly affected by this contract).

Department(s): \_\_\_\_\_  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Date: \_\_\_\_\_ By: \_\_\_\_\_

RECEIVED  
 DOT  
 2006 JUL 28 PM 4:15



## **RESOLUTION NO.**

### **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO**

**RATIFYING ELECTION RESULTS AND SETTING A SPECIAL TAX FOR THE WEST VALLEY VILLAGE ROAD AND DRAINAGE ZONE OF BENEFIT #98612 WITHIN COUNTY SERVICE AREA #9.**

**WHEREAS**, the Board of Supervisors of the County of El Dorado has formed County Service Area #9 pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the California Government Code; and

**WHEREAS**, on July 18, 2006, this Board formed West Valley Village Road and Drainage Zone of Benefit #98612 by Resolution 233-2006 for the purpose of providing road and drainage facility maintenance and improvement services; and

**WHEREAS**, the extended services to be provided within the zone of benefit are limited to certain roads and related facilities within the zone boundaries, specifically portions of Valley View Parkway, Blackstone Parkway, Cornerstone Drive, Royal Oaks Drive and the entrance to the subdivision from Latrobe Road to Blackstone Parkway; and

**WHEREAS**, California Government Code §25210.6a expressly authorizes a zone within a county service area to levy a special tax; and

**WHEREAS**, on July 18, 2006 this Board set a mailed ballot landowner election to consider a measure to establish a special tax for the purpose of providing road and drainage facility maintenance, repair and improvement services for West Valley Village Road and Drainage Zone of Benefit #98612 by Resolution 228-2006; and

**WHEREAS**, on August 18, 2006 the Department of Transportation properly submitted that measure to the landowners within the boundaries of the West Valley Village Road and Drainage Zone of Benefit #98612; and

**WHEREAS**, the ballots have been received and counted, and the Director of Transportation hereby certifies that two-thirds of the qualified voters in the election have approved the measure;

RESOLUTION NO. \_\_\_\_\_

PAGE TWO

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors determines as follows:

1. The results of the election for the measure to consider a special tax for the West Valley Village Road and Drainage Zone of Benefit #98612 within County Service Area #9 are hereby ratified.
2. A first year annual special tax in an amount of \$141.00 shall be levied upon each parcel of real property within the boundaries of the Zone, and shall take effect commencing with fiscal year 2007/2008, with annual adjustments tied to the Engineering News Report Construction Index.
3. The services to be provided are extended County services as defined in California Government Code Section 25210.4a.
4. The special tax shall appear as a separate item on the tax bill of each affected parcel and shall be collected at the same time and manner as county ad valorem taxes are collected as set forth in the applicable provisions of the Revenue and Taxation Code, and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county property taxes shall be applicable to each tax.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by the following vote of said Board:

Attest:  
Cindy Keck  
Clerk of the Board of Supervisors

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman, Board of Supervisors

I CERTIFY THAT:  
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

DATE: \_\_\_\_\_

Attest: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: \_\_\_\_\_

**CERTIFICATE OF OFFICIAL TABULATION OF SPECIAL TAX BALLOT  
COUNTY SERVICE AREA #9  
WEST VALLEY VILLAGE ROAD AND DRAINAGE ZONE OF BENEFIT #98612  
FOR ROAD AND DRAINAGE FACILITY  
MAINTENANCE AND IMPROVEMENT SERVICES**

I, Richard W. Shepard, P.E., Director of the El Dorado County Department of Transportation, do hereby certify that I did tabulate the ballot returns in the special mailed ballot landowner election called by the Board of Supervisors in its Resolution 228-2006 and held on August 18, 2006. The ballots were tabulated in accordance with the provisions and procedures for conducting a mailed ballot to establish a special tax for County Service Area #9 West Valley Village Road and Drainage Zone of Benefit #98612. I certify the results to be as follows:

<u>6</u>	Record Property Owners
<u>59</u>	Ballots mailed
<u>58</u>	Ballots cast
<u>0</u>	Total votes cast in opposition
<u>58</u>	Total votes cast in favor

This ballot measure did receive the required two-thirds majority of votes cast; therefore, the measure did pass.

I certify under penalty of perjury that the foregoing is true and correct. Executed this \_\_\_\_th day of \_\_\_\_\_, 2006.



A handwritten signature in black ink, appearing to read "Richard W. Shepard", is written over a horizontal line.

Richard W. Shepard, P.E., Director  
El Dorado County Department of Transportation