



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

SETTING FOR MAILED BALLOT ELECTION A MEASURE TO INCREASE A SPECIAL TAX FOR THE PURPOSE OF CONTINUING TO PROVIDE A PREVIOUSLY ESTABLISHED WASTE MANAGEMENT SERVICE FOR ZONE OF BENEFIT C #73299 WITHIN COUNTY SERVICE AREA NO. 10

WHEREAS, the Board of Supervisors of the County of El Dorado formed County Service Area (CSA) No. 10 pursuant to Title 3, Division 2, Part 2, Chapter 2.2 of the California Government Code and established zones of benefit within CSA No. 10; and

WHEREAS, pursuant to former Government Code §§ 25210.77a and 25210.77e, given continuing effect through Government Code § 25210.3(d), and Government Code § 25830, the Board of Supervisors, acting as the governing board of CSA No. 10, established a schedule of fees to be imposed on land within CSA No. 10 zones and on land within the cities of Placerville and South Lake Tahoe, with the consent of the legislative body of each city, to be used for the acquisition, operation, and maintenance of county waste disposal sites and for financing waste collection, processing, reclamation, and disposal services; and

WHEREAS, the Board of Supervisors adopted Ordinance No. 3555, codified in County Ordinance Code Chapter 3.30, establishing a procedure for imposing and collecting the charges; and

WHEREAS, in addition to the foregoing, Public Resources Code § 41901, the California Integrated Waste Management Act of 1989 (AB 939), as from time to time amended, provides the County with authority to impose and collect fees sufficient to cover the cost of preparing, adopting, and implementing a waste management program prepared pursuant to AB 939; and

WHEREAS, certain programs have been previously established for Zone of Benefit C and the City of South Lake Tahoe within CSA No. 10 to comply with the Clean Tahoe Program and provisions of the California Integrated Waste Management Act of 1989; and

WHEREAS, the extended services provided within CSA No. 10 zones are authorized services pursuant to Government Code section 25213; and

WHEREAS, California Government Code section 25215.2, together with section 25217.4, expressly authorizes a zone within a county service area to levy a special tax for financing waste collection, processing, reclamation and disposal services subject to voter approval; and

WHEREAS, pursuant to California State Law, the Board of Supervisors is required to place before the electorate the approval of the measure as shown on Exhibit A before the special tax can be levied, or increased over the amount previously approved by the electorate; and

WHEREAS, the County Registrar of Voters has determined that Six thousand five hundred and eighty-eight (6,588) registered voters reside within the zone of benefit boundaries; and

WHEREAS, such special tax amount increase shall take effect only if approved by a two-thirds majority of the voters casting a ballot in the special tax ballot proceeding; and

WHEREAS, the proposed waste management fee in the amount of \$12 per EDU, of each improved parcel of land, with annual adjustments tied to the US Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) is reasonable and sufficient to continue the provision of waste collection, processing, reclamation and disposal services within the specified Zone of benefit for the fiscal year 2025/2026, and thereafter; and

WHEREAS, if the measure as shown on Exhibit A does not pass, the existing benefit assessment of \$6.00 per EDU shall remain in effect.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that:

1. The measure shown on Exhibit A shall be submitted to the voters of the Zone of Benefit C, #73299 within County Service Area 10.
2. The El Dorado County Registrar of Voters shall submit the measure as shown on Exhibit A to the electorate in a mailed ballot election to be held on November 5, 2024.
3. The tax as shown on Exhibit A, if approved, shall appear as a separate item on the tax bill of each affected parcel and shall be collected at the same time and in the same manner as county ad valorem property 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 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 the tax.
4. The Director of Environmental Management, or designee, is delegated the authority to annually adjust the rate of the tax for cost of living using the US Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U).
5. The special tax is subject to the accountability measures required by State Law, including Government Code sections 50075.1.
6. Notification shall be provided of the special tax increase, if approved, to each non-resident property owner within the zone boundaries, in accordance with the requirements of Government Code section 54930.
7. The special tax amount shown on Exhibit A shall take effect and be imposed only if it is approved by a two-thirds majority of the votes cast on the measure in the election to be conducted on November 5, 2024.

