

COUNTY OF EL DORADO

**POLICY AND PROCEDURE GUIDELINES FOR
CREATION AND ADMINISTRATION OF
ZONES OF BENEFIT WITHIN A
COUNTY SERVICE AREA**

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**POLICY AND PROCEDURE GUIDELINES FOR CREATION
AND ADMINISTRATION OF ZONES OF BENEFIT
WITHIN A COUNTY SERVICE AREA**

INTRODUCTION

PURPOSE

The purpose of these Policy and Procedure Guidelines (Guidelines) is to establish a guide for creating, operating and maintaining zones of benefit within county service areas of El Dorado County.

A county service area (CSA) may be established pursuant to the provisions of the County Service Area Law (Title 3, Division 2, Part 2, Chapter 2.5, formerly Chapter 2.2, of the California Government Code, or successor statute) as a method to finance and provide needed public facilities and services to the residents and property owners in unincorporated areas. A CSA may include the entire county or only a specific geographic area within the county.

Zones of benefit may be established pursuant to Section 25217 of the CSA Law within a CSA to provide, in whole or in part, different authorized services, different levels of service, or to raise additional revenue within specific areas of a county service area.

These Guidelines are intended to comply with California Government Code, Public Contract Code, the California Constitution, El Dorado County Ordinance Code, policies of the El Dorado County Board of Supervisors and other applicable rulings, but are not intended to take the place of, or supersede, any such regulations.

These Guidelines are intended to apply to all CSAs of El Dorado County.

DEFINITION OF TERMS

Unless the context requires otherwise, as used in the *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area*, the following terms have the following meanings:

~~“Act” means Title 3, Division 2, Part 2, Chapter 2.5 (formerly Chapter 2.2) of the California Government Code, commencing with Section 25210, or successor statute; also known as “County Service Area Law” or “CSA Law.”~~

“Action” means a formation, annexation, detachment, dissolution of, or changes to the services provided within a zone of benefit.

“Advisory Committee” means an advisory body of persons appointed by the El Dorado County Board of Supervisors to serve as liaison between the property owners and residents in a zone of benefit and the County of El Dorado.

“Applicant” and “Petitioner” mean a person or person(s), either registered voter, property owner, or combination thereof, who submit a petition to the Board to initiate an action under the [ActCSA Law](#).

“Benefit Assessment” ~~means any levy or charge by an agency upon real property that is based on the special benefit conferred upon the real property by a public improvement or service, that is imposed to pay the capital cost of the public improvement, the maintenance and operation expenses of the public improvement, or the cost of the service being provided. New or increased benefit assessments require approval of a weighted majority of property owners through a majority protest proceeding consistent with the requirements of Article XIID of the California Constitution, as described in Government Section 53753 et seq., or successor statute.~~ has the same meaning as the term “assessment” as defined in Article XIII D, section 2(b) of the California Constitution, and Government Code Section 53750(b).

“**Board**” means the El Dorado County Board of Supervisors.

“**County**” means the County of El Dorado, California.

“**County Service Area**” means an entity established under CSA Law, or successor statute, for the purpose of providing a method to finance and provide needed public facilities and services, specific types of county services, or a higher level of county services within a territory that are not otherwise provided by some other entity.

“**County Service Area Law**” and “**CSA Law**” mean Title 3, Division 2, Part 2, Chapter 2.5 (formerly Chapter 2.2) of the California Government Code, commencing with Section 25210, or successor statute, ~~also known as the Act.~~

“**Guidelines**” means ~~the County of El Dorado Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit Within a County Service Area, Adopted March 12, 1985, Amended June 2, 1987, and Amended herein~~ these Guidelines.

“**Inhabited Territory**” for the purposes of a petition for an action as described in these Guidelines means territory within which there reside twelve or more registered voters. All other territory shall be deemed “uninhabited.”

“**Legal Description**” means the written metes and bounds description of the boundaries of a territory, and which is prepared by a licensed professional land surveyor.

~~“**Majority Protest Proceeding**” means a proceeding conducted pursuant to Article XIID of the California Constitution and Government Code §53750 et seq., or successor statute.~~

“**Property Owner**” means any person shown as the owner of land on the County’s most recent assessment roll, except where that person is no longer the owner. Where that person is no longer the owner, the property owner is any person entitled to be shown as the owner of land on the next assessment roll.

“**Services**” means construction and/or maintenance, operation and/or financing of improvements or facilities, vector control or library operations that are not provided through some other entity, but are specifically designated through a CSA as different County services, and may be provided through a zone of benefit established therein.

“**State Board of Equalization**” and “**SBE**” mean the agency responsible as one of many functions for establishing unique tax rate areas for territories within the State of California, including CSAs and zones of benefit.

“**Special Tax**” ~~means a tax imposed for specific purposes. New or increased special taxes require approval by 2/3 majority of the electorate.~~ has the same meaning as defined in Article XIII C, section 1(d) of the California Constitution.

“**Territory**” means a geographic area that lies within the boundaries described in a legal description and depicted in a professionally prepared map.

“**Zone of Benefit**” and “**Zone**” mean a Zone formed within a county service area in the unincorporated area of the County consistent with these Guidelines and the CSA Law. ~~territory or a specific area within an existing CSA established pursuant to Title 3, Part 2, Chapter 2.5 (formerly Chapter 2.2), Article 8 of the Government Code, or successor statute, for the purpose of providing specific additional or different level of County services within said territory or specific area. The services are funded through various mechanisms such as a benefit assessment or special tax that are approved through the appropriate proceedings.~~

PART I

INITIATION OF FORMATION PROCEEDINGS BY THE BOARD OF SUPERVISORS

Proceedings for the formation of a zone of benefit within a county service area may be initiated by the Board of Supervisors in accordance with Government Code Section 25217, or successor statute. Prior to initiating proceedings, the Board will comply with all requirements of Part II of these Guidelines, as applicable.

A. Adoption of Resolution of Intention

To initiate proceedings, the Board shall adopt a resolution of intention to form the zone of benefit. The resolution of intention shall do all of the following:

1. State that the proposal to form a zone of benefit is made pursuant to Article 8 of Title 3, Division 2, Part 2, Chapter 2.5 of the Government Code, or successor statute.
2. Set forth a description of the boundaries of the territory (legal description) accompanied by a map showing the boundaries proposed for inclusion in the zone.
3. State the reasons for forming the zone.
4. State the type or types of different authorized services, different levels of services, different authorized facilities, or additional revenues that the zone will provide.
5. Set forth the methods by which the authorized services, levels of service, or authorized facilities will be financed, either by a special tax pursuant to Section 25215.2 of the [ActGovernment Code](#), or successor statute, or by a benefit assessment pursuant to Section 25215.3 of the [ActGovernment Code](#), or successor statute, or other lawful funding mechanism.
6. Propose a name ~~or number~~ for the zone following the form: “Zone ~~Number~~Name _____ within County Service Area _____”.
7. Fix a date, time and place for a public hearing on the formation of the zone which shall not be less than twenty (20) nor more than ~~sixty-ninety~~ (6090) days after the adoption of the resolution of intention.

B. Notice of Hearing and Publication

The Clerk of the Board of Supervisors shall:

1. Publish a notice of hearing pursuant to Section 6061 of the Government Code or successor statute in a newspaper of general circulation in the county. Publication shall be completed at least ten (10) days prior to the date of the hearing. The notice shall:
 - a. Contain the text of the resolution
 - b. State the date, time and place for the hearing
 - c. State that at the time of the hearing testimony of all interested persons for or against the establishment of the zone shall be heard.
2. Mail the notice at least twenty (20) days before the date of the hearing to all owners of property within the proposed zone.
3. Mail the notice at least twenty (20) days before the date of the hearing to each city and special district that contains, or whose sphere of influence contains, the proposed zone.
4. Post the notice in at least three (3) public places within the territory of the proposed zone.
5. Provide notice to any other parties as required by law.

PART II
INITIATION OF FORMATION PROCEEDINGS BY PETITION

The property owners and/or registered voters within a territory or a specific area may initiate proceedings by ~~making application to~~ petitioning the County for the formation of a zone of benefit within a county service area. The application to form a zone of benefit shall consist, at a minimum, of the submittal of the following documents: a petition containing the information discussed below in Part II.A., professionally prepared maps and a boundary description of the proposed zone which meet the requirements for filing a jurisdictional boundary change with the State Board of Equalization (SBE), and a separate listing of the parcels to be included in the proposed zone.

The separate listing of parcels may be omitted if the proposed zone of benefit has the same perimeter boundary as another existing special district, school district or other governmental boundary line on record with the County and the SBE.

When formation of a zone of benefit is a condition of approval for development, a copy of the full project conditions as approved by the County is required.

A. Petition Summary Requirements

A petition to initiate proceedings for the formation of a zone shall include all the following:

1. State that the proposal to form a zone of benefit is made pursuant to Article 8 of Title 3, Division 2, Part 2, Chapter 2.5 of the Government Code, or successor statute.
2. Set forth a legal description of the boundaries of the territory accompanied by a map showing the boundaries proposed for inclusion in the zone.
3. State the reasons for forming the zone.
4. State the type or types of different authorized services, different levels of services, different authorized facilities, or additional revenues that the zone will provide.
5. Set forth the methods by which the authorized services, levels of service, or authorized facilities will be financed, either by a special tax pursuant to Section 25215.2 of the [AetGovernment Code](#), or successor statute, or by a benefit assessment pursuant to

25215.3 of the ~~Aet~~[Government Code](#), or successor statute, or by other lawful funding mechanism. It shall also be stated that the special tax, benefit assessment, or other lawful funding mechanism shall be in an amount sufficient to pay for the proposed services, including administrative and miscellaneous costs incurred by the County in providing such services.

6. Propose a name ~~or number~~ for the zone following the form: “Zone ~~Number-Name~~ _____ within County Service Area _____”.
7. List at least three (3) registered voters or property owners within the proposed zone to serve on the advisory committee. The Board in its discretion may either determine not to appoint an advisory committee at ~~all, or~~ all or may appoint an advisory committee of such composition as it, in its sole discretion determines appropriate.
8. Contain the signatures of not less than ten (10) percent of the registered voters residing within the proposed zone.

B. Map Requirements

1. Every map shall comply with the requirements for jurisdictional boundary changes pursuant to Chapter 8 (commencing with Section 54900) Part 1, Division 2, Title 5 of Government Code, or successor statute.
2. All maps shall be professionally drawn or copied and bear the stamp of a licensed land surveyor or civil engineer.
3. All maps shall clearly identify each currently existing (at the time of the application) parcel within the proposed benefit zone. Said parcels are to be identified by Assessor’s Parcel Number (APN). If the zone is being proposed for a new subdivision wherein the new parcel alignment has not yet received an APN assignment, the lot numbers used for maps submitted to the department responsible for parcel map review shall also be indicated.

C. Boundary Descriptions

Every description shall comply with the requirements for jurisdictional boundary changes pursuant to Chapter 8, (commencing with Section 54900), Part 1, Division 2, Title 5 of the Government Code, or successor statute.

D. Actual Costs

1. County Cost

- a. The applicant shall pay all actual costs to the County for processing the petition. The petition to form a zone of benefit shall include a deposit ~~of one thousand dollars (\$1,000) which amount may be revised periodically by~~ equal to the current amount set by resolution of the Board ~~adopted subsequent to the approval of these Guidelines,~~ toward the actual cost of verifying the petition documents, holding public hearings and conducting proceedings to establish financing. If the actual cost to the County for such purposes is in excess of ~~one thousand dollars (\$1,000) initial costs,~~ the County shall bill the applicant for the excess costs ~~shall be billed to the applicant~~ on a quarterly basis. The Applicant shall in full pay ~~All outstanding costs shall be paid in full by the applicant prior to~~ before the Board certification of the election results establishing a special tax, adoption of the resolution establishing the benefit assessment, or other action as required by the proceedings to establish financing for the zone through any lawful mechanism, and filing with the SBE, or upon termination of the proceedings for the action requested.
- b. If the actual costs to the County are less than the deposit, the excess funds shall be placed in the account established by the County Auditor Controller for the zone of benefit, to be used toward funding zone activities.
- c. The deposit is non-refundable except when the proceedings to form the zone are terminated pursuant to Section 25217.1 of the Government Code, or successor statute, and actual costs to the County are less than the amount deposited. Written confirmation of withdrawal of the petition must be provided to the County by the applicant in order to receive a refund of unexpended deposited funds.

2. Board of Equalization Filing Fees

- a. Filing fees are required by the SBE at such time an action is filed. The amount is determined by the type of action and the acreage included in the action. The actual amounts due to the SBE may be estimated using the Change of

Jurisdictional Boundary document available from the State Board of Equalization. The applicant will be advised of the exact amount required, which shall be provided to the County in the form of a check made payable to the Board of Equalization.

- b. The action shall not be filed with the SBE until the filing fees are received by the County.

E. Activities Prior to Hearing

Prior to the County scheduling the public hearing, the applicant shall satisfy the requirements of the petition for an action, Irrevocable Offers of Dedication (IOD) when applicable, and financing.

1. Verification of Petition

The County department assigned to administer the proposed zone of benefit will verify the signatures on the petition, verify ownership of property, and determine that the required percentage of signatures has been met pursuant to Section 25217(c) of the Government Code or successor statute. The County department administering the Zone may verify this information by requesting assistance from ~~o~~Other departments in the County ~~may be called upon to verify this information, verifying the ownership except that ownership may be also verified~~ through a current title report prepared by a reputable-licensed title company, or any other methods that staff determines is reliable.

2. Verification of Irrevocable Offers of Dedication

The applicant shall demonstrate to the satisfaction of staff that the County currently has, or that the applicant will provide at no cost to the County, or provide public rights to the property, ~~facility~~facility, or easement for which the proposed zone will provide financing. If staff concludes that the County does not currently have adequate property rights in the Property and the Applicant declines to provide that ownership at no cost to the County, then the proceedings to form the District will cease.

- a. ~~shall of~~Where the proposed services are to be provided on property or facilities currently owned by the County, or on property for which there is an existing IOD to the County, the applicant shall submit proof of such offer in the form of

~~a recorded IOD, resolution accepting the final subdivision map and the improvements therein, or other instrument determined upon review to be satisfactory to the County.~~

~~b. In all other circumstances, an IOD for the subject property or facilities shall be provided. The IOD shall include: a definite and certain legal description dedicating the right-of-way to the County; a title report prepared by a reputable title company showing all interests of record in the property, together with a certification by the County's Community Development Agency Transportation Division, or successor agency, that the proposed dedication meets all the requirements of this policy.~~

~~i. If an easement is dedicated to the County rather than fee title, provision shall be made giving the County the right to grant easements for the installation of public utilities within said easement.~~

~~ii. If the Board accepts the dedication, the dedication and acceptance may be conditioned with the statement that the easements are of local interest and the county service area will not be obligated to perform any services not otherwise funded through benefit assessments or levy of a special tax, or other lawful funding mechanism.~~

~~iii. The dedication and acceptance will be recorded at the time the resolution forming the zone of benefit is recorded or with the recording of the final map where the formation is a condition of approval for development. If the Board terminates proceedings to form the zone, the dedication will be rejected, and other action directed as deemed appropriate by the Board for the facilities offered.~~

The acceptance of the Board of an IOD for purposes of providing services to a proposed zone does not constitute the acceptance of that property as part of the County-maintained road system. All matters pertaining to right-of-way shall conform to the relevant provisions of the Streets and Highways Code, the El Dorado County Code of Ordinances, the El Dorado County General Plan, in particular policies TC-1r and TC 1s., and County's policies relating to acceptance of right-of-way, easements, and/or facilities by the County for maintenance, as

~~originally promulgated through~~established by Resolution 114-74 of the Board, or any successor resolution.

3. Verification of Financing

The applicant shall provide Pproof of adequacy of proposed financing ~~shall be provided~~ pursuant to Part III, Section C of these Guidelines.

F. Notice of Hearing

Upon verification of the petition and other application documents, the Clerk of the Board of Supervisors shall:

1. Schedule a public hearing.
2. Provide public notice of the hearing in the same manner as described under Part I, Section B of these Guidelines.

PART III
FORMATION OF A ZONE OF BENEFIT

A. Hearing Procedure

The Board shall conduct a public hearing, pursuant to Section 25217.1 of the Government Code, or successor statute.

1. In the case of inhabited territory, if more than fifty (50) percent of the registered voters residing within the territory to be included in the zone file written protests against the establishment of the zone, the Board shall terminate the proceedings to form the zone.
2. In the case of uninhabited territory, if more than fifty (50) percent of the property owners of fifty (50) percent or more of the assessed value of the land and improvements in the territory proposed to be included in the zone file written protests against the establishment of the zone, the Board shall terminate the proceedings to form the zone.
3. ~~If such majority protest is against only the furnishing of a specified type or types of different services within the zone, those types of service may be eliminated from the resolution finally establishing the zone.~~

B. Findings and Determination

The hearing may be continued from time to ~~time, but~~ time but shall be completed within ~~sixty ninety~~ (960) days from the date stated in the notice of hearing. As a condition of zone formation, the Board shall make the following findings:

1. That the services described in the petition are the types of services a zone is authorized to provide pursuant to the AetCSA Law;
2. ~~Where~~ If the proposed services are property-related, that the property owners in the proposed zone have demonstrated sufficient County ownership of the facilities to be serviced; or that IODs have been submitted for the facilities to be serviced, and will be considered under a separate resolution; and
3. That all outstanding County costs for the proceedings have been paid.

If no majority protest is heard, [the Board may elect to form the zone if the board determines that it is in the public interest to provide the different authorized services, provide different levels of service, provide different authorized facilities, or raise additional revenues.](#) ~~If and~~ the Board elects to form the zone, the resolution forming the zone shall incorporate the above findings, shall state the name of the proposed zone in substantially the following form: “Zone No. ___ of County Service Area No. ___,” and shall further state the following:

1. The type(s) of services to be provided within the zone. The Board may eliminate one or more of the types of services specified in the petition or resolution;
2. The extent of any protest against the establishment of the zone ~~or the furnishing of a specified type or types of different services within the zone;~~
3. The boundaries of the proposed zone. In establishing the boundaries of the zone, the Board may alter the exterior boundaries of the zone to include less territory than that described in the petition or resolution, but it may not include any territory not described in the petition or resolution;
4. The estimated annual cost of the services to be levied against each parcel within the zone for the first year such services are to be provided;
5. Whether the financing of the services shall be through a special tax pursuant to Section 25215.2 [of the Government Code](#) or successor statute, or a benefit assessment subject to Section 25215.3 [of the Government Code](#) or successor statute, or other lawful funding mechanism;
6. That if the funding mechanism is not approved through the appropriate proceeding, the zone shall not be formed;
7. Whether land devoted primarily to agriculture or livestock uses and being used for the commercial production of agriculture or livestock products should be excluded from the zone pursuant to section 25210.7 (d) of the ~~Aet~~[Government Code](#), or successor statute;
8. Whether an advisory committee should be appointed for the zone and, if so, the members of the advisory committee;
9. That the appropriate proceeding to authorize the levy of the financing mechanism will be considered under a separate resolution.

C. Financing

Formation of a zone of benefit shall not become effective unless and until a permanent method of financing the services for which it was formed is established. The financing method proposed, whether a special tax, benefit assessment or other lawful funding mechanism, shall be in an amount sufficient to pay for the proposed services, including the administrative and miscellaneous costs incurred by the County in providing such services.

1. The county department assigned to administer the zone of benefit shall verify that the proposed financing is sufficient.
2. The special tax, benefit assessment or other lawful funding mechanism shall be subject to approval through the appropriate proceeding.

Upon the adoption of a resolution establishing a zone and approval of the funding mechanism through the appropriate proceeding, the zone is established for all purposes, subject only to compliance with the requirements of Chapter 8 (commencing with Section 54900), Part 1, Division 2, Title 5 of Government Code or successor statute.

PART IV
CHANGES TO EXISTING ZONES OF BENEFIT

The Board of Supervisors may change the boundaries of an established zone of benefit, add or eliminate different services provided in a zone, or dissolve a zone of benefit. Proceedings may be initiated either by petition of property owners ~~and/or~~, registered voters, or by the Board. ~~Where-If formation, annexation or addition of different services is required~~ the Zone was formed as a condition of approval for development under the Subdivision Map Act, an amendment to the ~~development conditions eliminating the requirement~~ conditions of approval of that Map must may be required changing the boundaries of the Zone be obtained ~~prior to~~ before ~~initiating a reversing action~~ taking that action.

A. Changes to Zone Boundaries

1. By Property Owners

One or more owners of property may petition the Board to have their territory annexed to or detached from an existing zone by following the procedures in Part II and Part III of these Guidelines, as appropriate.

- a. The action shall not be ~~reecorded~~ recorded, nor shall it become effective until petitioner provides County with sufficient funds to file the action with the SBE and has paid all outstanding costs associated with the proceedings.

2. By the Board

The Board may initiate proceedings to annex territory to or detach territory from an existing zone by following the procedures in Part I and Part III of these Guidelines as appropriate, when it finds that it is in the public interest to do so.

- a. The Board may provide in the resolution annexing the territory to the zone that the cost associated with the proceedings, including SBE filing fees, may be charged against the zone assets or paid by some other means deemed appropriate by the Board at their discretion.

B. Dissolution of a Zone of Benefit

1. Registered Voters

Registered voters located within the boundaries of a zone of benefit may petition the Board to dissolve ~~a zone of benefit~~the Zone by following the procedures in Part II and Part III of these Guidelines as appropriate.

- a. The petition to dissolve the zone shall include a deposit consistent with the provisions of Part II, Section D of these Guidelines. The actual cost to the County, including fees chargeable by the SBE, associated with the proceedings shall be determined and, if in excess of the deposit, the excess may be charged against the remaining assets of the zone. If there are any funds remaining in the account of the Zone after accounting for all costs related to dissolution, the remaining amount may be transferred to the County General Fund, unless otherwise directed by the Board consistent with any limitations on the use of those funds.

2. By the Board

The Board may initiate proceedings to dissolve a zone of benefit if the Board determines that it is no longer in the public interest to ~~because public convenience and/or necessity no longer require that the different service be provided~~ provide the services, or when such action is in the best interest of the public, or when zone revenues are insufficient to support zone activities. The Board may dissolve a Zone by following the procedures in Part I and Part III of these Guidelines.

- a. The actual cost to the County, including fees chargeable by the SBE, associated with the proceedings shall be charged against the remaining assets or funds of the zone. If there are any funds remaining in the account of the Zone after accounting for all costs related to dissolution, the remaining amount may be transferred to the County General Fund, unless otherwise directed by the Board consistent with any limitations on the use of those funds. The Board may, consistent with the California Constitution, provide in the resolution dissolving

the zone that final charges or special taxes shall be levied to satisfy existing debts or obligations of the zone.

C. Changes to Services

1. Different services may be added to an existing zone of benefit by the same process through which territory is added to an existing zone, or a zone is formed following the procedures as described in Part IV, Section A of these Guidelines, in conformance with the procedures established under CSA Law.
2. Services may be eliminated from an existing zone by the same process through which territory is detached from an existing or a zone is dissolved as described in Part IV, Section B of these Guidelines. ~~Prior to~~Before initiating proceedings, the Board shall first conduct a public hearing to divest the zone of the authority to provide the different services pursuant to Section 25213.6 of the ~~Act~~Government Code, or successor statute.

PART V
ADVISORY COMMITTEE

A. Appointment and Term

If the Board establishes an advisory committee for a zone of benefit, the committee shall be appointed by and serve at the pleasure of the Board. The Board may provide for the qualifications, terms, procedures, meetings and ethical conduct of members of an advisory committee.

B. Purpose

1. The purpose of the advisory committee is to periodically meet with property owners and residents within the zone to identify unmet service needs, evaluate the adequacy of the services provided, and make recommendations regarding the annual budget and other matters concerning the zone to the Board through the county department responsible for administration of the zone.
2. Comments by an advisory committee and its members are wholly advisory and it is not within the authority of an advisory committee or its members to make decisions, manage or direct the delivery of services on behalf of the zone.

C. Meetings

1. Advisory committees shall meet at least four (4) times per year; at least one meeting shall be a general meeting of all interested property owners/residents. Notice of all meetings is to be provided to all property owners and residents in accordance with [California's Open Meeting Law](#) ~~the~~ [the Ralph M. Brown Act \(Cal Gov. Code § 54950 et seq.\)](#). Minutes of each meeting shall be ~~kept~~ [kept](#), and a copy forwarded to the County. The advisory committee members shall comply with all state laws and county policies related to open meetings.
2. Each advisory committee member shall complete ethics training within six (6) months of appointment, and every two (2) years thereafter as long as ~~he~~ [he/shes/he](#) remains on the advisory committee. A Certificate of Completion shall be provided to and retained by

the County. Advisory committee members are subject to the ethical conduct and all other provisions set forth in these Guidelines and supporting documents hereto.

D. Volunteer Work

Volunteer work may be organized by advisory committees in accordance with the Board of Supervisors approved procedures. The Board reserves the right to evaluate, change or eliminate volunteer work in zones of benefit at its own discretion.

E. Budget and Accounting

1. Reports for the individual budgets and accounts established by the County Auditor-Controller for each zone shall be made available to a designated member of the advisory committee ~~upon request on a quarterly basis~~. These reports shall detail expenditure and revenue collection.
2. Each year during the budget preparation cycle, staff of the county department assigned to administer the zones of benefit shall ~~meet with representatives~~ work with the designated member of the respective advisory committees to estimate the budget needs for the ensuing year. The resulting budget will be included in the department budget and brought to the Board in the form of a public hearing at the same time as the County's budget is presented.

F. Expenditure of Funds

1. The financial management of the zones of benefit shall be treated as any other department of the County. No expenditures shall be made from a zone unless the expenditures are supported by actual revenue collections.
2. Purchases of services ~~and~~/or supplies on behalf of the zone shall be made by the County department assigned to administer the zones of benefit and paid from the zone account.
3. Contracts for services shall be between the contractor and the County on behalf of the zone of benefit.
4. Reimbursements may be made to an advisory committee member from the zone account only for specific items authorized herein, and only to an advisory committee

member for whom a current Certificate of Completion of Ethics Training is on file with the County.

- a. Items eligible for reimbursement are limited to: postage, mailing labels, name tags, envelopes, paper, staples, writing implements, adhesive tape, printer cartridges, photocopying expenses, and fuel cost for equipment used in performing pre-approved volunteer work.
- b. Original receipts must be presented.

5. By law, zone funds cannot be used for any purpose other than approved work in the zone and costs associated with operations and administration of the zone. Any funds budgeted but not used within one fiscal year are carried over into the zone's account for the next fiscal year. If budgeted projects are not completed, the funds will be available for the zone's use in the next year. ~~An exception is that if a zone were to be dissolved, and a balance remained in the account, the excess funds at the time of dissolution would go to the County General Fund. Alternatively, should a Homeowner's Association (HOA) assume a road zone's services, the Board may make findings to distribute said excess funds to the successor HOA.~~

Advisory committee members are further directed regarding financial management of zones in Part VI, Sections B, and C, of these Guidelines.

PART VI
ADMINISTRATION OF ZONES OF BENEFIT

A. Budget and Accounting

1. The County Auditor-Controller shall establish individual budgets and accounts for zones of benefit within a fund established for the CSA. Reports for these budgets shall detail expenditure and revenue collection activity, ~~shall be made available to the County department assigned to administer the zones of benefit on a monthly basis.~~
2. Each year during the budget preparation cycle, the staff of the county department assigned to administer the zones of benefit shall estimate the budget needs for each zone of benefit for the ensuing year. The resulting budget will be included in the department budget and will be brought to the Board in the form of a public hearing at the same time as the County's budget is presented.

B. Expenditure of Funds

Except in cases where the Board has advanced funds pursuant to Section 25214.3 of the Government Code or successor statute, or loaned funds pursuant to Section 25214.4 of the Government Code or successor statute, ~~no the County shall not authorize~~ expenditures ~~shall be made~~ from a zone budget unless the expenditures are supported by actual revenue collection. The financial management of the zones of benefit shall be treated as any other department of the County. Expenditures may be made from zone funds insofar as the proposed expenditures have been approved by the Board and are represented in an approved ~~line item~~line-item budget.

1. Purchasing of services and/or supplies shall be done in accordance with state and county codes, policies and procedures.
2. Purchasing of services and/or supplies on behalf of any zone shall be made by the department assigned to administer the zones of benefit and paid from the zone account.
3. Contracts for services shall be between the contractor and the County on behalf of the zone. Another county department may be called upon to review and comment upon contract ~~and~~ or bid specifications and bid results and specifically whether the bid

results are reasonable given the nature and scope of the proposed project. Any costs incurred by that department shall be reimbursed from the funds accruing to the zone.

C. Advance of Funds

1. Staff may, after consultation with the applicable advisory committee, request An advance of funds no greater than ~~eightyseven~~-five (~~8575~~) percent of an ensuing fiscal year's estimated earnings ~~may be requested~~ for a zone of benefit to pay for any lawful expenses of the zone. The Board may, at its discretion, advance the funds as a loan from any available funds of the County to the zone.
2. The advance shall be repaid within the same fiscal year in which the Board loaned the funds at a rate of interest no greater than the rate the County earns on its idle funds unless the Board, at its discretion, determines otherwise consistent with provisions of Section 25214.4, or successor, of Government Code.

Appendix A –Selected References

References:

El Dorado County Board of Supervisors Policy Manual, Section C17 – “ Procurement Policy.”

State Board of Equalization Change of Jurisdictional Boundary Requirements (California Government Code Sections 54900 through 54903.)

County Service Area Law (California Government Code Section 25210 et. seq.)

Ralph M. Brown Act (California Government Code Section 54950 et. seq.)

California Constitution Articles XIIIIC and XIID

APPENDIX B

KEY TIME FRAMES

BOARD INITIATION

<u>Activity</u>	<u>Time Frame</u>
1. Motion to Initiate	Begins Process
2. Adopt Resolution of Intent to Establish a Zone of Benefit	Within 30 days of (#1 a Above)
3. Notice of Public Hearing	Mailed at least 20 days prior to Public Hearing
4. Public Hearing	20-60 Days after adoption of Resolution of Intent (#2 above)
5. Public Hearing Completed; Resolution of Formation Adopted or Proceedings Terminated.	Within 60 days of first public hearing date

INITIATION BY PETITION

Obtain required information from Zone of Benefit Website or County Department Staff:
<https://www.eldoradocounty.ca.gov/Land-Use/Department-of-Transportation/County-Service-Area-Zones-of-Benefit>
<https://www.edc.gov.us/Government/dot/Pages/Zones-of-Benefit.aspx>

This includes:

- a) Policy and Procedure Guidelines
- b) Petition Documents including Parcel Listing Form

<u>Activity</u>	<u>Time Frame</u>
1. Obtain information for Parcel Listing Form, Maps, Petition Signatures, Offers of Dedication, Title Report	0-6 months between first & last signature
2. Submission of Materials to Staff	Within <u>60 days</u> of date of last signature

Materials to include:

- a) Petition Document, with Irrevocable Offers of Dedication where required
- b) Title Report showing all interests of record in property
- c) Parcel Listing Form
- d) Map of Proposed Zone (3 copies – two 24” x 36”, one 8 1/2” x 11”)
- e) Legal Description of Boundaries of Zone
- f) Engineer’s Report when required

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|----|---|---|
| 3. | <i>Petition Verification & Certification of Submitted Materials</i> | <i>Upon Receipt</i> |
| | <i>Verifications & Certifications:</i> | |
| | <i>Registrar of Voters – All Voter Signatures</i> | |
| | <i>Assessor – Parcel Information</i> | |
| | <i>Surveyor – Map, Legal Description</i> | |
| | <i>Transportation – Irrevocable Offers of Dedication</i> | |
| 4. | <i>Set Dates for Public Hearings with Clerk of the Board of Supervisors</i>
<i>1st Hearing: Resolution of Intent to Establish Zone</i>
<i>2nd Hearing: Public Hearing to consider formation</i> | <i>Following all materials being verified/certified-</i> |
| 5. | <i>Notice of Public Hearing to Newspaper by Clerk of the Board, Physical Posting Completed by Petitioner(s)</i> | <i>Mailed at least 20 days prior to public hearing</i> |
| 6. | <i>Public Hearing Completed:</i>
<i>Zone Formed by Resolution & Board Sets Date for Proceedings for Approval of Funding Mechanism; or Zone Formation Denied</i> | <i>Within 60 days of first hearing (Resolution of Intent Adopted)</i> |
| 7. | <i>Proceedings for Funding Mechanism Scheduled and Conducted</i> | <i>Within 90 days of Resolution fForming <u>the</u> Zone</i> |
| 8. | <i>Zone Formation Completed or Abandoned based on Result of Proceeding.</i> | |

Additional Activities

Documents to be Recorded and Filed with State Board of Equalization:

<i>Board Resolution, Proceeding for Funding Mechanism results, Map, and Legal Description</i>	<i>By December 1 to include on next year's tax roll</i>
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Information Provided to the Auditor-Controller's Property Tax Division:

<i>Submittal of Benefit Assessment/Special Tax and Budget Information to Auditor-Controller</i>	<i>By August 10 to have placed on tax roll</i>
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