

EL DORADO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM TRANSMITTAL

Meeting of October 3, 2006

AGENDA TITLE: Hawk View Zone of Benefit #98613 within County Service Area #9 – Resolution Setting for a Mailed Ballot Landowner Election to Establish a Special Tax

DEPARTMENT: Transportation

DEPT SIGNOFF: 

CAO USE ONLY:

CONTACT: Richard W. Shepard, P.E.

DATE: September 15, 2006 **PHONE:** X 5981

C-088

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

The El Dorado County Department of Transportation recommends the Board of Supervisors: approve and authorize the Chair to sign the attached Resolution calling for a mailed ballot landowner election to be set for November 3, 2006 to consider the establishment of a special tax for the purpose of providing road and drainage facility maintenance services for the Hawk View Zone of Benefit #98613 within County Service Area #9 as shown on Exhibit A.

CAO RECOMMENDATIONS:

*Recommend approval. Laurel A. Hill
9/25/06*

Financial impact? Yes () No

Funding Source: () Gen Fund Other

BUDGET SUMMARY:

Other: Zone Special Taxes

Total Est. Cost \$ 200.00

CAO Office Use Only:

Funding

Budgeted \$200.00

New Funding _____

Savings _____

Other _____

Total Funding \$200.00

Change in Net County Cost \$ 0.00

4/5's Vote Required () Yes () No

Change in Policy () Yes () No

New Personnel () Yes () No

CONCURRENCES:

Risk Management _____

County Counsel _____

Other _____

***Explain**

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: _____



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



September 15, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

Title: Hawk View Zone of Benefit #98613 within County Service Area #9 – Resolution Setting for a Mailed Ballot Landowner Election to Establish a Special Tax

Meeting Date: October 3, 2006

District/Supervisor: District I, Supervisor Dupray

Dear Members of the Board:

Recommendations:

The Department of Transportation recommends that the Board of Supervisors approve and authorize the Chair to sign the attached Resolution calling for a mailed ballot landowner election to be set for November 3, 2006 to consider the establishment of a special tax for the purpose of providing road and drainage facility maintenance services for the Hawk View Zone of Benefit #98613 within County Service Area #9 as shown on Exhibit A.

Reasons for Recommendations:

A condition of approval was placed on the Hawk View tentative subdivision map to form a zone of benefit to provide a funding mechanism for the ongoing maintenance and eventual replacement of the roads and drainage infrastructure within the subdivision. As a result, your Board has held a public hearing and formed by a Resolution dated October 3, 2006 the Hawk View Zone of Benefit #98613.

California State law requires approval by registered voters to establish a special tax. However, the Registrar of Voters has determined that there are no persons registered to vote within the boundaries of the aforementioned zone. County Counsel opined that a landowner election would satisfy the voter approval requirement; therefore, your Board is requested to set the measure shown on Exhibit A for a mailed ballot landowner election.

Fiscal Impact:

All costs associated with the mailed ballot landowner election will initially be funded with Special Districts Administrative funds which will be reimbursed from the zone if the special tax is approved and after funds have been collected. The estimated cost of the proceeding is \$200.00

The Engineer's Report submitted with the zone formation application determined that the road and drainage zone would require an initial assessment of \$381.00 per parcel. These revenues will fund both maintenance and an infrastructure replacement reserve. The projected number of parcels within the zone is 114, which will ultimately result in annual revenue of \$43,434.00 before adjustments for inflation. The special tax, if approved, will allow for an annual inflator.

Net County Cost:

There is no Net County Cost.

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 conduct a mailed ballot landowner election on November 3, 2006 to consider the measure shown on Exhibit A.

Sincerely,



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

RWS: esz
Attachment



RESOLUTION NO.
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

SETTING FOR MAILED BALLOT LANDOWNER ELECTION A MEASURE TO ESTABLISH A SPECIAL TAX FOR THE PURPOSES OF PROVIDING ROAD AND DRAINAGE FACILITY IMPROVEMENT AND MAINTENANCE SERVICES FOR HAWK VIEW ZONE OF BENEFIT #98613 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, this Board formed Hawk View Zone of Benefit #98613 on October 3, 2006 by Resolution _____ for the purpose of providing road and drainage facility improvement and maintenance services; and

WHEREAS, California Government Code §25210.6a expressly authorizes a county service area to levy a special tax for road and drainage facility improvement and maintenance services subject to voter approval; and

WHEREAS, the County Registrar of Voters has determined that no registered voters reside within the zone of benefit boundaries; and

WHEREAS, in the absence of registered voters residing within the boundaries of the zone, a landowner election may be conducted in order to establish a special tax; 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; and

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

WHEREAS, an Engineer's Report for Zone of Benefit Drainage Facilities Maintenance and Road Maintenance for Hawk View TM 00-1371 dated June 2006 was prepared and submitted with the zone formation application resulting in a recommended first year annual assessment of \$381.00 per parcel; and

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

1. The measure shall be submitted to the voters of the Hawk View Zone of Benefit #98613 within County Service Area #9 as shown on Exhibit A.

RESOLUTION NO. _____

Page Two

- 2. The Department of Transportation shall submit the measure as shown on Exhibit A before the landowners in a mailed ballot election to be held on Novemeber 3, 2006.
- 3. The tax as shown on Exhibit A 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 delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county property taxes shall be applicable to such tax.
- 4. The special tax shown on Exhibit A shall take effect and be imposed only if it is approved by a two-thirds majority of the votes cast in the mailed ballot election to be conducted on Novemeber 3, 2006.

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 _____, 2006, 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: _____

Exhibit A

“Shall an annual special tax in an amount of \$381.00 on each parcel of real property be levied within Hawk View Zone of Benefit commencing fiscal year 2007/2008, with annual adjustments tied to the Engineering News Report Construction Index, to be used only for road and drainage facility improvement and maintenance services?”

URGENT REVIEW

Resolution#: 06-794

Agenda Item
06-2205

CONTRACT ROUTING SHEET

PROCESSING DEPARTMENT: DOT

Department: Transportation
 Dept. Contact: Tim Prudhel
 Phone: 5974
 Department Head
 Signature: Tim Prudhel 09-12-06

Name: Hawk View ZOB #98613 -
Call for Election

CONTRACTING DEPARTMENT: Transportation

Compliance with Human Resources requirements? Yes: N/A No: _____
 Compliance verified by: _____

COUNTY COUNSEL: (must approve all contracts and MOUs)

Approved: Disapproved: _____ Date: _____ By: _____
 Approved: _____ Disapproved: _____ Date: _____ By: _____

Handwritten notes in margins:
 *...
 Corrected misspelling of "November" in the Recommendations section of the Draft Staff Report
 09-15-06
 [Signature]

PLEASE RETURN DIRECTLY TO DOT

Index Code: <u>Special Districts N/C</u>	User Code: _____
--	------------------

RISK MANAGEMENT: NOT REQUIRED

Approved: _____ Disapproved: _____ Date: _____ By: _____
 Approved: _____ Disapproved: _____ Date: _____ By: _____

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

Department(s): _____
 Approved: _____ Disapproved: _____ Date: _____ By: _____
 Approved: _____ Disapproved: _____ Date: _____ By: _____

Vertical handwritten note:
...
...

Vertical handwritten note:
...
...
DOT