



## Legislation Details (With Text)

**File #:** 19-1413      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/12/2019      **In control:** Board of Supervisors

**On agenda:** 10/22/2019      **Final action:** 10/22/2019

**Title:** Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution 177-2019 setting for election a measure to consider a special tax increase to provide road improvement and maintenance services in the Gilmore Vista Road Zone of Benefit 22 within County Service Area 9; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Presidential Primary Election to be held March 3, 2020. (Supervisor District: 3)

**FUNDING:** County Service Area Zone of Benefit Special Taxes.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Resolution Routing Sheet, 2. B - Resolution, 3. C - Minutes & Correspondence, 4. Executed Resolution 177-2018

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **177-2019** setting for election a measure to consider a special tax increase to provide road improvement and maintenance services in the Gilmore Vista Road Zone of Benefit 22 within County Service Area 9; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Presidential Primary Election to be held March 3, 2020. (Supervisor District: 3)

**FUNDING:** County Service Area Zone of Benefit Special Taxes.

**DISCUSSION / BACKGROUND**

On July 23, 1985, the Board of Supervisors formed the Gilmore Vista Road Zone of Benefit No. 22 by Resolution 192-85 for the purpose of providing road improvement and maintenance services. The first year, fiscal year 1986-87, zone operations were funded through an annual benefit assessment of \$180.00 on each improved parcel, and \$60.00 on each unimproved parcel.

*The Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit within a County Service Area (Guidelines), amended version adopted June 2, 1987, provided for the zone advisory to make recommendations regarding the level of the annual assessments to be placed on the tax roll.*

Prior to November 6, 1997 the effective date of Articles XIII C and XIII D of the California state constitution, also known as Proposition 218, the zone of benefit advisory committee recommended an assessment/service charge to fund zone operations at \$170.00 per improved parcel and \$70.00 per unimproved parcel.

On February 10, 2015 (Legistar File 14-1292, Item 29) the Guidelines were amended for consistency

with current state laws regarding benefit assessments and special taxes.

The Gilmore Vista advisory committee has determined that the existing benefit assessment amounts per parcel are no longer sufficient to provide the level of road maintenance services desired by the residents and property owners in the zone.

An election was conducted among the registered voters in the zone on May 7, 2013, at the request of the advisory committee. Measure A, which would have provided an increase to the zone's revenue failed to receive the required two-thirds majority to pass. The final result of 61.29% in favor of the measure missed the two-thirds threshold by two votes.

At the March 9, 2019 General Meeting, the committee and residents recommended the County conduct an election for the registered voters in the zone to again consider a measure to adopt a special tax of \$270.00 on each improved parcel of land, and \$120.00 on each unimproved parcel of land, to replace the current benefit assessment/service charge. The proposed special tax amounts represent an increase of \$100.00 annually for each improved parcel and \$50.00 annually on each unimproved parcel.

The zone committee provided the minutes of the March 9, 2019 meeting and additional correspondence with the residents which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined there are sixty-two (62) voters registered within the Gilmore Vista Road Zone boundaries. Upon Board approval of the resolution setting the measure for election, the measure will be included on the ballots distributed to the zone electorate for the Presidential Primary Election on March 3, 2020.

### **ALTERNATIVES**

The Board may choose not to approve the Resolution setting the measure for election. While there is no guarantee the measure will pass, without the election there is no opportunity for the voters in the zone to consider the measure to increase funding for zone activities.

### **PRIOR BOARD ACTION**

See Discussion / Background section above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel  
Registrar of Voters

### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

The estimated cost for conducting the election is approximately \$600.00. Actual costs will be determined on a time and materials basis, and will be paid from the zone funds.

There are forty-five (45) parcels in the Gilmore Vista Road Zone of Benefit, four (4) of which are unimproved and subject to the \$70.00 annual assessment/service charge, and forty-one (41) of which are improved and subject to the \$170.00 annual assessment/service charge, for total zone revenue of \$7,250.00.

Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax amounts of \$270.00 per improved parcel, and \$120.00 per unimproved parcel will result in annual revenue of \$11,550.00, an increase of \$4,300.00 annually for zone operations.

Should the measure fail to receive the two-thirds majority vote, the special tax will not be increased but will continue to be collected at \$170.00 per improved parcel and \$70.00 per unimproved parcel for annual revenue to the zone remaining at \$7,250.00.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the Resolution
- 2) The Clerk of the Board will provide one certified copy of the Resolution to the Department of Transportation, attention of Elizabeth Zangari for further processing.

### **STRATEGIC PLAN COMPONENT**

Public Safety, Good Governance and Infrastructure

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation