



## Legislation Text

File #: 24-0416, Version: 1

**HEARING** - Department of Transportation recommending the Board approve and authorize the Chair to sign the following Resolutions setting for election measures for various Zones of Benefit within County Service Area 9 for the scheduled election to be held November 5, 2024:

- 1) Resolution **086-2024** to consider a special tax increase to provide road improvement and maintenance services in the River Pines Estates Zone of Benefit 98146 (District: 2);
- 2) Resolution **087-2024** to consider a special tax increase to provide road improvement and maintenance services in the Walnut Drive Zone of Benefit 98124 (District: 4);
- 3) Resolution **088-2024** to consider a special tax increase to provide road improvement and maintenance services in the Ryan Ranch Zone of Benefit 98102 (District: 2);
- 4) Resolution **089-2024** to consider a special tax increase to provide road improvement and maintenance services in the Pilot View Zone of Benefit 98135 (District: 4);
- 5) Resolution **090-2024** to consider a special tax increase to provide road improvement and maintenance services in the King of the Mountain Zone of Benefit 98138 (District: 5);
- 6) Resolution **091-2024** to consider a special tax increase to provide road, drainage and landscape maintenance services in the Blanchard Estates Zone of Benefit 98145 (District: 3);
- 7) Resolution **092-2024** to consider a special tax increase to provide drainage, street lighting, landscaping maintenance, and wetland related services in the Emerald Meadows Zone of Benefit 98580 (District: 4);
- 8) Resolution **093-2024** to consider a special tax increase to provide drainage maintenance services in the Cavalry Meadows Zone of Benefit 98379 (District: 4); and
- 9) Resolution **094-2024** to consider a special tax increase to provide drainage maintenance services in the Sundown Estates Zone of Benefit 98378 (District: 4).

**FUNDING:** County Service Area Zone of Benefit Assessments/Service Charges and Special Taxes. (100%)

### **DISCUSSION / BACKGROUND**

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 Committee to make recommendations regarding the level of the annual assessments to be placed on the tax roll. Assessments were set annually by Resolution of the Board, as allowed under County Service Area laws at the time. On February 10, 2015 (Legistar File 14-1292, Item 29), the Guidelines were amended for, among other things, consistency with current state laws and County practices regarding benefit assessments and special taxes.

The Department of Transportation (Transportation) has received election requests from seven (7) Zone of Benefit (zone) advisory committees. Additionally, staff identified two (2) drainage zones that will require an election to replace their benefit assessments with increased special taxes in order to afford the maintenance services, future replacement of infrastructure, and County administrative and insurance costs.

### **River Pines Zone of Benefit 98146**

On March 22, 1988, the Board of Supervisors formed the River Pines Estates Zone of Benefit No. 98146, by Resolution 94-38 for the purpose of providing road improvement and maintenance services.

Prior to November 6, 1997, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended an assessment to fund zone operations at \$165 per parcel.

On July 23, 1996, a mailed ballot election was conducted at the request of the advisory committee to replace their \$165 benefit assessment with an increased benefit assessment of \$275. Measure R was presented to the electorate of the zone and received the required majority vote approving the increase.

On June 8, 2004, a mailed ballot election was conducted at the request of the advisory committee to replace their \$275 benefit assessment with an increased special tax of \$500 per parcel. Measure R was presented to the electorate of the zone, but did not achieve the required two-thirds majority approval. The benefit assessment of \$275 per parcel remained in effect.

At the December 2, 2023, general meeting, the River Pines Estates advisory committee determined that the existing \$275 annual benefit assessment per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider replacing the current benefit assessment with an increased special tax of \$500 per parcel. The advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and minutes from the December 2, 2023, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined one hundred twenty-nine (129) voters are registered to vote within the River Pines Estates 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Walnut Drive Zone of Benefit 98124**

On August 6, 1985, the Board of Supervisors formed the Walnut Drive Zone of Benefit 98124, by Resolution 212-85 for the purpose of providing road improvement and maintenance services.

Prior to November 6, 1997, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended an assessment to fund zone operations at \$100 per parcel.

On July 23, 1996, a mailed ballot election was conducted at the request of the advisory committee to replace their \$100 benefit assessment with an increased benefit assessment of \$325. Measure W was presented to the electorate of the zone and received the required majority vote approving the increase.

At the December 6, 2023, general meeting, the Walnut Drive advisory committee determined that the

existing \$325 annual benefit assessment per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider replacing the current benefit assessment with an increased special tax of \$685 per parcel. The advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and minutes from the December 6, 2023, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined one hundred fifty-eight (158) voters are registered to vote within the Walnut Drive 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Ryan Ranch Zone of Benefit 98102**

On December 20, 1983, the Board of Supervisors formed the Ryan Ranch Zone of Benefit 98102, by Resolution 357-83 for the purpose of providing road improvement and maintenance services.

Prior to November 6, 1997, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended an assessment to fund zone operations at \$300 per parcel.

On May 3, 2005, a mailed ballot election was conducted at the request of the advisory committee to replace their \$300 benefit assessment with an increased benefit assessment of \$600. Measure K was presented to the electorate of the zone, but did not achieve the required two-thirds majority approval. The benefit assessment of \$300 per parcel remained in effect.

On August 29, 2006, a mailed ballot election was conducted at the request of the advisory committee to replace their \$300 benefit assessment with an increased special tax of \$500. Measure E was presented to the electorate of the zone and received the required majority vote approving the increase.

At the December 5, 2023, general meeting, the Ryan Ranch advisory committee determined that the existing \$500 annual special tax per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider replacing the current special tax with an increased special tax of \$1,000 per parcel. The advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and minutes from the December 5, 2023, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined one hundred thirty-three (133) voters are registered to vote within the Ryan Ranch 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 scheduled Consolidated Presidential General Election on November 5, 2024.

**Pilot View Zone of Benefit 98135 - PENDING MARCH MTG MINS**

On December 30, 1986, the Board of Supervisors formed the Pilot View Road Zone of Benefit 98135, by Resolution 402-86 for the purpose of providing road improvement and maintenance services.

Prior to November 6, 1996, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended a benefit assessment to fund zone operations at \$100 per parcel.

On March 6, 2018, a mailed ballot election was conducted at the request of the advisory committee to replace their \$100 benefit assessment with an increased special tax of \$200. Measure C was presented to the electorate of the zone and passed with the required two-thirds majority approval.

On November 7, 2023, a mailed ballot election was conducted at the request of the advisory committee to increase their special tax from \$200 to \$400 per parcel. Measure B was presented to the electorate of the zone, but did not achieve the required two-thirds majority approval. The special tax of \$200 per parcel remained in effect.

At the March 27, 2024, general meeting, the Pilot View Advisory Committee determined that the existing \$200 annual special tax per parcel remains insufficient to provide the level of maintenance services desired by the residents and property owners in the Zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider increasing the special tax to \$400. The proposed special tax represents an increase of \$200 annually for each parcel. The zone advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and the minutes of the March 27, 2024, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined there are one hundred thirteen (113) voters registered within the Pilot View 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 scheduled Consolidated Presidential General Election on November 5, 2024.

**King of the Mountain Zone of Benefit 98138**

On December 30, 1986, the Board of Supervisors formed the King of the Mountain Zone of Benefit 98138, by Resolution 403-86 for the purpose of providing road improvement and maintenance services.

Prior to November 6, 1997, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended an assessment to fund zone operations at \$250 per parcel.

On August 1, 1995, a mailed ballot election was conducted at the request of the advisory committee to replace their \$250 benefit assessment with an increased benefit assessment of \$4,000 per parcel for a single year to provide funding for a special improvement project. Measure K was presented to the electorate of the zone and received the required majority vote, approving the single-year increase. After completion of the project, the assessment amount reverted to \$250 per parcel.

On May 4, 2010, a mailed ballot election was conducted at the request of the advisory committee to replace their \$250 benefit assessment with an increased special tax of \$500. Measure B was presented to the electorate of the zone, but did not achieve the required two-thirds majority approval. The benefit assessment of \$250 per parcel remained in effect.

At the March 20, 2024, general meeting, the King of the Mountain advisory committee determined that the existing \$250 annual benefit assessment per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider replacing the current benefit assessment with an increased special tax of \$550 per parcel. The advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and minutes from the March 20, 2024, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined nineteen (19) voters are registered to vote within the King of the Mountain 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Blanchard Estates Zone of Benefit 98145**

On March 8, 1988, the Board of Supervisors formed the Blanchard Estates Zone of Benefit 98145, by Resolution 68-88 for the purpose of providing road, drainage and landscape maintenance services.

On June 21, 1988, the Board approved Resolution 181-88 for zone operations to be funded through a benefit assessment of \$1,248 on each parcel within the zone for Fiscal Year (FY) 1988-89.

On July 25, 1989, the Board approved Resolution 243-89, establishing the assessment of \$280 per parcel for FY 1989-90.

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 advisory committee recommended the continuation of the assessment to fund zone operations at \$280 per parcel.

On November 2, 2021, a mailed ballot election was conducted at the request of the advisory committee to replace their \$280 benefit assessment with an increased special tax of \$550 per parcel. Measure B was presented to the electorate of the zone and passed with the required two-thirds majority approval.

At the March 17, 2024, general meeting, the Blanchard Estates advisory committee determined that the existing special tax of \$550 per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider increasing the special tax to \$1,000. The proposed special tax represents an increase of \$450 annually for each parcel. The advisory committee has not recommended the special tax be subject to annual adjustments based on an official index.

The zone's committee provided the agenda and minutes from the March 17, 2024, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined twenty-four (24) voters are registered to vote within the Blanchard Estates 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Emerald Meadows Zone of Benefit 98580**

On October 22, 1991, the Board of Supervisors formed the Emerald Meadows Zone of Benefit 98580, by Resolution 338-91 for the purpose of providing drainage, street lighting and landscape maintenance services. On November 24, 1992, the Board of Supervisors approved Resolution 354-92 for the purpose of adding wetland related services.

Prior to November 6, 1997, the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone advisory committee recommended an assessment to fund zone operations at \$212 per parcel. This amount has been collected annually since Fiscal Year (FY) 1995-96.

At the March 15, 2024, general meeting, the Emerald Meadows advisory committee determined that the existing \$212 annual benefit assessment per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone. The committee and residents recommend the County conduct an election for the registered voters in the zone to consider replacing the current benefit assessment of \$212 with an increased special tax of \$375 per parcel with annual adjustments tied to the Consumer Price Index for All Urban Consumers (CPI-U).

The zone's committee provided the agenda and minutes from the March 15, 2024, meeting, which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined two hundred forty-six (246) voters are registered to vote within the Emerald Meadows 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Cavalry Meadows Zone of Benefit 98379**

On February 26, 1991, the Board of Supervisors formed the Cavalry Meadows Zone of Benefit 98379 by Resolution 58-91 for the purpose of providing drainage maintenance services.

The formation of the zone was a condition placed on the subdivision to be satisfied prior to filing the final map. At that time, a zone's formation was not contingent upon the establishment of a funding source.

On July 16, 1996, following a public hearing, the Board approved an assessment amount of \$110 per parcel, generating an annual revenue of \$1,210 based on eleven (11) parcels. This amount has been collected annually since FY 1996-97.

In order for the zone to afford continued drainage maintenance services and all program costs, the current assessment amount will need to be replaced with an increased special tax. The zone's

estimated annual expenses are \$3,500; this incorporates current County administrative and insurance costs, the Auditor-Controller cost recovery fee, Transportation staff labor, herbicide, and an allocation for future drainage infrastructure replacement. Based on eleven (11) parcels within the zone, staff has determined a special tax of \$350 per parcel would be sufficient to afford the necessary services and generate an annual revenue of \$3,850. Any additional funds remaining at the end of a FY could then be allocated to the zone's contingency account, which would be in addition to the allocation designated for future replacement of the drainage infrastructure. The proposed special tax represents an increase of \$240 annually for each parcel.

The Registrar of Voters has determined nineteen (19) voters are registered to vote within the Cavalry Meadows 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **Sundown Estates Zone of Benefit 98378**

On January 8, 1991, the Board of Supervisors formed the Sundown Estates Zone of Benefit 98378 by Resolution 12-91 for the purpose of providing drainage maintenance services.

The formation of the zone was a condition placed on the subdivision to be satisfied prior to filing the final map. At that time, a zone's formation was not contingent upon the establishment of a funding source.

On July 16, 1996, following a public hearing, the Board approved an assessment of \$100 per parcel, generating an annual revenue of \$1,000 based on ten (10) parcels. This amount has been collected annually since FY 1996-97.

In order for the zone to afford continued drainage maintenance services and all program costs, the current assessment amount will need to be replaced with an increased special tax. The zone's estimated annual expenses are \$3,100; this incorporates current County administrative and insurance costs, the Auditor-Controller cost recovery fee, Transportation staff labor, herbicide, and an allocation for future drainage infrastructure replacement. Based on ten (10) parcels within the zone, staff has determined a special tax of \$350 per parcel would be sufficient to afford the necessary services and generate an annual revenue of \$3,500. Any additional funds remaining at the end of a FY could then be allocated to the zone's contingency account which would be in addition to the allocation designated for future replacement of the drainage infrastructure. The proposed special tax represents an increase of \$250 annually for each parcel.

The Registrar of Voters has determined eighteen (18) voters are registered to vote within the Sundown Estates 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 scheduled Consolidated Presidential General Election on November 5, 2024.

### **ALTERNATIVES**

The Board may choose not to approve all, or some, of the Resolutions setting the measures for election. While there is no guarantee the measures will pass, without the elections there is no opportunity for the voters in the zones to consider the measure to increase funding for zone activities.

### **PRIOR BOARD ACTION**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel  
Registrar of Voters

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

There is no change to Net County Costs. The estimated cost for conducting each election is approximately \$1,500. Actual costs will be determined on a time and materials basis and will be paid from the respective zone funds.

There are ninety-four (94) parcels in the River Pines Estates Zone of Benefit, each subject to the current benefit assessment/service charge of \$275 annually, for a total zone revenue of \$25,850. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$500 per parcel will result in an annual revenue of \$47,000, an increase of \$21,150 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$275 per parcel, with the annual revenue to the zone remaining at \$25,850.

There are seventy-five (75) parcels in the Walnut Drive Zone of Benefit, each subject to the current benefit assessment/service charge of \$325 annually, for a total zone revenue of \$24,375. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$685 per parcel will result in an annual revenue of \$51,375, an increase of \$27,000 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$325 per parcel, with the annual revenue to the zone remaining at \$24,375.

There are eighty-one (81) parcels in the Ryan Ranch Zone of Benefit, each subject to the current special tax amount of \$500 annually, for a total zone revenue of \$40,500. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$1,000 per parcel will result in an annual revenue of \$81,000, an increase of \$40,500 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the special tax will continue to be collected at \$500 per parcel, with the annual revenue to the zone remaining at \$40,500.

There are seventy-two (72) parcels in the Pilot View Zone of Benefit, each subject to the current special tax amount of \$200 annually, for a total zone revenue of \$14,400. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$400 per parcel will result in an annual revenue of \$28,800, an increase of \$14,400 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the special tax will continue to be collected at \$200 per parcel, with the annual revenue to the zone remaining at \$14,400.

There are twenty-one (21) parcels in the King of the Mountain Zone of Benefit, each subject to the current benefit assessment/service charge of \$250 annually, for a total zone revenue of \$5,250.



Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$550 per parcel will result in an annual revenue of \$11,550, an increase of \$6,300 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$250 per parcel, with the annual revenue to the zone remaining at \$5,250.

There are twelve (12) parcels in the Blanchard Estates Zone of Benefit, each subject to the current special tax of \$550 annually, for a total zone revenue of \$6,600. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$1,000 per parcel will result in an annual revenue of \$12,000, an increase of \$5,400 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the special tax will continue to be collected at \$550 per parcel, with the annual revenue to the zone remaining at \$6,600.

There are one hundred eleven (111) parcels in the Emerald Meadows Zone of Benefit, each subject to the current benefit assessment/service charge of \$212 annually, for a total zone revenue of \$23,532. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$375 per parcel will result in an annual revenue of \$41,625, an increase of \$18,093 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$212 per parcel, with the annual revenue to the zone remaining at \$23,532.

There are eleven (11) parcels in the Cavalry Meadows Zone of Benefit, each subject to the current benefit assessment/service charge of \$110 annually, for a total zone revenue of \$1,210. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$350 per parcel will result in an annual revenue of \$3,850, an increase of \$2,640 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$110 per parcel, with the annual revenue to the zone remaining at \$1,210, which is not sufficient to afford the services and program costs. Staff will return to the Board for further direction in the event the measure fails.

There are ten (10) parcels in the Sundown Estates Zone of Benefit, each subject to the current benefit assessment/service charge of \$100 annually, for a total zone revenue of \$1,000. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$350 per parcel will result in an annual revenue of \$3,500, an increase of \$2,500 annually for zone operations. Should the measure fail to receive the two-thirds majority vote, the benefit assessment/service charge will continue to be collected at \$100 per parcel, with the annual revenue to the zone remaining at \$1,000, which is not sufficient to afford the services and program costs. Staff will return to the Board for further direction in the event the measure fails.

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

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

#### **STRATEGIC PLAN COMPONENT**

Priority: N/A

Action Item: N/A

**CONTACT**

Rafael Martinez, Director

Department of Transportation