



## Legislation Details (With Text)

**File #:** 12-1275      **Version:** 1

**Type:** Agenda Item      **Status:** Adopted

**File created:** 10/8/2012      **In control:** Board of Supervisors

**On agenda:** 12/18/2012      **Final action:** 12/18/2012

**Title:** Department of Transportation recommending the Board adopt Resolution 180-2012 setting for mailed ballot election on May 7, 2013, a measure to establish a special tax for the purpose of providing road improvement and maintenance services in the Gilmore Vista Road Zone of Benefit No. 98122 within County Service Area No. 9 to replace the existing benefit assessment.

**FUNDING:** County Service Area No. 9.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-Contract Routing Sheet 12-18-12.pdf, 2. B-Resolution Setting Election 12-18-12.pdf, 3. B1-Exhibit A to Resolution 12-18-12.pdf, 4. Fully executed Reso 180-2012 .pdf

Date	Ver.	Action By	Action	Result
12/18/2012	1	Board of Supervisors	Adopted	Pass

Department of Transportation recommending the Board adopt Resolution **180-2012** setting for mailed ballot election on May 7, 2013, a measure to establish a special tax for the purpose of providing road improvement and maintenance services in the Gilmore Vista Road Zone of Benefit No. 98122 within County Service Area No. 9 to replace the existing benefit assessment.

**FUNDING:** County Service Area No. 9.

<b>BUDGET SUMMARY:</b>		
Total Estimated Cost		\$ 850.00
Funding		
Budgeted	\$ 850.00	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$ 850.00	
Change To Net County Cost		\$ 850.00

**Fiscal Impact/Change to Net County Cost:** The estimated cost of the election is \$850. All costs associated with the election will be funded from the Gilmore Vista Road Zone of Benefit assessments or special tax. There is no impact to the General Fund or the Road Fund, and there is no net County Cost.

**Background:** The Board of Supervisors formed the Gilmore Vista Road Zone of Benefit No. 98122

on July 23, 1985 by Resolution 192-85 for the purpose of providing road improvement and maintenance services. Since the formation, zone operations have been funded through annual benefit assessments upon each parcel of land within the zone boundaries.

Currently, there are forty-six (46) parcels in the zone. Of those, forty-one (41) are improved parcels, each of which are assessed \$170 annually, and five (5) are un-improved parcels, each of which are assessed \$70 annually, generating \$7,320 in revenue to fund road improvement and maintenance services on 1.26 miles of roads within the zone.

The Gilmore Vista Road Zone of Benefit advisory committee desires to keep the rate structure which provides that the unimproved parcels are charged a lower rate than are the improved parcels in the zone. Government Code Section 25215.2 allows such a structure for a special tax. If the proposed measure is approved, the current benefit assessment will be replaced with a special tax amount of \$270 for each improved parcel, and \$120 for each unimproved parcel. If approved, the special tax will result in annual revenue of \$11,670 an increase of \$4,350 over the current assessment.

**Reason for Recommendation:** The zone advisory committee recently notified Department of Transportation staff of their desire to establish a special tax to replace the current benefit assessment. If approved, the special tax will increase zone revenue in order to keep pace with increased labor and materials costs. The zone advisory committee prefers a special tax to a benefit assessment increase because an increased benefit assessment requires support by an engineer's report.

California state law requires approval by registered voters within the zone to establish a special tax. The Registrar of Voters must conduct an election to allow the voters to consider the special tax. The Department of Transportation requests the Board of Supervisors set the measure shown on Exhibit A of the Resolution for a mailed ballot election. Should the measure pass, the special tax will replace the existing benefit assessment. Should the measure fail to achieve the required two-thirds majority approval, the advisory committee wishes the Board to continue the existing benefit assessment at the current level.

**Action to be taken following Board approval:**

1. The Clerk of the Board will provide two (2) certified copies of the Resolution distributed as follows: one (1) to the Department of Transportation, and one (1) to the County Registrar of Voters.
2. The Registrar of Voters will conduct a mailed ballot election on May 7, 2013 to consider the establishment of a special tax for the purpose of providing road improvement and maintenance services within the Gilmore Vista Road Zone of Benefit No. 98122 with in County Service Area No. 9.

**Contact:** Kim Kerr, Interim Director  
Department of Transportation

**Concurrences:**County Counsel