



Legislation Details (With Text)

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File created: 10/13/2009 **In control:** Board of Supervisors

On agenda: 12/8/2009 **Final action:** 12/10/2009

Title: Transportation Department recommending adoption of a Resolution calling for a mailed ballot election to be set for ~~March 2~~May 4, 2010 for the establishment of a special tax to provide drainage facility maintenance, street lighting, and landscape maintenance and wetland related services in the Emerald Meadows Zone of Benefit No. 98580 within County Service Area 9, to replace the existing benefit assessment.
FUNDING: Zone of Benefit assessments.
 Resolution 260-2009

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-Contract Routing Sheet, 2. B-Emerald Meadows Resolution Setting Election, 3. B1-Exhibit A, 4. C-Emerald Meadows Vicinity Map, 5. 09-1316 amended Resolution 260-2009

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------|---------|--------|
| 12/10/2009 | 1 | Board Of Supervisors | Adopted | Pass |

Transportation Department recommending adoption of a Resolution calling for a mailed ballot election to be set for ~~March 2~~May 4, 2010 for the establishment of a special tax to provide drainage facility maintenance, street lighting, and landscape maintenance and wetland related services in the Emerald Meadows Zone of Benefit No. 98580 within County Service Area 9, to replace the existing benefit assessment.

FUNDING: Zone of Benefit assessments.

Resolution 260-2009

| | | |
|---------------------------|-----------|-----------|
| BUDGET SUMMARY: | | |
| Total Estimated Cost | | \$ 750.00 |
| Funding | | |
| Budgeted | \$ 750.00 | |
| New Funding | \$ | |
| Savings | \$ | |
| Other | \$ | |
| Total Funding Available | \$ 750.00 | |
| Change To Net County Cost | | \$ 0.00 |

Fiscal Impact/Change to Net County Cost:

The estimated cost of the election is \$750.00. All costs associated with the election will be funded from the Emerald Meadows Zone of Benefit assessments or special tax.

A total of 111 parcels within the zone are currently assessed \$212.00 annually, generating \$23,532.00 in revenue to fund zone activities, including drainage facility maintenance, street lighting services, landscape maintenance, and wetland related services within the zone.

If the proposed measure is approved, the special tax amount of \$267.00 per parcel will be collected for a period of five years, after which time the amount will be adjusted to \$212.00, with annual adjustments thereafter tied to the annualized average Consumer Price Index (CPI-W) for the Sacramento Region. If approved, the special tax will result in annual revenue of \$29,637.00 in 2010/2011, an increase of \$6,105.00 over the current assessment and \$30,525.00 over a period of five years.

Background:

The Board of Supervisors formed the Emerald Meadows Zone of Benefit No. 98580 on October 21, 1991 by Resolution 338-91 for the purpose of providing drainage facility maintenance, street lighting, and landscape maintenance. Wetland related services were added to the zone purpose on November 24, 1992 by Resolution 354-92. Since the formation, zone operations have been funded through annual benefit assessments upon each parcel of land within the zone boundaries. The assessment amount was set at \$195 per parcel in fiscal year 1993/1994, and increased to the current level of \$212 per parcel in fiscal year 1995/1996. As of the date of the last increase, benefit assessments were set upon recommendation by the advisory committee. With the adoption of Article 13D of the State Constitution in 1997, changes to a benefit assessment amount or special tax require approval through either a protest ballot proceeding or an election.

The drainage facilities include two drainage channels which contribute to a protected wetland lot of 3.687 acres, Lot C. Landscape maintenance includes care of the perimeter of two wetland lots, Lots B and C; and a designated riparian lot adjacent to Deer Creek, Lot A. Additionally, the landscaped easement between the sound wall and Green Valley Road from Hastings Road to the subdivision entrance at Peridot Drive, and from Peridot Drive to Deer Creek, east of the intersection with Alexandrite Drive are maintained through zone of benefit funds.

Reason for Recommendation:

The zone advisory committee recently notified Department of Transportation staff of their desire to increase zone revenues for a limited time period in order to accomplish two specific projects. The purpose of the special projects is to eliminate or reduce high maintenance landscaping, thereby reducing on-going maintenance costs to the zone.

The zone advisory committee prefers a special tax over a benefit assessment increase because there are fewer administrative requirements and associated costs once it has been established. The proposed special tax, if approved, would be \$267 per parcel for five years, after which time it would be adjusted to \$212 per parcel, with allowance for annual adjustments thereafter tied to the Consumer Price Index. Tying the per parcel amount to an index will allow the revenue to keep up with future expenses without the need for another election. The additional revenue for the five year period will provide funding for special projects with the per parcel amount returning to current levels for on-going maintenance.

Due to the non-construction nature of the services funded through the zone, the advisory committee recommends tying future annual adjustments to the annualized average Consumer Price Index for

Urban Wage Earners and Clerical Workers (CPI-W) in the Sacramento Region rather than the Engineering News Record Construction Cost Index.

California state law requires approval by registered voters within a zone to establish a special tax. The Registrar of Voters must conduct an election to allow the voters to consider the special tax. The Registrar has determined that there are 197 registered voters residing within the boundaries of the Emerald Meadows Zone of Benefit. The Department of Transportation requests your Board set the measure shown on Exhibit A 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. Certified copies of the Resolution will be sent to the Department of Transportation and the County Registrar of Voters.
2. The Registrar of Voters will conduct a mailed ballot election on March 2, 2010 to consider the establishment of a special tax for the purpose of providing drainage, street lighting, and landscaping maintenance and wetland related services within the Emerald Meadows Zone of Benefit #98580 within County Service Area 9.

Contact:

James W. Ware, P.E.

Concurrences:

County Counsel