



## Legislation Details (With Text)

**File #:** 22-0428      **Version:** 1

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

**File created:** 3/1/2022      **In control:** Board of Supervisors

**On agenda:** 3/8/2022      **Final action:** 3/8/2022

**Title:** Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution 043-2022 revising the ballot language to set for election a measure to consider continuing a special tax to provide maintenance of drainage facilities in the Cascade Drainage Zone of Benefit 98393 within County Service Area 3; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Election to be held June 7, 2022. (Supervisory District: 5)

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

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Resolution Routing Sheet, 2. B - Resolution, 3. C - Executed Resolution 039-2022, 4. Executed Resolution 043-2022

Date	Ver.	Action By	Action	Result
3/8/2022	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **043-2022** revising the ballot language to set for election a measure to consider continuing a special tax to provide maintenance of drainage facilities in the Cascade Drainage Zone of Benefit 98393 within County Service Area 3; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Election to be held June 7, 2022. (Supervisory District: 5)

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

### DISCUSSION / BACKGROUND

On March 18, 1998, the Board formed Cascade Drainage Zone of Benefit by Resolution 46-98 for the purposes of providing drainage improvement and maintenance services throughout the affected area.

*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.

On February 10, 2015 (Legistar# 14-1292, Item 29) the Guidelines were amended for consistency with current state laws regarding benefit assessments and special taxes. This Zone does not have a committee to make decisions on behalf of the Zone.

The Department of Transportation has determined that the current Special Tax will expire this year. This election is necessary for the residents to decide whether or not the tax should continue in order to continue drainage maintenance. The proposed special tax collected will be \$350 annually for each improved parcel commencing upon the expiration of the existing special tax and for each of the

following nineteen (19) years thereafter.

The Registrar of Voters has determined that there are thirteen (13) voters registered within the Cascade Drainage Zone boundaries. The Department of Transportation brought Resolution 039-2022 to the Board of Supervisors for approval on February 22, 2022. Resolution 039-2022 was approved, however after the Resolution was approved, the Elections Department reviewed the ballot language and determined it needed to be amended to meet Election Code.

The Department of Transportation brings to the Board of Supervisors a new resolution with ballot language that meets Election Code and will replace Resolution 039-2022 in its entirety. The previously approved Resolution 039-2022 included a reference to Exhibit B in the ballot language and did not include the total annual zone revenue dollar amount. 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 Election on June 7, 2022.

### **ALTERNATIVES**

The Board may choose not to approve the new 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 continue funding for zone activities.

### **PRIOR BOARD ACTION**

#22-0196 2/22/22

#14-1292 2/10/15

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

County Counsel and the Registrar of Voters

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

The estimated cost for conducting the election is approximately \$2,000. Actual costs will be determined on a time and materials basis, and will be paid from the zone funds.

There are thirty seven (37) parcels in the Cascade Drainage Zone of Benefit subject to the \$350 annual special tax, and the total zone revenue is \$12,950. Should the measure receive the required two-thirds majority votes in favor of continuing collection of the special tax, the annual special tax amount of \$350 per parcel, will continue for nineteen (19) more years generating a total of \$246,050.

Should the measure fail to receive the two-thirds majority vote, the current special tax will expire and the drainage zone must be dissolved. No funds will be collected and the drainage easement will expire.

### **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 Ashley Johnson for further processing.

### **STRATEGIC PLAN COMPONENT**

Public Safety, Good Governance and Infrastructure

**CONTACT**

Rafael Martinez, Director  
Department of Transportation