



County of El Dorado

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Legislation Text

File #: 08-0592, Version: 1

Hearing to consider adoption of Resolution **177-2008** establishing the annual benefit assessment for the 2008/09 tax year for Lighting Zones of Benefit within County Service Area No. 9, noting this is a continuation of the existing benefit assessment with no increase over the current assessments.

FUNDING: Zone of Benefit Assessments.

BUDGET SUMMARY:		
Total Estimated Cost		\$ 9,575.00
Funding		
Budgeted	\$ 9,575.00	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$ 9,575.00	
Change To Net County Cost		\$ 0.00

Fiscal Impact/Change to Net County Cost:

The proposed benefit assessment will provide revenue to fund each zone's lighting services and other costs related to zone administration. The total assessment for 2008/09 for the lighting zones of benefit within County Service Area #9 is \$9,575.00.

There is no impact to the General Fund or the Road Fund, or any Net County Cost associated with renewing the benefit assessments.

Background:

Chapter 2.2 of the California Government Code, also known as "County Service Area Law" contains the regulations for establishing and governing county service areas. The attached Resolution and this report are prepared in accordance with the Sections of County Service Area Law outlined below.

Section 25210.75 requires the Board of Supervisors to fix the rates of the county service area taxes each year and to levy the taxes upon all taxable property within the area. By adopting the attached Resolution, the Board of Supervisors fixes the fiscal year 2008/09 benefit assessment. As an action following the approval of the Resolution, the Department of Transportation will forward to the Auditor-Controller the list of affected Assessor's Parcel Numbers and approved benefit assessment for each

parcel for incorporation in the tax roll.

Section 25210.77a (a) requires that, once a year, the Board of Supervisors receives a report containing a description of each parcel of real property receiving the particular extended service and the amount of the charge for each parcel computed in conformity with the ordinance authorizing collection of charges on the tax roll. Exhibit A, included with this letter, provides a summary of the number of assessed parcels, the assessment per parcel and the total assessment for each of the lighting zones of benefit within County Service Areas #9. The detailed parcel descriptions and tax computations are found in the report titled "All Zone Parcel List" which is on file with the Clerk of the Board.

Finally, Section 25210.77a (b) requires a public hearing to be set for the purpose of registering protests to rates to be fixed by the Board of Supervisors in accordance with Government Code Section 25210.75.

Reason for Recommendation:

There are two lighting zones of benefit within County Service Area #9 that were formed to fund lighting services within each zone's boundaries. Annual utility costs and other zone related expenses have been anticipated and an assessment determined for each zone based on an equal benefit to all parcels within the zone. Though an assessment ballot proceeding and hearing has been scheduled for property owners in the Barnett Business Park Lighting Zone to consider an increase to the assessment in that zone on July 29, 2008, staff recommends your Board continue the current assessment amount in the event a majority protest is heard against the increase.

The proposed assessments are a continuation of existing benefit assessments and represent no increase over the fiscal year 2007/08. The continued assessments are not subject to a vote under El Dorado County Charter Section 210(c). County Counsel has determined that these assessments are exempt from the procedures and approval process of Proposition 218 under Section 5(a) of the proposition. A public hearing to consider the proposed assessments has been scheduled for June 17, 2008 at 9:00 a.m. and noticed as required by Government Code Section 25210.77a. Notice is scheduled for publication in the Mountain Democrat on June 2, 2008 and June 12, 2008 and in the Georgetown Gazette on May 29, 2008 and June 5, 2008.

Action to be taken following Board approval:

1. The Clerk of the Board will have the Resolution recorded upon signature by the Chairman, and will provide certified copies of the Resolution to the El Dorado County Auditor-Controller and the Department of Transportation for implementation as authorized by law.
2. The Department of Transportation will provide the Auditor-Controller with the affected Assessor's Parcel Numbers and approved benefit assessment amount for each parcel

Contact:

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Concurrences:

County Counsel

