



Legislation Text

File #: 19-1511, **Version:** 1

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **179-2019** setting for election a measure to consider a special tax increase to provide road improvement and maintenance services in the Fernwood Cothrin Ranch Road Zone of Benefit 14 within County Service Area 9; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Presidential Primary Election to be held March 3, 2020. (Supervisor District: 2)

FUNDING: County Service Area Zone of Benefit Special Taxes.

DISCUSSION / BACKGROUND

On April 30, 1985 the Board of Supervisors formed the Fernwood Cothrin Ranch Road Zone of Benefit No. 14 by Resolution 91-85 for the purpose of providing road improvement and maintenance services. The first year, fiscal year 1986-87, zone operations were funded through an annual benefit assessment of \$100.00 per parcel.

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. Assessments were set annually by resolution of the Board, as allowed under County Service Area laws at the time.

On November 8, 1994, the El Dorado County Charter and Amendment 210(c) were approved by the voters of the County. Amendment 210 (c), required voter approval for any new or increased assessment. The specific Charter language referring to voting requirements was deleted by a measure passed by the voters in the June 7, 2016 Presidential Primary Election.

On July 23, 1996, a mailed ballot election was conducted at the request of the Fernwood Cothrin Ranch Road Zone Advisory Committee to consider an increase to the existing benefit assessment to \$200.00 per parcel. Measure A failed.

On November 6, 1996, Proposition 218, Articles XIIIC and XIID of the California state constitution, was approved by the voters, and established the proceedings for approval of benefit assessments and special taxes.

On July 21, 1998, a mailed ballot election was conducted at the request of Committee. Measure N was presented to the zone electorate, and passed by the required two-thirds majority approval. An annual special tax of \$150.00 on each parcel of real property within the zone replaced the benefit assessment, and has been collected annually since fiscal year 1998-99.

Subsequent mailed ballot elections were conducted for the zone electorate to consider an increase to the annual special tax amount of \$150.00 per parcel. On June 17, 2003, Measure F for consideration of a \$250.00 annual special tax amount failed. On May 6, 2014, Measure M for consideration of an

annual special tax of \$365.00 also failed.

The Fernwood Cothrin Ranch advisory committee long ago determined that the existing \$150.00 annual special tax amount per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners in the zone.

At the request of zone residents and property owners, a Town Hall Meeting of the Fernwood Cothrin Ranch was conducted with the zone advisory committee and the Department of Transportation on October 1, 2019. Following the meeting and workshop, the zone committee met to consider potential solutions to the lack of funding for road maintenance services.

The zone committee provided the meeting notice and agenda, and the minutes of the October 8, 2019 meeting which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined there are four hundred forty-six (446) voters registered within the Fernwood Cothrin Ranch 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 Presidential Primary Election on March 3, 2020.

ALTERNATIVES

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

PRIOR BOARD ACTION

See Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel
Registrar of Voters

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The estimated cost for staff time in preparing for the election is \$1,000.00, and for the Elections Department for conducting the election is approximately \$750.00 for an estimated total of \$1,750.00. Actual costs will be determined on a time and materials basis, and will be paid from the zone funds. There are two hundred sixty-four (264) parcels in the Fernwood Road Zone of Benefit, each subject to the current special tax amount of \$150.00 annually, for total zone revue of \$39,600.00. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$450.00 per parcel will result in annual revenue of \$118,800.00, an increase of \$79,200.00 annually for zone operations.

Should the measure fail to receive the two-thirds majority vote, the special tax will not be increased, but will continue to be collected at \$150.00 per parcel, for annual revenue to the zone remaining at \$39,600.00.

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 Elizabeth Zangari for further processing.

STRATEGIC PLAN COMPONENT

Public Safety, Good Governance and Infrastructure

CONTACT

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Department of Transportation