



Legislation Text

File #: 19-1396, **Version:** 3

Department of Transportation recommending the Board approve and authorize the Chair to sign Resolution **169-2019** setting for election a measure to consider a special tax for the purpose of snow removal equipment acquisition and services in the South Shore Snow Removal Zone of Benefit 501 within County Service Area 3, 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. (Cont. 10/22/2019, Item 27) (Est. Time: 10 Min.)

FUNDING: County Service Area Zone of Benefit Special Taxes.

DISCUSSION / BACKGROUND

On December 21, 1963, by Resolution 9-63, the Board established County Service Area (CSA) No. 3 for the purpose of providing control or destruction of insects injurious to plant life, and the eradication of insects which could introduce dangerous, infection of communicable diseases (vector control).

On July 19, 1983, by Ordinance 3373, pursuant to Government Code section 25210.77a, the Board imposed a service fee of \$20 on each improved parcel of real property within the unincorporated area of CSA 3 for the purpose of acquiring new additional snow removal equipment, including side gates, to be used exclusively in the service area.

On October 4, 1983 by Ordinance 3394, the Board amended Ordinance 3373 to include provision that the Ordinance would remain in effect only until June 30, 1993.

On April 30, 1991, by Ordinance 4158, the Board repealed and replaced Ordinances 3373 and 3394, thereby continuing the \$20 service fee for the purpose of providing snow removal equipment and maintenance of equipment for snow removal services in the unincorporated area of CSA 3 beyond June 30, 1993.

On August 9, 1993, by Resolution 249-93, the Board established two snow removal zones of benefit in CSA 3, the West Shore Snow Removal Zone 504 in, with boundaries coterminous with the boundaries of the Meeks Bay Fire Protection District, and the South Shore Snow Removal Zone 501 to include the remaining territory of the unincorporated area of CSA 3.

On August 10, 1993 by Resolution 250-93, the Board established an assessment/service charge of \$50 on each improved parcel within the West Shore Snow Removal Zone, and continued the assessment/service charge of \$20 on each improved parcel within the South Shore Snow Removal Zone.

On November 8, 2005, Measure S was placed before the voters in the South Shore Snow Removal Zone. The measure proposed a special tax in the amount of \$50 on each improved parcel, with certain exceptions, to replace the existing \$20 benefit assessment/service charge. The measure failed to receive the required two-thirds majority votes in support of the special tax. Funding for the South Shore Snow Removal Zone remained at the same rate of \$20 for each improved parcel of

land.

On December 6, 2005, the Department of Transportation presented a report to the Board on the Impact of the failure of Measure S on Snow Removal Operations in County Service Area 3, South Shore Zone of Benefit (Agenda Log 05-1757). Projections at that time suggested the existing funding level would result in a reduction of services due to an aging fleet and few pieces of equipment being replaced.

On May 14, 2019, the Department of Transportation presented a report of department findings, and requested direction on funding possibilities and possible revenue generating options (Legistar File 19-0660, Item 41).

On July 16, 2019, the Chief Administrative Office requested direction from your Board regarding several potential ballot measures contemplated by different departments for presenting to the electorate for consideration, including a measure to increase funding for the CSA 3 South Shore Snow Removal Zone. The Board directed the Department to conduct public outreach, and determine the potential for a positive outcome before bringing a request to the Board to set a measure for election (Legistar File 19-1047, Item 31).

The Department of Transportation contracted with consultant FM3 Research, Opinion Research and Strategy. Staff worked with the firm to develop a survey to gauge public sentiment about the level of services and the level of support for an increase to the amount property owners pay as an assessment/service charge, or special tax for snow removal equipment acquisition and snow removal services.

On September 24, 2019, FM3 Research presented their findings and analysis for your Board's consideration. The findings included 1) public support for an increase to funding for snow removal equipment acquisition where revenues were dedicated to use in the zone, and restricted to the stated purpose; 2) that an \$80 annual amount per parcel, for a \$60 increase over current levels, was favored over a \$60 amount, or \$40 per parcel increase; and 3) support for any increase was stronger when a "plain language" explanation of a proposed ballot measure was given.

In consideration of these findings, The Board directed the Department of Transportation to move forward with the initiation of proceedings for a ballot measure to be placed on ballot for the presidential primary election March 3, 2020, for the electorate in the South Shore Snow Zone to consider a special tax of \$80 for each improved parcel of land, to replace the existing \$20 assessment service charge (Legistar File 19-1389, Item 22).

Staff recommends that the following language be placed on the ballot:

"Shall the measure providing for an annual special tax of \$80.00 for twenty years' duration on improved parcels of land within the South Shore Snow Removal Zone of Benefit, and replacing the current benefit assessment of \$20.00 per parcel, to be used exclusively for acquisition of snow removal equipment to improve public safety, not salaries and benefits, and subject to annual oversight, which will generate annual revenue of \$536,720.00 commencing fiscal year 2020/2021, be adopted?"

The Registrar of Voters has determined there are 5,872 voters registered within the South Shore

Snow Removal 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 could choose to use alternative language on the ballot.

Alternative #1:

Shall the measure providing for an annual special tax of \$80.00 for twenty years' duration on improved parcels of land within the South Shore Snow Removal Zone of Benefit, and replacing the current benefit assessment of \$20.00 parcel, to be used exclusively for acquisition of snow removal equipment to improve public safety and emergency response, and subject to annual oversight, which will generate annual revenue of \$536,720.00, commencing fiscal year 2020/2021, be adopted?

Alternative #2:

Shall the measure providing for an annual special tax of \$80.00 for twenty years' duration on improved parcels of land within the South Shore Snow Removal Zone of Benefit, and replacing the current benefit assessment of \$20.00 parcel, to be used exclusively for acquisition of snow removal equipment, and subject to annual oversight, which will generate annual revenue of \$536,720.00, commencing fiscal year 2020/2021, be adopted?

The Board may also choose to not approve the Resolution setting the measure, which would leave the zone in the current financial situation, and result in a continued decline in snow removal services as equipment ceases to operate.

PRIOR BOARD ACTION

May 14, 2019, Item 41 (Legistar File 19-0660)

July 16, 2019, Item 31 (Legistar File 19-1047)

September 24, 2019, Item 22 (Legistar File 19-1389)

OTHER DEPARTMENT / AGENCY INVOLVEMENT

FM 3 Research, Opinion Research and Strategy

County Counsel

Registrar of Voters

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The estimated cost for conducting the election has not been determined. The Elections Department has advised that an economy of scale is realized by including this measure with the Presidential Primary Election in lieu of conducting a separate special election. Actual costs for this ballot measure will be determined on a time and materials basis, and will be paid from the zone funds.

There are 6,709 improved parcels in the South Shore Snow Removal Zone that are subject to the

existing assessment service charge of \$20 annually, for a total zone revenue of \$134,180. Should the measure receive the required two thirds majority votes in favor of the \$80 special tax amount, the resulting annual revenue would be \$536,720, an increase of \$402,540 annually for snow removal equipment acquisition ~~and services~~.

Should the measure fail to receive the two-thirds majority vote, the special tax will not be implemented. The existing assessment service charge of \$20 annually on each improved parcel will continue to be collected, and annual revenue to the zone will remain at \$134,180.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original copy 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, Infrastructure, Good Governance

CONTACT

Rafael Martinez, Director
Department of Transportation