



Legislation Text

File #: 20-1314, **Version:** 1

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **178-2020** setting for election a measure to consider a special tax increase of \$125 annually for each improved parcel in the Many Oaks Lane Road Zone of Benefit 98132 within County Service Area 9 to provide road improvement and maintenance services, recommended by the Many Oaks Lane Road Zone of Benefit advisory committee; noting that the measure will be submitted to the zone electorate on the ballots distributed for Special Election to be held March 23, 2021. (Supervisor District: 4)

FUNDING: County Service Area Zone of Benefit Special Taxes.

DISCUSSION / BACKGROUND

On May 27, 1986, the Board of Supervisors formed the Many Oaks Lane Road Zone of Benefit No. 98132 by Resolution 135-86 for the purpose of providing road improvement and maintenance services and drainage facility maintenance services. The first year, fiscal year 1986-87, zone operations were funded through an annual benefit assessment of \$125.00 on each parcel within the zone.

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.

Prior to November 6, 1997 the effective date of Articles XIIC and XIID of the California state constitution, also known as Proposition 218, the zone of benefit advisory committee recommended an assessment/service charge be continued to fund zone operations at \$125.00 per parcel.

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.

Elections were conducted among the registered voters in the zone in 2007, 2008, 2011, and 2014, at the request of the advisory committee. These measures, which would have provided an increase to the zone's revenue, failed to receive the required two-thirds majority to pass. In 2014, Resolution 100-2014 approved by the Board on July 15, 2014, Legistar 12-0361, Item 49, changed the boundaries of the zone due to those parcels that were assessed at zero with no financial impact to the zone.

The Many Oaks Lane Road Zone of Benefit advisory committee has determined that the existing benefit assessment amounts per parcel are no longer sufficient to provide the level of road maintenance services desired by the residents and property owners in the zone. At the February 20, 2020 General Meeting, the committee and residents recommended the County conduct an election for the registered voters in the zone to again consider a measure to increase the zone's special tax of \$250 on each parcel of land, to replace the current benefit assessment/service charge. The

proposed special tax represents an increase of \$125 annually for each improved parcel.

The zone committee provided the minutes of the February 20, 2020 meeting and additional correspondence with the residents which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined there are two hundred five (205) voters registered within the Many Oaks Lane 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 Special Election on March 23, 2021.

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 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 ninety-seven (97) parcels in the Many Oaks Lane Road Zone of Benefit subject to the \$125 annual assessment/service charge, and the total zone revenue is \$12,125. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax amount of \$250 per parcel, will result in annual revenue of \$24,250, an increase of \$12,125 annually for zone operations.

Should the measure fail to receive the two-thirds majority vote, the current annual assessment/service charge will not be increased, but will continue to be collected at \$125 per parcel for annual revenue to the zone remaining at \$12,125.

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 Shanann Findley for further processing.

STRATEGIC PLAN COMPONENT

Public Safety, Good Governance and Infrastructure

CONTACT

Rafael Martinez, Director

Department of Transportation