



Legislation Text

File #: 22-0895, **Version:** 1

Department of Transportation recommending the Board adopt and authorize the Chair to sign Resolution **097-2022** setting for election a measure to consider a special tax increase to provide road improvement and maintenance services in the Lynx Trail Road Zone of Benefit 98130 within County Service Area 9; noting that the measure will be submitted to the zone electorate on the ballots distributed for the Election to be held November 8, 2022. (Supervisorial District: 3)

FUNDING: County Service Area Zone of Benefit Special Taxes. (100%)

DISCUSSION / BACKGROUND

On July 29, 1986, the Board of Supervisors formed the Lynx Trail Road Zone of Benefit No. 98130 by Resolution 231-86 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 \$433 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 February 10, 2015 (Legistar File 14-1292, Item 29) the Guidelines were amended for, among other things, consistency with current state laws and County practices regarding benefit assessments and special taxes.

Prior to November 6, 1996, 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 to fund zone operations at \$150 per parcel.

On June 9, 2004, a mailed ballot election was conducted at the request of the Lynx Trail Road Zone Advisory Committee. Measure T was presented to the electorate of the zone, and passed with the required two-thirds majority approval. An annual special tax of \$300 on each parcel of real property within the zone replaced the benefit assessment, and has been collected annually since Fiscal Year (FY) 2004-05.

On March 3, 2020, a mailed ballot election was conducted at the request of the Lynx Trail Road Zone Advisory Committee to consider an increase of \$200 annually to the per-parcel special tax, for an annual special tax amount of \$500 per parcel for road maintenance services in the zone. Measure L was presented to the electorate of the zone, and failed with 51.56% of voters not approving the increase. The annual special tax of \$300 on each parcel of real property within the zone has continued to be collected annually.

At the June 26, 2021 Annual Community Meeting, the Lynx Trail advisory committee determined that the existing \$300 annual special tax amount per parcel is not sufficient to provide the level of maintenance services desired by the residents and property owners within the zone. The committee

and residents recommend the County conduct an election for the registered voters in the zone to consider an increase of \$150 annually to the per parcel special tax, for an annual special tax amount of \$450.

The zone committee provided the meeting notice and agenda, and the minutes of the June 26, 2021 meeting which reflect the recommendation for the ballot measure.

The Registrar of Voters has determined there are one hundred nine (109) voters registered within the Lynx Trail 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 scheduled Election on November 8, 2022.

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

Approve as recommended.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. The estimated cost for conducting the election is approximately \$750. Actual costs will be determined on a time and materials basis, and will be paid from the zone funds. There are seventy four (74) parcels in the Lynx Trail Road Zone of Benefit, each subject to the current special tax amount of \$300 annually, for total zone revenue of \$22,200. Should the measure receive the required two-thirds majority votes in favor of the increase, the annual special tax of \$450 per parcel will result in annual revenue of \$33,300, an increase of \$11,100 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 \$300 per parcel, for annual revenue to the zone remaining at \$22,200.

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 Hess for further processing.

STRATEGIC PLAN COMPONENT

Public Safety, Good Governance and Infrastructure

CONTACT

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Department of Transportation