

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY

DEPT: Public Works

BOARD AGENDA #: *C-8

AGENDA DATE: June 13, 2017

SUBJECT:

Approval to Adopt the Results of the Proposition 218 Assessment Ballot Procedure that Protested the Change of Methodology for Calculating Assessments for County Service Area 8 – Honey Bee Estates

BOARD ACTION AS FOLLOWS:

No. 2017-321

On motion of Supervisor Withrow, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, and Vice-Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman Chiesa

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


PAM VILLARREAL, Assistant Clerk

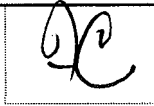
File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Public Works

Urgent

Routine



BOARD AGENDA #: *C-8

AGENDA DATE: June 13, 2017

CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Approval to Adopt the Results of the Proposition 218 Assessment Ballot Procedure that Protested the Change of Methodology for Calculating Assessments for County Service Area 8 – Honey Bee Estates

STAFF RECOMMENDATIONS:

1. Adopt the Results of the Proposition 218 Assessment Ballot Procedure (Support: 1.07, Protest: 2.00, Incomplete: 1.00) held on May 23, 2017 to change the methodology for calculating assessments for CSA 8-Honey Bee Estates.
2. Declare that a majority protest exists because a simple majority of the assessment ballots submitted, weighted according to the proportional financial obligation of the affected property, were in opposition to the proposed change of methodology for calculating assessment for County Services Area 8 - Honey Bee Estates.

DISCUSSION:

On April 4, 2017, the Board set a date of May 23, 2017 for the matter to be considered at a public hearing. Prior to, and in conjunction with the public hearing, a Proposition 218 assessment ballot procedure was conducted to determine if owners of the properties within the CSA would support the change of methodology for calculating the assessment. Five ballots were received, and were weighted as 4.07 votes. The public opening of the ballots occurred on May 24, 2017 at 9 a.m.

A simple majority of the assessment ballots received were in opposition to the change of methodology. In summary, there were 1.07 votes cast in Support; 2.00 votes cast in Protest, and 1.00 Incomplete ballot. The incomplete ballot, which was not signed, was a ballot in Support of the methodology change. This ballot could not be counted due to the lack of signature.

The special benefit services and assessments to be levied for this district are intended to provide a revenue source for all the maintenance of the service area's storm drain system but not limited to the materials, equipment, labor, and administrative expenses. As a result of the protest of the change of methodology to calculate the assessments, the assessments will remain at the 2016-2017 level of \$31.24 per year per parcel, and maintenance will be reduced to the level funded by the current assessment. The reduction in service will begin in July 2017. This will result in a reduction of the number of street sweepings annually, fewer repairs to existing infrastructure, and reducing overall maintenance efforts.

Approval to Adopt the Results of the Proposition 218 Assessment Ballot Procedure that Protested the Change of Methodology for Calculating Assessments for County Service Area 8 – Honey Bee Estates

POLICY ISSUE:

California Government Code Chapter 4, Section 53753 (5) mandates that if there is a majority protest against the imposition of an increase in an existing assessment, the agency shall not impose, extend, or increase the assessment.

FISCAL IMPACT:

Costs associated with reporting the ballot results, which are estimate to be \$1,281, will be charged to CSA 8. Actual costs of the ballot procedure, when finalized, will be charged to CSA 8 and will not exceed the estimated amount.

Cost of recommended action:		\$ 1,281
Source(s) of Funding:		
CSA 8 Fund Balance	\$ 1,281	
Funding Total:		<u>1,281</u>
Net Cost to County General Fund		<u><u>\$ -</u></u>

Fiscal Year:	2016-2017
Budget Adjustment/Appropriations needed:	No

Fund Balance as of April 30, 2017	
CSA 8 - Honey Bee Estates	\$ 2,401

BOARD OF SUPERVISORS' PRIORITY:

This action is consistent with the Board's priority of Efficient Delivery of Public Service by honoring the results of the ballot procedure in opposition of the methodology change.

STAFFING IMPACT:

The adoption of the ballot procedure concludes staff efforts on this project.

CONTACT PERSON:

Matt Machado, Public Works Director Telephone: (209) 525-4153

ATTACHMENT(S):

Memo from the Clerk of the Board to the Chairman of the Board – Ballot Results

ATTACHMENT 1

MEMO FROM THE CLERK OF THE BOARD TO THE CHAIRMAN OF THE BOARD –
BALLOT RESULTS



CLERK OF THE BOARD OF SUPERVISORS

Elizabeth A. King

1010 Tenth Street, Suite 6700, Modesto, CA 95354
Phone: 209.525.4494 Fax: 209.525.4420


May 24, 2017

TO: Vito Chiesa, Chairman of the Board of Supervisors
FROM: Elizabeth King, Clerk of the Board
RE: Ballot Results for the Proposed Method of Calculating the Amount of the Annual Assessment, and the Levy of the Annual Assessment for County Service Area No. 8 – Honey Bee Estates, Empire

We have completed our count of the sealed ballots regarding the proposed method of calculating the amount of the annual assessment, and the levy of the annual assessment for County Service Area No. 8 – Honey Bee Estates, Empire. On June 13, 2017, the results will be presented to the Board of Supervisors. These votes have been counted and verified by staff. A majority protest against the assessment was received.

We present the results from the ballot process for your certification:

Weighted ballots cast in support of the annexation	1.07
Weighted ballots cast in protest of the annexation	<u>2.00</u>
Total Weighted Ballots Counted	3.07
Weighted incomplete ballots not counted	1.00


Elizabeth A. King, Clerk of the Board of Supervisors

5/24/2017
Date