

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 6/5/2012	(3) CONTACT/PHONE John Diodati, Department Administrator (805) 788-2832	
(4) SUBJECT Report on the Proposition 218 results for the proposed CSA 23 Drought Reliability Assessment District (2012) in the community of Santa Margarita.			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: <ol style="list-style-type: none"> 1. Ratify the results of the Proposition 218 Assessment proceedings, which were certified by the Clerk on May 23, 2012; and 2. Adopt the resolution abandoning assessment proceedings for the CSA 23 Drought Reliability Assessment District (2012). 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input checked="" type="checkbox"/> Board Business (Time Est. <u>15 mins.</u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 5/22/12; Item 12	
(18) ADMINISTRATIVE OFFICE REVIEW Nikki J. Schmidt			
(19) SUPERVISOR DISTRICT(S) District 5 -			

Reference: 12JUN05-BB-1

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
John Diodati, Department Administrator (805) 788-2832

VIA: Paavo Ogren, Director of Public Works

DATE: 6/5/2012

SUBJECT: Report on the Proposition 218 results for the proposed CSA 23 Drought Reliability Assessment District (2012) in the community of Santa Margarita.

RECOMMENDATION

It is our recommendation that your Honorable Board:

1. Ratify the results of the Proposition 218 Assessment proceedings, which were certified by the Clerk on May 23, 2012; and
2. Adopt the resolution abandoning assessment proceedings for the CSA 23 Drought Reliability Assessment District (2012).

DISCUSSION

In 2008, County Service Area 23 (CSA 23) received a \$3,000,000 loan/grant package from the United States Department of Agriculture (USDA) to fund waterline improvements, a new water tank, and supplemental water supply for drought reliability in the form of a connection to the State Water project. The waterline improvements and new tank have been completed, and on March 20, 2012, your Board initiated the Proposition 218 proceedings for the drought reliability program. This included mailing ballots to affected property owners setting the date of the Public Hearing for the CSA 23 Drought Reliability Assessment District (2012) for May 22, 2012.

The hearing was held on May 22, 2012, and the ballots were opened and counted the following day on May 23rd. The results of the election were as follows:

- \$ 49,533.35 in support of the proposed assessment
- \$146,947.59 in opposition of the proposed assessment

Since the ballots are weighted by dollar amount of returned ballots, the results are as follows:

- 25.21% in support of the proposed assessment
- 74.79% in opposition of the proposed assessment

Based on the results, there was a majority protest by the property owners in CSA 23.

Since the assessment district was not approved by the property owners, your Board must adopt the attached resolution Abandoning Assessment Proceedings for the CSA 23 Drought Reliability Assessment District (2012). The Public Works Department will end all work on the project, and notify the USDA on the results of the Proposition 218 proceedings.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel, the Tax Collector and the Clerk's office have all been involved in the Proposition 218 proceedings.

FINANCIAL CONSIDERATIONS

The rejection of the special assessment does not create any future financial obligations for the County.

RESULTS

This will conclude the Proposition 218 proceeding and provide for the report of the results of a community based decision, which is an excellent mechanism for promoting a well governed and livable community.

File: CF 320.580.02 CSA 23 - Santa Margarita

Reference: 12JUN05-BB-1

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ATTACHMENTS

1. Vicinity Map
2. Ballot Certificate of County Clerk-Recorder
3. Resolution Abandoning Assessment Proceedings for the CSA 23 Drought Reliability Assessment District (2012)