



Mendocino County

Legislation Details (With Text)

File #: 24-0540 **Version:** 1 **Name:**
Type: Approval **Status:** Agenda Ready
File created: 5/6/2024 **In control:** Executive Office
On agenda: 5/21/2024 **Final action:**
Title: Discussion and Possible Action Including Adoption of Resolution of Intention of the Mendocino County Board of Supervisors to Establish a New Special Benefit Assessment for the Maintenance, Drainage, and Flood Control of the "Willits Creek and Firco Emergency Access Routes" (Sponsors: Supervisor Haschak and Executive Office)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 24-086, 2. Resolution, 3. Exhibit A - Assessment Roll_Assessment Map, 4. Exhibit B Engineers Report, 5. Exhibit C-Notice of Public Hearing_Ballot Procedure_Sample Ballot, 6. 05-20-24 Revised Exhibit B Engineers Report

Date	Ver.	Action By	Action	Result
5/21/2024	1	Board of Supervisors		

To: BOARD OF SUPERVISORS

From: Supervisor Haschak and Executive Office

Meeting Date: May 21, 2024

Department Contact: John Haschak **Phone:** 707-463-4441
Department Contact: Xuyen Mallela **Phone:** 707-463-4441

Item Type: Regular Agenda **Time Allocated for Item:** 30 Minutes

Agenda Title:

Discussion and Possible Action Including Adoption of Resolution of Intention of the Mendocino County Board of Supervisors to Establish a New Special Benefit Assessment for the Maintenance, Drainage, and Flood Control of the "Willits Creek and Firco Emergency Access Routes" (Sponsors: Supervisor Haschak and Executive Office)

Recommended Action/Motion:

Adopt resolution of intention of the Mendocino County Board of Supervisors to establish a new special benefit assessment for the maintenance, drainage, and flood control of the "Willits Creek and Firco Emergency Access Routes"; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

On January 25, 2021, the Board received a presentation on a plan to implement the County Service Area 3 (CSA3) Benefit Zone Pilot Program.

On August 3, 2021, the Board directed staff to continue working on necessary steps to implement the CSA3

Benefit Zone Pilot Program for the Sherwood Road area.

On March 1, 2022, the Board directed staff to continue work on necessary steps to implement the CSA3 Sherwood Firewise Communities Zone of Benefit Pilot Program and directed staff to look at using the most appropriate CPI.

On September 26, 2023, the Board directed staff to continue the pilot project without CSA3 and go forward with a special assessment.

Summary of Request:

The purpose of the Sherwood Firewise Communities Zone of Benefit Pilot Program is to provide a source of funding for the Willits Creek and Firco Emergency Access Routes (EARs). Since the inception of the Pilot Program, there has been an effort to utilize CSA3 and the Zone of Benefit (ZOB) in order to levy a special benefit assessment. However, the use of such tools has caused roadblocks that have delayed the Pilot Program. As a result, the county counsel's office researched and presented to the Board on the Special Assessment option at the September 26, 2023 meeting, where the Board directed staff to abandon the CSA3 path and go forward with a special benefit assessment.

The requirements to imposing a special benefit assessment are similar to those if CSA3 and the ZOB were still being utilized; however, a special benefit assessment does not require the approval of outside boards or commissions, such as the Mendocino Local Agency Formation Commission (LAFCO.)

By adopting the proposed resolution, the Board (1) proposes to adopt a special benefit assessment pursuant to Government Code section 54715, (2) adopts the Engineer's Report, (3) approves the draft Notice of Public Hearing, Ballot Procedure, & Sample Ballot and provide staff with the authority to revise such documents as needed, and (4) will hold a public hearing at July 23, 2024 Board of Supervisors meeting.

If approved by the property owners that will be subject to the special benefit assessment, the earliest that the special benefit assessment will appear in the tax roll is for fiscal year 2024-25. The proposed special benefit assessment term is set at 20 years. The rate of the special benefit assessment is proposed at \$30.88 per developed parcel and \$1.39 per undeveloped parcel. The proposed assessment is set to recover immediate road repairs needed for drainage and to install, repair, and maintain culverts, perform roadside clearing, and install new gates and turnouts in compliance with California Code of Regulations, Division 1.5, Chapter 7 Subchapter 2, Articles 1-5 State Minimum Fire Safe Standards and includes costs for ongoing routine maintenance such as vegetation maintenance and road surfacing and drainage conduit function.

Alternative Action/Motion:

Return to staff for alternative handling

Strategic Plan Priority Designation: A Prepared and Resilient County

Supervisory District: District 3

Vote Requirement: Majority

Supplemental Information Available Online At:

<https://www.mendocinocounty.gov/government/economic-development>

Fiscal Details:

source of funding: If approved by voters within the benefit district, the special assessment will bring in approximately \$56,735 annually to fund regular operation and maintenance of designated road surfaces, drainage, flood control, and vegetation on the FirCo Haul Road and the Willits Creek Trail routes

current f/y cost: \$50,000

budget clarification: The Board previously allocated \$50,000 into the CSA3 fund as seed funding for the pilot program. This funding is used to fund the engineering firm to provide the engineer's report and admin costs, such as postage.

annual recurring cost: n/a

budgeted in current f/y (if no, please describe): N/A

revenue agreement: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Senior Deputy Clerk

Date: May 21, 2024

Final Status: **Adopted**

Executed Item Type: Resolution

Number: 24-086

