

Board of County Commissioners

Agenda Request

Date of Meeting: April 19, 2010

Date Submitted: April 5, 2010

To: Honorable Chairman and Members of the Board

From: Benjamin H. Pingree, County Administrator
Timothy P. Barden, Assistant County Administrator
Heather J. Encinosa, County Attorney

Subject: Request Board Approval to Schedule and Advertise a Public Hearing to Consider Adopting a Master Capital Project and Service Assessment Ordinance

Statement of Issue:

This agenda item requests Board approval to schedule and advertise a public hearing to consider adopting a Master Capital Project and Service Assessment Ordinance (Attachment #1).

Background:

On December 8, 2009, the BOCC directed County staff and the County Attorney to reach out to Tax Collector and Property Appraiser and obtain extensions to the March 1 date, advertise the public hearing, and schedule the public hearing to consider the Resolution of Intent before March 1, 2010.

Subsequently, in late December 2009, the County Administrator and County Attorney met with the Property Appraiser and Tax Collector and both constitutional officers willingly consented to the March 1 extension. On January 11, 2010, the Board approved the extension agreements with the constitutional officers.

On February 16, 2010 the Board held a public hearing and adopted Resolution #10-08, Intent to Use the Uniform Method of Collection of Assessments to fund neighborhood improvements, facilities, and programs. Some improvements include road paving, road maintenance, sidewalks, street lighting, and beautification.

On March 4, 2010 the Board held a workshop to discuss the use of Municipal Service Benefit Units (MSBU) for Neighborhood Improvements, Facilities and Programs. The workshop included discussion by the Board as well as comments from citizens and staff regarding potential requirements for ordinances that impose MSBUs for capital improvements and services including examples from other similar jurisdictions.

On April 5, 2010, the Board ratified the discussion and comments from the workshop and approved the finalization of a proposed master assessment ordinance for consideration by the Board.

Analysis:

The proposed Master Capital Project and Service Assessment Ordinance outlines the process by which all assessment programs, whether for services or capital improvements, shall be adopted. It provides definitions, and provides for the creation of assessment areas which will be subject to assessments approved by the Board. The Ordinance further provides a means for the initiation of voluntary assessments by citizen petition and with the holding of a non-binding ballot election.

The Ordinance provides for the collection of assessments pursuant to the Uniform Method of Collection authorizing the collection of special assessments on the local tax bill, however, it does not prohibit the collection of assessments by other methods if necessary. Finally, it outlines the requirements pertaining to issuance of debt for capital projects.

Options

1. Approval to Schedule and Advertise a Public Hearing to Consider Adopting a Master Capital Project and Service Assessment Ordinance.
2. Do Not Schedule and Advertise a Public Hearing to Consider a Master Capital Project and Service Assessment Ordinance.
3. Board Direction.

Recommendation

Option #1

Attachments:

1. Proposed Ordinance