



Legislation Text

File #: 19-319, Version: 1

MEMORANDUM

TO: Board of Supervisors

FROM: Carol J. Huchingson, County Administrative Officer

DATE: April 16, 2019

SUBJECT: Consideration of Resolutions Accepting and Confirming Ballot Tabulation for the Establishment of Zones of Benefit within CSA 23 in the following communities: (a) Buckingham; (b) Riviera Heights; (c) Riviera West; and (d) Clearlake Riviera

EXECUTIVE SUMMARY:

On January 29, 2019, your Board adopted four Resolutions of Intent to create Zones of Benefit within CSA No. 23, identified as Clearlake Riviera, Buckingham, Riviera West and Riviera Heights, for a pilot program taking a proactive approach to protecting County roadways from wildfire damage.

At that time, your Board adopted the Engineer's Report demonstrating the shared benefit of the measures and legal descriptions of the boundaries of each proposed Zone, approved the ballots to be distributed, and set a date for public Protest Hearings, as required by Proposition 218.

The matter of creation of these Zones of Benefit was thereafter voted upon by recorded property owners in the four above listed communities. A preliminary tabulation of votes was conducted and shared with the public following the measures' Protest Hearings on March 26, 2019. Each of the four proposed Zones had gained strong majority support.

Final tabulations for the proposed Zones are as follows:

Buckingham

- | | | |
|----|---------|-----|
| a. | For | 252 |
| b. | Against | 153 |

Riviera Heights

- | | | |
|----|---------|-----|
| a. | For | 173 |
| b. | Against | 142 |

Riviera West

a.	For	181
b.	Against	86
Clearlake Riviera		
a.	For	654
b.	Against	516

During the Protest Hearings, one member of the public noted that the language, “Official Ballot Enclosed,” was not printed on the envelopes in which ballots were mailed. I and my staff sincerely regret this omission. However, as your Board may be aware, the purpose of this statute, Government Code Section 53753 (b), is to ensure that property owners are aware of their opportunity to vote to accept or oppose the proposed assessments, and do not unknowingly throw away their ballots.

Your Board may determine whether the ballot measure, as conducted, was in substantial compliance with the noticing requirements of Government Code section 53753.

Numerous and substantial efforts were made to inform property owners in the affected areas that they would receive ballots from County:

- Your Board discussed this matter on four distinct occasions (1/8/2019, 1/29/2019, 2/26/2019, 3/26/2019), exceeding the required two (Resolutions of Intention, Protest Hearings)
- Supervisor Brown conducted two informational Town Hall style meetings, attended by hundreds.
- The County issued two Press Releases, and shared each of these via social media; one of the posts reached nearly 2,000 people.
- In total, at least 17 information releases that discussed the proposed Zones of Benefit were issued prior to the March 26 protest hearings. These included significant coverage by local media partners, including LakeCoNews and the Lake County Record-Bee, in addition to the County’s direct efforts.

In addition, each of the Homeowners’ Associations undertook their own information sharing efforts. Buckingham and Riviera Heights provided examples of their outreach, and both addressed their members on three or more occasions.

Further, all envelopes containing mailed ballots were labeled, “County of Lake,” and mailed First Class, not Bulk Mail, indicating they were not “junk mail,” and should not be thrown away.

Provided your Board finds that these, and/or other factors, substantially fulfill the reasonable objective of Government Code section 53753 (b), staff recommends your Board adopt the attached Resolutions, accepting and confirming ballot tabulation for the four proposed Zones of Benefit.

As detailed above, a strong majority of voters who expressed their intent supported these measures,

and the assessments are expected to limit the risk of wildfire to residents of the affected areas.

FISCAL IMPACT: ☒ None ☐ Budgeted ☐ Non-Budgeted

Estimated Cost:

Amount Budgeted:

Additional Requested:

Annual Cost (if planned for future years):

FISCAL IMPACT (Narrative): None

STAFFING IMPACT (if applicable): None

RECOMMENDED ACTION:

Adopt the Resolutions Accepting and Confirming Ballot Tabulation for the Establishment of Zones of Benefit within CSA 23 in the following communities: (a) Buckingham; (b) Riviera Heights; (c) Riviera West; and (d) Clearlake Riviera.