

COUNTY SERVICE AREA NO. 29 MEASURE B

B Shall the existing parcel tax of Nine Hundred Twenty Five Dollars (\$925.00) on each parcel be increased to One Thousand Two Hundred Dollars (\$1,200.00) within County Service Area No. 29 annually and extended for a period of ten (10) years, commencing in FY 2007-2008, terminating in FY 2017-2018, to provide funds for ongoing maintenance dredging in the principal waterways of Paradise Cay along with the north and south entry channels to San Francisco Bay?

**FULL TEXT OF MEASURE B
RESOLUTION NO. 2006-165**

RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS CALLING FOR AN ELECTION TO IMPOSE A SPECIAL TAX UPON PARCELS LOCATED WITHIN COUNTY SERVICE AREA NO. 29 FOR THE PURPOSE OF PROVIDING ONGOING MAINTENANCE DREDGING IN PARADISE CAY ALONG WITH THE NORTH AND SOUTH ENTRY CHANNELS TO SAN FRANCISCO BAY

WHEREAS, the Board of Supervisors, as the governing body of County Service Area 29 (CSA 29), and at the request of the CSA 29 Advisory Board, determines that it is in the best interests of the property owners within CSA 29 to provide ongoing maintenance dredging to the canals and waterways within Paradise Cay along with the north and south entry channels into San Francisco Bay and to fund said services through the continued imposition of a special tax; and

WHEREAS, pursuant to Government Code SS 25210.6a and 50075, et seq., and in compliance with California Constitution Article XIII C, the Board of Supervisors is hereby authorized to adopt this Resolution to establish and impose (subject to voter approval) a special tax upon all real property located with CSA 29; and

WHEREAS, the Board of Supervisors proposes to increase the existing special tax from the amount of \$925.00 to \$1,200.00 per annum per parcel beginning fiscal year 2007-2008 and continuing through fiscal year 2017-2018; and

WHEREAS, the special tax, if approved, will not exceed the County spending limit as pursuant to California Constitution Article XIII B.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The special tax shall be collected annually by the Marin County Tax Collector in the same manner and subject to the same penalties as County property taxes are collected. The County shall be entitled to deduct its reasonable costs incurred in collecting the special tax before such tax is remitted to CSA 29.
2. The special tax established by this Resolution shall be submitted to the registered voters within CSA 29 at a general election to be conducted on March 6, 2007. The special tax shall not become effective unless approved by two-thirds of the registered voters within CSA 29. The questions submitted to

the voters shall read substantially as follows:

Shall the existing parcel tax of Nine Hundred Twenty Five Dollars (\$925.00) on each parcel be increased to One Thousand Two Hundred Dollars (\$1,200.00) within County Service Area No. 29 annually and extended for a period of ten (10) years, commencing in FY 2007-2008, terminating in FY 2017-2018, to provide funds for ongoing maintenance dredging in the principal waterways of Paradise Cay along with the north and south entry channels to San Francisco Bay?

3. The Board of Supervisors hereby calls for an election to be held on March 6, 2007 seeking voter approval to impose the special tax on parcels within CSA 29.
4. Pursuant to the provisions of Elections Code Section 1002, the Marin County Board of Supervisors authorizes and directs the Marin County Clerk to render all services necessary for the conduct of the election. The costs of the ballot election shall be borne by CSA 29.
5. The special tax shall be deemed established and shall be in effect beginning with the 2007-2008 fiscal year upon certification of the election results evidencing approval by at least two-thirds of the registered voters voting thereon and remain in effect through the 2017-2018 fiscal year.
6. Pursuant to Government Code Section 50077.5 and Code of Civil Procedure Section 860, any judicial action or proceeding to attack, review, set aside, or annul this special tax, if approved by the voters, shall be commenced within 60 days of the effective date of this resolution.
7. The Clerk of the Board is hereby authorized and directed to mail a copy of this Resolution to the Advisory Board of CSA 29.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this 14th day of November, 2006, by the following vote:

AYES: SUPERVISORS Charles McGlashan, Steve Kinsey, Cynthia L. Murray, Susan L. Adams

NOES: NONE

ABSENT: SUPERVISOR Harold C. Brown, Jr.
s/SUSAN L. ADAMS

President, Board of Supervisors

ATTEST: M. Hymel
Clerk

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS
OF MEASURE B
COUNTY SERVICE AREA 29
SPECIAL TAX**

If this Measure is approved by a two-thirds vote, the County Service Area 29 will increase the existing parcel tax of Nine Hundred Twenty Five Dollars (\$925.00) on each parcel to One Thousand Two Hundred Dollars (\$1,200.00) annually for a period of ten (10) years, commencing in FY 2007-2008, terminating in FY 2017-2018, to provide funds for ongoing maintenance dredging in the principal waterways of Paradise Cay along with the north and south entry channels to San Francisco Bay.

Dated: December 14, 2006

s/PATRICK K. FAULKNER
County Counsel

ARGUMENT IN FAVOR OF MEASURE B

Approval of Measure B increases the County Service Area No. 29 (CSA29) parcel tax from \$925 per riparian lot per year to \$1,200 in order to adequately fund ongoing maintenance dredging of the waterways and entrances to Paradise Cay for the ten year period June 2007 through June 2016. The original projections that led to the \$925 tax were done in 2001 and based on the most recent dredging project (2006) are believed to be inadequate for the following reasons:

- The CSA29 Advisory Board now believes that dredging will cost \$1.6 million over the next ten years. This is higher than past estimates because of higher labor and fuel costs but especially due to lengthy and costly regulatory and testing requirements.
- CSA29 is now dredging 22% more area than in projects previous to 2006. (Up until 2006 CSA 29 did not dredge up to homeowner's dock faces. Accomplishing this had always been the responsibility of the individual homeowners, which meant that each homeowner had to contract separately with the chosen dredging contractor to perform the work and pay for that work themselves.)

Maintaining our waterways is vital in protecting property values and also ensuring that Paradise Cay continues to be a highly desirable place in which to live. No other water oriented community in Marin County has the enviable record for the frequency and cost effectiveness of dredging as CSA29. Since 1990 there have been six dredging projects where a total of 167,000 cubic yards of spoils have been removed.

The CSA29 Advisory Board of Bill Canada, Bob Cerf, Pat Lopez, Eric Lyons, Gene Royal, and I urge you to VOTE YES on Measure B.

County Service Area No. 29 Advisory Board
By s/HARRY W. BLAKE

Chair

s/CHARLES McGLASHAN
Marin County Supervisor, District 3

**NO ARGUMENT AGAINST MEASURE B
WAS FILED.**