

# **PONDEROSA COMMUNITY SERVICES DISTRICT**

## **MEASURE J**

(Required to pass: 2/3 of votes cast )

### **ARGUMENT IN FAVOR OF MEASURE J**

### **BALLOT TEXT**

### **IMPARTIAL ANALYSIS BY COUNTY COUNSEL**

PONDEROSA COMMUNITY SERVICES DISTRICT SNOW REMOVAL MEASURE. Shall the Ponderosa Community Services District be permitted to increase, on an annual basis starting in the 2006-2007 fiscal year, the annual snow removal fee paid by each District property owner, in accordance with the Los Angeles Engineering News Record as set forth in the May edition of each year, in order for the District to maintain its ability to continue to provide and maintain snow removal service?

**YES**

**NO**

### **IMPARTIAL ANALYSIS BY COUNTY COUNSEL**

#### **MEASURE J**

Section 6 of Article XIID of the California Constitution authorizes a special district to increase fees for services it provides by a two-thirds vote of the electorate residing in the affected area at the option of the District.

The Ponderosa Community Services District proposes to authorize annual increases in the fees it may charge for Snow Removal Service beginning in the 2006-2007 fiscal year in accordance with increases in cost indexes applicable to such Service in the Engineering News Record for the city of Los Angeles published in the first week of May of each year. The District may temporarily suspend the collection of any increase in fees in any year if necessary to avoid collecting fees in amounts that are more than the cost of providing the Service.

Any increased fees shall be allocated per property parcel in the same manner as existing fees are allocated, and shall be collected by the District in accordance with procedures for collecting existing fees. The current annual fees for the Snow Removal Service are as follows:

1) Unimproved Residential Lots: \$126.00 per parcel; 2) Improved Residential Lots: \$299.00 per parcel; 3) Unimproved Commercial Lots: \$161.00 per parcel; 4) Improved Commercial Lots: \$345.00 per parcel; and, 5) Oversized Lots (greater or equal to the size of two average-sized lots): \$531.00 per parcel.

The measure's stated purpose is to provide the revenue necessary to maintain the snow removal services since the District has determined that the current fees do not cover the costs of providing such snow removal service.

The measure makes no change to existing law. The electors entitled to vote on this measure are the registered voters within the boundaries of the District. If the measure is not approved by at least two-thirds of the votes cast on the measure, the measure will fail and the authorization for increasing the fees will not be implemented.

KATHLEEN BALES-LANGE

Tulare County Counsel

By: Judy Chapman

Deputy County Counsel

### **ARGUMENT IN FAVOR OF MEASURE J**

The Ponderosa Community Services District contracts with an outside contractor to provide snow removal service for the properties within the District. The contractor has increased the cost of the contract annually for several years with the PCSD absorbing the increased cost. Due to the increasing costs, the District proposes adding a clause to the current snow removal schedule of fees that allows the PCSD Board the discretion to increase the fees if necessary. The increase will be based on the Construction Cost Index of the Los Angeles Engineering News Record edition published in the first week of May of each year. The clause will go into effect at the beginning of the fiscal year 2006-2007. For example if the Construction Cost Index reported a 5.9% increase in the May edition, your current fee would be increased by 5.9%. If the Board

determines in any given year that the increase is unnecessary your fees will remain the same. Failure to receive a majority Yes vote on this measure will have a negative result in the quality and/or quantity of future snow removal services. Please vote Yes!

s/ James C. Wells

Concerned Citizen

**NO ARGUMENT AGAINST THIS MEASURE WAS SUBMITTED**