

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Establishment of Assessment Districts to Provide for Public Improvements and Facilities for Flood Control and Drainage

**Policy
Number**

I-24

Page

1 of 2

Purpose

To establish conditions for the use of Assessment Act proceedings for the construction of flood control and drainage facilities when conditions of safety and general welfare in any particular area warrant such action.

Background

Where urban type development has occurred in the County without adequate flood control or drainage improvements, creating problems involving the health, safety, convenience or general welfare of the public, the San Diego County Flood Control District has the responsibility to provide for the construction of these improvements within the boundaries of the District. One method of providing for these improvements is through Assessment Act proceedings. These proceedings may also be used when property owners wish to provide the improvements. To encourage the formation of assessment districts, the District may share in a portion of the total cost of citizen-initiated projects for those improvements considered to generally benefit the District.

Policy

It is the policy of the Board of Supervisors that:

FORMATION

1. When property owners of a benefiting area desire to have improvements installed by an Assessment Act procedure, the Board will make these procedures available where owners of more than 60 percent of the area of the property to be assessed for the improvement submit petitions requesting that such procedures be instituted; or
2. When land has developed in an urban type area without necessary flood control or drainage facilities and where the lack of these facilities constitutes a detriment to public health, safety and general welfare, the County may initiate Assessment Act proceedings to provide for the construction of these facilities when recommended by the Flood Control Engineer.

GENERAL PLAN

Where a general plan for flood control and drainage has been completed for the area, such improvements shall be developed in accordance with that plan.

COSTS

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Establishment of Assessment Districts to Provide for Public Improvements and Facilities for Flood Control and Drainage

**Policy
Number**

I-24

Page

2 of 2

The Board of Directors of the District, in each instance, on recommendation of the Flood Control Advisory Commission, shall determine what portion, if any, of the total cost of the improvements shall be paid for by the District.

PROTESTS

The Board of Supervisors will proceed with the formation of the Assessment District unless ballots received at the public hearing and not withdrawn represent a majority protest. A majority protest exists if ballots submitted in opposition to the assessment exceed ballots in favor of the assessment. In tabulating, the ballots shall be weighted according to the proportional financial obligation of the affected properties. In no case may a majority protest be overruled by the Board of Supervisors.

EXCEPTIONS

The Board of Supervisors recognizes that it is not possible to anticipate all situations that may arise and that from time to time the Board may make exception when the application of the policy would result in unusual and unreasonable hardship.

PROCEDURE

The Director of Public Works will administer all proceedings for the implementation of this policy.

Sunset Date

This policy will be reviewed for continuance by 12-31-19.

Reference

5-12-70 (73)

6-16-70 (74)

3-1-88 (95)

6-29-93 (61)

8-11-98 (32) deleted

11-17-99 (11)

06-23-04 (12)

12-09-08 (33)

10-31-12 (4)

CAO Reference

1. Department of Public Works