



# Prop 218 (Timing)

## Los Osos Wastewater Project

**County of San Luis Obispo Public Works Department**

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### Proposition 218

*What is a Proposition 218 vote?*  
It is a vote of property owners to decide whether to help fund “a project” with “assessments,” which are collected with property taxes each year.

*Question:*  
Does the 218 assessment vote require a simple majority (i.e. 1 vote or more than 50%) or a two thirds majority?

*Answer:*  
California Government Code Section 53753 (e) (2) provides the answer. The Prop. 218 assessment proceedings include a “protest hearing” and in order to defeat the assessments, ballots submitted in opposition to the assessments must exceed the ballots submitted in support, weighting each ballot, “by the amount of the proposed assessment.” A tie means the assessments are approved.

*Question:*  
I live at the East end of Nipomo Ave. outside of the prohibition zone. Am I correct in assuming that we will not be participating in the Proposition 218 vote for the proposed sewer?

*Answer:*  
You are probably correct but that decision is not yet final. Also, the decision on whether or not owners of developed and un-developed properties will both vote, needs to be made in the near future.

### Advisory Survey

*What is a Project Advisory Survey?*  
It is a survey of property owners, residents, and business owners that will inform the County on the community preferences for a wastewater project.

Property owners need to decide to help fund a project with assessments, by passing a Prop. 218 vote, before the County can design and construct a wastewater project.

*Question:*  
Could you please clarify who will be voting in the advisory vote? I think I heard early on the there would be 2 votes; one for the property owners, who are actually the ones paying for this, and one for the community at large. If I am to vote for a 218, it would be imperative that my advisory vote hold the most weight, since I am one of those who will actually be paying for the project. Any clarification on this vote would be greatly appreciated.

*Answer:*  
Only property owners vote on the Prop 218 assessments. Yes, the community at large will be included in the Advisory Survey – with the results separately identifying answers from property owners, residents, and business owners. Yes, we agree that the answers from property owner should hold the greatest weight since property owners would be obligated to pay for wastewater assessments.



# Why is the Proposition 218 Vote first, and Final Project Selection second?

Several reasons exist for the process that the County is following under the legal requirements of Proposition 218, which was approved by California voters in November 1996.

## PROCESS CONSISTENCY WITH AB 2701

- AB 2701 (Blakeslee) is the legislative authorization for the County efforts.
- The current County process is consistent with process established in AB 2701.

## COST TO COUNTY-WIDE TAXPAYERS How much more should the County spend before property owners vote to fund the project?

- The County must balance the amount it spends on the Los Osos wastewater project with the needs of many other communities, including transportation, health and safety, housing, fire, sheriff and social services.
- The need for property owners in Los Osos to decide on funding a project is imperative.

## POTENTIAL INCREASE IN TIME & COSTS TO LOS OSOS

If project selection came before the Prop 218 vote, then the Prop 218 funding vote would be subject to the California Environmental Quality Act (CEQA) resulting in:

- The requirement to prepare an Environmental Impact Report before the Prop 218 vote
- Increase in costs to the community
- Decrease in flexibility on project options

## JEOPARDIZING PROJECT CREDIBILITY

Abandoning the existing process of moving forward will:

- Eliminate the likelihood of obtaining grants for Los Osos
- Hurt other efforts needed to help work on affordability problems

And:

- Have a negative impact on other County water resource efforts

## PROJECT SELECTION EFFICIENCY

The efficiency of the current County process is important because failed previous efforts spent:

- \$6 million on selecting a County project (before LOCSD was created)
- \$24 million on selecting a LOCSD project

Both of these efforts were stopped.

## COMMUNITY CANNOT RISK YET ANOTHER PROJECT FAILURE

If the Prop 218 vote is project specific, and the “selected” project is stopped again, after the Prop 218 vote, then the Prop 218 efforts will need to be repeated yet again.