



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
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Trisha Tillotson
Community Development Agency Director

David Garcia
Director of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: February 11, 2025
TO: Board of Supervisors
FROM: David Garcia, Director of Public Works
SUBJECT: Resolution to amend the Special Taxes for the Existing Darkhorse Permanent Road Division - District 2

RECOMMENDATION:

1. Hear the Department of Public Works staff presentation on the Darkhorse Permanent Road Division (PRD) election.
2. Conduct a public hearing to hold a proposition 218 election to amend the parcel charges for the Darkhorse PRD.
3. Determine if a majority protest of property owners exists to amend the special tax. If written protests are received from 50% or more of the affected property owners and those protests are not withdrawn by the end of the hearing, the proposed amendment shall be abandoned for at least one year (Streets & Highways Code 1162.5 (d))
4. If a majority protest does not exist, direct staff to count the mail-out election ballots received by the Clerk of the Board regarding the PRD assessment amendment.
5. If a 2/3rds majority of the received votes support the amended PRD special taxes, then adopt the attached Resolution authorizing the amended special tax for the Darkhorse PRD and collection of the special tax. If a 2/3rds majority of the received votes does not support the amended PRD special tax, no further action is needed, and the motion fails.

FUNDING: Funds will be collected annually from special taxes charged to all parcels within the Permanent Road Division. There is no impact on the General Fund, and no budget amendment is needed.

BACKGROUND: In 2002, the Nevada County Board of Supervisors approved Resolution 02-518 forming the Darkhorse Permanent Road Division (PRD). There are currently 227 single-family residential lots within the Darkhorse PRD taxed at \$298 annually, and one property containing the golf course and clubhouse taxed at \$6,600 per year.

In 2023, the Darkhorse Homeowners' Association (HOA) approached County staff with an interest in amending the existing special tax in order to ensure that the PRD fund can keep pace with inflation and continue to provide for long-term maintenance of PRD roads. Staff advised the PRD members that an annual inflationary adjustment, not to exceed 4% annually, could be added to the existing special tax to ensure that PRD roads would be maintained to existing levels in perpetuity. The annual inflationary adjustment would have a 20-year sunset and end in Fiscal Year 2045/46. The sunset would only end the application on the annual inflation factor and special taxes would continue in perpetuity at the rate used in 2045/46. A petition was submitted formally requesting that the County initiate the process to apply an annual inflationary adjustment to the existing Darkhorse PRD special tax.

The Resolution of Intent to amend was approved by the Board on December 10, 2024, by Resolution 24-634.

Attachments:

1. Resolution to Amend the Special Taxes for the Existing Darkhorse Permanent Road Division – District II
2. Exhibit A: Darkhorse Annual Special Tax Adjustment Engineer’s Report

Item Initiated by: Elijah Larimer, Public Works Assistant Engineer

Approved by: David Garcia, Director of Public Works