



**NOTICE OF REGULAR MEETING OF THE
BOARD OF POLICE COMMISSIONERS OF THE
BROADMOOR POLICE PROTECTION DISTRICT**

**The regular July 2024 meeting of the
Board of Police Commissioners will be held on**

Tuesday, July 9, 2024, at 7:00 p.m.

**at the District offices of the
Broadmoor Police Protection District at
388 88th Street
Broadmoor Vlg., California 94015**

**NO FOOD OR BEVERAGES WILL
BE PERMITTED IN THE MEETING ROOM**

**NO ANIMALS EXCEPT REGISTERED SERVICE ANIMALS
WILL PERMITTED IN THE MEETING ROOM**

**RULES OF ORDER AND DECORUM SET FORTH
IN RESOLUTION 2022/23-07 WILL BE ENFORCED**



BROADMOOR COMMISSIONERS
Hon. James Kucharszky
Hon. Ralph Hutchens
Hon. Marie Brizuela

AGENDA

REGULAR MEETING

Meeting to be held:

Tuesday July 9, 2024, at 7:00 p.m.

**Broadmoor Police Department
388-88th Street
Broadmoor, Vlg., California 94015-1717**

Meetings are accessible to people with disabilities. Individuals who need special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting should contact Lisa Hernandez [Administrative Assistant of the Police Department] at least 2 working days before the meeting at (650) 755-3840 and/or lhernandez@pd.broadmoor.ca.us. Notification in advance of the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting and the materials related to it. Attendees to this meeting are reminded that other attendees may be sensitive to various chemical-based products.

**NO FOOD OR BEVERAGES WILL
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**RULES OF ORDER AND DECORUM SET FORTH
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1. PLEDGE OF ALLEGIANCE
2. ROLL CALL

3. PUBLIC COMMENTS

This time is provided for interested persons to address the Commission or submit written communications on matters not on the Agenda. Anyone wishing to present oral comments on matters not on the agenda must approach the podium, state his or her name, and will have up to three minutes to present his or her oral comments. At the conclusion of all public comments on matters not on the Agenda, the Commission may respond to the public comments. Any request that requires Commission action will be set by the Commission for a future agenda or referred to staff.

4. CONSENT AGENDA

PREVIOUS MINUTES

- (a) Approval of minutes from regular meeting on June 10, 2024.
- (b) Approval of minutes from special meeting on June 20, 2024.

TREASURER'S REPORT

- (b) Approval of July 2024 Warrants and Deposits.

5. CHIEF OF POLICE REPORT

Chief Connolly will deliver his report.

6. OPEN SESSION

- (a) Consider and discuss a proposal by staff to approve and adopt Resolution No. 2024/25-01 ordering an election to coincide with the General Election on November 5, 2024, for a ballot measure for a limited (five year) qualified supplemental special parcel tax. (This is an action item.)
- (b) Consider and discuss a proposal by staff to approve and adopt Resolution No. 2024/25-02 ordering an election to fill one seat on the Police Commission and to order the election combined with the General Election on November 5, 2024. (This is an action item.)

7. ADJOURNMENT

Motion to adjourn.

POSTED AT: WWW.BROADMOORPOLICE.COM
BROADMOOR POLICE DEPARTMENT
COLMA FIRE DEPARTMENT
BROADMOOR COMMUNITY CENTER

MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND

**Broadmoor Police Department
Warrants Report JULY 2024**

Account	Date	Name	Memo/Description	Account	Amount
Petty Cash - Chase	06/17/2024	AAA Smart Home	INV 8681926	5478-Other Contract Maintenance	\$ 34.20
Petty Cash - Chase	07/01/2024	Chuck Bonnici	REIMBURSE FOR CARDS/RANGE	5838-Training & Equipment	\$ 42.43
Petty Cash - Chase	07/01/2024	Cintas	MEDICINE CABINET	5876-OTHER PROFESSIONAL SER	\$ 244.82
Petty Cash - Chase	06/17/2024	County of San Mateo Forensic Lab	INV 104557	5858-OUTSIDE PROF CONTRACT S	\$ 205.00
Petty Cash - Chase	06/17/2024	County of San Mateo Forensic Lab	SERVICE MONTH MAY 2024	5858-OUTSIDE PROF CONTRACT S	\$ 82.25
Petty Cash - Chase	06/17/2024	MICHAEL DAVIS	FTO TRAINING REIMBURSEMENT	5838-Training & Equipment	\$ 65.50
Petty Cash - Chase	06/17/2024	Ninnescah Valley Bank	CHEVY LEASE 13-60	7311-FIXED ASSETS - EQUIPMENT	\$ 926.55
Petty Cash - Chase	07/01/2024	Roger Rouse	WEBSITE REBUILD/REDESIGN 2 OF 3	5876-OTHER PROFESSIONAL SER	\$ 5,000.00
Petty Cash - Chase	06/12/2024	SAMIR ABULHAN	Reimbursement Touchless Carwash Luncheon	5199c-Meals	\$ 719.23
Petty Cash - Chase	06/17/2024	Sharp Electronics Corporation	INV 9004854187	5478-Other Contract Maintenance	\$ 24.50
Petty Cash - Chase	06/17/2024	TEA	INV 48834	5424-Radio/Telecomm Equipmt Main	\$ 180.00
Total for Petty Cash - Chase					\$ 7,524.48
SMCO - General Fund	06/18/2024	AT&T-Cabinet	INV 21764128		
SMCO - General Fund	06/18/2024	AT&T Mobility-FirstNet	WIRELESS DUE 6/25	5638-Other Utility Expense	\$ 327.83
SMCO - General Fund	06/18/2024	Bay Contract Maintenance, Inc.	JUNE CLEANING SUPPLIES MAY/JUNE	5638-Other Utility Expense	\$ 463.12
SMCO - General Fund	07/01/2024	Bay Contract Maintenance, Inc.	--	5156-OTHER HOUSEHOLD EXPENS	\$ 864.48
SMCO - General Fund	06/18/2024	BEST BEST AND KRIEGER	INV 998473	5156-OTHER HOUSEHOLD EXPENS	\$ 283.31
SMCO - General Fund	07/01/2024	Central Self Storage	--	5341-LEGAL NOTICES	\$ 3,977.50
SMCO - General Fund	07/01/2024	Central Self Storage	--	5638-Other Utility Expense	\$ 574.00
SMCO - General Fund	06/12/2024	Chase Card Services	DUE 06/19/24	5199a-General	\$ 453.25
SMCO - General Fund	06/18/2024	County of San Mateo, PSC	FY 23/24 4TH Q SERVICES	5858-OUTSIDE PROF CONTRACT S	\$ 1,830.48
SMCO - General Fund	06/18/2024	Daily City Auto Repair	INV 102667	5858-OUTSIDE PROF CONTRACT S	\$ 26,577.50
SMCO - General Fund	06/18/2024	Davis Law Firm	MAY 2024	5455-VEHICLE AND EQUIP REPAIR	\$ 446.06
SMCO - General Fund	06/18/2024	Experian	MAY MINIMUM	5341-LEGAL NOTICES	\$ 1,891.25
SMCO - General Fund	06/18/2024	Flyers Energy, LLC	--	5876-OTHER PROFESSIONAL SER	\$ 200.00
SMCO - General Fund	06/26/2024	George Petersen Insurance Agency	DOWN PAYMENT ACCT BROAPOL-01 EFF DATE 07/01/24	5416-FUEL AND LUBRICATION	\$ 2,481.14
SMCO - General Fund	07/01/2024	Graphics on the Edge	MEDICAL JULY 2024	6731-INSURANCE	\$ 94,630.18
SMCO - General Fund	06/18/2024	Kaiser Foundation Health Plan	--	5876-OTHER PROFESSIONAL SER	\$ 1,590.63
SMCO - General Fund	06/18/2024	LexisNexis	REVENUE CONSULTING THROUGH 5/31/24	4413 KAISER HEALTH INSURANCE	\$ 6,887.22
SMCO - General Fund	06/18/2024	NBS	--	5876-OTHER PROFESSIONAL SER	\$ 200.00
SMCO - General Fund	07/01/2024	NevTec	DUE 6/24/24	5858-OUTSIDE PROF CONTRACT S	\$ 4,374.50
SMCO - General Fund	06/18/2024	PG&E	INV 75477 QUARTERLY MAINT	5638-Other Utility Expense	\$ 1,676.76
SMCO - General Fund	06/18/2024	RMI Mechanical Contractor, Inc.	--	5478-Other Contract Maintenance	\$ 800.00
SMCO - General Fund	07/01/2024	Robyn Rose	--	5876-OTHER PROFESSIONAL SER	\$ 440.00
SMCO - General Fund	07/01/2024	Sharp Business Systems	POLICY 9340631	5478-Other Contract Maintenance	\$ 291.56
SMCO - General Fund	06/18/2024	STATE COMPENSATION INSURANCE	NETWORK SERVICES	6731-INSURANCE	\$ 5,322.12
SMCO - General Fund	06/18/2024	Wave	--	5638-Other Utility Expense	\$ 419.98
SMCO - General Fund	06/18/2024	Wave	--	5638-Other Utility Expense	\$ 208.81
Total for SMCO - General Fund Cash			Tuesday, July 02, 2024 07:16 PM GMTZ		\$ 165,711.68



**COUNTY OF SAN MATEO
DEPOSIT PERMIT**

Permit Number

(1) TITLE OF DEPOSITING ORGANIZATION Broadmoor Police Department			(2) No. of Depositing Org. 02500		(3) Preparation Date Jul-24		(4) Reference Date		
(5) ACCOUNT DESCRIPTION	(6) C O D E S							(7) AMOUNT	
	Pay	Schedule	References	GL ORG.	GL Object	JL ORG.	JL Object	Dollars	Cents <input checked="" type="checkbox"/>
DMV LOCAL AGENCY COLLECTION			90-1342	2500	2658			1,522.00	
BERKSHIRE HATHAWAY- RETURN PREMIUM			11-24	2500	2658			355.00	
								\$1,877.00	
(8) Remarks:							TOTAL		
							DISTRIBUTION OF TOTAL	Cards	\$1,877.00
								Checks	
								Coins	
								Currency	
								Wires	
Other									
(9) I hereby certify that the total amount listed above represents collections received by me for the above named fund and during the period of 05/30/2024-07/03/2024 INTERIM CHIEF MICHAEL P. CONNOLLY DEPARTMENT HEAD				(10) The monies listed above have been received in the County Treasury. County Treasury By _____ DEPUTY			(11) I approved deposit of the above monies in the County Treasury. County Controller By _____ DEPUTY		

BROADMOOR POLICE PROTECTION DISTRICT
OFFICE OF THE CHIEF OF POLICE / DISTRICT MANAGER
STAFF REPORT

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DATE: July 3, 2024

TO : Hon. James Kucharszky, Hon. Ralph Hutchens and Hon. Marie Brizuela, Commissioners

FROM: Michael P. Connolly, ICOP / IDM

RE : Ballot measure for limited qualified supplemental special parcel tax

BACKGROUND

As shown in the budget that the Police Commission adopted at the last meeting of the of the Commission, the District, like almost all public entities in San Mateo County and throughout the state, is in need of short-term additional funds in order to provide a level of service the residents and businesses of Broadmoor have come to expect.

Moreover, inflation has significantly increased the District's cost of operations that the District has to some extent offset by temporarily reducing such operational costs. Nevertheless, a short-term infusion of additional funds is necessary to restore those reductions.

DISCUSSION

As has been previously discussed with the Commission, a short-term special parcel tax is needed to help the District during times when the District and most, if not all, cities, counties and special districts throughout the State of California are having budgetary problems stemming from runaway inflation. A short-term special tax will require a ballot measure to be approved by the voters. In order to complete the ballot measure and get it before the Commission for consideration, the amount needed for the short-term special tax must be included in the proposed ballot measure. At the Special Meeting of the Commission on June 20, 2024, the District's consultant, NBS, presented four alternative proposals for a ballot measure.

The Police Commission approved the retention of NBS, a well-respected consulting firm approved by the Commission that provides public agencies with strategies and models for improving revenue and guidance with ballot measures. NBS has submitted a very detailed proposal that sets forth various models or strategies for revenue production for the Commission's consideration. A copy of that proposal is attached.

According to NBS, the short-term special tax needed for will be \$700,000 the first year, which can be increased by 5% for years two through five. (See attached.)

On June 20, 2024, at a special meeting of the Police Commission, Sara Mares and Nick Dayhoff of NBS delivered a comprehensive presentation to the Commission and the public in attendance at that meeting. NBS offered four models for the proposed limited special parcel tax.

I have previously published and shared with the Commission four models, which were also discussed at length at the Special Meeting on June 20, 2024. I include with this Staff Report four models prepared by NBS. .

I have carefully reviewed and studied the several NBS models, which I discussed at length with NBS personnel. Based upon my review of the models, and after discussions with NBS and legal counsel, we have come up with a model that will have the least impact on single family homes, yet provide the District with the funding it needs. I have incorporated that model into a proposed form of Resolution, which I have attached to this Staff Report.

Notice of the hearing has been posted and published in accordance with law.

RECOMMENDATION

I recommend that the Commission approve and adopt proposed Resolution 2024/25-01, a copy of which I have attached to this Staff Report.

Respectfully submitted,

Michael P. Connolly (ICOP / IDM)

Attachments: NBS report and models dated June 20, 2024
Proposed Resolution 2024/25-01
Proof of Publication

BROADMOOR POLICE PROTECTION DISTRICT MEMORANDUM

TO: Michael P. Connolly, Chief of Police, Broadmoor Police Protection District

FROM: Nick Dayhoff, Senior Consultant

DATE: June 20, 2024

SUBJECT: Parcel Tax Modeling Scenarios

Purpose

The Broadmoor Police Protection District (the “District”) has requested that NBS model special tax rates related to the feasibility of creating a new parcel tax to fund forecasted shortfalls in the District’s ongoing operational budget. This evaluation includes modeling of three options for a new *uniform* parcel tax, and three options for a *non-uniform* parcel tax. This memorandum summarizes the special tax rates via each scenario.

Revenue Targets

The following table shows the annual revenue targets for FY 2025-26 through FY 2029-30, based on budgetary information provided by the District. The revenue target for the first year would be \$700,000 and would increase by 5% annually in line with assumed increases in the parcel tax rates:

Item	2025-26 Forecast	2026-27 Forecast	2027-28 Forecast	2028-29 Forecast	2029-30 Forecast
Beginning Fund Balance	\$1,034,643	\$1,151,776	\$1,252,519	\$1,337,627	\$1,406,874
Revenue	\$3,654,718	\$3,787,366	\$3,925,011	\$4,067,846	\$4,216,070
Expenditures	<u>3,537,584</u>	<u>3,686,622</u>	<u>3,839,904</u>	<u>3,998,599</u>	<u>4,123,589</u>
Annual Surplus/(Deficit)	\$117,134	\$100,743	\$85,108	\$69,247	\$92,481
Ending Fund Balance	\$1,151,776	\$1,252,519	\$1,337,627	\$1,406,874	\$1,499,355
25% Operating Reserve	884,396	921,656	959,976	999,650	1,030,897
Excess ERAF Reserve	953,059	991,182	1,030,829	1,072,062	1,114,945
Remaining Fund Balance	(\$685,679)	(\$660,318)	(\$653,178)	(\$664,838)	(\$646,487)
Annual Revenue Target	\$700,000	\$735,000	\$771,750	\$810,338	\$850,854

Parcel Data

The parcel database was compiled using data from the San Mateo County Assessor. According to such data, the District comprises 1,532 Assessor's parcels, of which 1,502 were determined to be "Taxable" and 30 were determined to be "Exempt." Exempt properties include public property and utilities.

Property Type was assigned based on County Use Code. Unit counts are somewhat incomplete in the Assessor's data, so that was compiled by referencing County Use Code and independent research to fill in the gaps.

Lot square footage in the Assessor's data appears to be unreliable—especially for parcels that share common lots such as condominiums/townhomes—so NBS utilized GIS to calculate lot square footage for each parcel. NBS recommends that the administrator of any potential parcel tax utilize GIS calculations of lot square footage, if and where applicable.

Similarly, the building square footage data in the Assessor's data doesn't seem reliable either; however, there is no remedy to research that data in a timely fashion, so we have relied on the available Assessor's data with some added independent research to fill in gaps where information is not included in the Assessor's data. We note here that building square footage data is usually one of the most unreliable statistics in the Assessors' data throughout the State of California.

The following table shows a summary of the parcel characteristics for Taxable property within the District:

Property Type	Parcels	Lot SF	Building SF	Units
Single Family Residential	1,385	8,436,414	1,831,007	1,385
Multi-Family Residential	39	419,180	410,262	400
Residential Care	18	119,949	31,890	87
Non-Residential	37	585,311	228,855	-
Undeveloped	23	327,722	-	-
Total	1,502	9,888,575	2,502,014	1,872

Special Tax Rates – Uniform Parcel Taxes

The following table shows the parcel tax rates for the three uniform parcel taxes: per parcel, per lot square foot, and per building square foot:

	Per	Rate	Parcel Tax Revenue
Parcel		\$466.05	\$700,000
Lot SF		0.0708	700,000
Building SF		0.2798	700,000

Special Tax Rates – Non-Uniform Parcel Taxes

The following tables show the parcel tax rates for the various Property Types using three different non-uniform methodologies. The Factors shown below are subject to change, if desired.

The first method uses varying rates per residential unit, a rate per Building SF for Non-Residential Property, and a rate per Lot SF for Undeveloped Property. The rates for Non-Residential Property and Undeveloped Property have been set to raise 10% and 1% of the revenue target, respectively:

Property Type	EDU Factor	EDU	Rate per EDU	Rate	Per	Parcel Tax Revenue
Single Family Residential	1.00	1,385.00	\$343.33	\$343.33	Unit	\$475,507
Multi-Family Residential	0.90	360.00	343.33	308.99	Unit	123,597
Residential Care	0.80	69.60	343.33	274.66	Unit	23,896
Non-Residential	n/a	n/a	n/a	0.3059	BSF	70,000
Undeveloped	n/a	n/a	n/a	0.0214	LSF	7,000
Total						\$700,000

The second method uses varying rates per residential Building SF, a rate per Building SF for Non-Residential Property, and a rate per Lot SF for Undeveloped Property. The rates for Non-Residential Property and Undeveloped Property have been set to raise 10% and 1% of the revenue target, respectively:

Property Type	EBSF Factor	EBSF	Rate per EBSF	Rate	Per	Parcel Tax Revenue
Single Family Residential	1.00	1,831,007.00	\$0.2799	\$0.2799	BSF	\$512,508
Multi-Family Residential	0.90	369,235.80	0.2799	0.2519	BSF	103,351
Residential Care	0.80	25,512.00	0.2799	0.2239	BSF	7,141
Non-Residential	n/a	n/a	n/a	0.3059	BSF	70,000
Undeveloped	n/a	n/a	n/a	0.0214	LSF	7,000
Total						\$700,000

The third method uses varying rates per residential Lot SF, a rate per Lot SF for Non-Residential Property, and a rate per Lot SF for Undeveloped Property. The rates for Non-Residential Property and Undeveloped Property have been set to raise 10% and 1% of the revenue target, respectively:

Property Type	ELSF Factor	ELSF	Rate per ELSF	Rate	Per	Parcel Tax Revenue
Single Family Residential	1.00	8,436,413.73	\$0.0699	\$0.0699	LSF	\$589,910
Multi-Family Residential	0.90	377,261.70	0.0699	0.0629	LSF	26,380
Residential Care	0.80	95,959.12	0.0699	0.0559	LSF	6,710
Non-Residential	n/a	n/a	n/a	0.1196	LSF	70,000
Undeveloped	n/a	n/a	n/a	0.0214	LSF	7,000
Total						\$700,000

Recommended Methodology

NBS recommends that the District choose the first non-uniform methodology described above, with varying rates per residential unit, a rate per Building SF for Non-Residential Property, and a rate per Lot SF for Undeveloped Property. This methodology results in the lowest average parcel tax on Single Family Residential Property (\$343.33), which is certainly the property type with the most likely registered voters in the District. Assigning units to residential property is relatively easy in San Mateo County, given the current Assessor's Use Code descriptions, and as there are only 12 Multi-Family Residential Properties with five or more units (per the Assessor's Use Codes), those unit counts are easily verifiable via third-party resources. Building SF would only need to be verified for the 37 Non-Residential Properties in the District, and GIS would be utilized to measure Lot SF on the 23 Undeveloped Properties in the District.

I look forward to our upcoming meeting to discuss these revenue scenarios and the modeling outcomes. Please contact me with any questions or comments; I can be reached at 800.676.7516 or via email at ndayhoff@nbsgov.com.

Sincerely,



Nick Dayhoff
Senior Consultant



BROADMOOR POLICE PROTECTION DISTRICT

BOARD OF POLICE COMMISSIONERS

Resolution No. 2024/25-01

A RESOLUTION CALLING A GENERAL DISTRICT ELECTION FOR NOVEMBER 5, 2024 FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE DISTRICT A PROPOSAL TO LEVY A LIMITED SUPPLEMENTAL SPECIAL TAX ON ALL PARCELS OF REAL PROPERTY IN THE DISTRICT FOR FIVE YEARS AND TO INCREASE THE DISTRICT'S APPROPRIATIONS LIMIT; AND TO REQUEST CONSOLIDATION OF THIS GENERAL DISTRICT ELECTION WITH THE STATEWIDE GENERAL ELECTION OF SAME DATE

WHEREAS, since 1948 when the Broadmoor Police Protection District of San Mateo County ("District") was formed, the residents and merchants of the District have been provided with law enforcement and police protection services at a level substantially above level of service available to them absent the existence of the District; and,

WHEREAS, since the inception of the District the residents and merchants have enjoyed a relatively crime-free community, wholly inconsistent with the surrounding area, due entirely to the enhanced law enforcement and police protection services provided by the District's police department, and that such services have since the inception of the District been funded in part by a special parcel tax; and,

WHEREAS, the Board of Police Commissioners of the District desires to submit to the voters a measure that would establish a limited special parcel tax at the rates set forth herein per year per parcel in order to provide additional funding for police protection, crime prevention, emergency response services and any other authorized District activities; and,

WHEREAS, the parcel tax will be a special tax, the proceeds of which are to be deposited into a special District account, created and maintained by the District, and used only for the specific purposes identified herein; and,

WHEREAS, pursuant to California Constitution, Articles XIII A §4, XIII C §2(d), XIII D, §3(a), and California Government Code §§50077, 53722, and 53724, the District may not impose any new, or extend any existing special parcel tax unless and until that tax is submitted to the electorate and approved by an affirmative vote of two-thirds of the qualified electors voting in the election; and,

WHEREAS, pursuant to California Health and Safety Code §20110 and California Government Code §50077, the Board of Police Commissioners has authority to place special tax measures on the ballot to be considered at a District Election; and,

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WHEREAS, pursuant to Proposition 62 (California Government Code §53724(c) and (d)), a local tax election may be consolidated with a statewide primary election, a statewide general election, or a regularly scheduled local election at which all of the electors of the local government are entitled to vote, or held on any other election date permitted by law; and,

WHEREAS, the Statewide General Election for President of the United States and for other Federal, State and local offices, and the District's General Election are all scheduled for November 5, 2024; and,

WHEREAS, pursuant to the provisions of Government Code §50075 *et seq.*, this Board does hereby adopt this Resolution to levy a limited supplemental special tax for police protection, crime prevention, emergency response services and any other authorized District activities; and,

WHEREAS, since the passage of Proposition 13 in 1978 the voters of the District have consistently and overwhelming cast their votes to impose a special tax upon the real property situated within the District so that the residents and merchants of the District will continue to receive the enhanced law enforcement and police protection services to which they have become accustomed and which they have had in place since 1948; and,

WHEREAS, this Board finds, has determined and declares that a limited supplemental special tax to augment existing property tax revenue is necessary and vital in order for the District to remain viable and to continue to provide the special benefits of substantially enhanced police protection, crime

prevention, emergency response service and all other authorized District activities; and,

WHEREAS, the State of California and local governments within the state are all facing severe financial shortages and deficits, including the District; and,

WHEREAS, this Board finds and determines that without the limited supplemental special parcel tax prescribed by this Resolution, there will be a fiscal shortfall, and that each and every fiscal year thereafter there will be a similar shortfall in revenue to the extent that the District is not likely to remain viable unless the proposed supplemental special parcel tax is imposed or other sources of revenue are attained, which is not likely; and,

WHEREAS, on July 9, 2024, the Board of Police Commissioners held a public hearing after due notice regarding calling for an election on a ballot measure approving a limited supplemental special parcel tax; and,

WHEREAS, if approved, the special parcel tax will be collected starting on July 1, 2025, and may be imposed each year thereafter for until June 30, 2030 (five year term); and,

WHEREAS, the Measure, the specific terms of approval, and the collection and use of the revenues of the special parcel tax are described below.

NOW, THEREFORE, be it hereby resolved, ordered and declared by the Board of Police Commissioners and the People of the Broadmoor Police Protection District as follows:

ELECTION PROVISIONS

Section 1: Pursuant to California Constitution, Articles XIII A §4, XIII C §2(d), XIII D, §3(a), California Health and Safety Code §20110 and California Government Code §§50077, 53722, and 53724, an election shall be held and it is hereby ordered to submit the proposed limited supplemental special parcel tax to the voters of the District at the General District Election to be held on November 5, 2024.

Section 2: The measure shall be presented and printed upon the ballot with the following ballot question to be included therein:

**BROADMOOR POLICE
LIMITED SUPPLEMENTAL SPECIAL PARCEL TAX
FOR POLICE PROTECTION, CRIME
PREVENTION AND EMERGENCY SERVICES**

Shall the measure to establish a limited (five year term) supplemental special tax on each parcel of real property within the District commencing July 1, 2025, and ending on June 30, 2030, unless extended by the voters, at rates set forth in the measure with annual cost adjustments not to exceed 5%, generating approximately \$700,000 annually for police protection and related services, be adopted?

Section 3: The District election shall be held and conducted, and the voters thereof shall be canvassed, and the returns thereof shall be made, and the results thereof shall be ascertained and determined as herein provided by, and in accordance with, the applicable provisions of the Elections Code.

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Section 4: All persons qualified to vote at District elections in the District on November 5, 2024, shall be qualified to vote on the measure submitted by this Resolution at the District Election, which will be consolidated with the General District Election on November 5, 2024.

Section 5: The Chief of Police / District Manager is hereby instructed to cause a duly certified copy of this Resolution, which constitutes the order to hold and conduct an election and formal notice of such election, to be delivered to the Assessor-County Clerk-Recorder & Chief Elections Officer or other appropriate county election officer no later than August 9, 2024.

Section 6: The Chief of Police / District Manager is authorized, directed to and is fully empowered to execute all agreements, on behalf of and in the District's name, with the County of San Mateo Assessor-County Clerk-Recorder & Chief Elections Officer for such necessary election services as the may determine pursuant to law.

Section 7: Pursuant to Elections Code §§10403 and 10418 the Board of Police Commissioners requests the Board of Supervisors of San Mateo County to consolidate this District election with the Statewide General Election of same date and to further provide that the canvass be made by any person or official authorized by law to canvass the returns of the election, and this Board hereby consents to such consolidation and canvass.

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Section 8: The Board of Police Commissioners hereby requests that the District election on this measure be conducted along with and a part of the 2024 Statewide General Election on November 5, 2024, and shall pay all costs of the County in conducting said election for the District measure.

Section 9: Notice of the time and place of holding the election is hereby given. The Board of Police Commissioners hereby requests that the San Mateo County Assessor-County Clerk-Recorder & Chief Elections Officer or other duly authorized elections officer or person appointed by them, if applicable, cause all notices required by law in connection herewith to be published and posted, as the case may be, in the manner prescribed by law.

Section 10: Impartial Analysis. Pursuant to California Elections Code §9313, the Board of Police Commissioners hereby directs the Police Chief/District Manager to transmit a copy of the Measure as set forth herein to the San Mateo County Attorney's Office (formerly County Counsel). The County Attorney's Office, in coordination with the District's legal counsel, shall prepare an impartial analysis of the Measure, not to exceed 500 words in length, showing the effect of the Measure on the existing law and the operation of the Measure, and transmit such impartial analysis to the elections official not later than end of business on August 20, 2024, who shall cause the analysis to be published in the voter information guide along with the Measure as provided by law. The impartial analysis shall include a statement indicating whether the Measure was placed on the ballot by a petition signed by the

requisite number of voters or by the Board of Police Commissioners. In the event the entire text of the Measure is not printed on the ballot, or in the voter information portion of the sample ballot, there shall be printed immediately below the impartial analysis, in no less than 10-point bold type, the following: **“The above statement is an impartial analysis of Measure “___”. If you desire a copy of the measure, please call the election official’s office at (650) 312-5222 and a copy will be mailed at no cost to you.”**

SUBSTANTIVE PARCEL TAX PROVISIONS

Section 11: There shall be imposed upon every parcel of real property located entirely or partially within the District a limited supplemental special parcel tax in an amount and as provided in this Resolution.

Section 12: The limited supplemental special parcel tax for the first fiscal year commencing July 1, 2025, for Fiscal Year 2025/2026, shall be assessed and levied against each parcel of real property situated entirely or partially within the District in accordance with subsections (a) through (g) of this section, which shall be subject to an annual review and adjustment as provided in Section 4 of this Resolution. All property owned by public entities and public utilities will be exempt from the imposition of the limited supplemental special parcel tax provided herein so long such property is used exclusively by the public entity or public utility owning it. This exemption shall not apply to any property owned by a public entity or public utility that is

leased, licensed or rented to a private party for private use, whether or not for profit.

(a) **Single Family Residential Property:** Each primary dwelling unit on a parcel of *Single Family Residential Property* is subject to a limited supplemental special parcel tax of \$297.00 per primary dwelling unit located entirely or partially on each parcel.

(b) **Accessory Dwelling Unit:** Each *Accessory Dwelling Unit* is subject to a limited supplemental special parcel tax of \$267.30 per unit located entirely or partially on each parcel.

(c) **Multi-Family Residential Property:** Each dwelling unit on a parcel of *Multi-Family Residential Property* is subject to a limited supplemental special parcel tax of \$267.30 per unit located entirely or partially on each parcel.

(d) **Residential Care Property:** Each bed on a parcel of *Residential Care Property* is subject to a limited supplemental special parcel tax of \$237.60 per bed located entirely or partially on each parcel. The number of beds assigned to each parcel of *Residential Care Property* shall be based upon the maximum number of beds authorized by law or by a permit issued, whether or not such beds are occupied. In cases where the maximum number of authorized beds is exceeded, the limited supplemental special parcel tax shall be based upon the maximum number of beds authorized plus each bed in excess of the authorized amount. In those cases where no maximum number

of beds is authorized, the tax shall be based on the highest number of beds each facility had on the premises at any single time during any fiscal year. The proper and designated official of the District may require the operators of such facilities to execute a statement of facts under penalty of perjury material to the tax.

(e) **Non-Residential Property:** Each parcel of *Non-Residential Property* is subject to a limited supplemental special parcel tax of \$0.5506 per building square foot located entirely or partially on each parcel.

(f) **Undeveloped Property:** Each parcel of *Undeveloped Property* is subject to a limited supplemental special parcel tax of \$0.0427 per lot square foot located entirely or partially on each parcel.

(g) **Mixed-Use Property:** Any parcel that contains more than one of the property types described in subsections (a) through (e) of this section shall be considered *Mixed-Use Property*. The limited supplemental special parcel tax on each parcel of *Mixed-Use Property* shall be the sum of the applicable tax for each of the property types described in subsections (a) through (e) of this section.

Section 13: In conjunction with the proposal of the limited supplemental special parcel tax the District's appropriations limit per fiscal year for the duration of the limited special parcel tax, commencing July 1, 2025, shall be equal to the increased levy of limited special tax for such year, as

provided herein and as permitted by Article XIII B §4 of the California Constitution.

Section 14: Not later than June 30 of each fiscal year immediately succeeding the passage and adoption of the ballot measure approving the limited special parcel tax provided in this Resolution (commencing Fiscal Year 2026/2027) the Board, after notice and hearing, shall review the limited supplemental special parcel tax specified in Section 12, and each subparagraph thereof, and shall either continue the tax at the same rate for the next fiscal year or, if the Board determines that the tax should either be increased or decreased, adjust the tax for the next fiscal year at the hearing, subject to the maximum amount herein. The maximum amount the Board may fix without further voter approval shall be the baseline amount set forth in Section 12 for each class of parcel, plus an annual increase equivalent to the increase in costs to provide the services funded by this tax, shall not exceed 5% any fiscal year.

Section 15: Upon voter approval of the proposed measure, the Police Chief/District Manager or his/her authorized designee or employee is hereby authorized and directed each fiscal year, commencing with the fiscal year 2025-2026, to determine the special parcel tax amount to be levied for the next fiscal year for each taxable parcel of real property within the District, in the manner and as provided in accordance with this Resolution and the authorizations set forth herein. The limited supplemental special parcel tax shall be collected on behalf of the District by the County of San Mateo

("County") in the same manner and subject to the same penalties as, or with, other charges and taxes fixed and collected by the District, or by the County on behalf of the District. The Police Chief/District Manager or his/her authorized designee or employee is hereby authorized and directed to provide all necessary information to the County Treasurer-Tax Collector to effect proper billing and collection of the special parcel tax so that the installments of the tax shall be included on the secured property tax roll of the County. Unless the Board proposes a rate adjustment pursuant to Section 14, no Board action shall be required to authorize the annual collection of the special parcel tax as herein provided.

Section 16: The limited supplemental special parcel tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected; provided, however, that the Board may authorize other appropriate methods of collection of the limited supplemental special parcel tax by appropriate resolution(s). The limited supplemental special parcel tax so levied shall become a charge upon and a lien against the parcels on which the taxes are assessed and collectible, and to which the liens attach. The limited supplemental special parcel tax shall have the same lien priority and be subject to the same penalties and the same procedure and sale in cases of delinquency, as provided for *ad valorem* property taxes.

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Section 17: The collection of the limited supplemental special parcel tax provided for herein shall not in any way, directly or indirectly, decrease the funds available to the District from all other sources from which the District receives or derives revenue. Nor shall the collection of such limited supplemental special tax in any way, directly or indirectly, be used to offset or be applied as any form of credit against any funds the District is entitled to receive from all sources, including any other special tax revenue the District presently receives or hereafter will receive.

Section 18: The limited supplemental special parcel tax provided by this Resolution shall be supplemental and in addition to any other District special tax currently in force and effect or which hereafter becomes operative.

Section 19: The provisions of this Resolution shall apply to five consecutive fiscal years (2025/2026 through 2029/2030) after which time this Resolution shall lapse, and the limited supplemental special parcel tax provided by this Resolution shall expire and be of no further force or effect unless extended or renewed by the voters prior to the expiration hereof in accordance with, and as provided by, law.

Section 20: For the purposes of this Resolution the following definitions shall apply:

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(a) The term "Single Family Residential Property" means any parcel that contains a single dwelling unit, or any parcel that contains a residential structure consisting of two or more dwelling units that share common walls, have separate Assessor's Parcel Numbers assigned to them (except for a duplex triplex, or fourplex unit, which may share a Parcel with another duplex, triplex or fourplex Unit(s)), and may be purchased by individual homebuyers (which shall still be the case even if the dwelling units are purchased and subsequently offered for rent by the owner of the dwelling unit), including such residential structures that meet the statutory definition of a condominium project contained in Civil Code §4125. Any incidental use of such property for "in-home" businesses such as bookkeeping, seamstress, secretarial and other such incidental home-business use shall not affect this classification. Typical San Mateo County Use Codes designating *Single Family Residential Property* include "01", "07", "51", "52", "53", and "97", as those Use Codes may be amended in the future.

(b) The term "Accessory Dwelling Unit" or "ADU" means a secondary residential unit of limited size, as defined in California Government Code §66313, as may be amended from time to time, that is accessory to a single dwelling unit. The ADU may be on the same parcel as the single dwelling unit or on a separate parcel. For purposes of clarification, where an ADU and primary dwelling unit are on the same parcel, the ADU located on such parcel is considered a separate dwelling unit from the primary dwelling unit on such

parcel for purposes of the special tax. Should a parcel contain only an ADU, such parcel will be taxed as an ADU only.

(c) The term "Multi-Family Residential Property" means any parcel that contains a residential structure with two or more dwelling units that share a single Assessor's Parcel Number, are offered for rent to the general public, and cannot be purchased by individual homebuyers. Typical San Mateo County Use Codes designating *Multi-Family Residential Property* include "02", "03", "04", "05", "08", "09", "91", "92", "93", "94", "95", "96", and "98", as those Use Codes may be amended in the future.

(d) The term "Residential Care Property" means any parcel that contains a residential structure used to provide long or short-term care for compensation on a permanent or temporary housing basis of any kind. This includes rest homes, convalescent homes, short-term care homes, long-term care homes, and rooming houses. The typical San Mateo County Use Code designating *Residential Care Property* is "75", as that Use Code may be amended in the future, but the *Residential Care Property* designation may be applied to parcels with other Use Codes if such parcels are determined to be *Residential Care Property* by the District.

(e) The term "Non-Residential Property" means any parcel on which a for-profit or non-profit enterprise, or religious institution, is located, or which is used for a commercial purpose, exclusive of *Multi-Family Residential Property* and *Residential Care Property*. Typical San Mateo County Use Codes

designating *Non-Residential Property* include “06”, “11”, “12”, “13”, “14”, “15”, “16”, “17”, “18”, “19”, “21”, “22”, “23”, “24”, “25”, “26”, “27”, “28”, “29”, “31”, “32”, “33”, “34”, “35”, “36”, “37”, “38”, “39”, “59”, “61”, “62”, “63”, “64”, “65”, “66”, “67”, “68”, “69”, “71”, “72”, “73”, “74”, “76”, “77”, “78”, “79”, as those Use Codes may be amended in the future.

(f) The term "Undeveloped Property" means any parcel of land wholly without any improvements of any kind whatsoever. The typical San Mateo County Use Code designating *Undeveloped Property* is “00”, as that Use Code may be amended in the future.

(g) The term "fiscal year" is defined as twelve consecutive calendar months over two consecutive calendar years commencing July 1 of each calendar year and ending June 30 of the succeeding calendar year.

(h) The term "parcel" is defined as any unit of land situated entirely or partly within the District that now either now has or acquires a separate Assessor’s Parcel Number and/or which now receives, or which will hereafter receive, a separate tax bill from the San Mateo County Tax Collector. In the event of a conflict between these two definitions, the "separate tax bill" definition shall control except where two or more parcels are combined by the Assessor for taxing purposes, in which event the total special tax on all parcels so combined shall be assessed irrespective of the single tax bill.

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Section 21: Specific Purpose of Special Parcel Tax.

(a) The proceeds of the limited supplemental special parcel tax shall only be used for the specific purpose of funding the District's costs of providing police protection, crime prevention and emergency response services and programs, as well as the costs of administering the special parcel tax, including, but not limited to, the costs of the election, and the costs of collection, and for no other purposes.

(b) For the purposes of this Resolution, the "District's costs of providing police protection, crime prevention and emergency response services and programs" as set forth in subsection (a) above include, but are not limited to, the following: All costs of capital, salaries and benefits, overtime, station maintenance, capital improvements and acquisitions, office equipment and supplies, motor vehicle acquisition and maintenance, utility expenses, insurance premiums, legal fees, and operational costs of the District.

Section 22: The proceeds of the limited supplemental special parcel tax shall be deposited in a special account, created and maintained by the District, and used only for the specific purpose identified in Section 21 of this Resolution.

Section 23: The chief fiscal officer of the District shall cause a report (the "Report") to be prepared by an independent auditor and to be filed with the Board of Police Commissioners no later than January 1, 2027, and January 1 of each year thereafter that the tax is collected until January 1, 2031. The

Report shall state: (a) the amount of special parcel tax proceeds collected and expended in such year; and (b) the status of any projects or description of any programs funded from proceeds of the special parcel tax. The Report may relate to the calendar year, fiscal year, or other appropriate annual period, as the chief fiscal officer of the District shall determine, and may be incorporated into or filed with the annual budget, audit, or other appropriate routine report to the Board.

Section 24: Effective Date. Pursuant to California Constitution Article XIII C §(2)(d) and California Elections Code §9320, if two-thirds of the voters voting in the election on this Measure vote in favor of the adoption of such Measure, this Resolution shall be deemed valid and binding and shall be considered as adopted upon the date that the vote is declared by the Board of Police Commissioners or elections official, if required, and shall go into effect ten (10) days after that date.

Section 25: If any part, subpart, section, subsection, sentence, clause, phrase, paragraph, subparagraph, or other provision of this Resolution is determined and is so declared by a court of competent jurisdiction to be invalid for any reason, such invalidity shall not affect the validity of the remainder of this Resolution. The people of the Broadmoor Police Protection District hereby declare that they would have adopted this Resolution, and each part, subpart, section, subsection, sentence, clause, phrase, paragraph, subparagraph and provision hereof irrespective of the fact that any one or

more parts, subparts, sections, subsections, sentences, clauses, phrases, paragraphs, subparagraphs, or provisions be determined and declared to be invalid.

Done in Open Session this Ninth Day of July 2024.

Ayes:

Noes:

Abstain / Absent:

Attest:

Michael P. Connolly
Interim Chief of Police
Interim District Manager

Hon. James Kucharszky, Chair

PROPOSED

BROADMOOR POLICE PROTECTION DISTRICT
OFFICE OF THE CHIEF OF POLICE / DISTRICT MANAGER

STAFF REPORT

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DATE: July 3, 2024

TO : Hon. James Kucharszky, Hon. Ralph Hutchens and Hon. Marie Brizuela, Commissioners

FROM: Michael P. Connolly, ICOP / IDM

RE : District Election for one seat on the Board of Police Commissioners

BACKGROUND

The Board of Police Commissioners is comprised of three residents of the District who are elected at-large. The term of each commissioner is four years. Of the three seats on the Board of Police Commissioners one seat will be up for election this year for a four-year term.

DISCUSSION

As has been the practice of the District, elections to the Board of Police Commissioners are consolidated with county, state or national elections. Such a practice results in a greater number of residents voting and it significantly reduces the cost of the election to the District. The next General Election will be on November 5, 2024.

Notice of hearing on ordering an election and to combine the election with the General Election on November 5, 2024, has been properly given.

RECOMMENDATION

I recommend that the Commission approve and adopt proposed Resolution 2024/25-02, a copy of which I have attached to this Staff Report, which will order the election and combine that election with the General Election on November 5, 2024.

Respectfully submitted,

Michael P. Connolly (ICOP / IDM)

Attachments: Proposed Resolution 2024/25-02

BROADMOOR POLICE PROTECTION DISTRICT

BOARD OF POLICE COMMISSIONERS

Resolution No. 2024/25-02

**A RESOLUTION CALLING FOR AN ELECTION ON
NOVEMBER 5, 2024, OF ONE MEMBER AT LARGE
OF THE BOARD OF POLICE COMMISSIONERS**

WHEREAS, an election has been ordered to be held on November 5, 2024, in the Broadmoor Police Protection District for the purpose of electing one member of the Board of Police Commissioners ("Board"); and,

WHEREAS, pursuant to Elections Code §1001 there is an established General statewide election to be held on the same date; and,

WHEREAS, pursuant to Part 3, Consolidation of Elections, and commencing with Elections Code §10400 an election for members of the Board may be either completely or partially consolidated with another election held on the same day, if in the same territory, or in territory that is part the same; and,

WHEREAS, pursuant to Elections Code §1002 the Board desires to adopt this resolution to request that the Board of Supervisors of the County of San Mateo permit the County's the San Mateo County Chief Elections Officer & Assessor-County Clerk-Recorder (the "Chief Elections Officer") to render specified services to the Broadmoor Police Protection District ("District") relating to the conduct of the November 5, 2024, election.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. An election is hereby called to be held in and for the District on November 5, 2024, to elect one member to and of the Board for a full term of four years.

Section 2. Pursuant to Elections Code §10002 the Board of Police Commissioners of the District hereby requests the Board of Supervisors of the County of San Mateo to make available the services of the San Mateo County Chief Elections Officer & Assessor – County Clerk – Recorder (the “Chief Elections Officer”) as the County Elections Official for the purpose of rendering services in the conduct of the election to be held on November 5, 2024.

Section 3. The District election is to be held on November 5, 2024, and will be conducted at-large.

Section 4. Pursuant to Elections Code §10509 not less than 125 days prior to the date of the election the District Secretary shall deliver a notice to the Chief Elections Officer. The notice shall bear the secretary's signature and the district seal and shall also contain both of the following:

(a) The elective offices of the jurisdiction to be filled at the next general district election, specifying which offices, if any, are for the balance of an unexpired term.

(b) Whether the jurisdiction or the candidate is to pay for the publication of a candidate statement.

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Section 5. Pursuant to Elections Code §10522 at least 125 days prior to the day fixed for the general district election, the secretary of a resident voting district shall deliver to the county elections official of each affected county a map showing the boundaries of the district and the boundaries of the divisions of the district, if any, within that county and a statement indicating in which divisions a director is to be elected and whether any elective officer is to be elected at-large at the next general district election.

Section 6. The Interim District Manager of the Broadmoor Police Protection District, or his/her designee, is hereby authorized and directed to enter an Elections Service Agreement with the Chief Elections Officer regarding the election to be held on November 5, 2024, to outline the detailed services to be provided by both the District and the Chief Elections Officer.

Section 7. The Chief Elections Officer will send an itemized invoice to the District for all services provided pursuant to the Elections Service Agreement after the election is conducted and all related costs are determined, and the Interim District Manager of the District or his/her designee, is hereby authorized and directed to submit payment on the full amount of the invoice to the County of San Mateo within forty-five (45) days of the date of the invoice.

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Section 8. Pursuant to Elections §13307 each candidate for the Board's one seat to be voted on in the election to be held on November 5, 2024, may prepare a candidate statement on the appropriate form provided by the Chief Elections Officer. Such statement shall be limited to 200 words. The prorated costs of printing, mailing and translating the statements shall be paid by the candidate.

Done in Open Session this Ninth Day of July 2024.

Ayes:

Noes:

Abstain / Absent:

Attest:

Michael P. Connolly
Interim Chief of Police
Interim District Manager

Hon. James Kucharszky, Chair

PROPOSED