



Date: December 8, 2022
To: Board of Directors
From: Lisa Mundis, Finance Director
Subject: SB-165 Annual Report to Comply with the Local Agency Special Tax Bond and Accountability Act

Recommendation:

It is recommended that the Board receive and file the SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax, to comply with the Local Agency Special Tax Bond and Accountability Act.

BACKGROUND / ISSUE:

The Local Agency Special Tax Bond and Accountability Act (the "Act"), enacted by Senate Bill 165, is codified in California Government Code Sections 50075 through 50077 and 53410 through 53412. The Act requires:

- that any local special tax measure subject to voter approval contain a statement indicating the specific single purpose of the special tax
- that the proceeds of the special tax be applied to that purpose
- the creation of an account into which the proceeds shall be deposited
- an annual report containing specified information concerning the use of the proceeds.

The Act imposes similar accountability requirements with respect to any local bond measure that is subject to voter approval that would provide for the sale of bonds by a local agency. These requirements only apply to local agencies that have imposed special taxes or issued bond measures subject to voter approval after January 1, 2001.

The District currently has the Supplemental Police Tax which was subject to voter approval after January 1, 2001.

POLICY / RULE:

1. California Government Code, Section 50075.3 states the chief fiscal officer of the levying local agency shall file a report with its governing body no later than January 1, 2002 and at least once a year thereafter. The annual report shall contain both the following: (a) The amount of funds collected and expended; and (b) the status of any project required or authorized to be funded as identified in Section 50075.1(a).

2. California Government Code, Section 50075.1(a) requires a statement indicating the specific purposes of the special tax.

ANALYSIS:

The purpose of the Supplemental Police Tax revenue is for obtaining, operating, maintaining and expanding police protection service, facilities and equipment, salaries and benefits to police personnel, and for other necessary police protection service expenses of the District.

ATTACHMENT:

1. SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax