

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

RB

DEPT: PUBLIC WORKS

BOARD AGENDA # 9:25 A.M. (B)

Urgent Routine ✓

AGENDA DATE AUGUST 7, 2001

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO ✓

SUBJECT: PUBLIC HEARING TO SET THE 2001/2002 ANNUAL ASSESSMENT FOR THE RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT

STAFF
RECOMMEN-
DATIONS:

1. CONDUCT A PUBLIC HEARING TO RECEIVE COMMENTS REGARDING THE 2001/2002 ANNUAL ASSESSMENT FOR THE RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT;
2. SET THE 2001/2002 ANNUAL ASSESSMENT AS SHOWN ON EXHIBIT "A" FOR THE RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT;

(CONTINUED ON PAGE 2)

FISCAL
IMPACT:

There will be no impact to the General Fund. An annual assessment in the amount of \$26.01 will be charged to each parcel to pay for the requested services and to maintain a reserve account.

BOARD ACTION AS FOLLOWS:

No. 2001-595

On motion of Supervisor Blom , Seconded by Supervisor Caruso

and approved by the following vote,

Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Deputy

File No. DL-38-4

SUBJECT: PUBLIC HEARING TO SET THE 2001/2002 ANNUAL ASSESSMENT FOR THE RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT

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**STAFF
RECOMMEN-
DATIONS**

(Continued):

3. MAKE THE "RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT ANNUAL ENGINEER'S REPORT FISCAL YEAR 2001/2002" A PART OF THE RECORD OF THIS PROCEEDING; AND,
4. AUTHORIZE THE AUDITOR-CONTROLLER TO ADD THE ANNUAL ASSESSMENT TO THE 2001/2002 TAX ROLL.

DISCUSSION: In an effort to deter crime, promote traffic safety and help law enforcement officers, several property owners within the Riverview neighborhood requested that the County initiate proceedings to form the Riverview Landscape and Lighting District ("District") so that street lights could be installed and maintained. Following the assessment ballot vote required by Proposition 218, a statewide initiative approved by the voters in November, 1998, the District was formed on June 27, 2000 by Board Resolution No. 2000-532. The assessment ballot vote also approved the formula to calculate the annual assessment.

Government Code Section 25210.77(A) requires that a written report containing a description of each parcel of real property receiving a particular extended service and the amount of the annual assessment for each parcel be prepared once a year and filed with the Clerk of the Board of Supervisors. The Department of Public Works prepared an Engineer's Report ("Report") and filed it with the Clerk of the Board on July 31, 2001. The annual assessment set forth in the Report applies to the 2001/2002 tax year. The Report shall become a part of the record of this proceeding.

There are 331 Assessor's parcels within the District. There are forty 200-watt high pressure sodium street lights within the District. The current Modesto Irrigation District rate is \$17.65 per month per light. This rate is \$0.74 less than the quoted rate last year that the Engineer's Report and assessment were based on. This results in a power cost of \$4,240.00 for a 6-month period. Effective January 1, 2002, there will be a 3 percent increase in the Modesto Irrigation District rate. The new rate will be \$18.18 per month per light, which will result in power costs of \$4,240.00 for the second half of the fiscal year. Including a \$9.60 State surcharge, the total yearly cost to operate the street lights will be \$8,608.80. The annual assessment is levied without regard to property valuation, and each parcel receives equal benefit from the street lights. The street lights only provide a special benefit to the parcels within the District; therefore, no general benefit has been assigned. The general reserve will have approximately \$5,949.04 after all charges have been paid; therefore, no additional money is needed for the reserve account. Therefore, the 2001/2002 annual assessment is as follows:

SUBJECT: PUBLIC HEARING TO SET THE 2001/2002 ANNUAL ASSESSMENT FOR THE RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT
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DISCUSSION

(Continued): The 2001/2002 Annual Assessment = $\$8,608.8 \div 331$ parcels = \$26.01 per parcel.

The 2000/2001 Annual Assessment = \$28.96 per parcel.

The proposed annual assessment is a decrease of \$2.95 per parcel.

The public hearing date was set by the Board of Supervisors on July 31, 2001. Notice of the public hearing was mailed to the residents in the District per the Assessor's Tax Roll. Said notice stated that all persons will be afforded an opportunity to speak.

POLICY

ISSUE: This action is consistent with the Board's policy of providing a safe, healthy community.

STAFFING

IMPACT: There is no staffing impact associated with this item.

RC/la

(H:\SERVICES\RIVERVIEW2001-02.RC)

EXHIBIT "A"

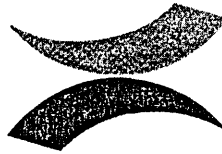
RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT
FISCAL YEAR 2001/2002

The Assessor's parcels listed below are subject to the annual assessment:

037-20-03 thru 38	\$26.01
037-20-41 thru 79 (inclusive)	\$26.01
037-21-01 thru 35 (inclusive)	\$26.01
037-21-38 thru 90 (inclusive)	\$26.01
037-22-01 thru 15 (inclusive)	\$26.01
037-22-17 thru 35 (inclusive)	\$26.01
037-22-37 and 38	\$26.01
037-22-40 thru 82 (inclusive)	\$26.01
037-23-03	\$26.01
037-24-01 thru 25 (inclusive)	\$26.01
037-24-27	\$26.01
037-24-30 thru 39 (inclusive)	\$26.01
037-24-41 thru 43 (inclusive)	\$26.01
037-25-01 thru 36 (inclusive)	\$26.01
037-25-38 thru 48 (inclusive)	\$26.01
037-25-50 and 51	\$26.01

GEORGE STILLMAN
Director

Administration
Engineering
Development Services
Transit
Facilities Services
Road Maintenance
Landfill



Public Works

STANISLAUS COUNTY

RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT ANNUAL ENGINEER'S REPORT FISCAL YEAR 2001/2002

The Riverview Landscape and Lighting District (District) was established by the Stanislaus County Board of Supervisors on July 13, 2000, by Board Resolution No. 2000-532, following an election conforming with the requirements of Proposition 218. The District was created to install and maintain street lights within the Riverview Neighborhood to deter crime, promote traffic safety, and aid law enforcement officers. The boundary of the District is shown on Exhibit "A" that is attached hereto and made a part of this Engineer's Report.

Government Code Section 25210.77(A) requires that a written report containing a description of each parcel of real property receiving the particular extended service and the amount of the assessment for each parcel be prepared once a year and filed with the Clerk of the Board of Supervisors.

There are 331 Assessor's parcels within the District, and each parcel receives equal benefit from the street lights. The street lights only provide a special benefit to the parcels within the District, therefore, no general benefit has been assigned.

There are 40 street lights within the District (39 lights were installed and 1 existing light was incorporated into the District). The street lights are 200 watt high pressure sodium, and the current Modesto Irrigation District rate is \$17.65 per month per light which is \$0.74 less than the quoted rate last year that the Engineer's Report was based on. This rate does not include the State surcharge of \$0.02 per month per light.

The formula used to calculate the assessment, approved with the Proposition 218 election, is the total cost to operate and maintain the street lights (Modesto Irrigation District energy charges, State surcharge, and any charges for the repair and/or replacement of the street lights) divided equally by the number of parcels within the District.

FISCAL YEAR 2001/2002 ASSESSMENT CALCULATION

The fiscal year is the 12-month period commencing on July 1st and ending on the following June 30th. However, the assessment is collected in December and April. This means the fiscal year starts on July 1st, but the first installment of the assessment will not be collected until December. This creates a six-month lag in receiving the money necessary to operate and maintain the street lights. To overcome this six-month lag, \$4,240.80 will be carried over from the 2000/2001 fiscal year to cover the operating cost of the street lights for the months of July through December, 2001.

**RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT
ANNUAL ENGINEER'S REPORT
FISCAL YEAR 2001/2002**

Estimated fund balance on June 30, 2001:	\$8,069.44
6-month funding based on rate of \$17.65/month/light:	4,240.00
6-month expenses	<u>-4,240.00</u>
Fund balance:	\$8,069.44

Normally, the balance of the District's account is carried forward as a general reserve and is not used to offset the cost to operate the District. However, the District has not received invoices from Modesto Irrigation District for power costs since the lights were energized in April, 2001. Because of this the District may need to utilize a portion of the fund balance to pay these charges. The remaining estimated amount of approximately \$5,949.04 will be kept as a general reserve and will not be used to offset the cost to operate the District.

Effective January 1, 2002, there will be a 3 percent increase in the Modesto Irrigation District rate. The new rate will be \$18.18 per month per light. This new rate will be \$0.21 less than the estimated and assessed rate when the District was established. The State surcharge will remain the same at \$0.02 per month per light.

District Costs:	Improvement costs:	\$	0.00
	State surcharge:		9.60
	Power costs:		<u>8,599.20</u>
	Total Costs:		\$8,608.80

2001/2002 Assessment = \$8,608.8 ÷ 331 parcels = \$26.01 per parcel.
2000/2001 Assessment = \$28.96 per parcel.

The proposed annual assessment is a decrease of \$2.95 per parcel from last year's assessment.

The parcels subject to the assessment are listed on Exhibit B that is attached hereto and made a part of this Engineer's Report.

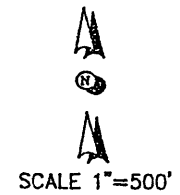


GEORGE STILLMAN, DIRECTOR
Stanislaus County Department of Public Works

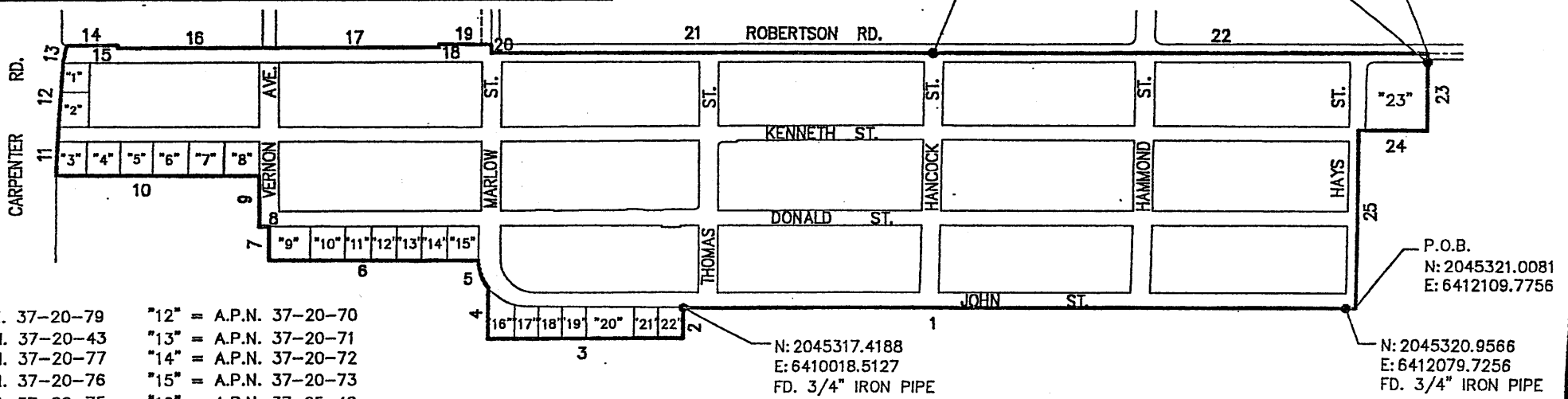
July 20, 2001



R	DIRECTION	DISTANCE			
	S 89°54'06"W	2091.27'			
	S 00°26'06"W	104.99'			
	S 89°54'06"W	610.74'			
	N 00°31'36"E	175.41'			
	Δ = 35°17'50"	R=163.20'	L=100.54'	C=98.96'	CH= N 17°21'25"W
	N 89°56'44"W	657.37'			
	N 00°17'06"E	114.57'			
	N 89°56'44"W	30.00'			
	N 00°17'06"E	174.99'			
	N 89°58'24"W	618.24'			
	Δ = 01°26'14"	R=3440.00'	L=86.30'	C=86.29'	CH= N 02°19'01"E
	N 02°57'24"E	299.24'			
	N 07°02'20"E	60.77'			
	S 89°58'24"E	154.32'			
	S 00°04'15"E	10.00'			
	S 89°58'24"E	463.97'			
	S 89°56'44"E	525.83'			
	N 01°08'18"W	10.00'			
	S 89°56'44"E	164.89'			
	S 01°08'18"E	30.00'			
	N 89°54'05"E	1377.47'			
	N 89°54'05"E	1529.96'			
	S 00°14'57"W	259.88'			
	S 89°54'19"W	209.60'			
	S 00°13'34"E	609.96'			



NOTES:
 ALL BEARINGS, DISTANCES AND COORDINATES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE 3 NAD83. TO CONVERT FROM GRID TO GROUND DISTANCE, DIVIDE DISTANCE SHOWN BY 0.99993357



- = A.P.N. 37-20-79 "12" = A.P.N. 37-20-70
- = A.P.N. 37-20-43 "13" = A.P.N. 37-20-71
- = A.P.N. 37-20-77 "14" = A.P.N. 37-20-72
- = A.P.N. 37-20-76 "15" = A.P.N. 37-20-73
- = A.P.N. 37-20-75 "16" = A.P.N. 37-25-42
- = A.P.N. 37-20-74 "17" = A.P.N. 37-25-43
- = A.P.N. 37-20-44 "18" = A.P.N. 37-25-44
- = A.P.N. 37-20-45 "19" = A.P.N. 37-25-45
- = A.P.N. 37-20-67 "20" = A.P.N. 37-25-46
- = A.P.N. 37-20-68 "21" = A.P.N. 37-25-47
- = A.P.N. 37-20-69 "22" = A.P.N. 37-25-48
- "23" = A.P.N. 37-23-03

RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT

COUNTY OF STANISLAUS
 DEPARTMENT OF PUBLIC WORKS

BEING A PORTION OF SECTION, 6 TOWNSHIP 4 SOUTH,

DATE: 2-16-2000	SCALE: 1"=500'	SHEET	OF
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**RIVERVIEW LANDSCAPE AND LIGHTING DISTRICT
ANNUAL ENGINEER'S REPORT
FISCAL YEAR 2001/2002**

Exhibit "B"

The Assessor's Parcels listed below are subject to the Fiscal Year 2001/2002 annual assessment:

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