

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

DEPT: Caruso  
AUDITOR-CONTROLLER

BOARD AGENDA # \*B-2

Urgent \_\_\_\_\_ Routine X

AGENDA DATE August 14, 2001

CEO Concurs with Recommendation YES nt NO \_\_\_\_\_  
(Information Attached)

4/5 Vote Required YES \_\_\_\_\_ NO X

SUBJECT:

APPROVAL OF 2001-2002 LIGHTING DISTRICT BENEFIT ASSESSMENT RATES

STAFF  
RECOMMEN-  
DATIONS:

APPROVE A RESOLUTION TO LEVY THE ATTACHED FY 2001-2002 DIRECT ASSESSMENTS AND AUTHORIZE THE AUDITOR-CONTROLLER TO ADD THE ASSESSMENTS TO THE 2001-2002 TAX ROLL.

FISCAL  
IMPACT:

Funds generated from the assessments are used to pay for energy and maintenance costs of streetlights. There is no fiscal impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2001-603

On motion of Supervisor Caruso, Seconded by Supervisor Blom  
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:

DL-17-19  
DL-25-24  
~~DL-24-22~~  
DL-4-15  
DL-23-15  
DL-2-22  
DL-1-25  
DL-15-15  
DL-32-2  
DL-30-3  
DL-33-3  
DL-22-A-4  
DL-20-16  
DL-11-17  
DL-28-15  
DL-29-A-3  
DL-18-12  
DL-34-2  
DL-16-17  
DL-3-B-11  
DL-13-31  
DL-12-14

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

Christine Ferraro  
By: Deputy

File No. DL-19-16

\*\*\*\* SPECIAL INSTRUCTIONS TO DEPARTMENTS \*\*\*\*

Clerk of the Board Office keeps all original documents. Action of Board will be returned to you per Action Agenda Summary.

Departments must call the Clerk for public hearing dates and times before the agenda item is submitted to the CEO's office. Publications for public hearings require a minimum of three weeks. Departments must allow sufficient time when scheduling a public hearing.

WHEN AN AGENDA ITEM REQUIRES A RESOLUTION, THE DEPARTMENT MUST SUBMIT A RESOLUTION WITH THE AGENDA ITEM. CONTACT THE CLERK OF THE BOARD FOR INSTRUCTIONS.

NOTE: Do not refer to a Resolution or Agreement or any other back-up document which is not included in the General Distribution Packet as "an attachment" in your Board Summary.

AGREEMENTS/CONTRACTS

Agreements/contracts must be signed by the contractor and County Counsel before they will be placed on the agenda. Exceptions are agreements with the State, U.S. or multi-jurisdictional agreements.

The Clerk of the Board's Office will retain the original agreement, one copy will be sent to the Auditor and the remaining agreements to the originating Department. You must send as many additional copies as you will need for distribution.

Any change from the above procedure must be requested.

Effective dates of agreements will be the date the Board approves the agreement unless a different date is specified in the Board item. Any change in date should also be noted under special directions.

ORDINANCES

Must be on 8½ x 11" white paper.

The original of all ordinances along with five (5) copies must be submitted to the Clerk of the Board's Office and in proper form approved and signed by County Counsel before introduction on the agenda.

AUDITOR'S INSTRUCTIONS

The Auditor-Controller's Office requires three (3) working days to review each budget transfer request. This does not include transmittal time to and from the Auditor-Controller's Office. To complete their review, the Auditor-Controller's office will require a copy of the agenda item be attached to the Transfer Request Form.

DEPARTMENT TRANSFER REQUEST FORM - must be completed, approved and included with the agenda packet whenever any financial action is requested that requires the Auditor-Controller to make entries to FAMIS. When submitting the transfer request form, complete only the shaded areas of the form.

DEPARTMENT RECOMMENDATION - must include specific authorization for the Auditor-Controller to make entries per attached department transfer request form. A copy on white paper of the Transfer Request Form must be included in the agenda item as the last page.

AGENDA FORMAT

RECOMMENDATIONS - When an agenda item contains more than one staff recommendation, each recommendation should be numbered.

ADDITIONAL PAGES - The heading for each additional page should include a reference to the title of the agenda item and a page number. Do not include a date in your heading.

The format for additional pages of an agenda item shall include in the following order:

DISCUSSION - This will be a combination of Background and Discussion narrative.

POLICY ISSUES - A discussion of any policies relating to the recommendations.

STAFFING IMPACT - A discussion of the impact of the recommendations.

APPROVAL OF 2001-2002 LIGHTING DISTRICT BENEFIT  
ASSESSMENT RATES  
PAGE 2

**DISCUSSION:** Lighting districts were formed with landowner elections for the purpose of providing lighting services to the unincorporated areas of the county. Revenue received from ad valorem property taxes was adequate until the passage of Proposition 13 when the resultant 55% reduction in revenue caused operation and maintenance services to suffer. In 1981, the Board of Supervisors adopted an ordinance permitting the levy of special assessments for lighting purposes, subject to voter approval.

In November 1996, Proposition 218 was passed by the voters, requiring a majority vote for any increase in assessment amounts. A ballot procedure has been held in each of the past four years (1998, 1999, 2000 and 2001) for the districts where an increase in assessment was anticipated. The ballot procedure also requested the approval of the use of a formula whereby each year's assessment would be calculated using the cost of service and number of parcels within the district as variables.

The accompanying chart (Attachment A) indicates which of the lighting districts have been through the ballot procedure and the results of the vote. We are in the process of taking each district through the ballot process. Those districts that have not approved an increase via the use of the formula may only be assessed at the prior year's rate or a lesser amount if costs do not substantiate the prior year's rate.

If the Board approves the levy assessments, funding in the districts that have passed the ballot initiative will be adequate to provide uninterrupted operation and maintenance of the streetlights. Future action may be necessary by the Board as funds are depleted in the districts that have not passed the initiative.

**POLICY ISSUES:** The Board of Supervisors must determine if the recommendation furthers the Board's stated priority of a safe, healthy community.

**STAFFING IMPACT:** Processing of direct assessments requires less than 20 hours annually and is completed within existing staffing levels.



**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA**

Date: August 14, 2001

No. 2001-603

On motion of Supervisor Caruso, Seconded by Supervisor Blom,  
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

\*B-2

THE FOLLOWING RESOLUTION WAS ADOPTED:

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF CHARGES  
WITHIN STANISLAUS COUNTY LIGHTING ASSESSMENT DISTRICTS AS  
LISTED ON ATTACHMENT "A", hereinafter referred to as "Lighting Districts"**

The County of Stanislaus, California does resolve as follows:

**WHEREAS**, the Lighting Districts have by previous resolutions or other proceedings declared their intent to levy charges or assessments for the purpose of financing street light operation and maintenance under the provisions of Code section 19000 et seq of the Streets and Highways Code.

**WHEREAS**, the charges against the real property are not levied with regard to property values but rather according to the benefit received by the service provided.

**WHEREAS**, the Lighting Districts have determined and certify that the charges are either exempt from or in compliance with all the provisions of Proposition 218 which was passed by the voters in November 1996. The Lighting Districts have further determined the charges are in compliance with all laws pertaining to the levy of such charges.

**NOW, THEREFORE, BE IT RESOLVED** that the Lighting Districts so order the levy and collection of such charges within the Stanislaus County Lighting Assessment Districts as listed in Attachment "A" for the 2001-2002 fiscal year, and that a certified copy of this resolution and attached documentation shall be delivered to the Auditor-Controller of the County of Stanislaus for placement of such charges on the 2001-2002 County Tax Roll.

ATTEST: REAGAN M. WILSON, Clerk  
Stanislaus County Board of Supervisors,  
State of California,

*Christine Ferraro*  
By: Rv: Deputy

File No.



**ATTACHMENT A**

**STANISLAUS COUNTY**  
**SCHEDULE OF LIGHTING DISTRICT ASSESSMENTS**  
**FISCAL YEAR 2001/2002**

LIGHTING DISTRICT	BENEFIT ASSESSMENT			Year of Ballot Procedure	Outcome of Ballot Procedure
	PER PARCEL				
	FY 1999/2000	FY 2000/2001	FY 2001/2002		
AIRPORT NEIGHBORHOOD	6.70	6.48	0.00	1999	Passed
ALMOND WOOD	21.68	20.62	21.70 *	2001	Passed
COUNTRY CLUB-ZONE A	9.78	9.24	21.82	1998	Passed
COUNTRY CLUB-ZONE B	17.82	18.88	16.04	1998	Passed
CROWS LANDING	5.88	7.50	20.80	2000	Passed
DEO GLORIA	26.76	26.56	33.00	1998	Passed
DENAIR	7.96	7.10	2.42		
EMPIRE	3.30	9.64	5.74	2000	Passed
FAIRVIEW	9.10	10.14	6.06	2000	Passed
GIBBS RANCH	21.50	51.44	144.16	1999	Passed
GILBERT ROAD	20.32	18.76	34.72	1999	Passed
GOLDEN STATE	0.00	0.00	0.00	2001	Failed
HILLCREST	64.94	74.26	0.00	1998	Passed
MANCINI PARK HOMES	66.50	76.04	0.00	1998	Passed
MONTEREY	15.28	19.04	0.00	2000	Passed
NORTH OAKS	20.74	19.64	29.34	1999	Passed
NORTH MCHENRY	51.40	51.40	51.40	1999	Failed
OLYMPIC	5.50	7.22	5.62	2000	Passed
PATTERSON GATEWAY	15.74	40.86	110.92	1999	Passed
RICHLAND	5.16	5.72	2.14	2000	Passed
SALIDA	10.12	10.12	10.12	2000	Failed
SCHWARTZ BAIZE	0.00	0.00	5.04	1998	Passed
SUNSET OAKS	26.86	18.76	12.20	1999	Passed
SYLVAN VILLAGE NO. 2	0.00	4.66	4.34	2000	Passed
TEMPO PARK	14.60	26.54	5.76	1998	Passed

\* Rate previously approved at June 12, 2001 Board Meeting

