

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

DEPT: PARKS & RECREATION *KMW* BOARD AGENDA # 9:20 A.M.
Urgent Routine AGENDA DATE August 28, 2001
CEO Concurs with Recommendation YES NO 4/5 Vote Required YES NO
(Information Attached)

SUBJECT: APPROVAL OF THE FY 2001-2002 ANNUAL ASSESSMENT RATES FOR DEL RIO HEIGHTS LANDSCAPE ASSESSMENT DISTRICT

- STAFF RECOMMENDATIONS:
1. FIND THAT NOTICE OF THE PUBLIC HEARING WAS PUBLISHED IN COMPLIANCE WITH SECTION 6066 OF THE GOVERNMENT CODE AND HOLD THE SCHEDULED PUBLIC HEARING.
 2. ADOPT THE 2001-2002 SERVICE CHARGES AS SHOWN IN TABLE 2, AND AUTHORIZE THE TRANSFER OF ANY FUND BALANCES INTO THE GENERAL RESERVE AND/OR THE SYSTEM REPLACEMENT FUNDS (FUNDS SHALL RETAIN ALL INTEREST EARNED) FOR THE DEL RIO LANDSCAPE DISTRICT.

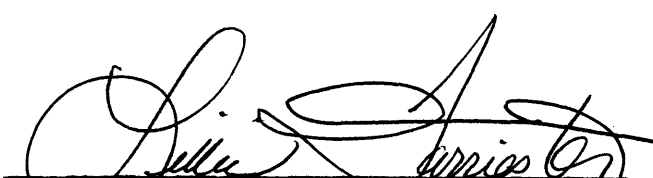
FISCAL IMPACT: Total costs for landscape maintenance services are \$7,359.50, or \$179.50 per parcel. The annual assessment amount per parcel has remained unchanged from the previous year. The Administration and maintenance is to be reimbursed by the District, and there will be no cost to the County General Fund.

BOARD ACTION No. 2001-654

On motion of Supervisor Blom, **Seconded by Supervisor** Caruso,
and approved by the following vote, Mayfield, Blom, Simon, Caruso, and Chair Paul
Ayes: Supervisors: None
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None

1) Approved as recommended
2) Denied
3) Approved as amended

Motion:


File No. DLA-1-6

APPROVAL OF THE FY 2001-2002 ANNUAL ASSESSMENT RATES FOR DEL RIO HEIGHTS LANDSCAPE ASSESSMENT DISTRICT

Page 2

DISCUSSION: The Board of Supervisors established the Del Rio Heights Landscape Assessment District on June 12, 1990 to provide landscape maintenance services. State law governing assessment districts requires a written report containing a description of each parcel of real property receiving a particular extended service, and the amount of charge for each parcel. The report must be prepared once a year and filed with the Clerk of the Board. The affected department, Parks and Recreation, has studied the above Landscape Assessment District to estimate the annual cost of the extended services. The annual service charges set forth in the report applies to the 2001-2002 budget estimates as summarized on Table 1, attached.

The landscape budget is for the day-to-day maintenance of the landscaped areas in front of the developing residential Del Rio Heights subdivision, as well as for lighting and graffiti abatement. When the District was established by the Board, it stipulated that the District would not assume responsibility for extended services until after the landscaping had been installed by the developer, and after County inspection of the landscaping. The above was completed and the District assumed the landscape maintenance responsibilities beginning March 1, 1994.

The proposed budget reflects the best estimate for providing the required services for the 2001-2002 fiscal year. These budgets, as required by State Law, will be reviewed and adjusted annually. It is recommended The Board adopt the 2001-2002 Del Rio Heights Landscape maintenance assessments as shown in Table 2, attached.

The Public Hearing date was set by the Board of Supervisors on August 28, 2001. Notice of the hearing was published in the Modesto Bee on August 12, 2001 and August 18, 2001 in accordance with Section 6066 of the Government Code. Said notice states that all persons will be afforded an opportunity to speak for, or against, said budgets. To date, no protests have been received.

POLICY ISSUE: Annual Review of the Assessment District budgets is required by the Board of Supervisors. This request meets the Board's priority of promoting efficient government operations.

STAFFING IMPACT: There are no staffing impacts associated with this request.

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

Date: August 28, 2001

No. 2001-654

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

9:20 a.m.

THE FOLLOWING RESOLUTION WAS ADOPTED:

**RESOLUTION CONFIRMING AND ORDERING THE LEVY OF THE 2001-2002 ANNUAL
ASSESSMENT FOR THE DEL RIO HEIGHTS LANDSCAPE AND LIGHTING DISTRICT**

BE IT RESOLVED, that the Board of Supervisors of the County of Stanislaus, State of California, hereby finds and determines as follows:

WHEREAS, the Board of Supervisors has by prior resolution declared its intent to levy an annual assessment in the amount described in the attached documentation for the purpose of financing landscape maintenance for the Del Rio Heights Landscape and Lighting District under provisions of the Streets and Highways Code section 22500 et seq.; and

WHEREAS, the annual assessment is a charge against the real property within the district based on the special benefit received from the extended service by parcels within the district, and not on the basis of or with regard to property values; and

WHEREAS, the Board of Supervisors determines and certifies that the annual assessment is levied in compliance with all laws pertaining to the levy of such charges, including without limitation all provisions of Proposition 218, which was passed by the voters in November 1996;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Stanislaus confirms and orders the levy and collection of an annual assessment within the Del Rio Heights Landscape and Lighting District for the 2001/2002 fiscal year, and orders that a certified copy of this resolution and attached documentation be delivered to the Auditor-Controller of the County of Stanislaus for placement of such charges on the 2001-2002 County Tax Roll.

ATTEST:

CHRISTINE FERRARO TALLMAN
CLERK OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF STANISLAUS, STATE OF CALIFORNIA

By _____
Deputy

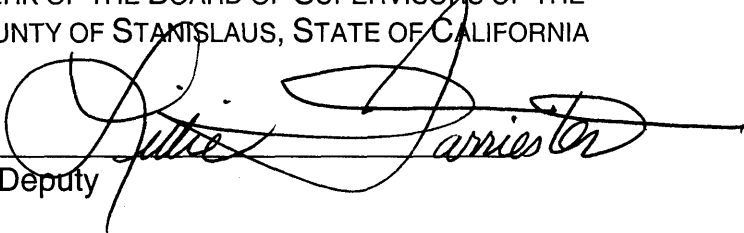


TABLE 1

BUDGET

FY 2001-02

Del Rio Heights Landscape Assessment District

1. Lighting and Landscape Maintenance	\$6,579
2. Administration	<u>960</u>
TOTAL	\$7,539

LIGHTING AND LANDSCAPE MAINTENANCE:

UTILITIES	\$1,122.00
PARK AIDE (4hrs/Wk @ \$9.62/Hr.)	\$2,001.00
PROJECT SUPERVISION (43 Hrs @ \$28.72)	\$1,235.00
MATERIALS	\$1,000.00
TRANSPORTATION	\$1,221.00

TABLE 2**DEL RIO HEIGHTS LANDSCAPE ASSESSMENT DISTRICT**
FY 2001-2002

PARCEL	LIGHTING & LANDSCAPING	ADMINISTRATION	ASSESSMENT
004-87 06	\$156.10	\$23.40	\$179.50
004-87 07	\$156.10	\$23.40	\$179.50
004-87-08	\$156.10	\$23.40	\$179.50
004-87 09	\$156.10	\$23.40	\$179.50
004-87 10	\$156.10	\$23.40	\$179.50
004-87 11	\$156.10	\$23.40	\$179.50
004-87 12	Storm	Drain	Basin
004-87 13	\$156.10	\$23.40	\$179.50
004-87 14	\$156.10	\$23.40	\$179.50
004-87 15	\$156.10	\$23.40	\$179.50
004-87 16	\$156.10	\$23.40	\$179.50
004-87 17	\$156.10	\$23.40	\$179.50
004-87 18	\$156.10	\$23.40	\$179.50
004-87 19	\$156.10	\$23.40	\$179.50
004-87 20	\$156.10	\$23.40	\$179.50
004-87 21	\$156.10	\$23.40	\$179.50
004-87 22	\$156.10	\$23.40	\$179.50
004-87 23	\$156.10	\$23.40	\$179.50
004-87 24	\$156.10	\$23.40	\$179.50
004-87 25	\$156.10	\$23.40	\$179.50
004-87 26	\$156.10	\$23.40	\$179.50
004-87 27	\$156.10	\$23.40	\$179.50

TABLE 2 Continued
DEL RIO HEIGHTS LANDSCAPE ASSESSMENT DISTRICT
FY 2001-2002

PARCEL	LIGHTING & LANDSCAPING	ADMINISTRATION	ASSESSMENT
004-87 28	\$156.10	\$23.40	\$179.50
004-87 29	\$156.10	\$23.40	\$179.50
004-87 30	\$156.10	\$23.40	\$179.50
004-87 31	\$156.10	\$23.40	\$179.50
004-87 37	\$156.10	\$23.40	\$179.50
004-87 38	\$156.10	\$23.40	\$179.50
004-87 39	\$156.10	\$23.40	\$179.50
004-87 40	\$156.10	\$23.40	\$179.50
004-87 41	\$156.10	\$23.40	\$179.50
004-87 42	\$156.10	\$23.40	\$179.50
004-87 57	\$156.10	\$23.40	\$179.50
004-87 58	\$156.10	\$23.40	\$179.50
004-87 59	\$156.10	\$23.40	\$179.50
004-87 60	\$156.10	\$23.40	\$179.50
004-87 61	\$156.10	\$23.40	\$179.50
004-87 62	\$156.10	\$23.40	\$179.50
004-87 63	\$156.10	\$23.40	\$179.50
004-87 71	\$156.10	\$23.40	\$179.50
004-87 75	\$156.10	\$23.40	\$179.50
004-87 76	\$156.10	\$23.40	\$179.50
004-87 77	\$156.10	\$23.40	\$179.50