

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

DEPT: Auditor-Controller

BOARD AGENDA # *B-1

Urgent Routine

AGENDA DATE September 1, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Fiscal Year 2009-2010 Benefit Assessment Rates for Lighting Assessment Districts - Auditor-Controller

STAFF RECOMMENDATIONS:

1. Approve a resolution to levy fiscal year 2009-2010 benefit assessment rates for the following lighting districts: Airport Neighborhood, Almond Wood, Country Club - Zone A, Country Club - Zone B, Crows Landing, Deo Gloria, Denair, Empire, Fairview, Gibbs Ranch, Gilbert Road, Golden State, Hillcrest, Mancini Parks Homes, Monterey, North Oaks, North McHenry, Olympic, Peach Blossom, Richland, Salida, Schwartz Baize, Sunset Oaks, Sylvan Village and Tempo Park.
2. Authorize the Auditor-Controller to add the assessments to the 2009-2010 tax roll.

FISCAL IMPACT:

Total funding generated from the 2009-2010 lighting district assessments is \$238,017. The revised 2009-2010 assessments will provide sufficient funding for all projected energy and maintenance costs of streetlights for each of the individual lighting districts. There is no fiscal impact to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2009-554

On motion of Supervisor Chiesa, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Monteith

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

Lighting districts were formed with landowner elections for the purpose of providing street 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. Ballot procedures were held for the districts where an increase in assessment was anticipated. The ballot procedure also requested the approval of the use of a methodology whereby each year's assessment would be calculated using the cost of service and number of parcels within the district as variables. Lighting districts formed before Proposition 13 have continued to receive property tax revenue. Districts formed after Proposition 13 rely solely on direct assessment funding. The number of parcels in a lighting district can vary from as few as 3 to over 4,000. The assessments fluctuate from year to year depending on whether routine or extraordinary maintenance of the lights was required, or if the utility company has initiated an increase in their rates.

The attached Schedule of Lighting District Assessments indicates which of the lighting districts have been through the ballot procedure and the results of the vote. 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 district that has not passed the initiative.

POLICY ISSUES:

The Board of Supervisors must determine if the recommendation furthers the Board's stated priority of a safe community.

STAFFING IMPACT:

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

STANISLAUS COUNTY
SCHEDULE OF LIGHTING DISTRICT ASSESSMENTS
FISCAL YEAR 2009-2010

Lighting District	2009/2010 per Parcel Assessment	Number of Parcels	Total Funding per Assessment	Average Annual Assessment Rate (7 Years)	Year of Ballot Procedure	Ballot Procedure Outcome
Airport Neighborhood*	\$ 16.58	514	\$ 8,522.12	\$ 11.49	1999	Passed
Almond Wood	\$ 30.84	284	\$ 8,758.56	\$ 36.55	2001	Passed
Country Club - Zone A*	\$ 0.84	135	\$ 113.40	\$ 5.12	1998	Passed
Country Club - Zone B	\$ 27.94	39	\$ 1,089.66	\$ 21.51	1998	Passed
Crowslanding*	\$ -	159	\$ -	\$ 3.61	2000	Passed
Denair*	\$ 33.52	1216	\$ 40,760.32	\$ 15.79	2002	Passed
Deo Gloria	\$ 85.76	103	\$ 8,833.28	\$ 30.66	1998	Passed
Empire*	\$ 12.98	970	\$ 12,590.60	\$ 6.98	2000	Passed
Fairview*	\$ 19.12	250	\$ 4,780.00	\$ 8.74	2000	Passed
Gibbs Ranch	\$ 73.64	17	\$ 1,251.88	\$ 130.34	1999	Passed
Gilbert	\$ 39.28	8	\$ 314.24	\$ 36.90	1999	Passed
Golden State	\$ 236.04	7	\$ 1,652.28	\$ 66.15	2003	Passed
Hillcrest	\$ 28.42	215	\$ 6,110.30	\$ 35.19	1998	Passed
Mancini Parks Homes*	\$ 29.60	199	\$ 5,890.40	\$ 19.06	1998	Passed
Monterey*	\$ 26.18	76	\$ 1,989.68	\$ 12.90	2000	Passed
North McHenry	\$ 30.44	229	\$ 6,970.76	\$ 36.44	1999	Failed
North Oaks	\$ 61.90	117	\$ 7,242.30	\$ 24.12	1999	Passed
Olympic*	\$ 35.24	328	\$ 11,558.72	\$ 13.61	2000	Passed
Peach Blossom	\$ 77.78	12	\$ 933.36	\$ 23.23	2003	Passed
Richland*	\$ 32.32	155	\$ 5,009.60	\$ 5.45	2000	Passed
Salida*	\$ 20.32	4293	\$ 87,233.76	\$ 16.07	2003	Passed
Schwartz Baize	\$ 30.44	4	\$ 121.76	\$ 21.45	1998	Passed
Sunset Oaks*	\$ 19.30	343	\$ 6,619.90	\$ 17.88	1999	Passed
Sylvan Village*	\$ 77.20	66	\$ 5,095.20	\$ 1.13	2000	Passed
Tempo Park*	\$ 18.30	250	\$ 4,575.00	\$ 5.08	1998	Passed
Grand Total			\$ 238,017.08			

*Districts that receive Property Tax