

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

DEPT: Public Works *AM*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE November 8, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Annexation of Park View Estates into the Salida Highway Lighting District

STAFF RECOMMENDATIONS:

1. Find that the territory more particularly described in Exhibit "A" (Legal description and map) is owned by the proponents and that their ownership represents 100% of the total assessed valuation of said territory.
2. Find that the area included in the Legal Description of Park View Estates is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any other Lighting District.
3. Find that Stanislaus County Code, section 20.56.210 (Street Lights), requires the installation of street lights to county standards in areas designated as residential, commercial and industrial on the land use element of the General Plan.

(Continued on Page 2)

FISCAL IMPACT:

The Parkview Estates project has a Condition of Approval that stipulates the developer/subdivider shall pay all costs associated with the annexation. The Condition of Approval was prescribed on December 19, 2006, when the Stanislaus County Board of Supervisors gave their approval to the General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05 for Park View Estates. Therefore the State Board of Equalization fees of \$800 will be covered by the developer/subdivider. The Public Works Department costs are expected to be minimal.

BOARD ACTION AS FOLLOWS:

No. 2011-690

On motion of Supervisor De Martini, Seconded by Supervisor O'Brien

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, De Martini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. DL-3-B-20

Approval of the Annexation of Park View Estates into the Salida Highway Lighting District

STAFF RECOMMENDATIONS (Continued):

4. Find that the subdivider/developer was required to install street lights per Condition of Approval No. 26 for their General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05 for Park View Estates.
5. Find that, pursuant to Streets and Highways Code section 19056, territory owned by a subdivider that comes under the terms of a county ordinance requiring the installation of a street lighting system (i.e. Stanislaus County Code, section 20.56.210 Streetlights) shall be exempt from Streets and Highway Code requirements for petition, notice, hearing, and election requirements.
6. Find that the annexation will not produce a change in assessment methodology for the Salida Highway Lighting District and that parcels in the new territory shall be subject to that pre-existing methodology.
7. Find that the assessment formula for the Salida Highway Lighting District is sufficient to adequately assess the annexed parcels for the cost of services received.
8. Approve the annexation of the Park View Estates into the Salida Highway Lighting District.
9. Declare that all services being provided by the Salida Highway Lighting District will be extended fully to the territory included in the Park View Estates annexation and that said services shall commence with the start of the 2012-2013 Budget Year.
10. Order that Assessor Parcel Number (APN) 136-028-091 and its subsequent subdivided parcel numbers shall be added to the Budget Year 2012-2013 annual assessments.
11. Direct the Department of Public Works to forward a certified copy of the resolution ordering the annexation, and all other required documents, along with the processing fee to the State Board of Equalization.
12. Direct the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the following offices: the Department of Public Works, Assessor, Elections, Auditor-Controller, and the Clerk Recorder.

DISCUSSION:

The area proposed for annexation into the Salida Highway Lighting District is known as Park View Estates. It is located on the east side of Finney Road just north of the intersections of Finney Road and Segesta Way in the North Salida area. The APN is 136-028-091, and it is .86 of an acre. Attachment "A" illustrates the proposed boundary and includes its legal description.

Approval of the Annexation of Park View Estates into the Salida Highway Lighting District

The proposed annexation is being made to meet a Condition of Approval (COA) for General Plan Amendment Application No. 2005-09, Community Plan Amendment Application No. 2005-02, Rezone Application No. 2005-09, and Tentative Map Application No. 2005-05 for Park View Estates. The Stanislaus County Board of Supervisors gave their approval to these applications on December 19, 2006. The COA given was listed as COA No. 26 under the Department of Public Works as follows:

Condition of Approval No. 26 "Prior to the final map being recorded, the area being subdivided shall be annexed to the Salida Highway Lighting District. The subdivider shall provide all necessary documents and pay all costs associated with the annexation.

The approved Tentative Map and Development Plan sub-divides parcel 136-028-091 into six medium density residential lots situated on a cul-de-sac. The proposed name of the cul-de-sac is Park View Court. The cul-de-sac will have one streetlight at the end of the court. Installation of this infrastructure will be at the developer's expense and to County standards.

If this annexation is approved, the six residential lots will become part of the Salida Highway Lighting District and they will be assessed using the existing formulas and methodology approved by the district's property owners in 2003. Assessments will commence with the 2012-2013 Budget Year. The existing formulas and methodology are as follows:

$$\begin{aligned} \text{Annual Assessment} &= (\text{Estimated Operation \& Maintenance Costs for Current Year}) \\ &+ (\text{Estimated Dry Period Reserve For Next Year}) - (\text{Fund Balance From Previous Year}) \\ &\quad - (\text{Estimated Property Tax Revenue For Current Year}) \\ &\quad / \text{Number of Benefiting Parcels} \end{aligned}$$

This formula and methodology has been found to be sufficient to cover ongoing operational and maintenance costs for this district, which is the County's largest Lighting District.

The services to be extended in the Salida Highway Lighting District to the Park View Estates annexation will be the same as those extended to all other parcels within the district and includes the following:

- Lighting District administration;
- Streetlighting – electric supplied by Modesto Irrigation District and paid for the Lighting District's assessment funds; and
- Routine streetlight maintenance – bulb, lense, sensor replacement, etc.

Stanislaus County Public Works Department will perform all routine maintenance activities. Ongoing annual maintenance and operating costs are funded entirely through the district's proposed assessments.

POLICY ISSUES:

State of California Streets and Highways Code, section 19130 authorizes the Board of Supervisors to be the governing body for Lighting Districts within their county.

Approval of the Annexation of Park View Estates into the Salida Highway Lighting District

This action is consistent with the Board's priority of providing A Safe Community and A Well Planned Infrastructure System by initiating the formal process to annex into the Salida Highway Lighting District, thereby allowing the developer to comply with County Street-lighting Standards and the Conditions of Approval for their project.

STAFFING IMPACT:

Staffing impact is limited to the time required to prepare this agenda item and coordinate the project with the Modesto Irrigation District to energize the light.

CONTACT PERSON:

Mike Wilson, Senior Engineering Technician, Stanislaus County Public Works.
Telephone: (209) 525-4190.

MW:lc

H:\SERVICES\Districts\LD\LD Salida\Parkview Estates Annexation\Park View Estates Annexation To Salida LD_BOS1&2 11.8.11

EXHIBIT "A"
PARK VIEW ESTATES ANNEXATION TO SALIDA HIGHWAY
LIGHTING DISTRICT
LEGAL DESCRIPTION

That piece of real property being a portion of the Northwest Quarter of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California, being more particularly described as follows:

COMMENCING at the west quarter corner of Section 34, Township 2 South, Range 8 East, Mount Diablo Meridian, Stanislaus County, California ; thence,

Course 1. North 0°30'13" West 460.16 feet along the west line of said Section 34; thence,

Course 2. North 89°21'29" East 30.00 feet to the southwest corner of Parcel A as shown on that certain map filed for record in Book 12 of Parcel Maps, Page 107, Stanislaus County Records, being on the existing boundary of the Salida Highway Lighting District, and being the POINT OF BEGINNING; thence,

Course 3. North 00°30'13" West 201.11 feet along said boundary; thence leaving said boundary,

Course 4. North 89°22'36" East 187.00 feet to a point on said boundary; thence,

Course 5. South 00°29'32" East 201.05 feet along said boundary; thence,

Course 6. South 89°21'29" West 186.96 feet along said boundary to the POINT OF BEGINNING.

Containing 0.86 acre, more or less.

Subject to all easements and/or rights of way of record.

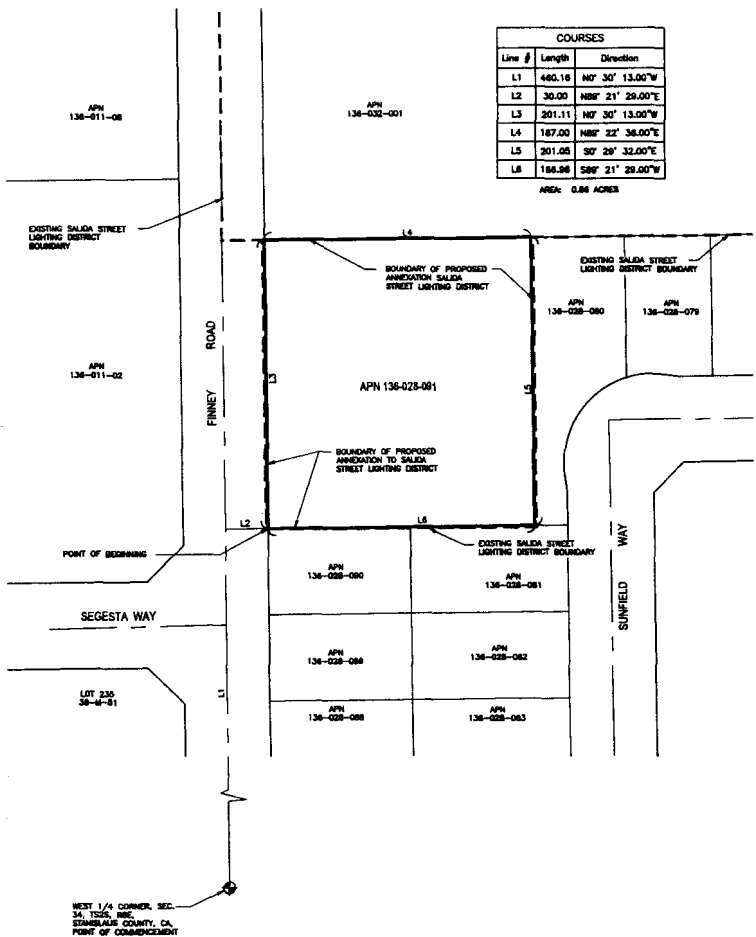
BASIS OF BEARINGS: The bearing of North 0°30'13" West for the west line of Section 34 as shown on that certain map filed for record in Book 44 of Parcel Maps, Page 51, Stanislaus County Records.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



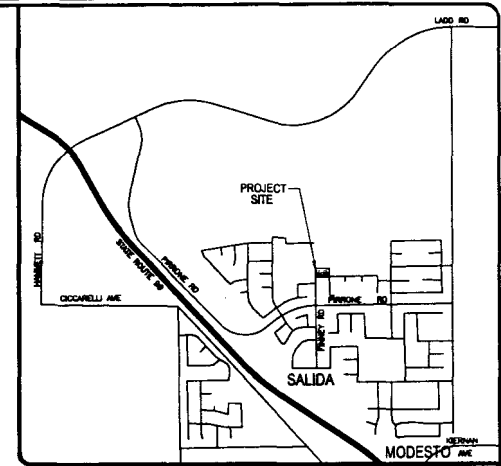
Nov. 11, 2010

A handwritten signature in black ink, appearing to read "David Lee Harris".



COURSES		
Line #	Length	Direction
L1	460.18	N07°30'13.00"W
L2	30.00	N80°21'29.00"E
L3	201.11	N07°30'13.00"W
L4	187.00	N80°22'36.00"E
L5	201.05	S07°29'32.00"E
L6	166.96	S80°21'29.00"W

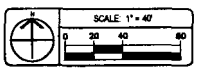
AREA: 0.86 ACRES



VICINITY MAP
NO SCALE


LEGEND

- EXISTING SALIDA STREET LIGHTING DISTRICT BOUNDARY
- PROPOSED ANNEXATION TO SALIDA STREET LIGHTING DISTRICT



DRAWN BY: MS		
DATE: 9/18/2010		
FILE: 01_sousa.dwg		
JOB NO.: 2005-022		
STABCL	REVISION	APPRO.
	DESCRIPTION	

PARK VIEW ESTATES ANNEXATION TO SALIDA HIGHWAY LIGHTING DISTRICT
 BEING A PORTION OF SECTION 34, TOWNSHIP 2 SOUTH, RANGE 8 EAST, MOUNT DIABLO BASE & MERIDIAN
 STANISLAUS COUNTY, CA



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