

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 9/30/04
Department Name: PW/North County Lighting Dist
Department No.: 054
Agenda Date: 10/26/2004
Placement: Administrative
Estimate Time: Dec 7 – 5 min, Dec 14 – 15 min.
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works

STAFF CONTACT: Mark A. Schelich, Deputy Director Resource Recovery & Waste Management Div.
Martin J. Wilder, Manager - ext 8750
Bret A. Stewart, Traffic Manager (Transportation Division)

SUBJECT: Ordinance Approving the Annexation of Tract 14,303 into the Santa Barbara North County Lighting District and Creating a Zone of Benefit – Fourth Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- A. Set a public hearing on the departmental agenda for December 7, 2004 to:
 - 1. Introduce the first reading of an ordinance approving the annexation of territory (Tract 14,303) to the Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment for street lighting services;
 - 2. Approve the Notice of Exemption pursuant to Section 15320 of the California Environmental Quality Act (CEQA) Guidelines;

- B. Set a public hearing on the departmental agenda for December 14, 2004 to:
 - 1. Receive testimony that a written protest has not been filed;
 - 2. Count written property owner ballots;
 - 3. Adopt the attached ordinance (second reading) entitled “An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving the Annexation of Territory to Santa Barbara North County Lighting District, Creating a New Zone of Benefit and Imposing an Annual Assessment Therein” if there is majority support by the results of the ballots received.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1, “An Efficient Government Able to Respond Effectively to the Needs of the Community” and Goal No. 2, “A Safe and Healthy Community in Which to Live, Work, and Visit.”

Executive Summary and Discussion:

This action sets December 7, 2004 as the hearing to introduce the ordinance (first reading) entitled, “An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving the Annexation of Territory to Santa Barbara North County Lighting District, Creating a New Zone of Benefit and Imposing an Annual Assessment Therein” and set December 14, 2004 as the hearing for the second reading of the ordinance for its adoption.

Current County policy requires that all new tracts form zone assessment areas when annexing into any County streetlighting district or service area. A specific benefit assessment is established for the parcels in the new tract in order to provide the revenue to finance the ongoing electricity and maintenance costs associated with the new streetlighting improvements associated with that tract. In this way, no negative fiscal impacts to the lighting districts or service areas will be realized.

Tract 14,303 (Mesa Verde) is also known as Key Site 6 in the Orcutt Community Plan. The tract is located on Assessor’s Parcel Number 101-010-003 and proposes to create a total of 64 lots. The street lighting improvements associated with the tract consists of a total of 27 new streetlights. As described in the Engineer’s Report included with the attached ordinance as Exhibit A, the current estimated annual cost of electricity and maintenance is \$4,509.96 and approximately \$2,000 in annual administrative costs to perform annual budgeting and rate analysis to compare existing rate structure with applicable annual adjustments associated with electricity and other indexing as well as preparation of board actions associated with this specific Zone of Benefit. Including the \$1.00 per lot Auditor/Controller fixed charge fee, the total annual cost is \$6,400.00 (\$6,336.00 not including the fee). The Zone of Benefit allows for an annual increase in electricity and maintenance costs in accordance with inflation, the consumer price index (CPI) and the actual cost of electricity. Cost increases to maintenance may not exceed the CPI without compliance with procedures pursuant to Article XIII D of the California Constitution. Annual adjustments to electricity costs may exceed the CPI but not by more than 10% of the prior year’s budget for electricity and administrative costs. Based on the current costs, an annual assessment of \$100.00 per lot (\$99.00 not including the fixed charge fee) is proposed.

The developer will be required to pay up front the prorated amount of lighting costs for the remainder of the fiscal year in which the street lights are energized. Annual assessments will placed on the tax rolls for each of the new 64 parcels in the subsequent fiscal year.

The ordinance submitted to the Board for approval amends portions of Santa Barbara North County Lighting District to include the creation of a new zone of benefit be created in Santa Barbara North County Lighting District comprised of Tract 14,303 (Mesa Verde) and a benefit imposed thereupon for the purposes of paying for street lighting.

Mandates and Service Levels:

There is no change in programs or service level with this action. Funding to the Santa Barbara North County Lighting District will increase with the approval of the creation of the zone of benefit for the Mesa Verde tract to accommodate the electricity and maintenance costs associated with the new street lights to be installed with the tract.

Fiscal and Facilities Impacts:

The estimated cost of operating the street lighting improvements associated with Tract 14,303 within the North County Lighting District for fiscal year 2005/06 is \$6,336.00. With the creation of the Zone of Benefit, the total revenues collected on the tax rolls will be \$6,400.00 including the fixed charge fee and there will be no additional costs to the North County Lighting District.

Special Instructions:

- A. Direct the Clerk of the Board to publish notice of the hearings, as set forth below, in the Santa Maria Times, as prescribed in Section 6066 of the Government Code. Section 6066 of the Government Code states that:

“Publication of notice pursuant to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notices commences upon the first day of the publication and terminates at the end of the fourteenth day, including therein the first day.”

Notice to be published:

BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA
NOTICE OF PUBLIC HEARINGS
CONCERNING FORMATION OF STREET LIGHTING ASSESSMENT DISTRICT
AND LEVY OF ASSESSMENT

Notice is hereby given that public hearings will be held by the Board of Supervisors of the County of Santa Barbara, State of California, on December 7, 2004 at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, 105 East Anapamu Street, Santa Barbara, California, and on December 14, 2004 in the Board of Supervisors Hearing Room at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, California, at 9:00 a.m. or shortly thereafter, to take public testimony on the proposed ordinance annexing territory into the Santa Barbara North County Lighting District, creating a new zone of benefit and imposing an annual assessment for Tract 14,303 (Mesa Verde) in the County of Santa Barbara. A copy of the ordinance and exhibits may be seen during business hours at the Santa Maria office of the County of Santa Barbara Public Works Department, 2400 Professional Parkway, Suite 150, Santa Maria, California or at the Santa Barbara office of the Public Works Department, 123 East Anapamu Street, Santa Barbara, California.

The public hearing to be held on December 7, 2004 is for the purpose of taking testimony on the proposed ordinance at its first reading. The public hearing to be held on December 14, 2004 is for the purpose of: A) Taking testimony regarding the adoption of the proposed ordinance, B) Determining if a majority protest exists, and C) Counting the ballots to confirm that majority support or voter approval has been obtained.

Any objections or protest to the adoption of the proposed ordinance may be filed with the Clerk of the Board of Supervisors before the public hearing scheduled for 9:00 a.m. on December 14, 2004. The address of the Clerk of the Board is 105 East Anapamu Street, Santa Barbara, California 93101.

The purpose of the assessment is to pay for street lighting services in the proposed district. The basis of the assessment was determined by the annual operating costs spread over the number of proposed parcels in the district. Each record owner in the district may submit a ballot in support or opposition of the proposed assessment. Each ballot must be signed by the record owner identified therein and mailed or delivered to the address shown on the ballot. At the public hearing, the Clerk of the Board of Supervisors will tabulate the ballots received. The assessment shall be imposed if the ballots submitted in favor of the assessment exceed the ballots received in opposition with ballots weighted according to the proportional financial obligation of the affected property.

- B. Direct the Clerk of the Board to forward completely executed copies of the ordinance and a certified minute order to the Public Works Department to the attention of Christy Angkahan in Santa Maria and Kathleen Dowd in Santa Barbara.

Concurrence:

Auditor-Controller
County Counsel