

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: 3/14/05
Department Name: Public Works
Department No.: 054
Agenda Date: 4/19/05
Placement: Administrative
Estimate Time: 5/10/05 - 5 Minutes
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Mark A. Schleich, Deputy Director Resource Recovery & Waste Management Div.
Martin J. Wilder, Manager - x8750

SUBJECT: Setting Public Hearing for County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2005/2006- 2nd, 3rd, 4th and 5th Supervisorial Districts

Recommendation(s):

That the Board of Supervisors:

- A. Adopt the attached resolution setting a public hearing for May 10, 2005 in connection with the street lighting districts listed below.
- B. Receive and file a fixed Charge Fee Report for fiscal year 2005/2006 with the Clerk of the Board on April 12, 2005, which reports the proposed benefit assessment for these lighting districts:
 1. County Service Area 3;
 2. County Service Area 31; and
 3. North County Lighting District.
- C. Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA Guidelines. (Post.);
- D. Adopt at the conclusion of the public hearing on May 10, 2005 the attached resolution establishing street lighting charges for the above subject lighting districts for the fiscal year 2005/2006.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

Executive Summary and Discussion:

Funds for these street lighting districts derive from a combination of property taxes and benefit assessments. A benefit assessment is a levy or charge by an agency upon real property that is based upon the special benefit conferred upon the real property by a public improvement or service, that is imposed to pay the capital cost of the public improvement, the maintenance and operation expenses of the public improvement, or the cost of the service being provided. The Board must annually adopt the benefit assessment rates in order to assess them on the tax roll. Therefore, this action addresses only those streetlighting districts or county service areas that receive revenues from benefit assessments.

County Service Area 3

County Service Area 3 (CSA 3) was formed July 23, 1962 by Resolution No. 22409. CSA 3 boundaries cover portions of the unincorporated, urbanized area of the Goleta Valley between the cities of Goleta and Santa Barbara. CSA 3 provides for 1,426 streetlights, open space maintenance and maintenance of Goleta Beach County Park and Tucker's Grove County Park. Revenues are generated from property taxes and benefit assessments. CSA 3 will continue to have a benefit assessment rate of \$8.00 per residential parcel, \$4.00 for undeveloped parcels and multiples of \$8.00 for commercial or multiple residential units. Annual revenues for FY 05/06 are estimated to be approximately \$79,165 from property taxes and \$66,135 from benefit assessments with total revenue of approximately \$145,300. Annual streetlighting costs for FY 05/06 are estimated to be \$140,000. There is no proposed increase to the benefit assessment source of revenue with this action. Such an increase would require voter authorization pursuant to Proposition 218.

County Service Area 31

County Service Area 31 (CSA 31) was formed December 16, 1963 by Resolution No. 23685. CSA 31 boundaries include the unincorporated community of Isla Vista, located west of the University of California at Santa Barbara. CSA 31 provides for 266 streetlights, street sweeping, and minor capital improvements. Revenues are generated from property taxes and benefit assessments. CSA 31 will continue to have a benefit assessment rate of \$8.00 per residential parcel, \$4.00 for undeveloped parcels and multiples of \$8.00 for commercial or multiple residential units. Annual revenues for FY 05/06 are estimated to be approximately \$13,019 from property taxes and \$20,780 from benefit assessments with total revenue of approximately \$33,799. Annual streetlighting costs for FY 05/06 are estimated to be \$27,000. There is no proposed increase to the benefit assessment source of revenue with this action. Such an increase would require voter authorization pursuant to Proposition 218.

North County Lighting District

The Santa Barbara North County Lighting District was formed on March 22, 1994 by Resolution 94-14. That action consolidated the Casmalia, Orcutt, and Los Alamos street lighting districts as well as the street lighting functions of County Service Area 4 (unincorporated areas in Lompoc) and County Service Area 5 (unincorporated areas in Santa Maria). The North County Lighting District currently provides for 2,688 streetlights. Revenues are generated from property taxes as well as benefit assessments generated from the CSA 5 portion of the North County Lighting District. The CSA 5 area of the North County Lighting District will continue to have zone benefit assessment rate of \$14.73 per residential parcel, \$7.36 for undeveloped parcels and multiples of \$14.73 for commercial or multiple residential units. Annual revenues for FY 05/06 are estimated to be approximately \$294,518 from property taxes and \$129,115 from benefit assessments with total revenue of approximately \$423,633. Annual streetlighting costs for FY 05/06 are estimated to be \$410,000. There is no proposed increase to the benefit assessment source of revenue with this action. Such

an increase would require voter authorization pursuant to Proposition 218.

New Tracts

No allocations from the property taxes are proposed from new parcels annexed into a streetlighting district. This means that all revenues for streetlighting services must come from benefit assessments. Due to the difficulty in adjusting streetlighting rates under Proposition 218 criteria, each new tract required to annex into a streetlighting district will be conditioned to form a separate assessment zone within the lighting district with its own service rate. In this way, each new tract will provide adequate revenues to finance its own streetlighting impacts. Unique to this procedure is the ability to adjust the streetlighting rates in accordance with inflation, the consumer price index (CPI) and the actual cost of electricity (as authorized by the owner/developer). Annual adjustments may exceed the CPI but is limited to 10% of the prior fiscal years' budget. Prior to occupancy, the developer is conditioned to pay the cost of lighting from the date of occupancy (energizing) through the end of the fiscal year pursuant to paragraph 3 of Resolution 81-229. Thereafter, fixed charges based on the actual lighting costs up to the approved zone assessment amount per parcel will be billed on the tax roll. The rates will be adjusted in future years as previously described. The following tracts have formed zones of benefit and will have separate benefit assessments rates:

Providence Landing (Tract 14,487) is located in the CSA 4 (Lompoc) area of the North County Lighting District. Resolution 03-329, initiating proceedings to annex this tract to the North County Lighting District, was adopted by the Board on October 23, 2003. The Local Area Formation Commission (LAFCO) adopted Resolution 03-10 on November 6, 2003 approving the annexation conditioned on the creation of a zone of benefit. The Board adopted Ordinance 4524 on January 27, 2004, which formed the Providence Landing Tract 14,487 Zone of Benefit. The LAFCO Certificate of Completion made the annexation effective August 28, 2004. This benefit zone provides for an assessment to cover lighting, administrative, and Auditor/Controller processing fee costs on 267 single-family parcel units and 61 condominium units. Upon request for energizing the developer will provide funds necessary to fund operations through the end of the fiscal year. Also at that time a separate board action will be requested setting the actual rate to be based on final lighting installations.

Mesa Verde (Tract 14,303) is located in the CSA 5 (Orcutt) area of the North County Lighting District. Resolution 02-289, initiating proceedings to annex this tract to the North County Lighting District, was adopted by the Board on August 6, 2002. LAFCO adopted its Resolution 04-5 on August 5, 2004 approving the annexation conditioned on the creation of a zone of benefit. The Board adopted ordinance 4561 on December 14, 2004, which formed the Mesa Verde Tract 14,303 Zone of Benefit. The LAFCO Certificate of Completion made the annexation effective December 16, 2004. This benefit zone provides for an assessment to cover lighting, administrative, and Auditor/Controller processing fee costs on 64 single-family residential parcels. Upon request for energizing the developer will provide funds necessary to fund operations through the end of the fiscal year. Also at that time a separate board action will be requested setting the actual rate to be based on final lighting installations.

Harp Springs (Tract 14,478) is located in CSA 5 (Orcutt) area of the north County Lighting District. Resolution 05-092, initiating proceedings to annex this tract to the North County Lighting District, was adopted by the Board on March 22, 2005 and the annexation application has been submitted to LAFCO. Hearings to adopt the zone of benefit have been set for May 3, and May 10, 2005. This benefit zone provides for an assessment to cover lighting, administrative, and Auditor/Controller processing fee costs on 44 single-family residential parcels. Upon request for energizing the developer will provide funds necessary

to fund operations through the end of the fiscal year. Also at that time a separate board action will be requested setting the actual rate to be based on final lighting installations.

Mandates and Service Levels:

No change in programs or service level if the benefit assessment rates are established for 2005/2006 for County Service Area 3, County Service Area 31, and North County Lighting District. A drastic reduction in revenue would result if the rates were not established.

Fiscal and Facilities Impacts:

There is no recommended increase to the current zone of benefit assessment for County Service Area 3, County Service Area 31 and North County Lighting District. Property taxes and benefit assessments will meet the anticipated budget for fiscal year 2005/2006. Existing benefit assessment rates will remain the same; however, this action also sets separate streetlighting rates for the Providence Landing and Mesa Verde streetlighting benefit zones.

Special Instructions:

A. Government Code & 6066 Publication:

Direct the Clerk of the Board to publish notice of the meeting, as set forth below, in the Santa Maria Times and the Santa Barbara News Press on April 19, 2005 and on April 26, 2005, as provided in Section 6066 of the Government Code. Section 6066 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.”

B. Notice to be published:

BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA
NOTICE OF PUBLIC HEARING.

Notice is hereby given that a public hearing will be held by the Board of Supervisors of the County of Santa Barbara, State of California on May 10, 2005, at 9:00 a.m. or shortly thereafter, in the Board of Supervisors Hearing Room, at the Betteravia Government Center at 511 East Lakeside Parkway, Santa Maria, California, to take public testimony on the written report for proposed charges for Street Lighting for County Service Area 3, County Service Area 31 and North County Lighting District, entitled “*County Service Area 3, County Service Area 31 and North County Lighting District Fixed Charges Fee Report 2005/2006*”. Copy of the said written report with the proposed amount set out therein can be seen during business hours at the Santa Maria Office of the Santa Barbara County Public Works Department, 2400 Professional Parkway, Suite 150, Santa Maria, California. The proposed amount of each parcel can be

obtained during business hours by a telephone call to the County Department of Public Works, Resource Recovery & Waste Management Division, (805) 739-8750.

The public hearing to be held on May 10, 2005 is for the purpose of considering all objections or protests to the adoption of the proposed benefit assessment charges as set forth in said report or as modified by the Board of Supervisors on May 10, 2005.

Any objections or protest to the adoption of the proposed benefit assessment charges may be filed with the Clerk of the Board Supervisors before the public hearing scheduled for 9:00 a.m., May 10, 2005. The address of the Clerk of the Board is 105 East Anapamu Street, Santa Barbara, California 93101. The objections or protest may also be filed at the hearing on May 10, 2005.

- C. Direct the Clerk of the Board to forward a signed and dated copy of the noticing resolution and the acceptance resolution to the Santa Barbara County, Department of Public Works, Resource Recovery & Waste Management Division, attention Robyn Smith.

Concurrence:

Auditor-Controller
County Counsel