



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: Public Works
Department No(s): 054
For Agenda of: 10/13/2015 - Admin.
Placement: 10/13/2015 - Admin.
11/10/2015 – Dept.
Estimated Time: 11/10/2015 - 10 min.
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., Director, 568-3010
Director(s)

Contact Info: Mark A. Schleich, P.E., Deputy Director, 882-3605

SUBJECT: **Initiation of Annexation of APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to the Santa Barbara North County Lighting District and Establishing a Zone of Benefit – Fourth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

- a) Adopt the resolution initiating proceedings to annex territory known as APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to the Santa Barbara North County Lighting District;
- b) Find that the adoption of a resolution to initiate annexation is not a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that they are governmental administrative activities that will not result in physical changes in the environment and direct staff to file a Notice of Exemption on that basis;
- c) Adopt the resolution initiating proceedings to form a zone of benefit and establish assessments within the North County Lighting District to fund street lighting for Bradley Village (Tract 14,739);and
- d) Set a hearing on the departmental agenda of November 10, 2015 to:
 - i) Receive testimony of any written protests or support;

- ii) Count the written property owner ballot(s); and
 - iii) Adopt the resolution creating a zone of benefit for Bradley Village (Tract Map 14,739) within the North County Lighting District and imposing an annual assessment for streetlighting services should there not be a majority protest; and
- e) Find that the adoption of resolutions to initiate formation and forming a zone benefit assessment is statutorily exempt from California Environmental Quality Act pursuant the 14 CCR 15273(a)(1) for the establishment of rates for the purposes of meeting operating expenses and direct staff to file and post the Notice of Exemption on that basis.

Summary Text:

APN 107-250-008 (Key Site 30) is being developed by the Bradley Village Tract Map 14,739. Requested services requiring annexation include general streetlighting services from the Santa Barbara North County Lighting District (NCLD) provided through the Public Works Department. Adoption of the first resolution (Attachment A) will allow the Santa Barbara Local Area Formation Commission (LAFCO) to consider annexation to NCLD for public streetlighting services. Attachment B is the Notice of Exemption stating that the adoption of this resolution is an exempt action under the California Environmental Quality Act (CEQA).

As a matter of policy and practice, new projects have been conditioned to form a benefit zone in order to ensure that sufficient revenues can be generated to fund the public streetlighting costs associated with tract improvements. This is done to assure uninterrupted streetlighting services within the tract. In order to create the benefit zone for Key Site 30, two resolutions are necessary. The first is the adoption of a resolution to initiate the zone (Attachment C) and the second is a resolution to create the zone (Attachment D). The resolution to create the benefit zone and establish the zone’s benefit assessment is subject to a vote of the affected property owner(s). A majority protest is necessary to reject the benefit assessment. The engineer’s report (Exhibit C to Attachments C and D) describes the operating costs and revenues required to fund the proposed public streetlighting improvements within the tract. Attachment E is the Notice of Exemption stating that the adoption of the formation resolutions is an exempt action under CEQA. Attachment F contains the public notices required by Government Code Section 25217(d).

Background:

Annexation to territorial boundaries for services provided by governmental entities is required of new development in order to receive those services. Key Site 30 is located off Bradley Road and approximately ½ mile north of Clark Avenue in the unincorporated Orcutt/Santa Maria area. The parcel consists of 79.6 acres and is proposed for development under Tract Map 14,739, also known as Bradley Village. The development proposes 69 residential units and 214 multiple family residences, and includes 15 new public streetlights. Services not currently provided to this parcel but under the jurisdiction of the County include public streetlighting through the NCLD.

The NCLD currently provides for 2,855 streetlights in the Los Alamos, Casmalia, Orcutt, unincorporated Santa Maria, and unincorporated Lompoc areas. Revenues to pay for streetlighting on

public roads are generated from property taxes, benefit assessments, and when necessary zones (tract specific) benefit assessments. The NCLD currently receives property tax revenues sufficient to cover 100 percent of the cost of the operations and has a fund balance of approximately \$438,100. As such the benefit assessment as well as zone benefit assessments have been set a zero dollars (not imposed) since fiscal year 2007-2008. The department expects this to continue for the near term and the Board can anticipate that the benefit assessment and zone benefit assessment will not be imposed for Key Site 30 in the foreseeable future.

Property Tax Revenue:

The land is currently undeveloped and not subject to allocation of property taxes and benefit assessments for streetlighting services since it is not located in the NCLD. Upon annexation, the State Board of Equalization (BOE) will assign a tax rate area (TRA) that includes the NCLD as a recipient of some property tax funds. It is anticipated that TRA 080041 will be assigned since adjacent properties have a similar TRA. If the BOE does assign TRA 080041 to the project, then \$8.77 per \$100,000 of assessed value will be generated for the NCLD.

Benefit Assessments:

The existing Santa Maria area benefit assessment is \$14.73 per residential parcel. Up to this amount may be assessed should property taxes not cover general streetlighting costs. As mentioned prior, the department does not anticipate having to impose this assessment in the foreseeable future.

Zone Benefit Assessment:

The engineer's report commissioned by the developer reviewed the annual operating costs for the 15 new public streetlights within Key Site 30 and found that should property tax revenue and the existing Santa Maria area benefit assessment be insufficient, an additional zone benefit assessment of up to \$14.41 per year per residential unit would be required. As mentioned prior, the department does not anticipate having to impose this assessment in the foreseeable future.

This action will allow for the submission of an application to LAFCO for consideration of annexation of Key Site 30 to the NCLD pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act codified in California Government Code Section 56000 et seq. This action also sets a hearing to consider the creation of a zone of benefit in the NCLD and establishes its benefit assessment provided there is adequate support by the land owner(s). The results of the votes will be presented at the November 10, 2015 Board hearing.

Performance Measure:

Revenues for streetlighting from this tract will assist in funding streetlighting services in the NCLD.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Funding Sources	Current FY Cost:	Current FY Rev:	Current FY Diff:
General Fund			
State			
Federal			
NCLD Fund 2670	\$412,163	\$421,039	\$8,876
Total	\$412,163	\$421,039	\$8,876

Narrative: Current property tax revenue exceeds expenses by \$8,876. New revenue to the NCLD will be generated to pay for new public streetlighting costs associated with the proposed development.

Special Instructions:

Direct the Clerk of the Board to:

1. Forward a certified minute order and fully executed copy of the resolution to initiate annexation to NCLD to Robyn Smith - Public Works Department, Santa Maria
2. Forward a certified minute order and fully executed copy of the resolution to initiate formation of a zone of benefit in NCLD to Robyn Smith - Public Works Department, Santa Maria
3. Forward a certified minute order and fully executed copy of the resolution to form a zone of benefit in NCLD to Robyn Smith - Public Works Department, Santa Maria
4. Publish, mail, and post notice (4 separate notices) of the hearing for the creation of a zone of benefit as described.

Attachments:

- Attachment A: Resolution to initiate annexation
- Attachment B: Notice of exemption to initiate annexation
- Attachment C: Resolution to initiate formation of a zone of benefit
- Attachment D: Resolution forming a zone of benefit
- Attachment E: Notice of exemption to establish benefit assessments
- Attachment F: Public notices

Authored by:

Martin Wilder - Utilities Manager, Public Works Department

Copy:

- Mark Paul, Public Works Deputy Director, Finance and Administration
- Gary Smart, Public Works Transportation - Traffic
- Will Robertson, Public Works Transportation - Traffic