

**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: 4/6/04
Department Name: Public Works
Department No.: 054
Agenda Date: 5/11/04
Placement: Administrative
Estimate Time: 6/1/2004 - 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
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 2004/2005 - 2nd, 3rd, 4th and 5th Supervisorial Districts

Recommendation(s):

That the Board of Supervisors:

- A. Adopt the attached resolution setting a public hearing for June 1, 2004 in connection with the street lighting districts listed below.
- B. Receive a fixed Charge Fee Report for fiscal year 2004/2005 to be filed with the Clerk of the Board on May 11, 2004, which reports the rates but no recommended benefit assessment increases for the following lighting districts:
 1. County Service Area 3
 2. County Service Area 31
 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 June 1, 2004 the attached resolution-establishing street lighting charges for the above subject lighting districts for the fiscal year 2004/2005.

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. The North County Lighting District also receives a minor general fund contribution that will continue until benefit assessments are increased or property tax revenue increases due to increases in land value.

County Service Area 3

County Service Area 3 (CSA 3) was formed July 23, 1962 by Resolution 22,409. 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 1,401 streetlights, open space maintenance and maintenance of Goleta Beach County Park and Tucker's Grove County Park. 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 revenue from streetlighting benefit assessments total approximately \$65,882.00 annually. Annual streetlighting costs are approximately \$136,006.56. 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 23,685. CSA 31 boundaries include the unincorporated community of Isla Vista, located west of the University of California at Santa Barbara. CSA 31 provides for 278 streetlights. 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 revenue from streetlighting benefit assessments total approximately \$20,792.00 annually. Annual streetlighting costs are approximately \$28,478.24. 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, Los Alamos street lighting districts as well as the street lighting functions of County Service Area 4 and County Service Area 5. The North County Lighting District currently provides for 2,260 streetlights. The CSA 5 portion of the North County Lighting District is a fixed rate zone benefit assessment area. CSA 5 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. CSA 5 generates approximately \$129,143.14 of annual revenue. A combination of property taxes and a general fund contribution of approximately \$15,000 will provide for the annual expenditures of approximately \$408,319.37. 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 board policy stipulates that any new streetlighting requirements associated with proposed development and annexation into a street lighting district provide adequate revenue to finance its streetlighting impacts. Providence Landing (Tract 14,487) and located in the CSA 4 area formed a streetlighting benefit zone within the North County Lighting District on October 23, 2003 by Resolution 03-229. The Providence Landing Streetlighting Benefit Zone was annexed into the North County Lighting District on January 27, 2004 by Ordinance 4524. This benefit zone provides for an assessment of \$39.76 on each single-family residence and \$20.38 per each condominium unit to provide for a fiscal year 2004/2005 revenue of \$11,531.10 to finance approximately 80 proposed streetlights. Unique to this new procedure is the ability to adjust the streetlighting rates in accordance with inflation, the consumer price index and the actual cost of electricity. Annual adjustments may exceed the CPI but is limited to 10% of the prior fiscal years' budget. This is the first year these rates are being enacted and therefore no increase is proposed.

Mandates and Service Levels:

No change in programs or service level if the benefit assessment rates are established for 2004/2005 for, County Service Area 3 and County Service Area 31 and North County Lighting District.

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, benefit assessments, and a general fund contribution to North County Lighting District of approximately \$15,000.00 will meet the anticipated budget for fiscal year 2004/2005. This action also sets streetlighting rates for the Providence Landing Streetlighting Benefit Zone.

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 Santa Barbara News Press on May 18 and on May 25, 2003, 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 June 1, 2004, at 9:00 a.m. or shortly thereafter, in the Board of

Supervisors Hearing Room, 123 East Anapamu Street, Santa Barbara, 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 2004/2005*”. 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, Solid Waste and Utilities Division, (805) 739-8750.

The public hearing to be held on June 1, 2004 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 June 1, 2004.

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., June 1, 2004. 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 June 1, 2004.

- 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, Solid Waste and Utilities Division, attention Robyn Smith.

Concurrence:

Auditor-Controller
County Counsel

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

A RESOLUTION OF THE BOARD OF)
SUPERVISORS OF THE COUNTY OF)
SANTA BARBARA ESTABLISHING STREET)
LIGHTING CHARGES FOR COUNTY SERVICE)
AREAS 3, 31 AND NORTH COUNTY LIGHTING)
DISTRICT FOR FISCAL YEAR 2004/2005)

RESOLUTION NO. _____

WHEREAS, the California Government code provides that a County may collect charges within a County Service Area to pay in whole or in part for a particular authorized extended service furnished in the County Service Area; and

WHEREAS, the furnishing of highway lighting is an extended service authorized to be furnished within County Service Area No. 3, County Service Area 31 and the North County Lighting District, in accordance with, and to be collected with county ad valorem property taxes pursuant to the provision of § 28-81, subd. (e) of Chapter 28 of the Santa Barbara County Code; and

WHEREAS, pursuant to the provision of Government Code Sections 25210.77 (a) and 54710, et seq., the Board of Supervisors of the County of Santa Barbara has adopted in Chapter 28 of the Santa Barbara County Code provisions for making and collecting charges for the furnishing of said services; and

WHEREAS, the Board of Supervisors has satisfied the requirements and provisions of the Government Code and County Code to establish and benefit assessment charges for various types of properties within County Service Area No. 3, County Service Area 31 and the North County Lighting District and has determined to establish charges accordingly for the Fiscal Year 2004/2005; and

WHEREAS, the Board of Supervisors finds that the benefit assessment charge set forth in this resolution are exempt from CEQA review pursuant to Public Resources Code 21080, subd. (b) (8) (1) and (2) (14 CCR 15273), in that benefit assessment charges will be used for operating expenses and for the purchase of supplies, equipment and materials; and

WHEREAS, § 28-81, subd. (d), of the County Code and § 54716, subd. (d), of the Government Code provide that at the hearing on the report to confirm the proposed benefit assessments, the Board of

Supervisors shall hear and consider all objections or protests, if any, to the reports, and, at the conclusion of the hearing may adopt, revise, change, reduce or modify any charge and shall make its determination by resolution upon each charge as described in the report or as determined at the hearing:

NOW, THEREFORE, IT IS RESOVED AS FOLLOWS;

The Board of Supervisors find that said charges are hereby adopted, made and assessed for County Service Area No. 3, County Area 31 and the North County Lighting District as set forth in the attached Exhibits A, *County Service Area 3, County Service Area 31 and North County Lighting District Fixed Charges Fee Report 2004/2005* and incorporated herein by reference, to pay a part of the cost for furnishing North County Lighting District services, and said charges are to be collected at the same time and in the same manner as ordinary county ad valorem property taxes pursuant to the provision § 28-81, subd. (e), of Chapter 28 of the Santa Barbara County Code.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2004, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:
MICHAEL BROWN
CLERK OF THE BOARD

Chair, Board of Supervisors
County of Santa Barbara

By _____
Deputy

APPROVED AS THE FORM:
STEPHEN S. STARK
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By _____
Deputy Counsel

By _____
Deputy

RESOLUTION OF THE BOARD
OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA
STATE OF CALIFORNIA

IN THE MATTER OF SETTING)
PUBLIC HEARING RELATIVE TO) RESOLUTION NO. _____
REPORT ON PROPOSED BENEFIT)
ASSESSMENTS FOR COUNTY)
SERVICE AREA 3, 31 AND)
NORTH COUNTY LIGHTING DISTRICT)

WHEREAS, on May 11, 2004 a report titled "County Service Area 3, County Service Area 31 and North County Lighting District Fixed Charge Fee Report 2004 – 2005" required under Santa Barbara County Code, Chapter 28, § 28-81, subs. (a) & (b), was filed with the Clerk of this Board; and

WHEREAS, Santa Barbara County Code, Chapter 28, § 28-81, subs. (a) & (b), provides that the clerk shall publish notice of the date, time and place of hearing on said report and for filing objections or protest thereto.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED as follows:

1. That a public hearing on the said report relating to adopting the proposed assessments within County Service Areas 3 and 31 and the North County Lighting District be, and it is hereby, set for the 1st day of June 2004, at the hour of 9:00 a.m., or as soon thereafter as the order of business will permit, in the Hearing Room of the Board of Supervisors, 105 East Anapamu Street, Santa Barbara, California.
2. That the clerk be and is hereby authorized and directed to publish notice of the filing of said report and of said hearing on the report and for the filing of objections or protest thereto, in the Santa Barbara News Press and Santa Maria Times or other newspaper of general circulation, circulated within the territory of the said District. Such notice shall be published at least twice with an interval of five (5) days between the first and last publication, not counting the publication dates, pursuant to Government Code Section 6066.

PASSED AND ADOPTED by the Board of Supervisors of Santa Barbara County, State of California, this _____ day of _____, 2004, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Board of Supervisors
County of Santa Barbara

ATTEST:
MICHAEL BROWN

By _____
Deputy

APPROVED AS TO FORM:
STEPHEN S. STARK
County Counsel

APPROVED AS TO FORM:
ROBERT W. GEIS, CPA
Auditor-Controller

By _____
Deputy

By _____