



Legislation Details (With Text)

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On agenda: 6/10/2008 **Final action:** 6/10/2008

Title: Transportation Department recommending Resolution of Intention 161-2008 increasing the Benefit Assessment for Barnett Business Park Lighting Zone of Benefit No. 98534 within County Service Area No. 9; and a public hearing be set for July 29, 2008 at 10:00 a.m. for the protest ballot proceedings.
RECOMMENDED ACTION: Approve.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 07-2521 Resolution, 2. Exhibit A to Resolution, 3. Exhibit B to Resolution, 4. 07-2521 Contract Routing Sheet

Date	Ver.	Action By	Action	Result
6/10/2008	1	Board Of Supervisors	Adopted	Pass

Transportation Department recommending Resolution of Intention **161-2008** increasing the Benefit Assessment for Barnett Business Park Lighting Zone of Benefit No. 98534 within County Service Area No. 9; and a public hearing be set for July 29, 2008 at 10:00 a.m. for the protest ballot proceedings.

RECOMMENDED ACTION: Approve.

Fiscal Impact/Change to Net County Cost:

There is no fiscal impact associated with adopting the Resolution of Intent.

Background:

The Barnett Business Park Lighting Zone of Benefit #98534 was formed October 7, 1989 by Resolution 316-86 for the purpose of providing street lighting services within Unit 1 of the Barnett Business Park development. No Advisory Committee was established for the Zone. The Application to Form a Zone of Benefit reflects a recommended annual assessment of \$180.73 per parcel. The cost was estimated based on the final installation of 40 street lights within the zone boundaries, estimated administrative costs, and the one time Board of Equalization filing fee. The current per parcel assessment of \$61.00 was set in 1990, and has remained at that rate since. At the time, no confirming election or ballot proceeding was required for a change to the benefit assessment.

Reason for Recommendation:

The *Policy and Procedure Guidelines for Creation and Administration of Zones of Benefit within a County Service Area* require that the revenue for each zone of benefit be in an amount sufficient to pay for the extended County services for which the zone was established including associated administrative and miscellaneous costs.

In 2000, installation and energizing of the street lights within the Zone boundaries was completed. In

fiscal year 2000-01 and each year since, the cost of the utility bills for the street lights has exceeded the total benefit assessment for the Zone, depleting the reserve fund balance that had accrued between the years of 1990 and 2000. The cost of providing street lighting services in the Barnett Business Park Lighting Zone is currently being subsidized by the Road Fund. An Engineer's Report has been prepared and approved by Department of Transportation staff which recommends a per parcel annual assessment amount of \$162.00 as sufficient to cover the cost of the lighting services and the miscellaneous and administrative costs associated with the Zone of Benefit without impacting the Road Fund.

California State Law requires the approval by the owners of property within a Zone of Benefit through an assessment ballot proceeding in order for a benefit assessment to be increased. Department of Transportation staff recommends your Board approve and authorize the Chairman to sign the Resolution of Intent to Increase the Benefit Assessment for the Barnett Business Park Lighting Zone of Benefit #98534, authorizing the commencement of an assessment ballot proceeding.

Action to be taken following Board approval:

1. The Clerk of the Board will have the Resolution recorded upon signature by the Chairman, and will provide a certified copy to the Department of Transportation;
2. The Department of Transportation will schedule a Public Hearing on July 29, 2008 at 10:00 a.m. for the owners of property within the Barnett Business Park Zone of Benefit #98534 to cast protest ballots for or against the increase to the benefit assessment;
3. The Department of Transportation will mail to each owner of record of each parcel of real property within the Zone boundaries a Notice of the Assessment Ballot Proceeding and an Assessment Ballot package with instructions for completing and returning for tabulation.

Contact: Richard W. Shepard, P.E.

Concurrences:
County Counsel