



Legislation Text

File #: 22-1017, **Version:** 1

Department of Transportation recommending the Board:

- 1) Accept a donation in the amount of \$2,100 in Fiscal Year (FY) 2021-22; and an additional \$6,000 donation in FY 2022-23 from Timothy White on behalf of the residents of the Highland Village Lighting Zone of Benefit to continue to fund Zone operations;
- 2) Approve and authorize the Chair to sign a Funding Agreement with Timothy White in the amount of \$8,100 for FY 2021-22 and FY 2022-23; and
- 3) Approve and authorize the Chair to sign a Budget Transfer adjusting the Highlands Village Lighting Zone of Benefit 98507 budget for FY 2021-22 (4/5 vote required).

FUNDING: Donation.

DISCUSSION / BACKGROUND

On September 25, 1984, the Board of Supervisors formed the Highlands Village Lighting Zone of Benefit No. 98507 by Resolution 307-84 to provide street and highway lighting. For the first time since the formation of the Highlands Village Lighting Zone of Benefit No. 98507, expenditures have exceeded the annual revenue. After a thorough evaluation, rising utility rates show to be the major contributing factor.

Per Government Code section 25355, the board may accept or reject any gift, bequest, or devise made to or in favor of the county, or to or in favor of the board in trust for any public purpose. The Board may delegate to any county officer or employee the power to accept any gift, bequest, or devise made to or in favor of the county. The officer or employee shall file with the board each quarter a report that describes the source and value of each gift valued in excess of ten thousand dollars (\$10,000) or any other amount as determined by the board. The board may hold and dispose of the property and the income and increase thereof for those lawful uses and purposes as are prescribed in the terms of the gift, bequest, or devise. In accounting for or inventorying gifts, bequests, or devises, the officer or employee shall follow the appropriate procedures contained in the State Controller's manual entitled "Accounting Standards and Procedures for Counties."

The total amount of the donation required to fund zone operations until the FY 2023-24 tax roll is estimated to be \$8,100. The Highland Village Lighting Zone of Benefit has agreed to donate funds to the County for the purpose of funding Zone operations. In accordance with the Funding Agreement, \$2,100 will be accepted for Fiscal Year 21/22 and \$6,000 will be accepted for FY 2022-23.

On June 28th, 2022, the department will bring an item (Legistar File #22-1017) to the Board for consideration to approve a resolution setting a measure on the November 8, 2022 election ballot to replace the current assessment amount of \$86 with an annual special tax of \$140 per parcel. Following the November 8, 2022 election, the department will report back to the Board should the two-thirds majority vote not be achieved.

ALTERNATIVES

The Board may choose not to approve the donation, limiting the zone's ability to continue the

streetlight operations within the zone of benefit.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Chief Administrative Office - Community Development Finance & Administration

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The estimated shortfall for the FY 2021-22 within the Highlands Village Lighting Zone of Benefit is approximately \$2,100. The Budget Transfer will allow the zone to end the current fiscal year with a positive budget balance. The estimated revenue for FY 2022-23 is \$6,708 based on 78 parcels with an \$86 annual assessment. The estimated funds required for services within the zone in FY 2022-23 will exceed the estimated revenue and result in a deficit of \$6,000 for that fiscal year's expenditures. The \$6,000 donation received for FY 2022-23 will be included in the FY 2022-23 Adopted budget.

Accepting the \$8,100 donation would allow sufficient funding to cover the shortfall in FY 2021-22, and allow the zone to continue to operate through FY 2022-23.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the Funding Agreement.
- 2) The Clerk of the Board will provide one original copy of the Funding Agreement to the Department of Transportation, attention of Elizabeth Hess.
- 3) The Clerk of the Board will obtain the Chair's signature on the original budget transfer and will forward the budget transfer to the Auditor/Controller for processing.

STRATEGIC PLAN COMPONENT

Good Governance, Public Safety

CONTACT

Rafael Martinez, Director
Department of Transportation